

Proceedings of the Ogle County Board Meeting
May 21, 2019

State of Illinois)
County of Ogle) ss

Call to Order

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

Roll Call

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

Presentation - Ogle County Drug Court - Judge Roe & State's Attorney Morrow

Judge Roe gave a summary on the success of the Drug Court Program in Ogle County on its 10 year Anniversary. Judge Roe shared 37 individuals have graduated and are now successful, tax paying citizens of Ogle County. Judge Roe expressed his gratitude to the County Board for the support through the years of the program.

State's Attorney Morrow shared that it is also important to note that this program is also a strong public safety measure. Morrow stated that these individuals were committing crimes, being put in prison, learning how to be a better criminal and then coming back to Ogle County. Morrow shared by going through the Drug Court Program they are hoping to break that very cycle. Morrow also shared his appreciation for Adult Supervisor, Brooke Plachno and her team for all of their work they do to continue to make the program successful.

Corbitt thanked Judge Roe, State's Attorney Morrow, and all those involved for all their work and shared a testimonial that she heard first hand from a participant about how much the program saved him and changed his life.

Introduction of the 4H Group

Reising introduced the Grand Detour Green 4H Group that came to see the Courthouse and an example of how Government functions.

Consent Agenda Items – by Roll Call Vote

1. Approval of April 16, 2019 Ogle County Board Meeting Minutes
2. Accept Monthly Reports – Treasurer, County Clerk & Recorder and Circuit Clerk
3. Appointments -
 1. Board of Health - Carol Hoekstra - R-2019-0501
 2. Board of Review - Paula Diehl - R-2019-0502
 3. Board of Review - Galen Bennett - R-2019-0503
 4. Zoning Board of Appeals - David Williams - R-2019-0504
 5. Zoning Board of Appeals - Mark Hayes - R-2019-0505
4. Resignations - None
5. Vacancies -
 - o Housing Authority Board - 1 Vacancy
 - o Civic Center Authority Board - 6 Vacancies
 - o Franklin Grove Fire Protection District -1 Vacancy

Application and Resumé deadline – Friday, May 31, 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 - April 2019 - \$49,818.53
 - o County Board Payments – \$105,730.80
 - o County Highway Fund – \$387,804.84

7. Communications -

- o ComEd Vegetation Management H106
- o 2019 Jail Inspection Reports
- o Sales Tax for February was \$46,554.24 and \$80,591.82
- o Audit - 18 CYO Final Audit - Ogle County
- o Audit - 18 CYO Final Mgt Ltr - ILCS -& Ogle County
- o Audit - 18 CYO Final Single Audit - Ogle County

McKinney moves to approve the Consent Agenda, and Bowers seconds:

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

NO: None

ABSENT: McLester

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

Zoning – #4-19SU - Williams - O-2019-0501

Janes presents #4-19 SPECIAL USE ~ Michael & Camille Williams, 3532 S. Woodlawn Rd., Rochelle, IL for a Special Use to allow a Class I Boarding House in the AG-1 Agricultural District on property described as follows and owned by the petitioners: Part of G.L. 1 of the Northeast Quarter (NE1/4) Fractional Section 2; and part of the North Half (N1/2) of the Southeast Quarter (SE1/4) of Section 2 Township 40 North, Range 2 East of the 3rd P.M., Dement Township, Ogle County, IL, 16.64 acres, more or less - P.I.N.: 25-02-400-005 - Common Location: 3690 S. Woodlawn Rd.

Janes states ZBA & RPC unanimously approved this item.

Janes moves to approve O-2019-0501 as presented and Sulser seconds.

Motion carried. (Placed on file)

Zoning – #5-19SU - Stombaugh - O-2019-0502

Janes presents #5-19 SPECIAL USE ~ Jason Stombaugh, 1450 N. IL Rte. 2, Oregon, IL for a Special Use in the B-1 Business District to allow a tavern/lounge on property described as follows and owned by the petitioners: Part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 33 Township 24 North, Range 10 East of the 4th P.M., Rockvale Township, Ogle County, IL, 1.26 acres, more or less - P.I.N.: 09-33-401-001 - Common Location: 1450 N. IL Rte. 2

Janes states ZBA & RPC unanimously approved this item.

