

Proceedings of the Ogle County Board  
September 21, 2004

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

**Call to Order**

Chairman Gocken calls the meeting to order at 5:33 p.m..

**Roll Call:**

Roll Call shows Clayton and Hoekstra\* are absent. The Invocation is given by Doug Zuehl and this is followed with the Pledge of Allegiance to the Flag. (\*Hoekstra enters at 5:55 p.m.)

**Approval of Minutes**

Chairman Gocken asks for a motion to approve the August 17, 2004, Ogle County Board meeting minutes. Jim Swanson moves to approve the August 17, 2004, Ogle County Board minutes. Don Conn seconds and the motion carries on a voice vote.

**Approval of Reports**

Jerry Daws moves to accept and place on file the monthly reports of the Circuit Clerk, County Clerk/Recorder and Treasurer. Ed Rice seconds and the motion carries on a voice vote.(Placed on file)

**Dixon-Meyers - Bev Binkley**

Chairman Gocken introduces Bev Binkley of Dixon-Meyers who is here to speak of their move from Mt Morris to Rochelle. Bev and Marv Binkley together run Dixon-Meyers Transportation Inc, a trucking company which was incorporated in 1967 and Dixon-Meyers Bus Transportation Inc that was incorporated in 1991. These two businesses employ 49 people and they have outgrown their Mt Morris location. They are now located in Rochelle at the Intermodal Facility and are engaged in the Intermodal business . Bev Binkley thanks Lynne Kilker for inviting her to the meeting this evening to share her story. Ms. Binkley thanks Lynne Kilker for all of her support. Ms. Binkley talks about the history of the businesses and how hard it was for them to begin business at the Intermodal Facility. In July of 2003, they pulled the first container and they are the only local company to have pursued this opportunity. Then they decided to move the other businesses from Mt Morris to Rochelle on August 16, 2004.

**Phil Fossler - Illinois Conservation Farm Family of the Year**

Chairman Gocken introduces Phil Fossler of the Ogle County Soil and Water Conservation District to the County Board. Phil Fossler states there were 12 other families nominated in the State of Illinois for the Conservation Farm Family of the Year. Phil Fossler introduces the Bushnell Family to the County Board as the Illinois Conservation Farm Family of the Year and received the Governor's Award. Mr. Fossler introduces Cade Bushnell and his parents Fred and Meg Bushnell to the board and asks Cade to speak to the board. Cade Bushnell states his father started farming in the late 1950's and his goal is to not finish farming. Cade states farming is a tough economy right now, it has been better this year than it has been in the previous 4 or 5 years. He states they have been getting a lot of help from the Ogle County Soil and Water District in applying conservation practices. Cade explains how important it is to have the Conservation Education available from the Soil and Water District to help benefit everybody down the watershed. Meg Bushnell comments she and her husband are proud of their sons who have followed in their footsteps and have continued and enlarged the conservation efforts they started many years ago. Ms. Bushnell states how important it is to help fund the Soil and Water District.

Chairman Gocken introduces Chris Moore of Navitas.

**Presentation of Resolution from Chapman & Cutler**

Chairman Gocken informs the board that in their packets is a resolution expressing the intention by Ogle County to issue revenue bonds to assist in financing, acquisition and improvement of industrial projects by Countryside Affordable Housing, LP. Glenn Weinstein of Chapman and Cutler explains the resolution to issue bonds to rehabilitate and acquire properties in Oregon and Mt. Morris for housing the elderly or moderate to low income. The process of issuing bonds thru a government entity will make the interest on the bonds tax exempt. If Ogle County were to approve the intent to issue bonds, the next step would be to approve a second resolution to authorize the issuance of bonds. These bonds when issued would be considered a limited obligation of the county. This means the only source which the county would be expected to pay of the bonds would be payments made by the developer on the loan made to them. These bonds are not a general obligation of the county and they do not count against any sort of statutory bond limit that the county has. Ed Rice asks if this Countryside Affordable has anything to do with the Countryside buildings in Rochelle? The answer is No it is not. Don Conn asks if local contractors will be used for this project? It was stated from Andrew Schwartzberg of Countryside that every effort will be made to use local contractors. Doug Zuehl asks what the dollar amount is for these bonds? Mr. Weinstein states the revenue bonds are in an amount not to exceed \$4,000,000. Zuehl also asks how much money will it take to renovate the buildings? It is stated it will take \$1.1 million to renovate and the rest of the money will be used for the acquisition of land and purchase of the property. Dave Smith an attorney in Oregon comments this has been done before on Pinecrest thru the Village of Mt. Morris and Unimin and Etnyre thru the City of Oregon. The clerk reads Resolution No. 04-0921 heading as follows:

