

Proceedings of the Ogle County Board Meeting
May 16, 2006

State of Illinois)
County of Ogle) ss
City of Oregon)

Call to Order

Chairman Gocken calls the meeting to order at 5:35 p.m.

Roll Call

The roll call shows Hoekstra, Kenney and Zuehl are absent. The invocation is given by Stahl and this is followed with the Pledge of Allegiance to the Flag.

Approval of Minutes

Chairman Gocken asks for a motion to approve the April 18, 2006, Ogle County Board meeting minutes. Clayton moves to approve the April 18, 2006, Ogle County Board minutes. Bauer seconds and the motion carries on a voice vote.

Approval of Reports

Swanson moves to accept and place on file the monthly reports of the Treasurer, County Clerk/Recorder and Circuit Clerk. Brooks seconds and the motion carries on voice vote.(Placed on file)

Hearings - Nicholas Sakellariou - Health Department Union Contract

Chairman Gocken introduces Nicholas Sakellariou and has him address the board regarding the Health Department Union Contract. Mr. Sakellariou reports changes on the Health Department Union Contract regarding sick time, vacation time and a one-time bonus for long term employees. Mr. Sakellariou states this contract is consistent with the other bargaining units.

Mr. Sakellariou updates the board regarding the settlement of two grievances filed against the county. The county lost the one which dealt with the back-pay for nine individuals in the Sheriff's Office which related back to the interest arbitration decision. These employees left prior to the time of the decision and we thought we had a good case, because the Sheriff's Office had not paid retro active pay before. The arbitrator disagreed with the county and the nine individuals will receive the retro-pay which relates to FY2002. The current contract will take care of this problem with identifying a date by which the employees needed to be employed in order to be eligible for retro-pay. The county won the other arbitration decision regarding the Circuit Clerk's Union contesting the "me too clause" and stating they were not paid the right wage rate based on other county department's wage increases. The arbitrator found the Circuit Clerk did pay the correct wages and the issues that the Union raised did not kick in the "me too clause." Clayton moves to adopt the Successor Collective Bargaining Agreement between the County, the Board of Health and Teamsters Local 722 in substantially the form presented and subject to final review by the Health Department Negotiating Team. Rice seconds and the motion carries on a voice vote.(Placed on file)

Hearings - Judge Pemberton

Chairman Gocken states Judge Pemberton has an introduction to make to the members of the board. Judge Pemberton states Don Kinn who has been with the Probation Office for more than 30 years and has been the Chief Probation Officer for more than 20 years will be retiring June 30th of this year. There was a process and candidates were interviewed and he is pleased to announce Greg Martin was chosen and will begin July 1, 2006. Judge Pemberton also announced Greg Martin's assistant at Focus House, Mike Dale, will be the new director of Focus House. Greg Martin addresses the board and states he is looking forward to his new position.

Hearings - Jack Pease - Super Mix

Chairman Gocken introduces Jack Pease to the board to share a tax update to the board. Mr. Pease opened the Super Mix plant in Monroe Center approximately two and a half years ago. Since this opening he has hired about 20 Ogle County residents to work for them full-time. Mr. Pease updates the board on the Sales Tax, and the business he has generated in Ogle County. Mr. Pease gives a Sales Tax presentation to the board and states his business has generated approximately \$30,000 in Sales Tax which is Ogle County's portion. Mr. Pease also states he has sold a parcel at the intersection of Route 72 and IL-39 to the Lazar family. They are going to construct a BP gas station with a fast food facility and will begin construction this summer. Scholl asks Mr. Pease that during the ZBA hearings Mr. Pease stated an annual Sales Tax report would be sent to the county and asks who receives this information? Scholl has asked the Treasurer's Office and the County Clerk's Office and no one is receiving this information. Mr. Pease states he has sent these reports to the county twice (annually) and asks Chairman Gocken if she has a copy of these reports? Chairman Gocken states she has not received any information. Mr. Pease states his office is to send this information to the different municipalities and he will check with his office and call the County Clerk's Office with the information. Mr. Pease does leave a prepared report with the clerk.

