

Proceedings of the Ogle County Board Meeting
September 18, 2007

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

Call to Order

Chairman Rice calls the meeting to order at 5:32 p.m.

Roll Call

The roll call shows Bauer*, Colbert* and Nye are absent. The Invocation is given by Heuer and followed by the Pledge of the Allegiance to the Flag. (*Bauer and Colbert arrive after Roll Call)

Approval of Minutes

Chairman Rice asks for a motion to approve the August 21, 2007, Ogle County Board meeting minutes. Motion by Kenney to approve – Seconded by Horner. Motion carried.

Approval of Reports

Motion by Boes to accept and place on file the monthly reports of the County Clerk/Recorder, Treasurer and Circuit Clerk. Seconded by Swanson. Motion carried.(Placed on file)

Resignation -

Chairman Rice announces Gregg Olson has resigned from the Board of Health. Bowers said this resignation was accepted with great sadness. Motion by Huntley to accept resignation – Seconded by Scholl. Motion carried.

Vacancies -

Chairman Rice announces the following vacancy:

- Board of Health

Application deadline for this vacancy will be
Friday, October 26, 2007, at 4:30 p.m. in the County Clerk's Office

Resolution – Change of Polling Place – Byron 2 and Byron 4 Precincts

Chairman Rice presents the resolution from Ogle County Clerk Huntley for the change of Byron 2 and Byron 4 Polling Precincts – They will move from the Byron Middle School to the Byron Fire Department. Motion by Boes to approve resolution – Seconded by Kenney. Motion carried.(Placed on file)

Resolution – Blackhawk Hills RCD – 2006 – 2007 District CEDS

Chairman Rice presents the resolution regarding the Blackhawk Hills RCD 2006 – 2007 District Comprehensive Economic Development Strategy Report. Chairman Rice has the copy of this report available. Motion by Colson to approve the resolution – Seconded by Kilker. Motion carried.

Resolution – Authorizing Purchase of General Obligation Refunding Park Bonds – Series 2007 of the Oregon Park District

Chairman Rice presents the resolution authorizing the purchase of General Obligation Refunding Park Bonds, Series 2007 of the Oregon Park District. Motion by Barnes for approval – Seconded by Bowers. A roll call vote will be taken:

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

NO: White

ABSENT: Nye

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

Ogle County Board Meeting

September 18, 2007

Zoning – #3-07 SPECIAL USE -- Boy Scouts of America - Three Fires Council

Chairman Rice and Chief Deputy Clerk Cook present the petition of the Boy Scouts of America - Three Fires Council, % Matthew A. Ackermann, 415 N. Second St., St. Charles, IL for a Special Use permit to allow a recreational camp in AG-1 Agricultural District on property described as follows and owned by petitioners:

S ½ SE 1/4 Section 23, T23N, R11E of 4th P.M.; Pt. SW Fr. 1/4 Section 24, T23N, R11E of 4th P.M.; NW Fr. 1/4 Section 25, T23N, R11E of 4th P.M.; Pt. NE Fr. 1/4 Section 25, T23N, R11E of 4th P.M.; Pt. SW Fr. 1/4 Section 25, T23N, R11E of 4th P.M.; Pt. SE Fr. 1/4 Section 25, T23N, R11E of 4th P.M.; E ½ NE 1/4 Section 26, T23N, R11E of 4th P.M.; Pt. E ½ SE 1/4 Section 26, Pine Rock Township 23N, R11E of 4th P.M.; Pt. NW Fr. 1/4 Section 7, Flagg Township 40N, R1E of 3rd P.M., Ogle County, IL, 520.47 acres more or less.

Property Identification Numbers: 17-23-400-003; 17-24-300-007 & -008; 17-25-100-001; 17-25-300-002; 17-25-300-006 & -007; 17-26-200-002; 17-26-400-007; part of 17-25-200-002 and part of 24-07-100-005.

Common Location: 3998 Knoll Rd.