Janes moves to approve O-2019-0502 as presented and Smith seconds.

Motion carried. (Placed on file)

Zoning – #2-19AM - Benesh - O-2019-0503

Janes presents #2-19 AMENDMENT ~ Anthony S. Benesh, 3418 N. Vine 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, and owned by the petitioners: Part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE1/4); and part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 10, T24N, R10 E of the 4th P.M., Rockvale Township, Ogle County IL, 10.0 acres, more or less - P.I.N.: Part of 09-10-401-001 - Common Location: 5258 N. River Rd.

Janes states ZBA & RPC unanimously approved this item.

Janes moves to approve O-2019-0503 as presented and Asp seconds.

Motion carried. (Placed on file)

Public Comment – NONE

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COMMITTEE REPORTS

The following committee minutes have been placed on exhibit: 911 ETS, 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.

- **Finance & Insurance**

- Sheriff Fees Increase - R-2019-0506

Sparrow moves to approve R-2019-0506 as presented and Nordman seconds.

Sparrow stated the Finance Committee made a unanimous decision to increase the fees to their suggested maximum which could generate an additional \$41,000 in revenue. Sparrow stated these fees haven't been adjusted for 9 or 10 years.

Motion carried. (Placed on file)

- **HEW, Solid Waste & Veterans**

- Ogle County Health Department Fee Schedule - O-2019-0506

Bowers moves to approve O-2019-0506 as presented and McKinney seconds.

Chairman Gouker shared that he feels there is a problem with charging Not-for-Profit organizations and asked if the other Board members felt the same way.

Whalen asked for clarification on what Not-for-Profit organizations were charged in the previous fee schedule. Kyle Auman, Health Department Administrator stated that this fee schedule is asking for Not-for-Profit to be charged at a 50% reduced rate.

Whalen asked about the three different entities that are being looked at separately from the Fee Schedule.

Auman stated that those three are procedural and that they will not be added into the Fee structure. Auman expressed his concern with using a "blanket permitting" for Not-for-Profit events. After discussion they were of the understanding that permitting in this way would create too many liability issues. For that reason those three organizations were dealt with under an alternate fee agreement and criteria that they have to meet in order to hold their events.

Whalen asked if those agreements are in this ordinance. Auman stated they were not part of the ordinance because they are being treated separately from the Fee Schedule. He shared that according to State Statutes and local ordinances, the Health Administrator has the authority to waive/alter fees that are on the books. Auman and those organizations have come to an agreement and will revisit the agreement in five years to make sure it is still working.

Whalen asked for clarification on who the three organizations were and what makes them different from the others, and can someone else come and talk to Auman and get the "special fee?"

Auman stated as of right now if someone wanted a blanket permit for an event they would need to come to the Board of Health and get permission. This is basically asking for multiple food purveyors under one permit making it hard to track and prevent food born outbreaks. Auman shared the three events: (1) Byron Chamber of Commerce – Chili Cook Off, (2) Rock River Center – What's Cookin', and (3) City of Rochelle – Hotdog Days. Auman stated the goal was to work with them and not stifle them since they have been doing them for some time.

Whalen asked what those three organizations paid. Auman stated there is not a fee structure and he didn't recommend setting one up for blanket permits since that is not a safe way to permit. Auman then shared the fees of \$150, \$300, and \$200 were what was decided on based on the level of risk that was assessed by the inspectors.

Finrock asked what the history of safety issues connected to Not-for-Profit events. Auman stated every day he sees them.

Auman shared his goal is to make sure that healthy, savory food is served to Ogle County residents. Auman shared that his staff has to go to the places in either circumstance if it is a restaurant or a Not-for-Profit organization and make sure that the rules are being followed.

Smith asked if there is anything that can be done to help educated the Not-for-Profit when they host these once a year events. Auman stated it depends on which ones are being asked about. Some organizations host smaller events six or seven times a year and then there the others that host these large types of events. Auman stated that when they have these large events they actually go and put on an in-service or training session for those that are going to be involved.