Resignation - Lost Nation/New Landing RCD

Chairman Gocken announces Jerry Sellers has submitted his letter of resignation on the Lost Nation/New Landing RCD Board effective April 30, 2006. Rice moves to accept the letter of resignation, Clayton seconds and the motion carries on a voice vote.(Placed on file)

Vacancies -

Chairman Gocken announces the following vacancies:

- Byron Museum District - 1 vacancy
- 9-1-1 ETS Board - 5 vacancies
- Board of Health - 1 vacancy

Application deadline will be Friday, June 2, 2006
at 4:30 p.m. in the Ogle County Clerk's Office

Appointments -

Chairman Gocken announces the following appointments:

Board of Health

Chairman Gocken announces the recommendation of Gregg Olson to be re-appointed to the Board of Health for a term which will end May 31, 2009. Clayton moves to approve the appointment, Bauer seconds and the motion carries on a voice vote.(Placed on file)

Board of Health

Chairman Gocken announces the recommendation of Daniel R. Watson to be re-appointed to the Board of Health for a term which will end May 31, 2009. Clayton moves to approve the appointment, Horner seconds and the motion carries on a voice vote.(Placed on file)

Board of Review

Chairman Gocken announces the recommendation of Paul I. Lower to be re-appointed to the Board of Review for a term which will end May 31, 2008. Scholl moves to approve the appointment, Rice seconds and the motion carries on a voice vote.(Placed on file)

Civic Center Authority Board

Chairman Gocken announces the recommendation of Fred J. Horner to be re-appointed to the Civic Center Authority Board for a term which will end May 31, 2011. Clayton moves to approve the appointment, Scholl seconds and the motion carries on a voice vote.(Placed on file)

Civic Center Authority Board

Chairman Gocken announces the recommendation of Sally L. Sawicki to be re-appointed to the Civic Center Authority Board for a term which will end May 31, 2011. Clayton moves to approve the appointment, Scholl seconds and the motion carries on a voice vote.(Placed on file)

Lost Nation/New Landing RCD

Chairman Gocken announces the recommendation of Martin G. Portner to be appointed to the Lost Nation/New Landing RCD for a term which will end April 30, 2011. Clayton moves to approve the appointment, Scholl seconds and the motion carries on a voice vote.(Placed on file)

Zoning - #3-06 AMENDMENT -- David & Patricia Ewald

The clerk reads the petition of David & Patricia Ewald, 6691 E. Weld Park Rd., Stillman Valley, IL for an Amendment to the Zoning District to rezone from R-1 Rural Residence District & R-2 Single-Family Residence District to AG-1 Agricultural District on property described as follows and owned by the petitioners:

Part of the S ½ NE 1/4 Section 15 Marion Township 24N, R11E of the 4th P.M., Ogle County, IL, 5.01 acres, more or less
P.I.N.: 10-15-200-016 - Common Location: 6691 E. Weld Park Rd.

Hopkins moves to concur with the Zoning Board of Appeals and approve #3-06 Amendment for David & Patricia Ewald, Bauer seconds and the motion carries on a voice vote.(Placed on file)

Zoning- #4-06 AMENDMENT -- Joan M. Hanlin

The clerk reads the petition of Joan M. Hanlin, % Williams & McCarthy, PO Box 339, Oregon, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to R-1 Rural Residence District on property described as follows and owned by the petitioner:

Part of SW 1/4 SE 1/4 Section 35 Byron Township 25N, R10E of the 4th P.M., Ogle County, IL, 10.0 acres, more or less
P.I.N.: Part of 04-35-400-026 - Common Location: 1674 E. Town Line Rd.