Hopkins moves to concur with the Board of Appeals and approve #3-07 Special Use for the Boy Scouts of America – Three Fires Council with the following eight conditions:

1. Petitioner shall install and maintain a bituminous surface on the proposed entrance.
2. A secondary/emergency ingress/egress to the site shall be provided.
3. Signage shall be installed at the site's entrances on Knoll Road advising motorists that the entrance drives to the site are not public roads.
4. The development of the site shall comply with the Ogle County Comprehensive Stormwater Management Ordinance.
5. The boundary of the property shall be clearly marked so as to deter guests from leaving the property.
6. All requirements of the Ogle County Health Department and Illinois Department of Public Health shall be complied with in regards to water supply and sewage disposal.
7. All facilities shall comply with the Illinois Accessibility Code as applicable.
8. Petitioners shall certify by affidavit (on such form as required by the Planning & Zoning Administrator) that they recognize the existing agricultural uses in the area and that they have read the preamble to the AG-1 Agricultural District regulations, and record with the property deed said affidavit. Proof of recordation will be required prior to a zoning certificate being issued by the Planning & Zoning Administrator.

White seconds. Horner asks if the concern regarding the entrance to the property and traffic problems which could occur with horse shows at Diamond G which is next door. Hopkins states this was addressed at the Board of Appeals meetings and the Boy Scouts did offer to plant trees along the drive. Horner states the two drives are along side of each other. Hopkins states there are separate drives and a dividing line with a fence and there should not be a problem. Scholl comments on the location and placement of the entrance to the property. Colbert states she will be voting no on this issue – there are safety concerns with the two entrances side by side of each other. The people who come to the horse shows with their horses and trailers park along the drive and horses can get spooked. Colbert thinks there could be a traffic control problem on weekends when there is a horse show at Diamond G and the Boy Scouts hold their activities on their property. Scholl comments on the traffic issue and will also be voting no on this issue. Chairman Rice asks Hopkins if there was discussion regarding another entrance to the Boy Scout property. Hopkins could not remember at this time. Barnes also comments on the safety issues as well and will also be voting no on this issue. Barnes states the Boy Scouts are not landlocked and they can find another entrance to their property. Kenney states he lives in the area and when the vehicles come in with their trucks, trailers with horses and doesn't think the two are a good mix. Kenney asks if the emergency ingress/egress has been addressed. Hopkins states the current entrance will become the emergency ingress/egress for the property. Huntley adds he would like to have the Boys Scouts take this issue back and find another entrance at another location away from the Diamond G entrance. Colbert also speaks about the locked gate at the emergency ingress/egress – which will have a key – will the emergency vehicles have access to this key? There was discussion regarding the current road and is considered a shared road. Kenney asks if there was an agreement signed to keep this road open. Hopkins has not heard of an agreement at this time. Reibel says this is a stipulation of the Special Use Permit for the Boys Scouts to provide an emergency ingress/egress. Reibel has been in contact with the

owners of the lane and they are in favor of allowing the use of the existing lane for an emergency ingress/egress. They are not going to grant an easement, they will grant a license to use for Emergency Use Only. A roll call vote is called:

YES: White, Williams, Bauer, Boes, Colson, Diehl, Gouker, Heuer, Hopkins, Stahl and Swanson

NO: Barnes, Bowers, Brooks, Colbert, Gronewold, Horner, Huntley, Kenney, Kilker, Messer, Scholl and Rice

ABSENT: Nye

The motion is defeated.(Placed on file)

Zoning - #12-07 AMENDMENT -- Randy Day

Chairman Rice and Chief Deputy Clerk Cook present the petition of Randy Day et al, 8877 S. Lynn, Rochelle, IL for an Amendment to the Zoning District to rezone from B-1 Business District to R-2 Single-Family Residence District on properties described as follow and owned by Brad Lynn, Randy Day, Donald Arjes, Cynthia Davenport, Lowell Hatfield, Timothy Galvan, Jose Franco, Scott Rockstead, Michael Harmon, Jay Miller, Thomas Lampley, Donald Mannel and Larry Morse:

Lots 1-14 Southgate Subdivision #2, part of the E1/2 SW1/4 Section 36 Flagg Township 40N, R1E of the 3rd P.M., Ogle County, IL

Property Identification Numbers: 24-36-379-001, -002, -003, -004, -005, -006, -007, -008 and 24-36-378-001, -002, -003, -004, -005 and 24-36-377-001

Common Locations: 8829, 8830, 8874, 8877, 8898, 8901, 8904, 8925, 8946, 8949, 8970, 8973 S. Lynn and 14500 E. Gurler Rd.

Hopkins moves to concur with the Board of Appeals and approve #12-07 Amendment for Randy Day and others – This is a housekeeping issue regarding their zoning district. Kenney seconds and the motion carries.(Placed on file)

Zoning - #5-07 SPECIAL USE – Nitram Properties, Inc.

