Proceedings of the Ogle County Board Meeting
February 17, 2009

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

Call to Order
Chairman Rice calls the Ogle County Board Meeting to order at 5:30 p.m..

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

Approval of Minutes
Chairman Rice asks for a motion to approve the January 20, 2009 Ogle County Board Meeting minutes. Huntley moves to approve, Saunders seconds and the motion carries.

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

Presentation – Nathan Schwartz – Highway Annual Report
Chairman Rice introduces Nathan Schwartz to the members of the board for the Ogle County Highway Annual Report presentation. Nathan has a PowerPoint presentation on the new salt bin which was built by the employees of the Highway Department.

Presentation – Peggy Friday of GREDCO – Project Alfa
Chairman Rice introduces Peggy Friday of GREDCO to the board and asks for her to present information on the two Tax Abatements which will be presented tonight.
Ms. Friday states the Abatement for Project Alfa is part of the Reinvest in Rochelle Retail Initiative. This Initiative provides a 5-year real estate tax abatement on the incremental EAV upon the approval of all local taxing bodies. Boes inquiries if this business met certain qualifications to meet this abatement and not all applicants asking for an abatement on a remodeling project may qualify? Ms. Friday states that is correct – this was just for retail and commercial with a minimum capital investment of $25,000. They also had to be an existing business with a history of paying Taxes and Sales Tax to the community. There were other incentives from the City of Rochelle, they waived the Building Permit and rebated this back once the project was complete. Barnes asks how many employees are with this company. Ms. Friday states there are about 15 to 20 employees and no new jobs have been created yet. Ms. Friday reviewed the Abatement percentages and amounts with the members of the County Board. Boes asks if there were any challenges from the ones that were denied. Ms. Friday said no there were not.

Presentation – Peggy Friday of GREDCO – Project Buffer
Ms. Friday says the square footage of Project Buffer is 120,000 to 140,000 with a Capital Investment of $18,000,000 with the creation of about 25 to 35 jobs. Friday states they are competing with Missouri and Wisconsin for this project.

Project Alfa – Kenney makes the motion to approve the Tax Abatement for Project Alfa - Resolution 2009-0211. Nye seconds and a roll call vote is taken:

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

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

ABSENT: Messer

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

Project Buffer – Nye moves to approve the Tax Abatement for Project Buffer – Resolution 2009-0212. Kenney seconds and a roll call vote is taken:

YES: Bauer, Boes, Bowers, Colbert, Colson, DeArvil, Diehl, Gronewold, Heuer, Hopkins, Horner, Huntley, Janes, Kenney, Nye, Saunders, Stahl, White, Williams, Barnes and Rice

NO: Gouker, and Kilker

ABSENT: Messer

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

Appointments –

9-1-1 ETSB (R-2009-0201)

Chairman Rice presents Resolution 2009-0201 for the Sheriff's Designee for the appointment of Tracie R. Sill to the 9-1-1 ETSB for a term which ends June 30, 2012. Horner moves to approve the appointment resolution as presented, Bauer seconds and the motion carries on a voice vote.(Placed on file)

Vacancies –

Chairman Rice announces the following vacancies:

- Board of Health – 1 unexpired term ends 05/31/2009
- Board of Health – 1 unexpired term ends 11/30/2011 - applicant required to be a Dentist
- Board of Health – 1 unexpired term ends 11/30/2011

Application deadline for these vacancies will be
Friday, March 6, 2009 at 4:30 p.m. in the County Clerk's Office

- Fire Protection Districts: Forreston, Leaf River, Lynn-Scott-Rock, and Oregon – 1 each
- Lost Nation/New Landing RCD – 1 vacancy
- Planning Commission – 2 vacancies
- Zoning Board of Appeals – 1 vacancy

Application deadline for these vacancies will be
Friday, April 3, 2009 at 4:30 p.m. in the County Clerk's Office

Zoning – #9-08 Special use – David & Paijit Ancona – R-2009-0214 or O-2009-0201

Chairman Rice and County Clerk Huntley present the request from David & Paijit Ancona, 12488 E. Utility Rd., Davis Junction, IL for a Special Use Permit to allow a Small Rural Business (dumpster storage & rental/general hauling of non-hazardous materials including furniture, appliances, construction debris, etc.) in the AG-1 Agricultural District on property described as follows and owned the petitioners:

Part of the SE1/4 of the SW1/4 Section 15 Scott Township 42N, R1E of the 3rd P.M., Ogle County, IL, 5.0 acres, more or less
Property Identification Number: 11-15-300-003
Common Location: 12488 E. Utility Rd.