Chairman Gouker asked that the ordinance is asking that Not-for-Profit for charged at the full amount before and now you are reducing it, correct? Auman state, that is correct as far as the Not-for-Profit go but there are new fees within the ordinance as well. There is a new vending fee being implemented as well as a special processes fees.

Sulser asked if this fee includes fire departments. Auman stated that any taxing body is exempt according to the ordinance that was passed two months ago. Susler shared that if that is true it doesn't make sense to charge Not-for-Profit organizations.

Sparrow moves to amend O-2019-0506 to allow Not-for-Profit fees to be waived and Nordman seconds.

Auman stated that the Health Department will lose about \$12,000 if the County Board approves and passes that motion.

Chairman Gouker asked that if these three organizations are grandfathered in if they are prepared to speak with other organizations that may come along and request the same type of fee arrangement. Auman explained the Board of Health has requested if another organization comes in and is requesting a blanket permit they come to the Board of Health and make their case. They in turn would have to adhere to the same requirements that the other three are being held to.

Heuer, a representative of Rock River Center, shared that they think that the Health Department is entitled to the \$300 for the amount of the work they did to prepare for the event.

Nordman stated that the big issue that she sees is that "We" are not transparent or fair across the board. Just because 3 Not-for-Profit groups have their acts together and spoke with the Board of Health that doesn't mean we shouldn't allow others. Nordman believes that it should be all or none.

McKinney asks if we can table this and send it back to the Committee. Chairman Gouker states we did send it back once and asks Bowers her opinion. Bowers does not want it to go back to the committee as there is nothing more to discuss.

Chairman Gouker asks Sparrow to withdraw his motion to amend so the board can discuss the Ordinance. Sparrow agrees to withdraw his motion to amend. County Clerk Cook asks Chairman Gouker if Nordman needs to withdraw her second. Chairman Gouker states if the motion is withdrawn there is no second. Youman will second the withdraw of the amended motion if a second is needed.

Youman would like more information regarding fees collected from Not-for-Profit Organizations and others in order to compare. Youman agrees there needs to be a small fee collected so there is some accountability.

Chairman Gouker would like to send this back to the committee so the Not-for-Profit Organizations do not need to go before the Board of Health. Chairman Gouker asks Bowers if this is possible. Bowers states it was sent back to the committee last month, it needs to be acted upon. Auman pleaded his cause in regards to not allow blanket permitting when it comes to food safety and food borne illnesses. The Health Department investigated 294 cases of communicable diseases and a couple of food born outbreaks last year.

Smith asks if we can vote on the other items in this Ordinance and not act on the Not-for-Profit fees. Sparrow states you can divide the question and send it back to the committee. Chairman Gouker states the County Clerk says this will be presented for codification and will cause issues with the codifiers.

Hopkins comments he has worked with the Health Department for years as a member of the Beef Producers and says a small fee is fair to ask from the Not-for-Profit Organizations.

Hopkins calls for the question.

County Clerk Cook asks for clarification on the need to have the second to the amended motion withdrawn. Sparrow states since he withdrew motion there is no second. Chairman Gouker states if the second was withdrawn, then the main motion to amend would need to be withdrawn.

Fox seconds and a roll call vote is called:

YES: Heuer, Hopkins, Janes, Kenney, McKinney, Oltmanns, Reising, Smith, Typer, Youman, Asp, Bowers, Corbitt, Droege, Finfrock, Fox, and Fritz

NO: Griffin, Nordman, Sparrow, Sulser, Whalen, and Gouker

ABSENT: McLester

Chairman Gouker explained his vote was a “No” because he wants to have some kind of assurance that if a situation were to come up that another organization of that kind would want to hold an event they can at least be given an option.

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

• **Judiciary & Circuit Clerk Committee**

- Circuit Clerk Fees - O-2019-0505

McKinney moves to approve O-2019-0505 and Corbitt seconds.

Chairman Gouker clarified that this is a new State law that the County is being asked to adopt.