**RESOLUTION NO. 04-0921**

A Resolution expressing the intention of the County of Ogle, Illinois, to Issue Revenue Bonds to assist in financing all or a portion of the cost of the acquisition, rebuilding and improvement of industrial projects by Countryside Affordable Housing, LP, an Illinois limited partnership, or its affiliate or designee, to be located in the County.

Kim Gouker moves to approve the resolution, Ed Rice seconds and a roll call vote is called:

**YES:** Huntley, Johnson, Nye, Remhof, Rice, Scholl, Spencer, Stahl, Swanson, Bauer, Brooks, Colbert, Colson, Daws, Gouker, Hoekstra, Hopkins, Horner and Gocken

**NO:** Kenney, Zuehl and Conn

**ABSENT:** Clayton

**PRESENT:** Saunders

The motion to approve the resolution as read carries on a roll call vote.

**Vacancies:**

Chairman Gocken announces the following vacancies:

Ogle County Housing Authority - full term ends October 31, 2009

Mental Health "708" Board - 1 unexpired term ends December 31, 2007

The deadline for the above Appointments will be Friday, October 1, 2004 at 4:30 P.M. in the Ogle County Clerk's Office.

Board of Health - 3 full terms ending 11-30-2007

The deadline for the above Appointment will be Friday, October 29, 2004  
at 4:30 P.M. in the Ogle County Clerk's Office.

**Appointments:**

Board of Health

Chairman Gocken informs the board of the recommendation of Rick L. Reed of Rochelle to the Board of Health for an unexpired term that will end on May 31, 2005. Fred Horner moves to approve, Jason Bauer seconds and the motion carries on a voice vote. (Placed on file)

Board of Health

Chairman Gocken informs the board of the recommendation of Daniel R. Watson of Stillman Valley to the Board of Health for an unexpired term that will end on May 31, 2006. Jason Bauer moves to approve, Fred Horner seconds and the motion carries on a voice vote. (Placed on file)

**Resolution - Intergovernmental Mutual Aid Agreement - IPHMAS**

Chairman Gocken has presented the Intergovernmental Mutual Aid Agreement to establish and operate the Illinois Public Health Mutual Aid System it has been included in your packets. Please contact Doreen O'Brien if you have any questions. She would like for the board to consider this and to vote on it at the October meeting. (Placed on file)

**Resolution - Board of Review - Extension of Time**

The clerk reads the resolution from the Board of Review to grant the Board of Review an extension of time to complete their work of this assessment year. Jerry Daws moves to approve, Ron Colson seconds and the motion carries on a voice vote. (Placed on file)

**Resolution - National Incident Management System**

The clerk reads the NIMS resolution as presented in the packets. Jerry Brooks moves to approve the resolution, Skip Kenney seconds and the motion carries on a voice vote. (Placed on file)

**Zoning - Resolution to amend the fee schedule - Commercial Television and/or Radio Tower Facilities**

The clerk reads the Resolution to amend the fee schedule of the Planning & Zoning Department with respect to Commercial Television and/or Radio Tower Facilities so that the application fee for a Zoning Certificate to erect a commercial television and/or radio tower facility shall be \$25.00 per foot of tower height up to 300', and \$1.00 per foot of tower height thereafter; and, co-location of additional equipment to and existing television and/or radio tower facility shall be a flat fee of \$1,200.00.