Chairman Rice and Chief Deputy Clerk Cook present the petition of Nitram Properties, Inc., c/o Gerald Martin & Wesley Martin, 2456 E. Pleasant Grove Rd., Oregon, IL for a Special Use permit to allow a concrete recycling facility in the AG-1 Agricultural District on property described as follows and owned by the petitioners:

Part of the NW1/4 NE1/4 Section 32 Rockvale Township 24N, R10E of the 4th P.M., Ogle County, IL, 20.0 acres, more or less

Property Identification Number: Part of 09-32-200-013

Common Location: 1816 N. Limekiln Rd.

Hopkins moves to concur with the Board of Appeals and approve #5-07 Special Use for Nitram Properties, Inc. with the following eight conditions:

1. All proposals and representations made by the applicant and/or their representative shall be conditions of the Special Use Permit.
2. Petitioner, its successor and/or assigns, prior to the establishment of the concrete recycling facility, shall increase the site distance on Limekiln Road to an adequate level as determined by the Ogle County Highway Department.
3. Petitioner, its successor and/or assigns, prior to the establishment of the concrete recycling facility, shall submit to the Ogle County Highway Department (County Engineer) and have approved prior to the establishment of the concrete recycling facility, a stormwater management plan. Said stormwater management plan shall include provisions for “best management practices”.
4. Hours of operation of the concrete recycling facility shall be restricted to between the hours of 6:00 A.M. to 5:00 P.M., Monday through Friday. The concrete recycling facility shall not operate on Saturday or Sunday with the exception of five (5) Saturdays per calendar year, with hours of operation restricted to between the hours 6:00 A.M. to 2:00 P.M. The Ogle County Planning & Zoning Department shall be advised by the Petitioner, its

- successor and/or assigns when the concrete recycling facility operates on a Saturday.
5. The entrance to the existing quarry and proposed concrete recycling facility shall be paved with asphalt from Limekiln Road 200 feet into the site.
 6. The existing entrance to the site shall be permanently closed and bermed. The top of the berm shall be landscaped with two staggered rows of evergreen trees, planted on 20-foot centers, with a minimum height of 6 feet at the time of planting, along the top of the berm. The berm shall be a minimum of eight (8) feet in height with a top width of ten (10) feet, and seeded slopes with a ratio not to exceed 3:1 on each side.
 7. The new proposed entrance drive shall be paved with a bituminous surface a minimum of 300' into the site from N. Limekiln Road. The south 200' of said new proposed entrance road shall be screened with a berm that is a minimum of eight (8) feet in height with a top width of ten (10) feet, and seeded slopes with a ratio not to exceed 3:1 on each side. The top of the berm shall be landscaped with two staggered rows of evergreen trees, planted on 20-foot centers, with a minimum height of 6 feet at the time of planting, along the top of the berm.
 8. The new proposed entrance road shall be constructed prior to the establishment of the previously approved asphalt drum mix plant and the concrete recycling facility.

Hopkins adds a few months ago Nitram Properties, Inc. was approved for a bituminous plant in this area. The County Engineer wanted Nitram to put in an acceleration lane for the trucks since the entrance was located on a dangerous curve. Since this time Nitram has bought an additional 5 acres south of the site and they are able to relocate their driveway for better sight distance. Kilker seconds and the motion carries.(Placed on file)

Zoning - Final Plat – Ranken’s Subdivision

Chairman Rice and Chief Deputy Clerk Cook present the Final Plat for “Ranken’s Subdivision” - Section 15, Dement Township

OWNER: Robert & Sharon Ranken, 5543 S. Mulford Rd., Rochelle, IL 61068

AUTHORIZED AGENT: Cory Ranken, 114 N. Freemont, Creston, IL 60113

AUTHORIZED SURVEYOR: Wendler Engineering Services, Inc., 698 Timber Creek Rd., Dixon, IL 61021

Hopkins moves to concur with the Board of Appeals and approve the Final Plat for Ranken’s Subdivision. Colson seconds and the motion carries.(Placed on file)

Public Comment – none

Claims

Chief Deputy Clerk Cook reads the claim totals:

Payments in Vacation – August 2007 \$56,951.81

County Board Payments – September 2007 - \$80,551.72

County Highway Fund – August 14 – September 1, 2007 - \$150,420.91

Motion by Bauer to approve claims as presented – Seconded by Horner. Motion carried. (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, G.I.S. Committee, H.E.W. & Solid Waste, Juvenile & Probation and Judiciary & Circuit Clerk, Personnel & Salary/ County Clerk, Planning Commission, Planning & Zoning/ Supervisor of Assessments, Road & Bridge, Sheriff & Coroner/ Buildings & Grounds/ IT, and Tri-County Opportunities.* The following had no minutes to file: *Blackhawk Hills RC&D, Board of Health, Byron Dragway, Ill Assoc of Co Bd Members, Juvenile Justice Council, Liquor Commission, LRP – Courthouse Renovations, LRP – Emergency Operations Center, Mental Health Board, Safety Committee and UCCI/ICRMT.*

Executive Committee

Minutes placed on exhibit

LRP Bills

Motion by Scholl to approve LRP bills for September 2007 in the amount of \$2,292.16 for the county’s portion of the property taxes for the Sixth St properties. Seconded by Horner. Motion carried.

Finance and Insurance

Minutes placed on exhibit

Proposed 2008 Budget

Mielke distributes the preliminary 2008 Budget along with a narrative and Preliminary Report of Appropriations and Levies. Mielke states the General Fund budget as proposed is balanced. The Finance Committee recommended the information be forwarded to the Board for review. Mielke also states there could be a Budget Hearing scheduled for November 14th or could be held at the November 20th County Board Meeting. Mielke also thanks the Department Heads for their assistance and cooperation with the budget. Chairman Rice comments as a Finance Committee member, the process has improved over the previous years and also appreciates the cooperation from Department Heads. Chairman Rice thanks Mielke for all of his hard work with preparing the budget.

Land Use Task Force

No minutes on file

Update

Hopkins states there will be a meeting tomorrow at 8:30 a.m. and hopes to resolve issues and finish their recommendations.

**Long Range Planning –
Courthouse Renovation**

Minutes placed on exhibit

Update

Stahl says they have begun the programming phase – Holabird & Root have meet with County Clerk Huntley and County Assessor Harrison. The committee will hold a meeting on September 26th at 9:00 a.m. to receive input from the Department Heads.

**Long Range Planning –
Emergency Operations
Center**

No minutes

Update

Chairman Rice asks Sheriff Beitel to update the board on the EOC. Beitel informs the committee they will be reviewing the preliminary plans with Teng Associates tomorrow. Beitel states members went on a tour of an Emergency Operations Center in Waukesha, Wisconsin last week for some ideas.

Chairman Comments

Chairman Rice informs the board of a Certified County Officials Regional Workshop to be held in Ogle County. The University of Illinois Extension Service mailed the information to the board members. Chairman Rice encourages the board members to attend this workshop.

Chairman Rice and Mielke attended the announcement in Rochelle last evening regarding Allstate Insurance Company coming to Rochelle. This will be a 12,000 square foot building to house the data center and will add 10 jobs. Their decision was based on Rochelle Municipal Utilities able to provide uninterrupted power, access of large volumes of water to be used for heating of the building and the fiber optic lines along Route 39. Chairman Rice states this is good for Rochelle and Ogle County.

Chairman Rice has Heuer refer to the information included in the packets for the UCCI Seminar to be held in Springfield at the Abraham Lincoln Presidential Library and Museum.

Communications

- Sales Tax for May 2006 was \$35,994.84 and \$80,540.11
- Sales Tax for May 2007 was \$29,461.81 and \$78,679.94

Unfinished Business –

New Business –

Closed Session – per 5ILCS 120/2(11)

At 6:16 p.m., Chairman Rice states the County Board will go into Closed Session to discuss 2 issues – Pending Litigation – Exelon tax Levy Objection and Probable Litigation – Byron Nuclear Plant Assessment. Motion by White to go into Closed Session and seconded by Stahl. A roll call vote is taken:

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

NO: None

ABSENT: Nye

The motion carries on a roll call vote.

Return to Open Session –

At 6:45 p.m. the board returns to Open Session.

Chairman Rice reminds the County Board members there are Focus House 50/50 tickets available for purchase. You can purchase the tickets through Chairman Rice or Pat Saunders who is available after the meeting tonight.

Motion to Adjourn

At, 6:47 p.m., White makes the motion to adjourn the September Ogle County Board meeting until Tuesday, October 16, 2007 at 5:30 p.m., Heuer 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