Hopkins moves to concur with the Zoning Board of Appeals and adopt an Ordinance to approve #9-08 Special Use Permit (O-2009-0201) with the following conditions:

1. All proposals and representations made by the applicant and/or their representative shall be conditions of the Special Use Permit, including, but not necessarily limited to, the installation of screening (6' high fence) as depicted and described on the Concept Plan submitted as part of the petition for Special Use Permit. Said fence/screening shall be installed within ninety (90) days of the approval of this Special Use Permit.

2. There shall be no outside storage and/or accumulation of junk (as defined by the *Ogle County Amendatory Zoning Ordinance*), waste, inoperable and/or unlicensed motor vehicles, etc. on the site.

3. There shall be no storage on the site of dumpsters containing waste materials in excess of twenty-four (24) hours, provided any dumpster containing waste is completely covered or enclosed.

4. All dumpsters shall be stored within the area enclosed by fence/buildings and out of view from the public road at all times.

5. This special use permit shall be valid for a period of five (5) years from the date of approval by the Ogle County Board. The Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board shall have the delegated responsibility and authority to either extend or discontinue the Special Use Permit upon the expiration of said five (5) year period, giving due consideration to the continued compatibility of the authorized use with the surrounding area and other applicable factors as determined by the Committee. The Committee shall give notice of its intent to act on this matter as provided herein to the owner of the land to which the Special Use Permit applies, to all adjacent land owners, to the Village of Davis Junction, and to Scott Township.

Saunders seconds. Rice asks Hopkins how long has this facility been in business. Hopkins states it has been in business for 17 ½ years. Janes comments on the grave concerns of the water facility which is within 1000 feet radius of the site. Chairman Rice asks if this information was presented during the hearing. Janes said no sir, it was not. Chairman Rice asks what has happened in the last seventeen years with this business being there. Janes states the well has only been put in a couple of years ago. White asks for a roll call vote. Gouker asks for clarification at the end of the 5 year period? Hopkins states the petitioner would have to come back and ask for an extension. Reibel states he would have to come before the Planning and Zoning Committee to either extend the Special Use Permit or discontinue. The ZBA thought the 5 years would be a good time to re-establish discussion. Hopkins asks if this Special Use Permit can be pulled if any of the conditions are not met. Reibel states yes, if there are outstanding violations on the conditions it can be revoked. Reibel says you have to give the landowner an opportunity to fix any violations. Saunders asks for clarification on the well Janes was referring to in his comments. Janes says the well belongs to the Village of Davis Junction. Saunders states they drilled this well after this business has been at this location for 17 years. Janes states he doesn't think anyone knew this business was located at the location since it wasn't zoned. Barnes states they have had problems with this petitioner cleaning up the place. Chairman Rice asks what the other committees have recommended from Hopkins. Hopkins states Ogle County Regional Planning Commission was in favor – ZBA was in favor and the Planning & Zoning Committee was a tie vote. Huntley asks if the Township Planning Commission made a recommendation – Hopkins states the Township Planning Commission sent a letter not recommending this petition. Gouker states his concerns regarding this petition and we should deny this request. Colbert has a question regarding condition #3. Hopkins explains the need to possibly keep a container(s) overnight due to the landfill is closed and he will have to wait until morning to deliver the container(s). Hopkins states he would like to find another place out in the country – but due to the economic times he is unable. DeArvil states he has received several warnings as far back as 1997 to clean his location up and he has not made much improvement. He received a zoning violation in November of 2007 and still hasn't tried to make much of an effort. Reibel states the dumpsters were not there at that time and the past violations were for assorted junk. Boes says he voted no on this at the Planning & Zoning Committee because the property owner has continuously ignored the County Ordinances and State's Attorney notices. A Roll Call vote is taken:

YES: Diehl, Hopkins, Huntley, Kenney, Nye, Saunders, Stahl, Bauer and Rice

NO: Boes, Bowers, Colbert, Colson, DeArvil, Gouker, Gronewold, Heuer, Horner, Janes, Kilker, White, Williams and Barnes

ABSENT: Messer

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

Public Comment –

Colson asks if this would be the time to bring up the Resolution regarding the authorship of meeting minutes. It was recommended he present this Resolution to the Board during New Business.

