

Proceedings of the Ogle County Board Meeting  
September 15, 2009

State of Illinois    )  
County of Ogle    ) ss

**Call to Order**

Chairman Rice calls the Ogle County Board Meeting to order at 5:31 p.m.

**Roll Call**

The roll call shows Messer is absent. The Invocation is given by Heuer and followed with the Pledge of Allegiance.

**Approval of Minutes**

Chairman Rice asks for a motion to approve the August 18, 2009 Ogle County Board Meeting minutes. Saunders moves to approve, Heuer seconds and the motion carries.

**Approval of Reports**

Chairman Rice asks for a motion to accept the reports of the Ogle County Clerk & Recorder, Treasurer and Circuit Clerk. Kenney moves to accept the reports as filed, Huntley seconds and the motion carries on voice vote.(Placed on file)

**Presentation – Illinois Lincoln Highway Coalition - Bonnie Heimbach – Director – Northern Illinois Tourism Development Office**

Ms. Heimbach is introduced to the members of the County Board to speak about the Illinois Lincoln Highway Coalition. Heimbach states there are two County Board Members – Ron Colson and Marcia Heuer who are also members of the Illinois Lincoln Highway Coalition Board. It is the first trans-continental highway with 179 miles which starts in Times Square in New York and ends in Lincoln Park in San Francisco. Heimbach talks about the history of this National Scenic Byway and the tourism for various communities.

**Appointment - Board of Health – R-2009-0901**

Chairman Rice announces the recommendation of Elizabeth Mendelhoff to the Board of Health for an unexpired term which ends November 30, 2012. Bowers moves to approve Resolution 2009-0901, Kilker seconds and the motion carries on a voice vote.(Placed on file)

**Vacancies –**

- Board of Health – 3 vacancies

Application deadline for these vacancies will be  
Friday, October 30, 2009 at 4:30 p.m. in the County Clerk’s Office

- Board of Health – 1 unexpired term ends 11/30/2011 - applicant is required to be a Dentist
- Mental Health “708” Board – unexpired term ends 12/31/2011
- Ogle County Civic Center Authority Board – 1 unexpired term ends 05/31/2011
- Ogle County Housing Authority – 1 term ends 10/31/2009

Application deadline for this vacancy will be  
Friday, October 2, 2009 at 4:30 p.m. in the County Clerk’s Office

**Zoning - # 7-09 AMENDMENT - Ordinance 2009-0901**

Chairman Rice and County Clerk Huntley present the petition of Dan Luepkes, 1132 S. Marsh Rd., Chana, 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 the SW1/4 NE1/4 Section 22 Oregon-Nashua Township 23N, R10E of the  
4th P.M., Ogle County, IL, 13.70 acres, more or less  
Property Identification Number: 16-22-400-005  
Common Location: 3200 Block of S. Lowden Rd.

Hopkins moves to approve Ordinance 2009-0901- #7-09 Amendment for Dan Luepkes. Colson seconds and the motion carries on a voice vote.(Placed on file)

**Public Comment –**

- Mike Dale of Focus House informs the board of the Pancake Breakfast and Car Show on Sunday, September 20<sup>th</sup> at Focus House.

**Road & Bridge – Re-Appointment of the County Engineer – R-2009-0902**

Diehl moves to approve Resolution 2009-0902 for the Re-Appointment of Curtis Cook as County Engineer for a six year term. Bowers seconds. Colson adds the dates of appointment are January 1, 2010 to December 31, 2015. The motion carries on a voice vote.(Placed on file)

**Road & Bridge – Designate Federal Aid Secondary Routes in Flagg & Dement Twps – R-2009-0903**

County Engineer Cook states Flagg and Dement Township Highway Commissioners have requested routes within their jurisdiction are made part of the Federal Aid Secondary Highway System. In order to receive Federal Funding for improvement of the road routes, they have to classify those routes as secondary routes. Colson moves to approve Resolution 2009-0903, DeArvil seconds and the motion carries on a voice vote.(Placed on file)

**Ogle County Claims – Clerk reads the claims:**

- Payments in Vacation – August 2009 - \$42,110.43
- County Board Payments - September 2009 – \$49,316.64
- County Highway Fund – \$28,576.67

Kenney 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: 911 ETS Board, Blackhawk Hills RC&D, Executive and State’s Attorney, Finance and Insurance, GIS Committee, HEW & Solid Waste, Juvenile & Probation/Judiciary & Circuit Clerk, Liquor Commission, LRP-Courthouse Renovations, Mental Health Board, Personnel & Salary - County Clerk, Planning & Zoning – Supervisor of Assessments, Regional Planning Commission, Road & Bridge, Sheriff & Coroner/Buildings & Grounds/IT Committee and Tri-County Opportunities.

