

Proceedings of the Ogle County Board Meeting
May 20, 2008

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

Call to Order

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

Roll Call

The roll call shows Bauer* and White are absent. The invocation is given by Scholl and this is followed with the Pledge of Allegiance to the Flag. Huntley follows with "Words of Wisdom". (*Bauer enters at 5:45 pm)

Approval of Minutes

Chairman Rice asks for a motion to approve the April 15, 2008, Ogle County Board minutes. Nye moves to approve the April 15, 2008, Ogle County Board minutes. Bowers seconds and the motion carries on a voice vote.

Approval of Reports

Kenney moves to accept and place on file the monthly reports of the Treasurer – Circuit Clerk and County Clerk/Recorder. Messer seconds and the motion carries on a voice vote.(Placed on file)

Presentation – Lee/Ogle Transportation System (L.O.T.S.) – Diane McNeilly

Diane McNeilly gives a presentation regarding the Lee/Ogle Transportation System (L.O.T.S.) proposal for public transportation in Ogle and Lee Counties. They are in the process of identifying the transportation route(s) to help the various communities.

Presentation – Sikich Professional Services – Brian LeFevre

Chairman Rice asks Brian LeFevre from Sikich to present the Ogle County Annual Financial Audit for the Year Ended November 30, 2007. The following information is reviewed:

- Page 1 – Independent Auditor's Report
- Management's Discussion and Analysis
- Page 3 - Statement of Net Assets
- Page 4 – Statement of Activities
- Page 5 & 6 – Balance Sheet – Governmental Funds

Kilker has questions regarding the Management Letter and the deficiencies listed. Kilker states there are 11 deficiencies listed and 5 deficiencies are still applicable – she would like to address these and see how to resolve these issues -

- MATERIAL WEAKNESSES - Item 1: County's General Ledger System – Brian LeFevre states last year was the first year Sikich audited the County and Ogle County was six months into their Fiscal Year. LeFevre states these items cannot not be implemented overnight and the County Administrator and County Treasurer have been working with the software provider.
- MATERIAL WEAKNESSES - Item 2: Accrued Vacation and Compensatory Time: Kilker states the Sheriff's Department processed and paid down compensatory time and she would like to know what "paid down" means. LeFevre states the Sheriff's Department has reduced the accumulated balance. Kilker states somewhere in the report there should be a dollar figure as to the amount as of November 30, 2007. Kilker asks if the figure she has found in the audit, \$678,951 is the appropriate figure. LeFevre states this is the total compensated absences and vacation time for all of the departments of the County as of November 30, 2007. LeFevre states any further questions regarding the process or the approach to implement this comment would need to be addressed by the County Administrator. Jim Mielke states the plan at this time regarding the centralized compensated

absences is to start with the Highway Department on the upcoming Fiscal Year and the next department will be the Sheriff's Department. Kilker asks Mielke what kind a time frame this will take to get this situation under control. Mielke states we will have to see what issues arise during the first departmental centralization process. Mielke states the goal is to have all of the department heads/employees understand why it is being done and the benefits involved. They will need to also understand this is a directive from the County Board and being supported by the County Board.