Hopkins moves to accept the petitioners written request to withdraw the petition of #4-06 Amendment for Joan M. Hanlin. Heuer seconds and the motion carries on a voice vote.(Placed on file)

Zoning - #3-06 SPECIAL USE -- Wynnie Earline Johnson

The clerk reads the petition of Wynnie Earline Johnson, 900 Carrie Ave, Apt. 10, Rochelle, IL for a Special Use Permit to allow a dwelling for the farm owner in the AG-1 Agricultural District on property described as follows and owned by the petitioner:

Part of SE1/4 Section 7 Flagg Township, R1E of the 3rd P.M., Ogle County, IL, 5.0 acres, more or less
P.I.N.: Part of 24-07-400-017 - Common Location: 4732 S. Skare Road

Hopkins moves to concur with the Zoning Board of Appeals and approve #3-06 Special Use for Wynnie Earline Johnson, Heuer seconds and the motion carries on a voice vote.(Placed on file)

Zoning - #5-06 TEXT AMENDMENT -- Michael Reibel

The clerk reads proposed Text Amendment changes requested by Michael Reibel, Ogle County Planning & Zoning Administrator, 911 W. Pines Rd., Oregon, IL for an Amendment to the text of the *Ogle County Amendatory Zoning Ordinance*, involving the following:

Division 2, Section 2.02 (Definitions - Agriculture, Open Storage, Junkyard);
Division 5, Section 5.01 (AG-1 Agricultural District, Paragraph C. Special Uses);
Division 6, Section 6.06 (Accessory Buildings, Structures and Uses); Section
6.27 (Open Storage of Unlicensed Motor Vehicles)

Reibel states the board members received the Executive Summary in the County Board packets and requests to vote on each issue separately. There was some discussion regarding the striking of ethyl alcohol from the AG area of Division 2, Section 2.02, the enforcement of Ordinances and the issue of containers used for storage.

- Division 2, Section 2.02 (Definitions - Agriculture, Open Storage, Junkyard): Hopkins moves to approve Division 2, Section 2.02 as presented. Colson seconds and the motion carries on a voice vote.(Placed on file)

- Division 5, Section 5.01 (AG-1 Agricultural District, Paragraph C. Special Uses): Hopkins moves to approve Division 5, Section 5.01 as presented, Gouker seconds and the motion carries on a voice vote.(Placed on file)

- Division 6, Section 6.06 (Accessory Buildings, Structures and Uses): Hopkins moves to amend and strike "or Intermodal Container" and Nye seconds. The motion carries on a voice vote. Hopkins moves to approve the text amendment as stricken, Nye seconds. Huntley states this should be on a limited basis and have a time limit on such containers. Reibel states there will be further studies on this issue and they will be coming back to the committee for further recommendations. There was more discussion regarding the use of the containers and the potential of being an eyesore in the community. The motion carries on a voice vote.(Placed on file)

-Division 6, Section 6.27 (Open Storage of Unlicensed Motor Vehicles): Hopkins moves to approve Division 6, Section 6.27 as presented, White seconds and the motion carries on a voice vote.(Placed on file)

Zoning - GIS Specialist

Mike Reibel introduces Larry Callant as the new GIS Specialist for Ogle County. Mr. Callant addresses the board and gives some background information on himself. He has been in the GIS field for about 30 years, served in the US Army and worked with the US EPA. He has been very impressed with the information the Ogle County GIS Partnership has developed thus far and he is very happy to continue the work of the partnership.

Road & Bridge

Clayton states the information regarding Road and Bridge Resolutions and Agreements have been included in your packet and in the Road and Bridge Committee minutes.

Road & Bridge - Ogle County Board Resolution - Woodlawn Rd

Clayton moves to accept the resolution deleting County Highway 18, Woodlawn Road from IL RT 38 Southerly to the Village of Creston corporate limits from the Ogle County Highway System. Spencer seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - IDOT - Local Agency Agreement for Jurisdictional Transfer - Woodlawn Rd

Huntley moves that the County Board accept the Local Agency Agreement for Jurisdictional Transfer of Woodlawn Rd. from IL RT 38 to the South corporate limits to the Village of Creston. Spencer seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Alternative Analysis of the Elgin to Rockford Corridor

Clayton states this is a study for mass transit and asks we endorse continuing this project. Chairman Gocken states this will allow for Federal money for this study. Clayton moves that the Ogle County Board accept the Resolution endorsing an Alternatives Analysis of the Elgin to Rockford Corridor in Northern Illinois. Huntley seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Resolution - County Road Construction - Daysville Rd & IL RT 64

