

Proceedings of the Ogle County Board Meeting  
May 15, 2007

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

**Call to Order**

Chairman Rice calls the meeting to order at 5:30 p.m.

**Roll Call**

The roll call shows \*Bauer and \*Heuer are absent. The Pledge of the Allegiance to the Flag is recited and the invocation is given by Colson. (\*Bauer enters at 5:35 p.m. and Heuer enters at 6:20 p.m.)

**Approval of Minutes**

Chairman Rice asks for a motion to approve the April 18, 2007, Ogle County Board meeting minutes. Bowers moves to approve the April 18, 2007, Ogle County Board Meeting minutes and Horner seconds. The motion carries on a voice vote.

**Approval of Reports**

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

**Thanks to Flagg Township and Focus House**

Chairman Rice would like to thank Flagg Township and Curtis Cook for the tour of Flagg Township.

**Presentation – John Thompson – President/CEO/Zone Administrator – Lee County**

Chairman Rice introduces John Thompson and asks him to explain the changes needed for the Enterprise Zone in Lee County. Mr. Thompson states this is a territory expansion for the Enterprise Zone that will include three new projects into the zone:

- Illinois River Energy Ethanol Plant in Rochelle
- Industrial Developments Incorporated - adjacent to the south boundary of the Rochelle Airport and the north boundary of Lee County
- Wind Farm – South Central Lee County and West of Woodhaven Lakes Camping Area

Colson asks Mr. Thompson about the number of acreage for this expansion. Mr. Thompson states before this application the zone had 8993.9 acres and will be adding 237.91 acres with these three projects which will leave the zone with 368.19 available acres for future expansion. Kilker moves to approve the Ordinance and the Amendment #12 to the Intergovernmental Agreement as presented, Scholl seconds and the motion carries on a voice vote.(Placed on file)

**Presentation – Exelon Public Affairs**

Chairman Rice introduces Bill Stoermer from the Exelon Public Affairs and welcomes him to the meeting. Mr. Stoermer is the new Public Affairs Manager for the Byron Station and has been with Exelon for 26 years at the Quad Cities Station.

**Presentation – Sikich Audit Report**

Chairman Rice asks Brian LeFebrve from Sikich to present the Ogle County Annual Financial Audit for the Year Ended November 30, 2006. The following information is reviewed:

- Page 1 – Independent Auditor’s Report
- Single Audit Report – Required for the Federal expenditures of Federal Grant monies
- Page MD&A1 – Management’s Discussion and Analysis
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Kilker questions the Long Term Debt information given on pages 26 & 27. The debt information regarding the \$172,000 loan for a van with the Coroner’s Office is incorrect and should be corrected. Kilker states she believes this \$172,000 is with the Holcomb Bank for squad cars for the Sheriff’s Department. Mr. LeFebrve says that could

be a typo-graphical error, he will look into this question and thanks Kilker for bringing it to his attention. Mr. LeFebrve then reviews the Recommendations for Improvement document distributed at the meeting this evening. Gouker asks what are they looking for regarding the recommendation listed on page 3 regarding “Budgeting of Funds” and needing a legally adopted budget for expenditures. LeFebrve states these funds should have budgets with listed appropriations. Boes asks Coffman, “What assistance does he need from the County Board to accomplish these recommendations?” Coffman states he needs assistance from the various department heads and direction from the County Board. Messer states most of the funds in the Sheriff’s Department are considered “turnaround funds” – the money is deposited into the account and a check is written to the appropriate party. Kilker asks Chairman Rice how are the recommendations for improvement going to be implemented and what action will be taken? Chairman Rice states the Executive Committee with the oversight of Treasurer Coffman and appropriate Department Heads will review the recommendations for implementation.

### **Chairman Comments**

Chairman Rice informs the board of milestones which have happened in his life this week – his wife Anne retired as the fundraiser/grant writer from the high school, son Joseph graduated with Honors from the University of Illinois this weekend and his mother turned 96. Chairman Rice introduces Anne and Joe to the members of the board.

Chairman Rice also thanks Focus House for hosting the County Board meeting this evening. Chairman Rice also thanks the Focus House staff for the meal tonight.