The following committees had no minutes to file: Board of Health, Ill Assoc of Co Bd Members, LRP –Emergency Operations Center, Safety Committee and UCCI/ICRMT.

**Finance and Insurance** Minutes placed on exhibit

R-2009-0908

Hopkins states the Finance Committee has made the recommendation to release \$655,000.00 from the Solid Waste Fund to the County’s General Fund for the 2010 Budget. Bowers asks if this money would be paid back to the Solid Waste Fund. White reads a prepared statement regarding the budget shortfall and department heads getting their finances in order. Colson reads the Resolution Regarding landfill Host Fees dated November 16, 1999; “Funds from the Solid Waste Management and Environment Fund are utilized to address an environmental problem.” Colson also reads “All interest earned in this fund shall remain in the Long Range Capital Improvements Fund.” Colson states we do not have access to these funds; it’s like stealing it. Hopkins feels this money is to be used at the discretion of the County Board. Boes feels like this is a short term solution to a long term problem, unless we get a handle on our expenses. Kenney states when this initiative was put together, one of the goals was to preserve employment of our dedicated employees. The Department Heads were asked to take a look at their budgets and many went and modified their budgets. We do have legal obligations and have asked the

Administrator and Chairman to visit each unit that has a labor agreement and ask for concessions in order to meet our budgetary shortfall, which is revenue driven. Kenney states the release of the \$655,000.00 would be used for operating expenses only, no money would be used for salaries. Saunders reads part of the Resolution; "Environmental problems are occurrences that threaten the public health, safety and welfare or that threaten to damage the air quality, water quality or land resources of Ogle County as determined by the Ogle County Board." The layoffs in the various County Departments could endanger the safety and welfare of the citizens of Ogle County. Saunders speaks about the cost of unemployment if the county were to use layoffs. Saunders states she has not heard of another alternative to layoffs. Saunders believes this resolution is designed to keep our employees working to ensure the safety and welfare of the citizens of Ogle County. Saunders states the money we are asking to use is the interest. Colson refers to verbiage in the resolution; "All interest earned in this fund shall remain in the Long Range Capital Improvements Fund." Bauer states his biggest concern is we start off with a one-time payment and it often becomes a multi-payment over time. Bauer states we are in a very unique situation – this will take multiple solutions this is not a cure all. There are a lot of other things we have to do and we need to look at everything. This is on the table and is not a popular option. Hopkins states this is the best solution for right now to balance the budget without laying off employees. If we want to run an efficient operation we need to have money to run it. Hopkins feels furlough days are not profitable for the County. DeArvil thinks this would be a mistake if the money is not considered a loan. He doesn't want this to happen every year. Barnes states last fall during the budget process there were concerns regarding the revenue projections. There is \$2 million in the 911 Fund; can't we use part of that money. Horner who is a member of the 911 Board states absolutely not. Gouker states the board knew going into the budget last year, there was a possibility of shortfalls. He states the county should look at other reserves which the Treasurer has stated in meetings are available. Hopkins says he has talked with Treasurer Coffman regarding this situation and he believes this is the best option for the county. The other reserves we are still using in other ways. Treasurer Coffman is not clear on what reserves Gouker is referring. Treasurer Coffman distributes a Cash Flow Chart of the General Fund and County Officers Fund to the members of the board. Chairman Rice states the reserves we have now will be used to meet this year's end budget. Kilker addresses the board about Commonwealth Edison coming to Ogle County and the money the county received. Other counties in the area do not have a ComEd facility. Kilker talks about how Betty Gocken and Steve Rypkema work diligently to protect the Landfill Host Fees collected for a future environmental problem. This is how the Resolution dated November 16, 1999 came before the Board. Kilker says Treasurer Coffman stated at a meeting that if the money is loaned to the County; the County Board can forgive the loan at any time. Kilker states the board was concerned about the revenue projections during last year's budget process and the board did not address the situation. There were 8 board members who voted no on that budget and 16 voted yes and the budget passed. Kilker feels there was poor management on behalf of the County Board. There are union contracts with people who work for the County and non-union workers who have given their all to make this county look good. Kilker wants the board to stand-up and take responsibility. Bauer states he has not heard of an alternative solution to the budget problem. Gronewold says his main concern is how the Resolution is going to read. He can't support the Resolution without union concessions. Other members of

the Board agree with Gronewold. After discussion regarding how the Resolution is to read; the board presents the following verbiage:

*“The Ogle County Board will release \$655,000 from the Solid Waste Fund (interest only) into the General Fund to cover Buildings & Grounds non-salary expenses, and Focus House utilities for the Fiscal Year 2010 only, in the form of a loan to be repaid within 5 fiscal years IF, all unions agree to hold all wage increases to 0%, and those unions with step increases give additional reductions to achieve the equivalent of 3% wage reductions and the equivalent of 5 furlough days per employee.”*

Hopkins moves to approve the Resolution as presented, Saunders seconds. There was more discussion regarding the Union concessions and how the money will be accounted for within the budget. Heuer asks is if the Non-Union departments are being asked to hold to the same as the Unions are being asked to do? Administrator McKinley states all Non-Union departments have submitted at zero salary budgets increase. The Non-Union departments have been asked to hold wages at zero, identify operational savings to include the equivalent of 5 furlough days. Administrator McKinley reads the verbiage:

*“The Ogle County Board will release \$655,000 from the Solid Waste Fund (interest only) into the General Fund to cover Buildings & Grounds non-salary expenses, and Focus House utilities for the Fiscal Year 2010 only, in the form of a loan to be repaid within 5 fiscal years IF, all unions agree to hold all wage increases to 0%, and those unions with step increases give additional reductions to achieve the equivalent of 3% wage reductions and the equivalent of 5 furlough days per employee.”*

A Roll Call vote is taken:

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

The motion carries on a roll call vote.(Placed on file) Resolution 2009-0908

Special Meeting Hopkins announces a Special Finance Committee meeting to be held Wednesday, September 23<sup>rd</sup> at 10:00 a.m. at the Sheriff’s Administration Building.

**Long Range Planning**  
**Courthouse Renovation** Minutes placed on exhibit

Update Stahl updates the board on the following:

- Waiting on figures for the alternate plans for the generator hook-up and landscaping
- Boy Scouts to begin work at the end of October on the cannons
- Ogle County is last on list for Gazebo construction – end of October
- Richard Day of the VFW has provided drawings of VFW Memorial to include new monuments of a soldier, gun and boots statue to represent fallen soldiers; a new statue to represent soldiers of today. The VFW would provide these at their expense.

### Special Meeting

Stahl states the committee held a Special Meeting today at 3:00 p.m. to discuss items which needed to be approved to keep construction going.

- Memorial Hall mural which was to be preserved has been covered up
- Looking to reveal names in Memorial Hall and make one wall a glass wall and dress up the ceiling a little more in the proposed conference room on the third floor.

### Next Meeting

Stahl says the next LRP meeting will be on October 6<sup>th</sup> at 9:00 a.m.

### Change Orders

Boes asks how many Change Orders have we had and what are the costs. Stahl states they had discussed the Change Orders at the Special Committee Meeting held today at 3:00 p.m. Stahl thinks there were about 8 or 9 at a total of \$48,000.00. These were things Holabird & Root and Ringland-Johnson needed to discuss to keep the project going. Williams asks if the contractor has asked for an extension of time with the change orders. Chairman Rice states there are some change orders which would take one day and indicated a lot of those could be done in one day on four or five items. Williams states if they ask for an extension of time; they will also be asking for more money. Williams asks how will payment for the omissions by the architect be handled. Chairman Rice states they have categorized the items 1 thru 4 to see who would be coming to the table. They will have to sit down and negotiate. Stahl has distributed two changes in scope recommendation to be voted on by the board:

- 1) Basement demo removal and replacement of framing and drywall at windows and walls not indicated on drawings or specifications. Work to be done on sub-contractors cost & time & materials basis – not to exceed \$44,997.00.

