

Proceedings of the Ogle County Board Meeting
August 20, 2019

State of Illinois)
County of Ogle) ss

Call to Order

Chairman Gouker calls the Ogle County Board Meeting to order at 5:32 p.m.

Roll Call

The roll call was taken and shows Asp is absent. The invocation is given by Hopkins and then followed by the Pledge of Allegiance.

Presentation - Mike Reibel - Planning & Zoning Administrator – Recognition

Chairman Gouker presents a plaque to Mike Reibel for his service and dedication to Ogle County throughout the years.

Reibel addressed the board and spoke to the joy that his position as the County Planning & Zoning Administrator has brought him through the years and the appreciation for the relationships and friendships he has formed, too.

Presentation – Blackhawk Hills Annual Report, Daniel Payette, Executive Director

Payette presents the direction that Blackhawk Hills Regional Council 2019-2024 Annual Report and highlighted different aspects that are effecting Ogle County and its growth.

Consent Agenda Items – by Roll Call Vote

1. Approval of July 16, 2019 Ogle County Board Meeting Minutes and July 30, 2019 Special Meeting
2. Accept Monthly Reports – Treasurer, County Clerk & Recorder and Circuit Clerk
3. Appointments -
 1. Lost Lake River Conservancy District - Tyler Vankirk - R-2019-0801
4. Resignations -
 1. Board of Review - Galen Bennett - R-2019-0802
 2. Zoning Board of Appeals - Cody Considine - R-2019-0803
 3. Planning and Zoning Committee Chairman - Dan Janes - R-2019-0813
5. Vacancies -
 - o Board of Review - 1 Vacancy
 - o Zoning Board of Appeals - 1 Vacancy
 - o Civic Center Authority Board - 4 Vacancies
 - o Franklin Grove Fire Protection District -1 Vacancy
Application and Resumé deadline – Friday, August 30, 2019, at 4:30 p.m. in the County Clerk’s Office located at 105 S. 5th St – Suite 104, Oregon, IL
 - o Housing Authority Board - 1 Vacancy
Application and Resumé deadline – Friday, September 27, 2019, at 4:30 p.m. in the County Clerk’s Office located at 105 S. 5th St – Suite 104, Oregon, IL
6. Ogle County Claims –
 - o Department Claims - July 2019 - \$60,504.19
 - o County Board Payments – \$98,836.45
 - o County Highway Fund – \$82,965.67

7. Communications -

- o Sales Tax for May was \$32,453.39 and \$84,801.68

Ogle County Vegetation Management: B646

Bowers moves to approve the Consent Agenda and McKinney seconds:

YES: Hopkins, Janes, Kenney, McKinney, McLester, Nordman, Oltmanns, Reising, Smith, Sparrow, Sulser, Typer, Whalen, Youman, Bowers, Corbitt, Droege, Finfrock, Fox, Fritz, Griffin, Heuer, and Gouker

NO: None

ABSENT: Asp

Motion carries on roll call vote. (Placed on file)

Zoning - #5-19 Amendment - Atchison - O-2019-0801

#5-19 Amendment - Troy & Cori Atchison, 3323 E. Brick Rd., Oregon, IL for an Amendment to the Zoning District to rezone from R-2 Single-Family Residence District to AG-1 Agricultural District on property described as follows, and owned by the petitioners: G.L. 1 and part of G.L. 2 and 3 of the Northeast Fractional Quarter (NE Frac.1/4); and part of G.L 3 and 4 of the Northwest Fractional Quarter (NE Frac. 1/4), all in Section 6, Township 23 North, Range 11 East of the 4th P.M., Pine Rock Township, Ogle County, IL, 113.43 acres, more or less - P.I.N.: 17-06-200-009 - Common Location: 3323 E. Brick Rd.

Fritz moves to approve O-2019-0801 as presented and McKinney seconds.