Road & Bridge – Resolution for County Bridge Construction – 2009-0202
Huntley moves to approve Section 05-00233-00-BR, Steward Road Overpass, Award and Appropriation Resolution: $100,000.00 from County Bridge Fund – (Resolution 2009-0202). Colson seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – Supplemental Resolution for County Road Construction – 2009-0203
Huntley moves to approve Supplemental Resolution for County Road Construction to appropriate $37,949.76 from County Motor Fuel Tax, $64,100.14 from Federal Aid Matching fund, $8,672.26 from Engineering fund, and $54,965.00 from County Aid to Bridge fund to Section 04-00229-00-FP, Center Road (Resolution 2009-0203). DeArvil seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – Supplemental Resolution for County Road Construction – 2009-0204
Huntley moves to approve the Supplemental Resolution for County Road Construction to appropriate $79,017.42 from County Motor Fuel Tax and $79,017.43 from Federal Aid Matching fund to Section 06-00238-00-RS, Pines Road (Resolution 2009-0204). Hopkins seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – County Maintenance Resolution – 2009-0205
Huntley moves to approve the 2009 County Motor Fuel Tax Resolution, Appropriate expenditure of $650,000 for Section 09-00000-0X-GM, General Maintenance (Resolution 2009-0205). Colson seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – Supplemental County Maintenance Resolution – 2009-0206
Huntley moves to approve the 2008 County Motor Fuel Tax Supplemental Resolution, Appropriate expenditure of $291,006.32 for Section 08-00000-0X-GM, General Maintenance (Resolution 2009-0206). Kenney seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – Ordinance for the Establishment of an Altered Speed Zone – 2009-0301
Huntley presents the Ordinance for the Establishment of an Altered Speed Zone on Mulford Rd in Monroe Center. This is presented this month and will be voted on at the March Ogle County Board Meeting.

Road & Bridge – Joint Bridge Agreement Resolution – 2009-0207
Huntley moves to approve the Joint Bridge Agreement for the extension of a pipe culvert on Brookville Road between Ogle County (80.4%) and Carroll County (19.6%); Participation levels based upon assessed valuations – Section 08-07121-00-BR (Resolution 2009-0207). White seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – Resolution for County Bridge Construction – 2009-0208
Huntley moves to approve the Award & Appropriation Resolution Section 2009 County Pipe Supply $12,700.00 from County Aid to Bridge Fund (Resolution 2009-0208). DeArvil seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – Resolution for McKenney's Island Street Vacation – 2009-0209
Huntley moves to approve Vacation of the described portion of Lot 37 on McKenneys Island Subdivision (Resolution 2009-0209). Colson seconds. The Island is located across from County Farm Road. The petitioner owns the property on both sides of the vacated road on the Island. The motion carries on a voice vote.(Placed on file and Recorded #2009-00902127)

Ogle County Claims – Clerk reads the claims:

- Payments in Vacation – January 2009 - $151,806.65
- County Board Payments - February 2009 – $117,130.40
- County Highway Fund – $78,478.64

Bauer moves to approve the claims as presented, Kenney seconds. Gronewold asks the Sheriff if these are the first tasers ordered. Sheriff Beitel states this is the 2nd order. 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, Ill Assoc of Co Bd Members, Juvenile & Probation/Judiciary & Circuit Clerk, LRP-Courthouse Renovations, Mental Health Board, Planning & Zoning – Supervisor of Assessments, Road & Bridge and Sheriff & Coroner/Buildings & Grounds/IT Committee.

The following committees had no minutes to file: Board of Health, LRP –Emergency Operations Center, Liquor Commission, Personnel & Salary - County Clerk, Regional Planning Commission, Safety Committee and UCCI/ICRMT.

Long Range Planning
Courthouse Remodeling Minutes placed on exhibit

Update on project Stahl says the Committee has discussed:

- Waiting for feedback from Paint Specialist
- Project is on track for June Construction
- Committee has been assigned to track antiques at Courthouse which will stay at Courthouse – Chairman Rice states the Committee members will be Bonnie Hendrickson (Chairman) – Sheryl Hopkins – Kristine Daws, Jeanne Scholl and Peri Query
- Geo-Thermal testing needs to be re-done at companies expense
- Next meeting scheduled for Tuesday, February 24th at 9:00 a.m.