Williams states the contractor should have some accountability and if we do this on a time & material basis – Where is the accountability and who will keep track of the time? Administrator McKinley says if this was in the specs we would be paying for it on the front end. If we didn't do it then, we are doing it now. Williams states people make mistakes but how many more are we going to tolerate? This isn't the first and there will be more, we are just getting started. Williams's suggestion is to inform the architect and contractor; you own this – we don't and Ogle County will not write the check for this. Saunders asks what happens if they do not do the work. Williams states there is language in the contract on how to handle disputed work. The other alternative is to have the work completed on a time & materials basis and designate someone to check on the work daily. Chairman Rice states one of the reasons the County wanted Ringland-Johnson was the board felt they would do a good job and trusted enough not to have someone stand over them. There will be walk-thru's to approve everything they do. If it is discovered on a walk-thru – the work hasn't been done we don't approve it. Saunders asks Sheriff Beitel if Maintenance Supervisor Jim McBride would be able to complete the daily check. Sheriff Beitel stated that puts a lot of responsibility on him and he has other things to do. Williams also asks on the next item of the patch and repair work to be done because of damage from the abatement company. He asks how was the RFP written; when they are done, how were they to leave the facility. He has not found any of that information in the documentation he was provided. Williams asks if any retainage was held back or have they been paid 100%. Administrator McKinley states the abatement company was paid. Stahl moves to approve the item above as listed, Nye seconds. Gouker states the sheet which was distributed this is not the amount discussed at the meeting this afternoon. Gouker states the amount discussed at the meeting was more like \$162,000.00. Stahl states anything less than \$20,000 can

be approved by the committee; and the other being over \$20,000.00 are to be presented to the full board. Stahl says these items would normally be included in the packets but they were just approved today at the 3:00 p.m. meeting. Stahl says they can send this information to the board tomorrow; there is no intent to hold back any information from the board. Chairman Rice says the committee has permission with the authority of the Board to approve items under \$20,000.00. Chairman Rice says this board wanted Ringland-Johnson because they were trusted and a local contractor. Chairman Rice states he is putting his faith with the contractor until they have proven him wrong. Maybe the County should have hired a General Contractor or used a Construction Manager to keep an eye on the project. We, the Board are going to do the best to get the best deal for the county. Williams states all he is asking for on this project is accountability and this is a management of money exercise. Williams does not agree that the county has to pay for the contractors' mistake. A roll call vote is taken:

**YES:** Gronewold, Hopkins, Horner, Huntley, Kenney, Nye, Saunders, Stahl, Colbert, Diehl, Gouker and Rice

**NO:** Heuer, Janes, Kilker, White, Williams, Barnes, Bauer, Boes, Bowers, Colson and DeArvil

**ABSENT:** Messer

The motion carries on a roll call vote.(Placed on file) Resolution 2009-0909

- 2) Patch and repair of other visible damage to plaster due to unforeseen conditions or abatement company damage. Work to be done on sub-contractors cost & time & material basis – not to exceed \$48,109.00.

Stahl moves to approve the item as listed above, Horner seconds and a roll call vote is called:

**YES:** Hopkins, Horner, Huntley, Kenney, Nye, Saunders, Stahl, Colbert, Diehl, Gouker, Gronewold and Rice

**NO:** Heuer, Janes, Kilker, White, Williams, Barnes, Bauer, Boes, Bowers, Colson and DeArvil

**ABSENT:** Messer

The motion carries on a roll call vote.(Placed on file) Resolution 2009-0910

R-2009-0904 Stahl presents Resolution 2009-0904 authorizing \$414,226.63 to be paid out of the Long Range Planning Fund as follows:

SUPPLIER NAME	DESCRIPTION	AMOUNT
Old Limestone, LLC	Watts Bldg. - October Rent	\$5,800.00
Ringland-Johnson, Inc.	Construction Costs - Old Courthouse Application #2	\$390,454.00
Sterling Commercial Roofing	Jail Roof Leak - Repair	\$3,850.00
Focus House	Reimbursement for Roof Repair and Damage repair plus door hardware	\$2,800.00
Holian Asbestos Removal & Encapsulation	Additional Asbestos Abatement work Bottom of boiler	\$2,280.00
ADT Security Services	Installation at 122 S. Wesley Avenue	\$338.00

ADT Security Services	Services for 7/22/09 to 6/30/2010 @ 122 S. Wesley Avenue	\$724.55
Credit Card (Sheriff)	TC Communications - Fiber Switches	\$7,980.08
	TOTAL:	\$414,226.63

Chairman Rice has Sheriff Beitel explain the expense for the Fiber Switches in the amount of \$7,980.08. Sheriff Beitel states the county network was down due to the malfunction of the micro-wave for the second time this year. The fiber project was put in to have a redundancy if something was to happen to the micro-wave and this was not complete. The fiber was put in to get the Watt Building up and running. The parts were emergency ordered to get the fiber completely functional. Saunders moves to approve R-2009-0904 as presented, Kenney seconds and a roll call vote is called:

**YES:** Hopkins, Horner, Huntley, Janes, Kenney, Kilker, Nye, Saunders, Stahl, Bauer, Bowers, Colbert, DeArvil, Diehl, Gouker, Gronewold, Heuer and Rice