Motion carried. (Placed on file)

Zoning - #7-19 Special Use - Benesh - O-2019-0802

#7-19 Special Use - Anthony S. Benesh & Timothy J. Benesh, 3923 N. River Rd., Oregon, IL for a Special Use in the AG-1 Agricultural District to allow excavation, extraction, mining, or quarrying of raw materials from the earth on property described as follows and owned by the petitioners: Part of the South Half (S1/2) of Section 14 Township 24 North, Range 10 East of the 4th P.M., Rockvale Township, Ogle County, IL, 121.29 acres, more or less - P.I.N.: 09-14-300-001 - Common Location: 3923 N. River Rd.

Fritz moves to approve O-2019-0802 as presented and Nordman seconds.

Motion carried. (Placed on file)

Zoning - "Huntley Woods Subdivision" Final Plat - O-2019-0803

"Huntley Woods Subdivision" Final Plat (Ref: 12-18AM - CB approved 12/18/18) - Common Location: 1382 N. IL Rte. 2 - Proposed Number of Lots: One (1) - Developer: Dallas Huntley - Surveyor/Engineer: Willett Hofmann

Fritz moves to approve O-2019-0803 as presented and Smith seconds.

Motion carried. (Placed on file)

Zoning - Variance to Requirements of the Ogle Co., IL Flood Damage Prevention Ordinance - R-2019-0804

Variance to the requirements of the Ogle County, IL Flood Damage Prevention Ordinance - Petition of Tim Bruns, P.O. Box 400, Rochelle, IL to allow an existing storage building to be converted to a seasonal dwelling with the lowest floor elevation 0.3 feet below the required flood protection elevation. P.I.N.: 09-02-403-019 - Common location: 6471 N. River Drive (Irwin Acres Subdivision)

Fritz moves to approve R-2019-0804 as presented and Corbitt seconds.

Motion carried. (Placed on file)

Public Comment –

- o Ogle County Circuit Clerk, Kim Stahl shared with the board that Judge Hanson was named the Chief Judge of the 15th Judicial Circuit.

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- Shannon Landers shared that the Zoning Department will be hosting an Open House to celebrate Mike Reibel from 1-4 pm, on Friday, August 30th.
- County Clerk & Recorder, Laura Cook shared that petition packets will be available to be picked up in the County Clerk's Office on September 3rd and they will also be available online. September 3rd is when they can start being circulated as well.

COMMITTEE REPORTS

The following committee minutes have been placed on exhibit: County Facilities, County IT, County Security, Executive, Finance and Insurance, HEW & Solid Waste and Veterans, Judiciary and Circuit Clerk, Long Range and Strategic Planning, Mental Health 708 Board, Personnel and Salary, Regional Planning Commission, Road & Bridge, State's Attorney – Court Services – FOCUS House, and Supervisor of Assessments and Planning & Zoning.

• **Long Range Planning:**

- Project Update: Jeremy Roling, Gilbane Project Manager
 Roling stated this was another good month as far as safety goes. There is \$347,920 left in the allowances from the original \$382,000. Site and public safety is the number one concern, especially since kids are back in school. Detention door frames are being delivered on Friday and that will allow for a lot of working to begin. With those doors the steel should be starting within three weeks, and then mechanicals, electrical and plumbing come November. With the winter coming we have arranged for temporary heat to be available through Nicor. Scheduled to have gas service to us by November 1st. All sides of the building are now up and enclosed.
- Change Orders – R-2019-0805
 Jeremy Roling the Gilbane Project Manager went through all the change orders on the Judicial Center Annex to be approved:

BT-00019	Recessed Toilet Paper Holders for CF-1 Fixtures	\$1,606.00
BT-00020	Detention Door & Frame Paint Material Change	\$2,989.00

Griffin moves to approve R-2019-0805 for change totaling a credit of \$4,595 and Youman seconds.

The motion carries. (Placed on file)

- Judicial Center Annex Capital Expense Bills - R-2019-0806
 Griffin presents R-2019-0806 for the following bills:

<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Gilbane	Construction Management Services - July 2019	\$ 755,428.86
Hellmuch, Obata & Kassabaum, Inc	Invoice #14 Professional Services through July 26, 2019 - Construction Administration & Reimbursable Expenses	\$ 14,801.29
LeJar Building Fund	Lease Payment - 313 W. Washington St., Oregon, September, 2019	\$ 1,200.00
Martin & Company	Paving 6th Street, Oregon	\$ 34,667.84
Testing Service Corporation	Engineering Services - July 2019	\$ 10,934.00
	TOTAL:	\$ 817,031.99

Griffin moves to approve R-2019-0806 for a total of \$817,031.99 and Janes seconds.