- SIGNIFICANT DEFICIENCIES – Item 1: Expenditures Charged to Improper Budget Lines – Kilker asks if Sikich found any “non-material instances” during this audit? LeFevre states this information was reported from the audit ending November 30, 2006 and this has been implemented as of November 30, 2007.
- SIGNIFICANT DEFICIENCIES Item 2: Recording of IMRF Employee Contributions – The County/Treasurer's Office began tracking contributions as of December 1, 2007.
- CONTROL DEFICIENCIES – Item 1: Funds Maintained outside of the Treasurer's Office – Brian LeFevre refers to Jim Mielke for this portion of questioning. Mielke states he has been working with the Treasurer Coffman, Brian LeFevre of Sikich and the various department heads mentioned. They have worked up a proposal to have these funds report to the Treasurer's Office quarterly. Mielke states this will satisfy the requirements from Sikich.
- CONTROL DEFICIENCIES Item 2: Health Department Trial Balance – Kilker states the report says this item has been resolved.
- CONTROL DEFICIENCIES Item 3: Highway Department Invoices – Kilker states she sits on the Highway Committee and is aware of this situation.
- CONTROL DEFICIENCIES Item 4: Cashing of Plan Fees – Kilker sees this item has been implemented.
- OTHER COMMENTS: Item 1: Accounting Procedures Manual – This is in the process of being implemented through the Treasurer's Office.
- OTHER COMMENTS: Item 2: Budgeting for Funds – Comment still applicable as of November 30, 2007. The County has implemented this recommendation for the budget for the Fiscal Year beginning December 1, 2007 (year ending November 30, 2008).
- OTHER COMMENTS: Item 3: Fringe Benefits Accounts - Comment still applicable as of November 30, 2007. The County has implemented this recommendation for the budget for the Fiscal Year beginning December 1, 2007 (year ending November 30, 2008).

Kilker states on the Annual Financial Report she has many marginal notes and would like to recommend we refer some of this information back to the Finance Committee to develop a Compliance Plan. Kilker is pleased to see the implementation of the accrued vacation and compensatory time will begin with the Highway Department. Kilker would like to refer follow-up to the Personnel Committee to develop a Comprehensive Compliance Plan for accrued vacation and compensatory time. Kilker suggests a departmental audit of accountability procedures as a starting point.

Presentation – Probation Annual Report – Greg Martin

Greg Martin presents the Probation Annual Report and reports the following –

- Administrative Caseload Officer added
- Clinical Supervisor position at Focus House filled by Amanda Rankin
- Juvenile Probation Officer transferred from Focus House to Judicial Center
- Probation Service Fee collection and distribution
- Monies collected from Parents with children in placement at Focus House

- Special Programs – Public Service Work and Juvenile Justice Council
- Reviews Accomplishments on page 13

Greg Martin reports \$8,125 was raised for United Way through 51 donors of Ogle County and Ogle County was presented with two plaques at an appreciation luncheon. Greg Martin presents the plaques to Chairman Rice recognizing Ogle County's contributions.

Resignation – Resolution 2008-5007

Chairman Rice reads Resolution 2008-5007 in which a letter of resignation from Tina Trevino of the Lost Nation/New Landing River Conservancy District has been received. Kenney moves to approve the resolution, Horner seconds and the motion carries on a voice vote.(Placed on file)

Vacancy -

Chairman Rice announces the following vacancy:

- Lost Nation/New Landing RCD – unexpired term ends April 30, 2012

Application deadline for vacancies will be Friday, May 30, 2008 at 4:30 p.m. in the Ogle County Clerk's Office

Appointment – Resolution 2008-5004

Zoning Board of Appeals – Alternate member

Chairman Rice states John W. Finfrock II has been recommended for appointment to the Zoning Board of Appeals as an Alternate member for a term ending April 30, 2012. Colson moves to approve the appointment, Bowers seconds and the motion carries on a voice vote.(Placed on file)

Zoning – #15-07 TEXT AMENDMENT – Ordinance 2008-5001

Chairman Rice presents the petition of 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 5, Section 5.01 (AG-1 Agricultural District, Paragraph A. Purpose and Intent; Paragraph C. Special Uses)
- Division 5, Section 5.02 (IA Intermediate Agricultural District, Paragraph A. Purpose and Intent; Paragraph B. Permitted Uses; Paragraph C. Special Uses)
- Division 5, Section 5.03 (R-1 Rural Residence District, Paragraph A. Purpose and Intent)
- Division 5, Section 5.04 (R-2 Single-Family Residence District, Paragraph A. Purpose and Intent)
- Division 5, Section 5.05 (R-3 Mobile Home Park District, Paragraph A. Purpose and Intent; Paragraph M. Spatial Standards)
- Division 5, Section 5.06 (R-3 Mobile Home Park District, Paragraph A. Purpose and Intent, Paragraph L. Spatial Standards)
- Division 5, Section 5.07 (B-1 Business District, Paragraph A. Purpose and Intent)
- Division 5, Section 5.08 (B-2 Business Recreation District, Paragraph A. Purpose and Intent)
- Division 5, Section 5.09 (B-3 Restricted Interstate Highway Area Business District, Paragraph A. Purpose and Intent)
- Division 5, Section 5.10 (I-1 Industrial District, Paragraph A. Purpose and Intent)
- Division 5, Section 5.11 (PD Planned Development District, Paragraph A. Purpose and Intent)