**NO:** White, Williams, Barnes, Bowes and Colson

**ABSENT:** Messer

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

R-2009-0905 Stahl presents and makes the motion to approve Resolution 2009-0905 to Allow Harry Spell of Art Castings to clean and restore the Soldiers and Sailors Monument not to exceed \$7,500.00. Hopkins seconds. DeArvil would like to see this as a countywide community effort and seek donations. He doesn't want to use county funds for this project. Colson would like to table this resolution and raise the money privately. Colson would like to hold a musical benefit and raise money for this project. This would have to be an early spring show due to the time frame. The Oregon VFW is going to approach the district to be the lead agency for this citizen's effort. Colson would like to table the motion to raise the money through a citizen's effort for the Soldier's and Sailors Monument and the VFW Memorial. Colbert would also like to see the J.F.K. memorial cleaned as well. Colbert has also offered her services to clean the J.F.K. monument. Barnes and Gouker state this is not the time to appropriate county funds since we are facing a budget crunch. Stahl withdraws her motion, Hopkins withdraws his second reluctantly; he wants a guarantee that this project gets done. Heuer states the board can leave the resolution on the table with a second; put a definite date on the resolution and review the status of the community effort. There was discussion regarding having the monuments cleaned before the opening of the Courthouse Renovation. Colson moves to amend the motion and table the motion until June 1, 2010, Barnes seconds and the motion carries on a voice vote. (Placed on file)

R-2009-0906 Stahl presents and makes the motion to approve Resolution 2009-0906 regarding the negotiated Holabird and Root fees in the amount of \$14,891.82. Nye seconds and a roll call vote is called:

**YES:** Horner, Huntley, Kenney, Nye, Saunders, Stahl, Bauer, Bowers, Diehl, Gronewold, Hopkins and Rice

**NO:** Janes, Kilker, White, Williams, Barnes, Boes, Colbert, Colson, DeArvil, Gouker and Heuer

**ABSENT:** Messer

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

R-2009-0907 Stahl presents and makes the motion to approve Resolution 2009-0907 to increase Holabird and Root reimbursable expense line from \$9,000.00 to \$25,000.00 due to the extended time frame on the Courthouse Renovation Project and additional Long Range Planning meetings. Horner seconds. Saunders asks why the amount is higher. Administrator McKinley states the project has been extended to an additional 14 months from the original date in the contract. This is for the additional travel and out of pocket expenses which they will incur due to the extended timeframe. A roll call vote is called:

**YES:** Huntley, Janes, Kenney, Nye, Stahl, Williams, Bowers, Diehl, Gouker, Hopkins, Horner and Rice

**NO:** Kilker, Saunders, White, Barnes, Bauer, Boes, Colbert, Colson, DeArvil, Gronewold and Heuer

**ABSENT:** Messer

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

**Chairman Comments –**

- Heuer updates the board on the UCCI Conference which will be held in Springfield at the end of October.
- County Clerk Huntley thanks Laura Cook for her hard work during the network outage. Laura was still able to e-mail and post the Agendas to the Internet to make sure the County Board followed the Open Meetings Act.
- Chairman Rice informs the board members of the information they received regarding the University of Illinois Workshop titled “Governing Counties in Tough Economic Times” on September 25<sup>th</sup> at Sauk Valley Community College.
- Chairman Rice announces the League of Women Voters will sponsor a Town Hall Meeting on October 8, 2009 at 7:00 p.m. in the Flinn Middle School Auditorium in Rockford.

**Administrator Comments – None**

**Unfinished Business –**

- Bauer states the HEW Funding Hearings have been completed and the process went very well. There has been a lack of communication with the Veteran’s Assistance Program and the county. As of today the Ogle County Veteran’s Assistance Program will be setting up a link to our website to disseminate information to the Veteran’s.

**New Business –**

- Nye would like to make a comment on the procedure being followed by Committee Meetings she attends and presumably by other Committee’s of the Board – I believe it is a mistake for non-members of the committee to participate in the discussions unless specifically authorized by the Chairman of the said Committee. These interruptions by non-members tend to disrupt the discussions and deliberations of committee members. Such interruptions are subject to a “Point of Order” by the committee members. Individual Chairman can provide for outside comments to be made during public comments.

**Communications –**

- Sales Tax for June 2009 was \$34,607.88 and \$65,699.01
- Sales Tax for June 2008 was \$36,784.23 and \$79,683.53

**Motion to Adjourn**

At 7:45 p.m., Nye makes the motion to adjourn the Ogle County Board meeting until Tuesday, October 20, 2009. Kenney 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