

Proceedings of the Ogle County Board Meeting  
February 18, 2014

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 shows Welty is absent. The Invocation is given by Nordman and is followed by the Pledge of Allegiance.

**Approval of Minutes**

Chairman Gouker asks for a motion to approve the January 21, 2014 Ogle County Board meeting minutes. Janes makes the motion to approve, Griffin seconds and the motion carries on a voice vote.

**Approval of Reports**

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

**Vacancies –**

- Ashton Fire Protection District – 1 vacancy
- Farmland Assessment Review Board – 3 vacancies
- Forreston Fire Protection District – 1 vacancy
- German Valley Fire Protection District – 1 vacancy
- Leaf River Fire Protection District – 1 vacancy
- Lost Lake River Conservancy District – 1 vacancy
- Lynn-Scott-Rock Fire Protection District – 1 vacancy
- Oregon Fire Protection District – 1 vacancy
- Planning Commission – 3 vacancies
- Zoning Board of Appeals – 1 vacancy
- Mental Health 708 Board – 1 vacancy
- Franklin Grove Fire Protection District – 1 vacancy
- Ogle County Civic Center Authority – 4 vacancies

Application and Resumé deadline – Friday, March 28, 2014 at 4:30 p.m.  
in the County Clerk's Office located at 105 S. 5<sup>th</sup> St – Suite 104, Oregon, IL

**Appointment – Byron Museum District – Alan J. Schabacker – R-2014-0201**

Chairman Gouker announces the recommendation of Alan J. Schabacker to the Byron Museum District for an unexpired term which ends June 30, 2017. Meyers moves to approve R-2014-0201, Oltmanns seconds and the motion carries on a voice vote.(Placed on file)

**Zoning – #10-13 AMENDMENT - John B. Franklin – O-2014-0201**

Colson presents the petition of John B. Franklin, 8827 N. Conger Rd., Leaf River, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to IA Intermediate Agricultural on property described as follows and owned by the petitioner: Part of the N1/2 of the NW1/4 of Section 26 Byron Township 25N, R10E of the 4<sup>th</sup> P.M., Ogle County, IL, 30.925 acres, more or less. P.I.N.: Part of 04-26-100-004 - Common Location: 8827 N. Conger Rd. Colson moves to approve O-2014-0201, Bowers seconds and the motion carries on a voice vote.(Placed on file)

**Public Comment –**

- Brian Duncan – farms North of Polo – publically thanks Sheriff Michael Harn for his participation at the Ogle County Fair. It was nice to see the interaction of the Sheriff and his deputies with the families and hopes he continues his presence at the fair. Duncan also has noticed an election year smearing of an elected official of the county and it sets a bad precedent. If there is a genuine concern and there aren't any election year politics involved; then I challenge the County Board if some of these manners have been undertaken in the wisest fashion. Like it or not you have damaged an elected official and he doesn't think it has been handled in the fairest manner for Mike, the Sheriff's Department and the Citizens of Ogle County.

**Road & Bridge – 2014 County Pipe Supply- R-2014-0202**

Hopkins presents R-2014-0202 for 2014 County Pipe Supply – Appropriates \$10,000 from County Aid to Bridge Fund. Hopkins moves to approve R-2014-0202, Kenney seconds and the motion carries on a voice vote.(Placed on file)

**Road & Bridge – 2014 Crack Sealing – R-2014-0203**

Hopkins presents R-2014-0203 for 2014 Crack Sealing – Appropriates \$119,000 from County Motor Fuel Tax Fund. Hopkins moves to approve R-2014-0203, Otlmanns seconds and the motion carries on a voice vote.(Placed on file)

**Road & Bridge – 2013 Supplemental Resolution - 13-00000-0X-GM – R-2014-0204**

Hopkins presents R-2014-0204 for 2013 Supplemental Resolution, Appropriation of \$820,161.89 - 13-00000-0X-GM. Hopkins moves to approve R-2014-0204, Griffin seconds and the motion carries on a voice vote.(Placed on file)

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

- Department Claims – January 2014 - \$22,243.58
- County Board Payments - February 18, 2014 - \$113,379.05
- County Highway Fund – \$133,698.78

Bowers moves to approve, Nordman 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, County Infrastructure, County Security, Executive Committee, Finance & Insurance and Personnel, HEW & Solid Waste and Veterans, Judiciary and Circuit Clerk, Long Range and Strategic Planning, Mental Health '708 Board, Planning Commission, Road & Bridge and Mapping (GIS), State's Attorney and Juvenile & Probation and Supervisor of Assessments and Planning & Zoning and Tri-County Opportunities.