Ad-Hoc Committee White asks if this committee needs to be approved by the County Board. Chairman Rice states this is an Ad-Hoc Committee and will only be reviewing the antiques from the Courthouse and making a recommendation to the Board. Bowers moves to approve the Inventory Courthouse Antiques Committee which will be:

Bonnie Hendrickson – Chairman
Sheryl Hopkins – Kristine Daws – Jeanne Scholl and Peri Query

Saunders seconds. White asks since this was not listed on the Agenda - will we need a motion to suspend the Rules? Heuer states we will need to suspend the Rules. Bauer moves to suspend the Rules of Order per #25. Kenney seconds and the motion carries to suspend the Rules.

The motion to appoint the Ad-Hoc Inventory Courthouse Antiques Committee which will consist of Bonnie Hendrickson as Chairman, Sheryl Hopkins, Kristine Daws, Jeanne Scholl and Peri Query carries on a voice vote.

Resolution 2009-0210 Stahl presents Resolution 2009-0210 authorizing $101,398.84 to be paid out of the Long Range Planning Fund as presented and Bowers seconds. Barnes asks why are we paying Verzieg $10,000 when they haven't drilled 300 feet. The report says they quit at 240 feet. We are going to pay them the full amount? Chairman Rice states it was an all inclusive contract. The motion carries on a voice vote.(Placed on file)

Executive Committee Minutes placed on exhibit

Update on Springsted Chairman Rice updates the Board Members on the search for the County Administrator –

- There were a total of 41 applicants
- Springsted will be recommending 13 applicants to the Executive Committee
- Executive Committee will meet in Closed Session on Friday, February 20th at 10:00 a.m. to review applications
- March 13th will be an off-site visit with Candidates, Department Heads and County Board

Resolution 2009-0213 Chairman Rice presents the Resolution Setting Governance of Rules and Procedures County Board Chairman or Vice-Chairman Establishing a Quorum for Committee Meetings. Chairman Rice states Heuer worked with State's Attorney Ben Roe on the language of this Rules of Order change. Nye moves to approve the resolution and Colbert seconds. Gouker asks if a Rules of Order change should be changed by an Ordinance and not Resolution. Roe states a Resolution will suffice. County Clerk Huntley states historically a Rule of Order change has been presented by a Resolution. A Roll Call vote is taken:

YES: Bowers, Colbert, Diehl, Heuer, Hopkins, Horner, Huntley, Kenney, Nye, Saunders, Stahl, White and Bauer

NO: Colson, DeArvil, Gouker, Gronewold, Janes, Kilker, Williams, Barnes, Boes and Rice

ABSENT: Messer

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

Resolution 2009-0215
and
Resolution 2009-0216 There are two Resolutions to change the meeting location of future County Board Meetings. Chairman Rice says Barnes presented a Resolution to him from the Farm Bureau to use their facilities. White would like to see the County Board Meeting time remain at 5:30 p.m.. There was discussion on which Resolution could be voted on tonight and since the subject is on the Agenda we can present and vote on either Resolution. The consensus from the board is they would like to see the meetings remain at 5:30 p.m. Bauer moves to approve Resolution 2009-0216 to move the County Board Meetings to the Ogle County Farm Bureau Building. Barnes seconds and a roll call vote is called:

YES: Colbert, Colson, DeArvil, Diehl, Gouker, Gronewold, Heuer, Huntley, Janes, Kilker, Saunders, Stahl, White, Williams, Barnes, Bauer, Boes, Bowers and Rice

NO: Hopkins, Horner, Kenney and Nye

ABSENT: Messer

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

Chairman Comments

- Chairman Rice has been working with Allied Moving from Sycamore to provide a spec sheet for the moving of the Courthouse to Mt Morris

Unfinished Business –

- Bowers would like to remind Board Members to complete the Mental Health Board Survey she had the County Clerk's Office e-mail during the week

New Business –

- Colson presents a Resolution he drafted regarding the Authorship of Meeting Minutes - Gouker states this is already a State Law and doesn't require a Resolution – Chairman Rice suggests we send this Resolution to State's Attorney Ben Roe to make a recommendation at the next meeting.

Communications –

- Sales Tax for August 2008 was $33,321.62 and $78,491.82
- Sales Tax for August 2007 was $46,269.09 and $77,933.64

Motion to Adjourn

At 7:00 p.m., Nye makes the motion to adjourn the February Ogle County Board meeting until Tuesday, March 17, 2009 at 5:30 p.m. at the Ogle County Farm Bureau Building. DeArvil 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