Colson moves that the County Board approve the award and appropriation Resolution - County Road Construction for Daysville Rd and Route 64 Improvements - 05-00235-00-CH which appropriates \$51,000 from the Federal Aid Matching Fund. Brooks seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Preliminary Engineering Svcs Agmt for Motor Fuel Tax Funds - Flagg Rd - 06-00241-00-WR

Huntley moves that the County Board approve the Preliminary Services Agreement for the reconstruction of Flagg Road from just west of Queens Rd to Center Rd in an amount not to exceed \$85,000 - 06-00241-00-WR. Colson seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Preliminary Engineering Svcs Agmt for Motor Fuel Tax Funds - Burlington Rd - 06-216120-00-BR

Clayton moves that the County Board approve the Preliminary Engineering Services Agreement for the replacement of a bridge carrying Burlington Rd (Oregon/Nashua Twp) over the BNSF Railroad in an amount not to exceed \$26,500 - 06-26120-00-BR. Spencer seconds and the motion carries on a voice vote.(Placed on file)

Recess to refer claims to a committee

At 6:35 p.m., Chairman Gocken asks for a motion to recess and refer claims to committees. Heuer moves, Scholl seconds and the motion carries on a voice vote. Chairman Gocken calls the meeting back to order at 6:45 p.m.

Claims

The clerk reads the claims for the General Fund - \$58,521.59 and the County Highway Fund - \$34,732.69. Rice moves to approve the claims as read, Horner seconds and the motion carries on a voice vote.(Placed on file)

COMMITTEE REPORTS

The following committees had no additional report other than the minutes that are placed on an exhibit: *Finance and Revenue, Juvenile & Probation, Sheriff & Coroner, State's Attorney & Legislative, Road & Bridge, Planning Commission and Executive Committee.* The following had no minutes to file: *Board of Health, Ill Assoc. Of County Board Members, U.C.C.I., Mental Health Board, Tri-County Opportunities, IT Committee, Safety Committee, 911 ETS Board, G.I.S. Committee, Ill Risk Management and Byron Dragway.*

County Administrator Interview Committee

Candidate

Chairman Gocken states they are still negotiating and hope to have someone to present to the board next month.

County Clerk

Minutes placed on exhibit

Insurance

Rice states he held a meeting with the negotiating team from the Sheriff's Office Union regarding the Group Health Insurance and how it works. Rice states the meeting was called Self-funding of Group Health Insurance 101 and it went well.

Judges of Election

Saunders moves to approve the confirmation of the Judges of Election which was presented in the board packets last month. Scholl seconds and the motion carries on a voice vote.(Placed on file)

Buildings & Grounds

Minutes placed on exhibit

Update

Huntley reads the following from the Buildings & Grounds Committee minutes: "The Sheriff stated he has been in contact with his attorney as well as the State's Attorney regarding the responsibility and liability of the Judicial Center. He was informed that once the building was occupied it became the responsibility of the Sheriff. The Buildings and Grounds Committee is the next in line for responsibility and then the County Board." Huntley also reads a statement made by Saunders at the Buildings & Grounds Committee meeting: "Too many times people forget what the purpose of the County Board is. They set policy, pass ordinances, etc. We have great elected officials that are to handle the daily operations of the County. We need to let them do their jobs."

Question on carpeting

Heuer comments on the expenditure of \$3,428.88 for the carpet in the County Board room. She has reviewed minutes of the Buildings and Grounds Committee and County Board and found no mention of this expenditure, she would like to know who authorized this expense? There was no answer to this question. Rice says there wouldn't need to be approval if the money is in the budget. Scholl states when the furniture was removed from the courtroom, there were a lot of things on the floor which needed to be covered-up. The question still remains who and how was this expenditure authorized and were bids put out on this expenditure. Heuer states that according to the County Board's Rules of Order #23 it states "All bids which exceed \$3,000 shall be reviewed by the Board, even if allowed in the budget." County Clerk Huntley says the Rules of Order also state: "Purchases made by an office or department head, other than those of an elected County Officials, in excess of \$3,000 (value of trade-ins to be included in the purchase price) shall be by sealed bids." Heuer states there have been two agencies who received budget cuts from the county and when they saw the new carpet in the board room, they have asked how much did the carpet cost? It was stated we need to move on at this point since there was no answer to this question tonight. Colson says he is puzzled as to how the room was moved to another and asks how did this come about and what did we accomplish? Some board members replied they are happy with the move and noticed there is more room. Nye stated the public is not sitting on top of the board members who are seated in the back of the room.