The following committees had no minutes to file: Agriculture Committee, Blackhawk Hills RC&D, Board of Health, G.I.S. Partnership, Liquor Commission, L.O.T.S., Negotiations Committee, Public Aid Appeals, Safety Committee and UCCI/ICRMT.

Executive Committee:

- **Grand Prairie Gateway – R-2014-0205**

Chairman Gouker presents R-2014-0205 Endorsing the Proposed Grand Prairie Gateway Transmission Line. Chairman Gouker states most of the new line in Ogle County will be using existing rights of way and there shouldn't be any property issues. The Byron Nuclear Plant is a big part of our economic environment in Ogle County and would like a motion to support this resolution to send to the Illinois Commerce Commission. Sparrow makes the motion to approve R-2014-0205 and Simms seconds. Meyers will abstain from the vote as he has a pension and stock with ComEd. Meyers states Winnebago, DeKalb and Lee Counties have offices and asks if a representative can tell us if there is an office in Ogle County. Chairman Gouker states there is not an office in Ogle County, but the other counties are near the Ogle County line. Chairman Gouker will give Meyers the representative's phone number to call. Chairman Gouker states he did submit some testimony to the ICC on behalf of Ogle County. Bowers asks if they chose Plan 1 or Plan

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2. Chairman Gouker states they chose Plan 2. The motion carries on a voice vote.(Placed on file)

- **Dedication of Right of Way – Pines Road – 08-00251-00-RS - R-2014-0206**

Chairman Gouker presents R-2014-0206 for the Dedication of Right of Way to the Ogle County Highway Department. Hopkins moves to approve R-2014-0206, O'Brien seconds and the motion carries on a voice vote.(Placed on file)

- **Seizure and Impoundment of Vehicles - Tow Fund Ordinance – O-2014-0202**

Chairman Gouker presents O-2014-0202 for an amendment to change verbiage in Section 12-4-6-D as follows:

- D. Any funds collected under this Division as an Administrative Fee shall be deposited to the Sheriff's Tow Fund, as established by the Ogle County Board, and used at the discretion of the Sheriff, and shall be used for law enforcement related activities limited to the purchase, repair or maintenance of police vehicles, vehicle equipment, or fuel. The purchase of police vehicles, while at the discretion of the Sheriff, shall be done only with the advice and consent of the County Board Committee to which the Sheriff's General Fund budget is reviewed on a regular, monthly basis. Monthly reports of expenditures from the Tow Fund will be made to the same committee at its regular monthly meetings.

Simms moves to adopt O-2014-0202 and Griffin seconds. Colson asks for a roll call vote.

McKinney makes a motion to amend and strike the words "...and used at the discretion of the Sheriff,..." and put it back into control of the County Board and County Treasurer and Petrizzo seconds.

Saunders asks if this is passed does it mean we will be moving in compliance with the citing from last year's audit; running this through the Treasurer's Office. Chairman Gouker states yes and it will be reported at the monthly committee meeting. Saunders asks if we need to amend this to include it to run through the Treasurer's Office. Saunders refers to page 26 of the Auditor's Communication to the Members of the County Board in regards to "Funds not included in the General Ledger". Saunders states since that time the Circuit Clerk has come into compliance. Chairman Gouker asks to hold discussion and vote on the amendment. Saunders states if her question is clarified the amendment may not be necessary and may affect the way she will vote on the amendment. Gouker states the amendment is non-debatable and we need to move on this.