Motion carries. (Placed on file)

- **Road & Bridge**

- Vacation of a portion of unimproved Water Street - Unincorporated Grand Detour Twp - R-2019-0807

Hopkins moves to approve R-2019-0807 vacating the right away as described and Youman seconds. Roll Call was taken:

YES: Janes, Kenney, McKinney, McLester, Nordman, Oltmanns, Reising, Smith, Sparrow, Sulser, Typer, Whalen, Youman, Bowers, Corbitt, Droege, Finfrock, Fox, Fritz, Griffin, Heuer, Hopkins, and Gouker

NO: None

ABSENT: Asp

Motion carries on roll call vote. (Placed on file)

- **Executive**

- Remote Meeting Protocol – R-2019-0808

Janes moves to approve R-2019-0808 and Bowers seconds.

Corbitt comments that the policy as presented will need to be changed. The document in paragraph 5 states “24 hour notice” and the Open Meetings Act specifies “48 hours notice” prior to the meeting. Corbitt also comments that the Committee Chairperson needs to announce at the beginning of the meeting who is participating via video or audio conferencing and the reason for the participation. She also notes that a Roll Call vote will need to be taken after a motion has been made and approved if a member of the committee attends via audio or video conferencing. Corbitt makes a motion to amend R-2019-0808 paragraph 5 to 48 hours instead of 24 hours and McKinney seconds.

Motion carries (Placed on file)

Heuer makes a motion to amend R-2019-0808 to strike the word “library” in section 11 and McKinney seconds.

Motion carries. (Placed on file)

Hopkins asked if the individual gets paid and Chairman Gouker stated the Board would have to decide that but if they are attending they should get paid for the meeting but not the mileage. Chairman Gouker said the Ogle County Board Rules of Order would need to be adjusted to reflect this.

- Solar Zoning Moratorium Extension – O-2019-0804

Smith moves to approve O-2019-0804 and Janes seconds.

Chairman Gouker asked State’s Attorney Morrow if there is a typo in the ordinance does it need to be amended or if the change can just be mentioned. One portion says a 6 month time frame and the other states December 31, 2019

Morrow stated the verbiage can just be adjusted to omit the “and 6 months” term and leave the date as is mentioned

Motion carries. (Placed on file)

- Committee Assignments Changes – R-2019-0810

Finfrock moves to approve R-2019-0810 and Corbitt seconds.

Chairman Gouker shared the changes were highlighted in yellow but the changes included the Supervisor of Assessments and Planning & Zoning Chairman will be Rick Fritz and also Harry Adams will replace Mike Reibel on the Health Insurance Committee.

Motion carries. (Placed on file)

- Authorize the Sale of FOCUS House Annex - Rochelle - R-2019-0812

Sparrow moves to approve R-2019-0812 and Sulser seconds.

Chairman Gouker explained since the one building isn't being used by FOCUS House this resolution would allow for the sale of the building by either sale or auction. The mayor of Rochelle has offered his service at no expense to the County except for the advertising.

Fox asked where the funds will be going from the sale of this property. Chairman Gouker expressed they would be going back into the General Fund.

Motion carries. (Placed on file)

- Authorize Engagement of Appraiser for FOCUS House Annex - Rochelle - R-2019-0812

Oltmanns moves to approve R-2019-0812 and Kenney seconds.

Chairman Gouker shared an appraiser in Rochelle who knows Rochelle properties – Kenneth Esterday – has offered to do the appraisal of the property for \$400 via an email.

Motion carries. (Placed on file)

- Cannabis Legislation & Ogle County Action - Board Discussion Only

Chairman Gouker asked the opinion of the Board members regarding the recreational sale of cannabis. The law has been passed but the county opt out but the municipalities can still do it because we only have jurisdiction over the unincorporated areas. The County can opt into the program and then would need to create an Ordinance to determine how we are going to allow it to be cultivated and dispensed. Chairman Gouker would like the opinion of the board if they make a decision today or assign a task force to look into the issue. Chairman Gouker feels personally that the County should opt out of the program. The agreement of this program will create more issues for our Sheriff's Department, State's Attorney Office, and Probation Department.