### **Presentation – Paul Miller – DeKalb County Zoning Administrator**

Mr. Miller speaks to the board regarding how growth and development is approached in DeKalb County. Mr. Miller states the two main approaches of the Comprehensive Plan for DeKalb County is 1) Preserve agricultural land for agriculture where possible and 2) Consolidate growth and development around the municipalities by annexation. The reason for this is that it helps with non-agriculture and agriculture conflicts and with emergency services and other services such as utilities, sewer and other infrastructure. Mr. Miller states DeKalb County has not approved a new stand alone subdivision in the unincorporated area in over 10 years. He states the new building occurring in DeKalb County at this time is happening through annexation into a municipality. Since 1972, DeKalb County has gone through a process of eliminating zoning districts to restrict the opportunity for non-agricultural uses in the rural areas. Mr. Miller states the county works with the fourteen municipalities in DeKalb County, formed a Regional Planning Commission and DeKalb County paid for updates to individual municipal Comprehensive Plans for nine out of fourteen communities. He stated these communities were small and did not have the funds to complete their own comprehensive planning. Barnes asks if they allow homes to build on non-tillable land like in a forest or hillside? Mr. Miller says no they do not. He states each house that is built will require public services and infrastructure. The public service and infrastructure are largely paid by property taxes. When you get to looking at the costs of public services for each house and compare that aggregate cost to the property taxes that are generated, you will see it is a losing proposition for every dollar of property taxes for the services needed by each house. Colson asks about the large implement dealer on the corner of Route 64 and Annie Glidden Rd and states this seems to be in conflict with the Comprehensive Plan. Mr. Miller says an implement dealer is considered an agri-business – which largely supports the agricultural community. They were able to demonstrate that more than 50% of their sales and services are used by people actively engaged in agriculture. An agri-business is a Special Use and not a rezoning since it is still zoned AG on that property. Boes asks what percentage of land mass do the current combined municipalities control and where does he see that growing to in the next 20 years? Mr. Miller says about 10 to 11 percent of the 649 square miles in DeKalb County are under municipal boundaries. In 20 years, if the municipalities stick to their plans – it could be under 20 percent within municipal boundaries. This is if they stick to their comprehensive plans. Mr. Miller states comprehensive planning is a dynamic process and depending on growth you may be revisiting the plan every 10 years, every 5 years or every 3 years. Boes comments what we need to instill here is the Comprehensive Plan which needs to be a live document.

### **Ordinance – #07-0619 – Warrant Service Fee**

Chairman Rice states this Ordinance is being presented this evening and will be voted on at next month’s County Board Meeting.

**Resignation – Ogle County Housing Authority**

Chairman Rice announces we received today a letter of resignation from Amy Vaupel-Simmons on the Ogle County Housing Authority.

**Resignation – Zoning Board of Appeals**

Chairman Rice reads the letter of resignation received from Paul Kjerluff on the Zoning Board of Appeals. Nye moves to accept the resignation, Hopkins seconds and the motion carries on a voice vote.(Placed on file)

**Vacancies -**

Chairman Rice announces the following vacancies:

- Byron Museum District
- Zoning Board of Appeals – 1 unexpired term ends April 30, 2009
- Civic Center Authority Board – 1 unexpired term ends May 31, 2009
- Civic Center Authority Board – 1 term ends May 31, 2012

Application deadline for these vacancies will be Friday, June 1, 2007, at 4:30 p.m. in the County Clerk’s Office

**Appointments -**

Board of Health

Chairman Rice states Scott A. Scull has been recommended for appointment to the Board of Health for a term which ends May 31, 2010. Kenney moves to approve the appointment, Horner seconds and the motion carries on a voice vote.(Placed on file)

Board of Health

Chairman Rice states Mark K. Myers has been recommended for appointment to the Board of Health for a term which ends May 31, 2010. Nye moves to approve the appointment, Bauer seconds and the motion carries on a voice vote.(Placed on file)

Board of Review

Chairman Rice states Douglas K. Zuehl has been recommended by the Executive Committee for appointment to the Board of Review for a term which ends May 31, 2009. Nye moves to approve the appointment, Scholl seconds and a roll call vote is called. Colson states he has a severe problem with appointing someone on the Board of Review who has a history of reducing the E.A.V. of the nuclear plant by \$118,700,000 in the last two years and this burden is on the backs of the taxpayers. Barnes asks if this is the same person that resigned from the board and asks why he resigned. Zuehl states he was advised by IMRF he had to resign in order to initiate his pension. He talked to a lawyer Mr. Greenfield and was informed he can now apply for the Board of Review and it will not affect his pension. A roll call vote is requested:

**YES:** Horner, Huntley, Kenney, Messer, Nye, Scholl, Stahl, Swanson, Bauer, Boes, Brooks, Colbert and Rice

**NO:** Heuer, Hopkins, Kilker, White, Williams, Barnes, Bowers, Colson, Diehl, Gouker and Gronewold

**ABSENT:** None

The motion carries on a roll call vote.(Placed on file)

Board of Review

Chairman Rice states Jerry J. Griffin has be recommended by the Executive Committee for appointment to the Board of Review for a term which ends May 31, 2009. Scholl moves to approve the appointment, Kenney seconds and a roll call vote is called:

**YES:** Hopkins, Horner, Huntley, Kenney, Kilker, Messer, Nye, Scholl, Stahl, Swanson, White, Williams, Barnes, Bauer, Boes, Bowers, Brooks, Colbert, Colson, Diehl, Gouker, Gronewold, Heuer and Rice

**NO:** None

**ABSENT:** None

The motion carries on a roll call vote.(Placed on file)

Ogle County Board Meeting

May 15, 2007

Civic Center Authority Board

Chairman Rice states Thomas K. Smith has been recommended for appointment to the Civic Center Authority Board for a term which ends May 31, 2012. Nye moves to approve the appointment, Huntley seconds and the motion carries on a voice vote.(Placed on file)

Civic Center Authority Board

Chairman Rice states Marilyn J. Janssen has been recommended for appointment to the Civic Center Authority Board for a term which ends May 31, 2012. Colbert moves to approve the appointment, Bauer seconds and the motion carries on a voice vote.(Placed on file)

Lost Nation / New Landing River Conservancy District

Chairman Rice states Tina M. Loszach-Trevino has been recommended for appointment to the Lost Nation / New Landing River Conservancy District for a term which ends April 30, 2012. Horner moves to approve the appointment, Kenney seconds and the motion carries on a voice vote.(Placed on file)

**Resolution – Opposing HB 1517 & 1518 raising the age of Juvenile Offenders to 18**

Chairman Rice asks Probation Director Greg Martin to explain this resolution which was received in the county board packets. Martin states the new law would move the age of juvenile offenders from 17 years of age to 18 years of age. In the State of Illinois if you are 17 years of age and arrested, you are prosecuted as an adult. You would then receive Probation and receive adult probation services. This bill would move that to the age of 18, if you were 17 or 17½ or 18 years of age and arrested you will receive juvenile probation services. Martin states there is no allocation of money to handle the influx of 17 or 18 year olds into the juvenile system. This will impact Focus House who would house children for a longer period of time. Martin discusses the other areas of various county services this would also affect. Nye states the Juvenile & Probation and Judiciary & Circuit Clerk Committee recommended approving this resolution. Nye moves to approve the resolution, Huntley seconds and the motion carries on a voice vote.(Placed on file)

**Resolution – IERT (Illinois Telecommunicator Emergency Response Task Force)**

Chairman Rice presents the resolution for the Illinois Telecommunicator Emergency Response Task Force Intergovernmental Agreement. Horner moves to approve the resolution as presented, Bauer seconds and a roll call vote is taken:

**YES:** Horner, Huntley, Kenney, Kilker, Messer, Nye, Scholl, Stahl, Swanson, White, Williams, Barnes, Bauer, Boes, Bowers, Colbert, Colson, Diehl, Gouker, Gronewold, Heuer, Hopkins and Rice

**NO:** None

**ABSENT:** Brooks

The motion carries on a roll call vote.(Placed on file)

**Resolution – Opposing the Gross Receipts Tax**

Chairman Rice presents the Resolution Opposing the Gross Receipts Tax. Colson moves to approve the resolution as presented. Bowers seconds and the motion carries on a voice vote.(Placed on file)

**Proclamation – Hunger Awareness Day**

Chairman Rice asks Amber Wood from the Northern Illinois Food Bank to come forward and explain this proclamation. Amber addresses the board regarding the proclamation which designates June 5, 2007 as “Hunger Awareness Day”. Colbert moves to approve the proclamation. Nye seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - #4-07 Amendment - Satterfield Family Trust**