Tom Scholl moves to approve the resolution, provided this fee shall not apply to the zoning certificate application fees for the Commercial Television Tower to be erected under Special Use Permit No. 07-04 SU in consideration of the offer of KM Communications to the County of Ogle for free use of said tower for the location of Emergency 9-1-1 equipment and any other redundant emergency communications equipment. Jerry Daws seconds and the motion carries on a voice vote. (Placed on file)

**Zoning - Resolution - Commercial Wind Energy Conversion Systems (WECS)**

The clerk reads the Resolution to amend the fee schedule of the Planning & Zoning Department with respect to commercial wind energy conversion systems (WECS) so that the application fee for a Zoning Certificate to erect a commercial WECS shall be as follows:

5 or fewer Commercial WECS	\$25 per foot of tower height per tower
6-20 Commercial WECS	\$12 per foot of tower height per tower
20 or more Commercial WECS	\$8 per foot of tower height per tower
Replacement of major components on an existing facility shall be a flat fee of \$1,200.00.	

Tom Scholl moves to approve this resolution and Lyle Hopkins seconds. Ron Colson asks how the measuring of the tower is defined? Mike Reibel states it is measured to the top of the tower not the blade. Ron Colson amends the motion to measure to the tower proper and not the operational device. Doug Zuehl seconds. The amendment to the motion is carried on a voice vote. There was discussion regarding the amount of the fee schedule, administration of the application and what other counties are charging. Mike Reibel states it was a consensus to recommend this fee schedule from other Zoning Administrators. The motion to approve the resolution as amended carries on a voice vote. (Placed on file)

**Zoning - #14-04 AMENDMENT - Cecil & Yvonne Kirby and Michael W. Duda**

The clerk reads the petition of Cecil & Yvonne Kirby and Michael W. Duda, 100 W. Franklin St., Baileyville, IL for an Amendment to the Zoning District to rezone from B-1 Business District to R-2 Single-Family Residence District on property described as follows, owned by Cecil & Yvonne Kirby and being purchased by Michael W. Duda:

Lots 5,6,7 & 8, Block 4 Original Town of Baileyville, N Pt. E1/2 NE 1/4 Section 5 Forreton Township 25N, R7E of the 4th P.M., Ogle County, IL  
Property Identification Number: 02-05-227-002  
Common Location: 100 W. Franklin St.

Tom Scholl moves to concur with the Zoning Board of Appeals and approve this Amendment #14-04. Doug Zuehl seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - #15-04 AMENDMENT - Jonathan A. And Donna M. Ortman**

The clerk reads the petition of Jonathan A. And Donna M. Ortman as Trustees of the Jonathan A. & Donna M. Ortman Trusts, 3119 W. Ramajen Rd., Oregon, IL and Robert E. & Donna J. Cyrier, 179 Nashua Rd., Oregon, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to R-2 Single-Family Residence District on property described as follows, owned by the Jonathan A. & Donna M. Ortman Trust and being purchased by Robert E. & Donna J. Cyrier:

Part SW 1/4 NE 1/4 and part of NW 1/4 SE 1/4 Section 13 Pine Creek Township 23N, R9E of the 4th P.M., Ogle County, IL, 2.00 acres, more or less  
Property Identification Number: Part of 15-13-200-006  
Common Location: 3000 Blk. W. Ramajen Rd.

Tom Scholl moves to concur with the Zoning Board of Appeals and approve Amendment #15-04. Lyle Hopkins seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - #16-04 AMENDMENT - Nathaniel Davis, by Attorney David A. Smith**

The clerk reads the petition of Nathaniel Davis, 628 N. Blackhawk Rd., Oregon, IL by Attorney David A. Smith, 129 S. 4th St., Oregon, 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 petitioner:

Part of Government Lot 1 located in NE 1/4 NW 1/4 Section 19 Rockvale Township 24N, R10E of the 4th P.M., Ogle County, 40 acres, more or less  
Property Identification Number: Part of 09-19-100-001  
Common Location: 2700 Blk. Midtown Rd.