Motion carries. (Placed on file)

• **Long Range Planning:**

- Project Update: Jeremy Roling, Gilbane Project Manager

Roling went through a handout he provided to the Board discussing the allowances and contingencies as of this evening’s meeting. He also went over the project milestones: (1) utility relocation, (2) mobilization, enabling, site clearing, & utility work, and (3) aggregate piers, safety record, and document controls. Roling also shared where they are heading in the near future. The site is looking to have slab on grade pours complete by June, some of the plumbing and electrical roughed in. Some walls going up from the South to the North of the building. The project is still on schedule with the current weather that has been experienced.

Fox thanks Roling for making sure that the site prep and presentation is very clean and that was the way the County was wanting it to look.

Fritz thanks Roling for being a good Project Manager in that he answered questions in a timely manner.

- Change Orders – R-2019-0511

Roling went through all the change orders on the Judicial Center Annex to be approved.

BT-00001	Issued For Construction Drawings	\$1,383.00
BT-00002	Department of Corrections Changes	\$100,000.00
BT-00003	Storm Sewer Revisions	\$87,127.00
BT-00004	<i>Eliminate Painting of Exposed Structure in Mech. Areas</i>	<i>-\$2,260.00</i>
BT-00005	<i>Tree Protection Credit</i>	<i>-\$488.00</i>
BT-00006	<i>Thermally Broken Veneer Anchor Substitution</i>	<i>-\$37,000.00</i>
	TOTAL:	\$148,762.00

McKinney moves to approve R-2019-0511 for changes orders BT-00001 through BT-00006 totaling \$148,762 and Bowers seconds.

The motion carries. (Placed on file)

- Change Order Signing Procedure for Ogle County Judicial Center Annex – R-2019-0510

Youman moves to approve R-2019-0510 and Kenney seconds.

Roling explains this resolution is for an emergency change order only and a decision needs to be made between County Board meetings. Roling laid out the signing procedure. A change order for up to \$10,000 would need one signatures of either the County Board Chairman, Long Range Planning Chairman, or Long Range Planning Vice-Chairman. The second change order category would be up to \$30,000. These changes would need three signature of any of the following:

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County Board Chairman, Long Range Planning Chairman, Long Range Planning Vice-Chairman or the County Highway Engineer. All change orders will come before the County Board for approval.

Fox asked how this applies to the cost saving items. Roling stated the cost savings items are usually known about ahead of time and would be brought to the Board in advance.

The motion carries. (Placed on file)

- o Long Range Invoices - R-2019-0508

Griffin presents R-2019-0508 for the following bills:

<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Ogle County Collector	Real Estate Tax - 507 Jefferson St., Oregon	\$ 1,737.40
	TOTAL:	\$ 1,737.40

Griffin moves to approve R-2019-0508 for a total of \$1,737.40 and Nordman seconds.

The motion carries. (Placed on file)

- o Judicial Center Annex Capital Expense Bills - R-2019-0509

Griffin presents R-2019-0509 for the following bills:

<u>VENDOR NAME</u>	<u>DESCRIPTON</u>	<u>AMOUNT</u>
Gilbane	Construction Management Services - April 2019	\$ 321,059.14
Heller Tree Service	Remove 7 trees & stumps on new jail site	\$ 3,500.00
IdentiSys	Card System Printer	\$ 5,321.62
LeJar Building Fund	Lease Payment - 313 W. Washington St., Oregon, June	\$ 1,200.00
NiCor Gas	Additional cost for work done along 6th & Washington St	\$ 1,952.83
Syndeo	Internet for Gilbane	\$ 270.00
Testing Service Corporation	Engineering Services	\$ 1,100.00
	TOTAL:	\$ 334,403.59

Griffin moves to approve R-2019-0509 for a total of \$334,403.59 and Oltmanns seconds.

Motion carries. (Placed on file)

- **States Attorney – Court Service – FOCUS House**

- o Drug Court Awareness Month – R-2019-0512

Finrock moves to approve R-2019-0512 and Fritz seconds.

Motion carries. (Placed on file)

- **Executive**

- o Establishing Class H – Golf Course Liquor License Hours - O-2019-0504

Sparrow moves to approve O-2019-0504 and Smith seconds. This will allow the Class H establishments to begin at 8 a.m. instead of noon.

Motion carries. (Placed on file)

- Approval of Administrative Assistant Job Description - R-2019-0513

Griffin moves to approve R-2019-0513 as presented and Asp seconds.