Chairman Rice and County Clerk Huntley present the petition of Satterfield Family Trust c/o Steven E. Satterfield and Dana C. Heidenreich, 702 Main St., Box 31, Leaf River, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to IA Intermediate Agricultural District on property described as follows and owned by the petitioners:

Part of the N ½ SW 1/4 Section 24 Leaf River Township 25N, R9E of the 4th P.M., Ogle County, IL, 26.0 acres, more or less  
Property Identification Number: Part of 03-24-301-005  
Common Location: 9400 Block N. Leaf River Rd.

Hopkins moves to concur with the Zoning Board of Appeals and approve #4-07 Amendment for Satterfield Family Trust. Swanson seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - #5-07 Amendment - Denny R. & Valerie A. Borgmann**

Chairman Rice and County Clerk Huntley present the petition of Denny R. & Valerie A. Borgmann, 9446 N. Adeline Rd., Leaf River, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to IA Intermediate Agricultural District on property described as follows and owned by the petitioners:

Part of the NW1/4 SW 1/4 Section 2 Mt. Morris Township 24N, R9E of the 4th P.M., Ogle County, IL, 10.0 acres, more or less  
Property Identification Number: Part of 08-02-300-006  
Common Location: 6797 N. Mt. Morris Rd.

Hopkins moves to concur with the Zoning Board of Appeals and approve #5-07 Amendment for Denny R. & Valerie A. Borgmann. Diehl seconds and the motion carries on a voice vote.(Placed on file)

**Road & Bridge – Resolution – Freeport Road Culvert Extensions – 06-00243-00-BR**

Huntley moves to approve the Resolution for County Bridge Construction regarding Section 06-00243-00-BR, Freeport Road Culvert Extensions – Award and Appropriation Resolution of \$76,000 from County Aid to Bridge Fund. Colson seconds and the motion carries on a voice vote.(Placed on file)

**Road & Bridge – Resolution – Pines and Gale Roads – 04-00227-00-FP**

Huntley moves to approve the Resolution for County Road Construction regarding Section 04-00227-00-FP, Pines and Gale Roads Reconstruction – Award and Appropriation Resolution of \$220,000 from Motor Fuel Tax Fund, \$145,000 from Federal Aid Matching Fund and \$150,000 from County Aid to Bridge Fund. Colson seconds and the motion carries on a voice vote.(Placed on file)

**Road & Bridge – Truck Access Route Program – Titus Rd – 06-06128-00-FP**

Huntley moves to approve the IDOT Truck Access Route Program Agreement 06-06128-00-FP, Titus Road improvements. This agreement appropriates \$24,000 from IDOT to Flagg Township. Messer seconds and the motion carries on a voice vote.(Placed on file)

**Road & Bridge – Petition and Resolution for Vacation – Alley in Leaf River Twp**

Huntley moves to approve the Petition and Resolution for Vacation of an alley in the Unincorporated Town of Lightsville in Leaf River Township. Messer seconds and the motion carries on a voice vote.(Placed on file and recorded in the Ogle County Recorder’s Office #0705071)

**Claims**

The clerk reads the claims for the General Fund - \$88,670.00 and the County Highway Fund - \$43,677.48 and April 2007 Payments in Vacation - \$107,684.09. White moves to approve the claims as read, Swanson 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: *911 ETS Board, Blackhawk Hills RC&D, Executive/State's Attorney, Finance & Insurance, G.I.S. Committee, H.E.W. & Solid Waste, Judiciary & Circuit Clerk/Juvenile & Probation, Liquor Commission, Personnel & Salary/County Clerk, Planning Commission, Planning & Zoning/Supervisor of Assessments, Road & Bridge, and Safety Committee.* The following had no minutes to file: *Board of Health, Byron Dragway, Ill Assoc of Co Bd Members, Juvenile Justice Council, Mental Health Board, UCCI/ICRMT and Tri-County Opportunities Council.*

### **Land Use Task Force**

Minutes placed on exhibit

#### Update

Hopkins informs the board of changes received from Mike Reibel regarding Special Uses – the committee is reviewing the changes at this time and will report and discuss the changes at the next meeting. Next month the Soil and Water Conservation District will come to the meeting to explain the LESA rating.