Tom Scholl moves to grant this request, Chris Remhof seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - #8-04 SPECIAL USE - Lost Nation Property Owner's Association, Inc.**

The clerk reads the petition of Lost Nation Property Owner's Association, Inc., 100 Park Drive, Lost Nation, Dixon, IL by Attorney Eric D. Morrow, 129 S. 4th St., Oregon, IL for a Special Use permit to allow an office and meeting room for Lost Nation Property Owner's Association on property described as follows and owned by the petitioners:

Lot 97 and southern 100 feet of Lots 101 & 102 Woodland Homesteads No. 1, Part E1/2 SW1/4 Section 9 Taylor Township 22N, R10E of the 4th P.M., Ogle County, IL.  
Property Identification Number: 22-09-330-006 & 22-09-330-012  
Common Location: 106 Woodland Dr.

Tom Scholl moves to concur with the Board of Appeals and approve with the following conditions:

1. The building and site shall comply with all applicable provisions of the *Illinois Accessibility Code*.
2. All existing screening and landscaping shall be maintained in at least the same or better condition.

Jerry Daws seconds. Ed Rice asks if all of the requirements that were set forth to them? Tom Scholl answers yes they have. Robin Minnis asks the chairman to speak on behalf of an adjacent landowner. Don Huntley interrupts and calls to the chairman and states this is not allowed and we went through this at the last meeting. The motion carries on a voice vote.(Placed on file)

- Note-

Don Huntley states that comments from attorneys regarding zoning issues at the County Board Meetings needs to stop. Huntley states Tom Scholl has heard the testimony once and we do not need to go through this at the County Board Meeting. Tom Scholl says the chairman is in charge.

**Zoning - Amendment to Article VII of the Land Subdivision Regulations**

The chairman calls on Tom Scholl - Tom Scholl moves to approve the Amendment to Article VII of the Land Subdivision Regulations as submitted in your packets. Chris Remhof seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Resolution - Ogle County Amendatory Comprehensive Plan - 2K4 Update**

Mike Reibel gives a brief PowerPoint presentation regarding the Ogle County Amendatory Comprehensive Plan 2K4 Update as the County of Ogle's Official Comprehensive Plan. Reibel states there was a CD and other information included in your packets and if anyone would like a hard copy of the report, please let him know. Pat Saunders talks about the declining enrollment of the Polo and Oregon Schools that are noted in the Comprehensive Plan. Chairman Gocken reads the resolution to the board as presented. Tom Scholl moves to adopt the resolution as presented, Ron Colson seconds. Ed Rice asks if all of the Regional Township Planning Committees that have been formed recently on the east side of the county where part of this discussion and does it have any effect on them? Reibel states their plans are referenced in this plan and they have been involved in the planning process. Skip Kenney moves to hold this resolution over for 30 days for further review, he states the board members received the information in the packet and he would like to have more time to review all of the information. Pat Saunders seconds and the motion carries on a voice vote.(Placed on exhibit)

**Road & Bridge - Preliminary Engineering Svcs Agreement - Mt Vernon Rd**

The chairman reads the Preliminary Engineering Service Agreement (04-011113-00-BR) for Mt Vernon Rd over West fork of Elkhorn Creek. The agreement is for preparation of construction plans for the replacement of an existing single span bridge with a new bridge or culvert and necessary roadway approaches. The agreement is not to exceed \$18,975.00. Bill Spencer moves to approve, Doug Zuehl seconds and the motion carries on a voice vote.(Placed on file)