H.E.W. & Solid Waste Minutes placed on exhibit

Host Fees Chairman Gocken announces the Host Fees received from the Onyx Orchard Hills Landfill for the first quarter was \$590,693.15. The running total received by Ogle County since the landfill opened is \$13,925,264.50.

Judiciary & Circuit Clerk Minutes placed on exhibit

Update Stahl says there are corrected minutes on the desks - there was a typo on the adjournment of the meeting and they have been corrected. Stahl also notes a change in the Committee meeting time on the Orientation Manual Updates distributed this evening, the Judiciary & Circuit Clerk Committee meets at 3:30 p.m.. Stahl says Laura Cook will be e-mailing a corrected version to be included in the Orientation Manual Updates.

Planning, Assessment & Zoning Minutes placed on exhibit

Meeting Hopkins says there will be a Planning Commission meeting on May 18th at 6:00 p.m. Bob O'Brien from the Rockford Airport will be the speaker.

Blackhawk Hills RC&D Newsletter on exhibit

Update Colson states there is an update on the desks.

U.C.C.I. No minutes

Report Heuer states there will be a golf outing on July 24th & 25th and more information will be included in next month's packets.

Illinois Risk Mgmt No minutes

Meeting Heuer states the board meeting is this coming month.

Safety Committee No minutes

Update Chief Deputy Beitel states plans are being refined.

Personnel & Salary Minutes placed on exhibit

Thanks Saunders would like to thank Becky Huntley and her staff for providing updates for the Orientation Manuals. Saunders also asks the board members to keep their manual's up-to-date.

Judicial Center No minutes

Bills Saunders asks if the county is responsible for the \$9,162.38 in property taxes for the newly acquired properties? County Clerk Huntley states this was the agreement at settlement which was pro-rated between the owners of the property and County.

Chairman Gocken states the total amount of the bills for the Judicial Center for the month of May is \$99,771.20. Of this total, \$89,583.08 will be paid from the Judicial Center Project Fund and \$10,188.12 will be paid from the Long Range Capital Improvement Fund. Colson moves to approve, Rice

seconds and the motion carries on a voice vote.

Update

Chairman Gocken reports on updates of the Judicial Center -

- The painter is prepping the epoxy flooring in the jail cells and will complete that project in the next week
- Green Associates receiving final pricing from Potter-Lawson for the installation of insulation in the vestibule area. Potter-Lawson will pay for most of this repair, including labor and items the County would not have paid had it been installed during construction. The County will be responsible for paying for the materials that will be installed, because the County would have paid for these materials had they been installed during construction.
- An acoustical engineer was at the Judicial Center on Friday looking for a solution regarding the sound from the overhead door in the sally port. He should have a recommendation within the next couple of weeks.
- Potter-Lawson will be doing a final punch list review in the next couple of weeks. Typically this review will find 90 - 95% of all punch list items corrected. At that point, if there are items remaining, Potter-Lawson will generate another punch list of those items. But, if all punch list items are corrected during that review, then a final report of completion will be sent to the County.
- It is expected that the final payouts for the project will be recommended at the June County Board Meeting.
- The entrance to the South parking lot of the Judicial Center will be done Memorial Day weekend at Willett & Hoffman's expense.

Change Orders

Chairman Gocken states the Change Orders were presented and recommended for approval at the Executive Committee meeting:

- Change Order - Engel Electric in the amount of \$35,032.00
 - Change to create security exits from all four courtrooms to the Judicial Offices - \$29,900.00
 - Move security cameras from the top of the elevators to a stationary location at the top of the elevator shaft - \$4,721.00
 - Change to the holding cell locks - \$411.00

Hopkins moves to approve the change order for Engel Electric not to exceed \$35,032.00 to be paid from the Judicial Center Project Fund and/or the Long Range Capital Improvement Fund. Horner seconds and the motion carries on a voice vote.