Hopkins makes the motion to approve Ordinance 2008-5001 and Huntley seconds. Swanson states he has been contacted by several people, realtors, developers and organizations regarding the proposed changes. The consensus from everyone was that the current Zoning Ordinance is working well and they do not want the changes. Gouker states he agrees with Swanson and the people in the community of Byron agree as well. Gouker says he doesn't feel the county should implement a system in which pushes the only option for subdivisions to the communities. He feels this limits the options people have to use their land and this is not right. A roll call vote is taken:

- YES:** Hopkins, Huntley, Messer, Nye, Stahl, Colbert, Colson and Diehl
- NO:** Gronewold, Heuer, Horner, Kenney, Kilker, Scholl, Swanson, Williams, Barnes, Bauer, Boes, Bowers, Brooks, Gouker and Rice
- ABSENT:** White

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

Zoning - AMENDMENTS TO THE LAND SUBDIVISION REGULATIONS – Resolution 2008-5006

Chairman Rice presents the Amendments to the Land Subdivision Regulations:

Article I, Section 1.11 (Variances, Exceptions and Waiver of Conditions)
Article IV, Section 4.05 (Water Facilities)
Article IV, Section 4.06 (Sewerage Facilities)

Hopkins makes the motion to accept and approve Resolution 2008-5006 and Diehl seconds. Huntley states we are losing agricultural land at the rate of 2 acres per minute and this is quite a chunk of land in a 24 hour period. A roll call vote is taken:

- YES:** Heuer, Hopkins, Horner, Huntley, Messer, Nye, Stahl, Boes, Colbert, Colson and Diehl
- NO:** Kenney, Kilker, Scholl, Swanson, Williams, Barnes, Bauer, Bowers, Brooks, Gouker, Gronewold and Rice
- ABSENT:** White

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

Zoning - AMENDMENTS TO THE LAND EVALUATIONS/SITE ASSESSMENT SYSTEM AND PROPOSED AGRICULTURAL LAND RATING SYSTEM – Resolution 2008-5005

Chairman Rice presents the Amendments to the Land Evaluation/Site Assessment System and Proposed Agricultural Land Rating System. Hopkins moves to lay the Amendments to the Land Evaluation/Site Assessment System and Proposed Agricultural Land Rating System. Hopkins moves to approve Resolution 2008-5005 and Heuer seconds. A roll call vote is taken:

- YES:** Hopkins, Horner, Huntley, Kenney, Kilker, Messer, Nye, Scholl, Stahl, Swanson, Barnes, Boes, Bowers, Brooks, Colbert, Colson, Diehl, Gouker, Gronewold, Heuer and Rice
- NO:** Williams and Bauer
- ABSENT:** White

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

Zoning – #1-08 SPECIAL USE - Robb Klinger, Patricia Klinger and Tim Craven – Ordinance 2008-5002

Chairman Rice and County Clerk Huntley present the petition of Robb Klinger, Patricia Klinger and Tim Craven, 10351 Montague Rd., Winnebago, IL for a Special Use Permit to allow a single-family dwelling to be constructed in the AG-1 Agricultural District on property described as follows and owned by the petitioners:

Part of the SE1/4 of the W1/2 of the SW1/4 Section 10 Byron Township 25N, R10E of the 4th P.M., Ogle County, IL, 7.0 acres, more or less
Property Identification Number: Part of 04-100-300-001
Common Location: 250 Block of E. Oak Grove Rd., Byron, IL

Hopkins moves to approve #1-08 Special Use (Ordinance 2008-5002) and Messer seconds. The motion carries on a voice vote.(Placed on file)

Road & Bridge – County Road Construction Resolution – Resolution 2008-5008

Huntley moves to approve the Award and Appropriation Resolution – Section 2008 Salt Bin, salt bin design and materials Award and Appropriation Resolution - \$95,513.00 from Long Range Capital Fund. Barnes seconds and a roll call vote is taken:

YES: Horner, Huntley, Kilker, Messer, Stahl, Swanson, Williams, Barnes, Bauer, Colson, Diehl and Gouker

NO: Kenney, Nye, Scholl, Boes, Bowers, Brooks, Colbert, Gronewold, Heuer, Hopkins and Rice

ABSENT: White

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

Road & Bridge – County Bridge Construction – Resolution 2008-5002

Huntley moves to approve the Award and Appropriation Resolution in the amount of \$26,000.00 from County Aid to Bridge Fund for Section 07-14132-00-BR, Adeline Road Bridge. Messer seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – County Bridge Construction – Resolution 2008-5003

Huntley moves to approve the Award and Appropriation Resolution in the amount of \$150,000 from County Aid to Bridge Fund for Section 07-00249-00-BR, Lowden Road Bridge. Kilker seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Request of Quick Take Eminent Domain – Resolution 2008-5001

Huntley moves to approve the Resolution requesting authority from the General Assembly to exercise Quick-Take Powers of Eminent Domain for the use on Section 05-00233-00-BR, Steward Road Overpass. Kenney seconds. Chairman Rice asks Curtis Cook to speak on behalf of this request – They have been negotiating right-of-way acquisition on this parcel since October of 2007 and they are unable to come to an agreement. With this many months into negotiation process – they have been successful in obtaining funding for the project – they have submitted a certified appraisal on the parcel – worked with the property owners regarding their concerns. Cook hopes this will get the negotiations back on track and keep the project on track as well. Colson states this is a sliver alongside of the road to keep the roadway coincide with the overpass configuration. Cook states it is approximately 1.5 acres. A roll call vote is taken:

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

NO: Bauer

ABSENT: White

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

Claims

The clerk reads the claims:

- Payments in Vacation – April 2008 - \$394,054.98
- County Board Payments - May 2008 - \$119,513.85
- County Highway Fund - \$140,174.89

Bowers moves to approve the claims as read, Huntley seconds and the motion carries on a voice vote.(Placed on file)

COMMITTEE REPORTS

The following committee minutes have been placed on exhibit: Executive and State's Attorney, Finance and Insurance, HEW & Solid Waste, Ill Assoc of Co Bd Members, Juvenile & Probation/Judiciary & Circuit Clerk, Liquor Commission, LRP-Courthouse Renovations, Mental Health Board, Personnel & Salary - County Clerk, Regional Planning Commission, Planning & Zoning – Supervisor of Assessments, Road & Bridge, Sheriff & Coroner/Buildings & Grounds/IT Committee and Tri-County Opportunities.

The following committees had no minutes to file: 911 ETS Board, Blackhawk Hills RC&D, Board of Health, Byron Dragway, GIS Committee, Land-Use Task Force, LRP – Emergency Operations Center, Safety Committee and UCCI/ICRMT.

Executive

Minutes placed on exhibit

Resolution 2008-5010

Nye makes the motion to approve Resolution 2008-5010 to authorize payment of Long Range Planning Invoices for a total of \$8,149.66. Stahl seconds and the motion carries on a voice vote.(Placed on file)

Resolution 2008-5014

Chairman Rice states this Resolution will appoint three County Board Members to the County Cooperative Extension Board. Chairman Rice would like to appoint Lyle Hopkins, Rich Gronewold and Paul White to this committee. Bowers moves to approve the recommendation, Swanson seconds and the motion carries.