**Road & Bridge - Joint Highway Agreement - Pilgrim Rd**

The clerk reads the Joint Highway Agreement (01-251-00-BR) for Pilgrim Rd in Woosung Twp in Ogle County and Pilgrim Rd in Palmyra Twp in Lee County. The cost of said improvement for construction and engineering is estimated to be \$140,000.00. The estimated cost for Ogle County is \$98,560.00 to be appropriated from the County Aid to Bridge Fund and the estimated cost for Lee County is \$41,440.00 to be appropriated from the County Special Bridge Fund. Bill Spencer moves to approve the Joint Highway Agreement, Ron Colson seconds and the motion carries on a voice vote.(Placed on file)

**Road & Bridge - Application & Ordinance for the establishment of an altered speed zone - Mulford Rd**

The clerk reads the Application and Ordinance to establish an altered speed zone on Mulford Rd from Meadow Lane to IL Route 72 (0.556 miles) to 45 mph. Bill Spencer moves to hold the application and ordinance over for 30 days. Jason Bauer seconds and the motion carries on a voice vote.(Placed on exhibit)

**Recess to Refer Claims to Committee**

At 7:10 p.m., Ed Rice moves to refer claims to committees, Chris Remhof seconds and the motion carries on a voice vote. Chairman Gocken calls the meeting to order at 7:25 p.m..

**Claims**

The clerk reads the claims for the General Fund - \$117,356.02 and the County Highway Fund - \$46,003.91. Jerry Daws moves to accept claims, Sven Johnson seconds. 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 exhibit: *County Clerk & Insurance, Judiciary & Circuit Clerk, Juvenile & Probation, Sheriff & Coroner, State's Attorney & Legislative, Road & Bridge, Tri-County Opportunities, 9-1-1 ETS Board and Economic Development*. The following had no minutes to file: *Blackhawk Hills RC&D, Illinois Assoc. of County Board Members, U.C.C.I., Illinois Risk Management, Board of Health, Byron Dragway, Liquor Commission, Safety Committee, G.I.S. Committee and Ogle Co. AG.*

### **Buildings & Grounds**

Minutes placed on exhibit

#### H.O.P.E. request

Doug Zuehl has received a request from H.O.P.E. to use the courthouse lawn on Friday, October 8<sup>th</sup> at noon. They are presenting a Clothesline Project in conjunction with Domestic Violence Awareness month. Zuehl states this has been approved thru the Buildings and Grounds Committee.

#### Copy Paper

Doug Zuehl says the money has been expended from the copy paper line item of the budget and they are currently over budget. There will be the possibility of another order of approximately \$900 before the end of the budget year.

### **Finance & Revenue**

Minutes placed on exhibit

#### Budget

Bill Spencer says the committee is still working on the budget. There is a shortage of money and they are looking at all funds. The Finance Committee is asking all department heads and chairman of that department to review their budgets and release any money. If this can be done, please let the Finance Committee know. The next Finance Committee meeting will be on September 22<sup>nd</sup> at 7 pm at the H.A.B. Spencer also says he has looked into all funds and has asked John Coffman to also look and see if any other funds are available or not. If there isn't money to be found, the committee will have to change each department proportionally. Spencer states the hearing for the Budget FY2005 is scheduled tentatively for October 4<sup>th</sup> to lay over the budget, but they may not be ready by this date.

#### Auditors

Chairman Gocken states if any board member wants Mr. Funk to come to a board meeting, please let Coffman, Spencer or Gocken know.

### **Solid Waste**

Minutes placed on exhibit

#### Recycling Event

Chairman Gocken announces the Tire & Oil recycling event went well, they had a total of 22,484 tire collected and 12,800 of used oil and over 1,000 oil filters were sent to be recycled.

**Finance**

Meeting update

Bill Spencer states the Finance Committee has asked Marty Typer and Judge Pemberton to come to the next meeting which is being held on September 22<sup>nd</sup> at 7 pm to ascertain the increase of the different items they did not increase the last time. Spencer states not all of the fees were increased and they will look into increasing those fees.

**Planning, Assessment & Zoning** Minutes placed on exhibit

ZBA Meeting

Tom Scholl announces the next meeting will be September 30, 2004.