Whalen stated that whether it is permissible in Ogle County or not they are going to drive to DeKalb, Lee or other counties. Even if we opt out as a County we will still have the burdens. People will just go elsewhere like they did when alcohol was banned.

Sulser shared that he is not entirely opposed to opting out but he would like the information that was gathered at the seminar that was attended to be shared with all of the County Board members to give them a little more education.

Chairman Gouker stated that he will contact the organizations that put on the seminar and see if they can send electronic documentation to pass on to all the Board members.

Corbitt mentioned that she has not entirely made her mind up on the issue yet but would be very interested in reviewing the documentation in order to make a final decision. Corbitt also asked if there has been any interest in growing or selling these products in Ogle County.

Chairman Gouker explained that if there has been he hasn't been made aware of it. County Clerk shared that there have been at least two individuals that have come into her office to inquire about it. Smith also spoke about someone coming to the Planning Assessment and Zoning Committee meeting about two months ago requesting recreational growing information.

Smith spoke to what the City of Rochelle spoke about in their public meeting. They haven't made up their mind on what they will be doing but if they do opt in the funds will be tracked through special accounts. Smith also shared that in order for dispensaries to open there are large investments that need to be made up front that aren't guaranteed. It is of his opinion that Ogle County can sit back and wait a year and see how things play out before they make a decision.

Griffin shared that he does see that the state does have gray areas and that we should take some time before we just jump in.

Chairman Gouker also shared that there was an amendment to one of the Senate Bills that allowed for the County to charge a 3% tax on the sale of cannabis to help cover additional costs.

Heuer shared that while in a conference for Soil and Water she found out that there is a great interest in the industrial hemp market. Heuer shared there were over a 1000 applicants to just grow and another 800 to process. For this reason Heuer expressed her belief that the County should just sit back and see the direction in which things might best benefit Ogle County.

Chairman Gouker stated again that he will try and gather the information that was presented at the seminar and also try to reach out to the presenters. Hopefully with the information this topic may be discussed again at the next County Board meeting.

Unfinished Business: None

New Business: None

Chairman Comments:

Harry Adams, the new Planning and Zoning Administrator, was introduced to the board. Chairman Gouker shared that he is in his second week with the County.

FOCUS House is hosting an Open House Wednesday 3-5pm at the Miller House and everyone is invited.

Bowers also took the time to make everyone aware of the Senior Tax Levy Hearing being next Wednesday.

Vice-Chairman Comments: None

Closed Session: At 6:48 pm, Bowers makes a motion to adjourn to a closed session for Employment/Appointment Matters per 5 ILCS 120/2 (c) (1) and Fritz seconds then roll call was taken:

YES: Kenney, McKinney, McLester, Nordman, Oltmanns, Reising, Smith, Sparrow, Sulser, Typer, Whalen, Youman, Bowers, Corbitt, Droege, Finrock, Fox, Fritz, Griffin, Heuer, Hopkins, Janes, and Gouker

NO: None

ABSENT: Asp

Motion carries on roll call.

Open Session: At 7:14 pm, the board returns to Open Session.

Employment/Appointment Matters per 5 ILCS 120/2 (c) (1)

Recommendation for Appointment for Supervisor of Assessments – R-2019-0814

Youman moves to approve R-2019-0814 appointing Ronald Kane as the Supervisor of Assessments and McKinney seconds.

Motion carries (Placed on file)

Adjourn Meeting

At 6:15 p.m., Fox makes the motion to adjourn the meeting until Tuesday, September 17, 2019 at 5:30 p.m. at FOCUS House, 3279 IL Rt. 251, Rochelle, IL, Oltmanns seconds and the motion carries.

Chairman, Kim P. Gouker
Ogle County Board

Attest: Laura J. Cook, Ogle County Clerk &
Ex-officio Clerk of the Ogle County Board