Chairman Rice would like to make a correction and asks for a motion to strike the name of Rich Gronewold from the motion. Colson moves to approve – Gronewold seconds and the motion carries on a voice vote.

Chairman Rice would like to appoint Jerry Brooks to the committee. Kenney moves to approve – Messer seconds and the motion carries on a voice vote.(Placed on file)

Resolution 2008-5013

Chairman Rice presents the Resolution to Sign a Real Estate Purchase and Sale Agreement with the City of Rochelle for the EOC and 9-1-1 Center. Horner moves to approve the motion, Kenney seconds. Gouker brings up the motion from last month's meeting regarding the regional stormwater facility payment of \$130,680. Jim Mielke states this payment is deferred until a building permit is issued. There was discussion regarding this payment at a future date and the repurchase option listed in the agreement. A roll call vote is taken:

YES: Kenney, Messer, Nye, Scholl, Stahl, Swanson, Bauer, Boes, Bowers, Colbert, Diehl, Gronewold, Hopkins, Horner, Huntley and Rice

NO: Kilker, Williams, Barnes, Brooks, Colson, Gouker and Heuer

ABSENT: White

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

Judiciary & Circuit Clerk Minutes placed on exhibit

Circuit Clerk Annual Report Marty Typer presents the Circuit Clerk Annual Report to the board –

- Accomplishments listed on page 6
- Receipts listed on page 8
- Caseload listed on page 9
- Goals listed on page 20 & 21

Resolution 2008-5012 Chairman Rice has State's Attorney Ben Roe speak about the 708 Board Funding Hearing for CASA Resolution. Roe states it is not necessary for the county to adopt this resolution - they will be moving forward with the information in the resolution. Roe states this resolution will be withdrawn. Colson asks why this funding is going through the 708 Board instead of the HEW Committee? Mielke states other counties 708 Board's have funded this type of program. If the 708 Board elects not to proceed with this request, then CASA will look at other options for Fiscal Year 2009.

Courthouse Renovations Minutes placed on exhibit

Update Stahl reviews the updated timeline and cost reductions which was included in the board packets. The next meeting will be held on Thursday, June 12, 2008 at 9:00 a.m..

Personnel & Salary Minutes placed on exhibit

Resolution 2008-5009 Kenney presents Resolution 2008-5009 regarding IMRF to Allow Service Credit for Military Service for 4 years. Kenney makes the motion to adopt Resolution 2008-5009 to increase the service credit for Active Service and Barnes seconds. County Clerk Huntley states she is the IMRF Authorized Agent and an Ogle County Employee brought this request to her and she forwarded this information onto her committee. The motion carries on a voice vote.(Placed on file)

Resolution 2008-5011 Kenney makes the motion to approve Resolution 2008-5011 to increase the Marriage License Fee from \$15 to \$20 in Ogle County. The increase of \$5 will be sent to Springfield for the Domestic Violence Legal Assistance Trust Fund and this will be effective June 1, 2008. Bowers seconds. Heuer states at the UCCI meeting there are 4 counties out of the UCCI group who voted against this resolution – the County Clerk will still collect the fee as the State mandates and remit the fee to Springfield. The motion carries on a voice vote.(Placed on file)

Chairman's Comments –

Chairman Rice states there is a Brownfield Grant meeting which will be held Tuesday, May 27th at 6:00 p.m. at the Courthouse on the third floor.

Chairman Rice and Jim Mielke took a trip today on the Union Pacific regarding "Operation Lifesaver" from Rochelle to Clinton, Iowa and back. They were able to connect with the Union Pacific decision makers for support for the EOC. As soon as we get a PowerPoint presentation put together we are to contact them for the presentation and they will let us know how much they will participate in support of this facility.

Chairman Rice attended a social hour put on by Exelon in Byron and he was introduced to the President of the Nuclear Power in the Midwest. They had a nice conversation and will be making presentations to them.