**Blackhawk Hills RC&D**

No minutes

Meeting update

Ron Colson states the next Council meeting will be held on Monday, September 27<sup>th</sup>.

**Planning Commission**

Minutes placed on exhibit

Meeting

Tom Scholl announces the next meeting will be held on Thursday, September 23, 2004.

**Safety Committee**

No minutes

Update

Fred Horner has met with Judge Pemberton and the Judge is collecting information from other counties regarding the evacuation of the courthouse procedures.

**Personnel & Salary**

Minutes placed on exhibit

Recommendation

Pat Saunders states the Personnel & Salary Committee will recommend to the Finance Committee and County Board to achieve parity among employees, that an equitable pay increase be given to non-union employees.

**Long Range Planning**

Minutes placed on exhibit

Update on progress

Kim Gouker comments he has distributed a report from GreenAssociates regarding the update on the project and this gives contract by contract summary.

Bills for approval

Kim Gouker reviews the various bills which have been submitted for payment. Kim Gouker moves to approve payment from the Long Range Capital Project Fund in the amount of \$802,623.37. Lyle Hopkins seconds. The motion to approve the bills as presented carries on a voice vote.

Concrete pad for H.A.B.

Kim Gouker moves to accept the bid from Myers Excavating in the amount of \$2,464.00 for this project. Chris Remhof seconds and the motion carries on a voice vote.

Change Orders

Kim Gouker moves to approve change order #4-001 - Fisher Excavating in the amount of \$550.00 for eight (8) parking bumpers to be used in the church parking lot. These parking bumpers were placed on the church property to prevent a possible accident because the excavation for the Judicial Center was fairly close to this parking lot. Bill Spencer moves to approve. Skip Kenney asks if this expenditure is really needed? Gouker says these were installed as a matter of safety. The motion carries on a voice vote.

**IT Committee**

Minutes placed on exhibit

Information

Ron Colson states that NIU and RMU is establishing a network that will form a loop with the Tollway Authority I-80 and I-90. This will allow our county government to be tied into the communications system that will be the equal of downtown Chicago or downtown New York.

**Executive Committee**

Minutes placed on exhibit

IGA Update

Chairman Gocken informs the board that another letter has been sent to the IGA reminding them that the County sets assessments. We are asking that Bill Spencer be appointed to the Executive Committee of the IGA and James Harrison to be appointed consultant and alternate for Spencer. We also requested a meeting to be held to discuss this and offered to host it.

Planning update (I-39)

Chairman Gocken announces there will be a meeting at the Eswood School in Lindenwood on October 21<sup>st</sup> at 6:30 p.m.. Roger Hopkins of DeKalb and President of the I-39 Corridor Association will speak. The towns, villages and Townships will be asked to report. The Chairman states Mike Reibel will speak on the I-39 Corridor Plan.

Economic Development

Chairman Gocken states the Executive Committee has been researching the possibility of forming a Public/Private Corporation to handle Economic Development for Ogle County. As the next phase for this research, an invitational letter will be sent to a preliminary task force.

**Public Comments**

**Communications**

- ⇒ Sales Tax for June, 2004 was \$31,484.88 and \$66,648.33
- ⇒ Sales Tax for June, 2003 was \$26,761.02 and \$65,246.67
- ⇒ Asplund notice regarding tree trimming

**Unfinished Business**

**New Business**

Ron Colson discusses the memo he has distributed regarding the Byron Dragway to the board members and reads the memo out loud. (the memo is placed on file and submitted to State's Attorney Deb Ellis) Skip Kenney asks if this is appropriate since this issue is in litigation and doesn't feel this is appropriate at this time. Marguerite Nye comments we have the information in front of us. Ron Colson states he feels we should try to work the situation thru the County Board committee than thru the courts to the best extent that we can.

**Motion to Adjourn**

At 7:55 p.m., Fred Horner moves to adjourn the September Ogle County Board Meeting until Tuesday, October 19, 2004, at 5:30 p.m. at the Courthouse in Oregon. Bill Spencer 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