Chairman Gouker asked the following verbiage be added from the last draft dated August 2017 to the current resolution under the knowledge, skills and abilities required heading:

“the ability to acquire knowledge of State Statutes, County Ordinances and other State Agency rules and regulations”

“the ability establish and maintain working relationships with Government officials, other County employees and the general public.”

“strong sense of customer service, tact, and common courtesy.”

Bowers stated that she thought that the County was under a hiring freeze. Kenney shared there is a hiring freeze but this item has been on the table for as best as he can tell 4 years. Kenney expressed that the Chairman, Vice-Chairman and some of the committee Chairman need help and that the County Clerk and her staff try to help out when they can but are not always available. There are just too many things right now and they want to stop the possibility of error.

Chairman Gouker explained there are provisions within the hiring freeze that allow for the hiring by Personnel on a case by case basis.

Sparrow also stated this item was taken under consideration when putting together the budget last year and the \$25,000 have already been set aside for this part-time work related issue.

Chairman Gouker also stated he wanted to clarify that the Clerk isn't asking for this but on the other hand he feels that the Clerk's office has taken on many responsibilities that are beyond what the Clerk is required to do according to statutes.

Youman asked that this position be revisited in a few years to make sure this position was able to provide what the County was looking for.

Chairman Gouker also shared that the Personnel Committee is in the process of establishing some guidelines for an evaluation process of those positions that are under the County Board – such as Appointed Department Heads. This position will fall under those guidelines for evaluation.

Youman stated he wasn't thinking of a point of evaluation but more so making sure that the Board is satisfied in what the position was able to provide and if the position should be continued to be filled.

Chairman Gouker stated that in the May meeting of next year it will be put back on the agenda.

Smith asked what happened to the *Sunset Clause* that was voted on in the Personnel & Salary committee meeting. Chairman Gouker stated that it was removed from the job description due to the fact that it will change the caliper of people who will apply for the position.

Smith wanted to clarify that the motion that came from Personnel Committee recommendation of the position with the *Sunset Clause*. Kenney responded that was a correct statement.

Chairman Gouker stated that since the motion was to be sent to the Executive Committee; they removed the *Sunset Clause*.

Motion carries. (Placed on file)

Unfinished Business: None

New Business: None

Chairman Comments:

Chairman Gouker distributed a copy of the letter that was emailed and sent to Legislators regarding SB1236. Representative Demmer responded to the email to clarify that an amendment changed this bill to only apply to those receiving IMRF benefits as a benefit of their work on a County Board. Since the amendment cleared up the concern of the County Board, a letter was still sent since Chairman Gouker stated he would.

Chairman Gouker shared he received a letter of resignation from Planning & Zoning Administrator Mike Reibel. Reibel stated it is his intention of go into the Ministry and his last physical day in the office will be August 30, 2019. Reibel also stated that in his 28 years of employment by the County he has given it his all.

Chairman Gouker stated that a vacancy like this is appointed by the recommendation of the Chairman with the advisement and consent of the County Board. Chairman Gouker said it is his intention to handle this replacement in the same manner that the Supervisor of Assessment position. The Committee to look for a replacement will be Planning and Zoning Chairman Janes, Personnel & Salary Chairman Kenney, County Board Chairman Gouker and Vice-Chairman Finfrock. Chairman Gouker did ask that if any of the County Board members had any suggestions, ideas, changes or recommendations they email or call the Chairman Gouker to make him aware of those items. The hope is to fill the position before Reibel leaves on August 30, 2019.

In the Supervisor of Assessment search, there have been two new applicants that will be interviewed soon. Chairman Gouker has set up an exam with the Illinois Department of Revenue and had to reschedule for sometime in June. The current posting that is out there is for application deadline of the 3rd of June. The deadline will probably be extended one more week with the hopes of having someone by the first of July.

Vice-Chairman Comments: None

Adjourn Meeting

At 7:25 p.m., McKinney makes the motion to adjourn the meeting until Tuesday, June 18, 2019 at 5:30 p.m. at the Courthouse in Oregon, Fritz 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