Chairman Rice states 25 years ago this week he attended a wedding for Kim and Becky Huntley and wishes them a Happy 25th Anniversary.

Administrator Comments –

Mielke has distributed the timeline for the Budget process which will be held this summer.

Mielke reminds the Finance Committee there will be a special meeting after the County Board Meeting this evening.

Public Comment –

John McLane addresses the County Board regarding the County Board's decision to remodel the courthouse with a partial restoration of the County Board Room. McLane recalls comments made at previous meetings by board members Gronewold, Hopkins and Stahl. McLane states they had asked the Ogle County Bar Association hold a poll and the response was 21 to 3 in favor of the restoration. He states letters to the editor are coming in daily and he has 21 articles – 20 for the restoration and 1 against. McLane spoke to the Kiwanis Club in Oregon and he passed around a public opinion poll which you could indicate agree with the restoration, oppose the restoration or have no opinion. He states there was 100 percent in agreement of restoring the courtroom. Since then they have circulated this public opinion poll as of to date they have received 330 people who voiced their opinion. McLane states of the 330 people, 315 people are in favor of the restoration of the courtroom. McLane asks the County Board to please reconsider and ends his comments with two quotes – one from John Ruskin and one from Norman Tyler.

Lant Huntley addresses the board and he is proud of the County Board and some of things they have done to promote the county. Huntley is in favor of the restoration of the courtroom and appeals to the board to reconsider their decision.

Unfinished Business –

Williams comments on the ongoing discussions regarding the renovation of the courthouse and states as elected officials they have an obligation to listen to the public. Williams makes the motion to suspend the rules and present a resolution to put an Advisory Referendum on the November 2008 ballot to determine what the county wants in terms of the courthouse renovation. County Clerk Huntley states according to Rule #25 - there needs to be a roll call vote of 2/3 of the members present. Barnes seconds the motion to suspend the rules. A roll call vote is taken:

YES: Kilker, Williams, Barnes, Boes, Brooks, Colson, Gouker and Heuer

NO: Nye, Scholl, Stahl, Swanson, Bowers, Colbert, Diehl, Gronewold, Hopkins, Horner, Huntley, Kenney and Rice

ABSENT: Messer, White and Bauer

The motion is defeated on a roll call vote.

Williams makes the motion to place the Resolution on the June County Board Agenda. Barnes seconds. County Clerk Huntley asks Williams to read the motion and to present the motion and resolution in writing. Williams reads the motion as follows: Whereas the County Board is determined to renovate it's 1891 courthouse building. Whereas the County Board determined the 1980's renovation of the courthouse, where a floor was added splitting the original courtroom be left in place. Whereas present discussions by the Ogle County Board pertaining to restoring the original two-story courtroom. Whereas being an elected body, it is important for the County Board to clearly understand the opinion of all of it's constituents on a matter that will affect future generations. Therefore, be it resolved that an Advisory Referendum will be upheld during the next General Election on the first Tuesday of November 2008 with the following questions – "Renovation to include removal of a portion of the second floor thus restoring the original condition of the courtroom or Renovate the courthouse without removing the second floor". This motion will lay over for 30 days.

New Business –

Communications -

- Sales Tax for December 2007 was \$48,029.84 and \$78,898.37
- Sales Tax for December 2006 was \$47,825.63 and \$73,368.44
- Sales Tax for January 2008 was \$24,002.05 and \$64,434.00
- Sales Tax for January 2007 was \$31,126.16 and \$58,533.28
- Sales Tax for February 2008 was \$38,331.51 and \$65,484.72
- Sales Tax for February 2007 was \$41,339.13 and \$63,564.06
- Sickich – Annual Financial Report for 2007
- Sikich – Management Letter – November 30, 2007

Motion to Adjourn

At, 7:55 p.m., Nye makes the motion to adjourn the May Ogle County Board meeting until June 17, 2008 at 5:30 p.m.. Bowers 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