- Change Order - G&S Handyman Service - \$2,118.80
 - Chairman Gocken explains the need to replace the exterior fencing for privacy for Mrs. Spoor. Colson moves to approve the contract with G&S Handyman Service, from Oregon, Illinois, for the construction of a 132' stockade fence on the northwest property line of the Judicial Center per the specification bids submitted to Green Associates and the Executive Committee on May 8, 2006. The cost of the contract is not to exceed \$2,118.80 and will be paid from the Judicial Center and/or Long Range Capital Improvement Fund. Clayton seconds and the motion carries on a voice vote.

Property closing

Chairman Gocken reviews the following information:

Property location	Original Purchase Price	Selling Price	Property Tax	Net Balance Due
Properties to close March 1, 2006:				
100 S. Sixth St	\$ 115,101.00	\$ 126,600.00	\$ 2,878.70	\$ 123,721.30
102 S. Sixth St	\$ 94,101.00	\$ 103,500.00	\$ 2,754.66	\$ 100,745.34
104 S. Sixth St	\$ 125,101.00	\$ 137,600.00	\$ 3,320.86	\$ 134,279.14
106 S. Sixth St	\$ 77,101.00	\$ 84,800.00	\$ 2,025.87	\$ 82,774.13
TOTAL	\$ 411,404.00	\$ 452,500.00	\$ 10,980.09	\$ 441,519.91

Liquor Commission

Minutes placed on exhibit

Meeting

Chairman Gocken announces the Liquor Commission will be meeting Friday, May 26th to review the applications of Joseph and Andy Lazar - Monroe Center Oasis.

Chairman Comments

Chairman Gocken thanks the Ogle County Collector/Treasurer and Ogle County Clerk for their efficient work in producing and mailing the 2005 Ogle County Tax Bills.

Communications

- Sales Tax for February 2006 was \$41,402.89 and \$64,197.18
- Sales Tax for February 2005 was \$19,443.61 and \$57,699.18
- ComEd Notice - Tree trimming
- County Board - Orientation Manual updates - 2005 Annual Report from Solid Waste
- Illinois Historic Preservation Agency - Oregon Commercial Historic District

Unfinished Business

New Business

Gouker addresses the board regarding the Demeter Statute to be displayed in front of the Judicial Center. Gouker distributes information he would like to have put into the Judicial Center.(Placed on file) Gouker would like to have a Welcome plaque in the lobby of the Judicial Center with information used in the Dedication and Benediction of the Judicial Center on August 20, 2005. Gouker makes the motion to consider the information as presented and Brooks seconds. This motion will lay over until next month. Gouker would also like to have a plaque with the 10 Commandments in the Judicial Center. Gouker makes the motion that this Ogle County Judicial Center has been built and dedicated to the people of Ogle County, with the hope that all who come here, find satisfaction for their pursuit of Justice, if not Justice itself. The laws adjudicated here are those written by man, but inspired by a higher ideal from our Creator. Bauer seconds and the motion will lay over until next month.

Public Comments

Rev. Kent Svendsen reads a prepared statement to the board opposing the Demeter Statue in front of the Judicial Center. Rev. Svendsen was asked as a Civic Leader by the citizens of Ogle County to speak to the board asking them to rescind their decision regarding the Demeter Statue. Rev. Svendsen has a petition with 347 signatures of people who do not want the Demeter Statue placed in front of the Judicial Center.

Chairman Gocken has received a letter from the artist and he has offered to change the name of the statue to "Agriculture - Mother of Civilization."

Scholl makes the motion to rescind the action taken on the statue. Bauer seconds and the motion will lay over until next month.

Terry Brownson states from the back of the room, Can we please avoid a lawsuit on this statue and the other building stuff? I don't want to see my tax money spent this way.

Motion to Adjourn

At 7:40 p.m., Colson moves to adjourn the May Ogle County Board meeting until Tuesday, June 20, 2006, at 5:30 p.m. at the Ogle County Courthouse. Heuer seconds and the motion carries on a voice vote.

Betty Gocken
Chairman Ogle County Board

Attest: Rebecca Huntley, Ogle County Clerk &
Ex-officio Clerk of the Ogle County Board