### **Long Range Planning – Courthouse Renovation**

Minutes placed on exhibit

#### Update

Stahl states the committee has received proposals from both architect firms. The committee and department heads are going to review the information and report at the next meeting. The next meeting is scheduled for June 6<sup>th</sup> at 4:00 p.m. Stahl also reports the interviews will be held on June 13<sup>th</sup> at 9:15 a.m. and 10:45 a.m. – Stahl thanks the Personnel and County Clerk/Recorder Committee for moving their meeting time to Tuesday to accommodate this meeting.

### **Sheriff & Coroner / Buildings & Grounds / IT Committee**

Minutes placed on exhibit

#### May 2007 bills

Scholl presents the May 2007 Long Range Planning Capital Improvement Fund bills for payment in the amount of \$155,200.00. Scholl makes the motion to approve the May 2007 bills, Colson seconds and the motion carries on a voice vote.

#### Demolition Bids

Scholl informs the board members of the demolition bids received from four companies ranging from \$59,892.00 to \$48,300.00. The low bid came from Martin & Company in Oregon. Scholl moves to accept the low bid from Martin & Company of \$48,300.00 and Huntley seconds. Boes asks if that amount covers the disposal fees for the dumping of material. Chairman Rice states he believes it does and the specs did indicate the debris is to go to a landfill in Ogle County. This is for all five of the properties located on South 6<sup>th</sup> Street. The motion carries on a voice vote.

#### Arnold & O'Sheridan

Chairman Rice states Buildings & Grounds has received letter from Arnold & O'Sheridan regarding the completion of work at the Judicial Center.

### **Chairman's Comments**

None at this time

### **Administrator Comments**

Mielke says for clarification regarding the typographical error that was noted earlier in the meeting, this was an oversight on his part. Sikich did send information for him to review and he approved the document. Mielke states Sikich will send a new page with the correct information to be inserted into the Audit.

Mielke states one of the two points for recommendations for improvement has been taken care of at this time. The other item is under negotiations at this time with the department head, Treasurer Coffman, Mielke and Sikich as to how this will be handled in the future.

Mielke states Jason Anderson of GREDCO and himself, traveled to Mt Prospect to Comcast Headquarters for a 5 minute interview regarding the proposed Northern Illinois Technology Triangle. This 5 minute piece will air on the CNN Headline News under the "Newsmaker Program" which airs at 55 minutes past the hour. We will also receive a complimentary tape of the interview.

### **Communications**

- Sales Tax for February 2006 was \$41,402.89 and \$64,197.18
- Sales Tax for February 2007 was \$41,339.13 and \$63,564.06

### **Unfinished Business –**

### **New Business –**

### **Public Comment –**

- Don Conn comments on the votes taken for the Board of Review appointments this evening.
- Chairman Rice asks any Board members who have not signed in for the meeting to please do so before leaving the meeting this evening.
- Keith Johnson a resident on Skinner Road speaks to the board regarding the comments made by Mr. Miller of the DeKalb County Zoning Administrator during his presentation. Mr. Johnson says last month the Ogle County Board took a vote after refusing to accept a  $\frac{3}{4}$  vote. He states the board did not follow the Comprehensive Plan, the flood plain, the LESA score, 40 acre minimum lot size and the saving of farmland.
- White reminds the Finance and Insurance Committee members there will be a meeting after the County Board Meeting this evening.
- County Clerk Huntley reminds the Personnel & Salary and County Clerk/Recorder Committee of the date and time of the next meeting. The next meeting will be on Tuesday, June 12<sup>th</sup> at 10:00 a.m..
- Shirley Johnson states last month a  $\frac{3}{4}$  vote was to be taken for a zoning issue on Skinner Road and she did not have a signed certified receipt. Ms. Johnson has received a signed certified receipt signed by an agent of Fox Valley and dated April 16<sup>th</sup> and the County Board Meeting was held on April 18<sup>th</sup>. Messer states her recourse is through the court system at this time.

### **Motion to Adjourn**

At, 7:15 p.m., Nye makes the motion to adjourn the May Ogle County Board meeting until Tuesday, June 19, 2007 at 5:30 p.m., Swanson seconds and the motion carries on a voice vote.

W. Ed Rice  
Chairman Ogle County Board

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