Colson asks for a point of clarification regarding what will be stricken. Chairman Gouker asks McKinney if it's the first "and used at the discretion of the Sheriff" and McKinney states yes.

A roll call vote is taken on the amendment:

YES: McKinney, Meyers, Nordman, O'Brien, Oltmanns, Petrizzo, Saunders, Sparrow, Typer, Colbert, Colson and Kenney

NO: Simms, Bowers, Brooks, Finrock, Griffin, Gronewold, Heuer, Hopkins, Janes, Kirkolis and Gouker

ABSENT: Welty

The motion to amend carries on a roll call vote.

Chairman Gouker reads Section 12-4-6-D as amended:

- D. Any funds collected under this Division as an Administrative Fee shall be deposited to the Sheriff's Tow Fund, as established by the Ogle County Board, and shall be used for law enforcement related activities limited to the purchase, repair or maintenance of police vehicles, vehicle equipment, or fuel. The purchase of police vehicles, while at the discretion of the Sheriff, shall be done only with the advice and consent of the County Board Committee to which the Sheriff's General Fund budget is reviewed on a regular, monthly basis. Monthly reports of expenditures from the Tow Fund will be made to the same committee at its regular monthly meetings.

Saunders asks if the language needs to be in the amendment to run this through the Treasurer's Office. Chairman Gouker states there are no other funds which states where it will be reported; that language is not in any other Resolutions or Ordinances. Saunders asks for clarification from Chairman Gouker that the fund will run through the Treasurer's Office. Chairman Gouker states yes. Saunders asks then the Treasurer's Office will be issuing the checks. Chairman Gouker states it may not be this month but yes it will be changing.

A roll call vote is taken on the O-2014-0202 as amended:

YES: Meyers, Nordman, O'Brien, Oltmanns, Petrizzo, Saunders, Simms, Sparrow, Typer, Brooks, Colbert, Colson, Finfrock, Griffin, Gronewold, Heuer, Hopkins, Janes, Kenney, Kirkolis, McKinney and Gouker

NO: Bowers

ABSENT: Welty

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

Long Range Planning:

- Long Range Planning Bills – R-2014-0207

Griffin presents and moves to approve R-2014-0207 as follows:

SUPPLIER NAME	DESCRIPTION	AMOUNT
Saavedra Gehlhausen	Professional Services December 2013 Sheriff Administration Building Construction Documents	\$30,267.30
Saavedra Gehlhausen	Reimbursable expenses December	\$57.20
Northern Illinois Technology Triangle	Annual Dues for 2014	\$2,000.00
	<b>TOTAL:</b>	<b>\$32,324.50</b>

Simms seconds and the motion carries on a voice vote.(Placed on file)

- Chairman Comments:
  - Public Comments made earlier indicated the County Board damaging an Elected Official; I don't think the board has done anything. There has been a lot of politicizing and in the past month questions that have come up are bringing into question the board. I have received a letter and I'm sure the rest of the board has too asking what we "the board" are hiding. We are not hiding anything and we have been open. There have been numerous FOIA requests from the Sheriff's Office and there has been a full audit, although not completed through our regular audit. Somehow if we don't spend more money for a second audit we are hiding something. In defense of this board, we have been openly compliant with the public. If there is any department where there is a question or clarification is needed, we go and we find out. We are doing that with other departments right now.
- Vice-Chairman Comments:
  - On behalf of the people of Ogle County, I would like to thank Curtis Cook and the employees of the Highway Department for keeping the roads open.
  - Chairman Gouker states there was a positive article in the newspaper on the Highway Department.

**Unfinished Business –**

- Petrizzo says his comment in regards to the Forensic Audit was taken to the Finance Committee and was voted down. The Chairman of the Board spoke indicating he had spoken to the auditors and the audit will be forthcoming, not until April which disappoints me.

Petrizzo is willing to wait as long as we get some answers. The Chairman was told the cost of a one year Forensic Audit would cost about \$10,000 and most of the Finance Committee thought that was a lot of money to spend on something seeming unnecessary. Petrizzo is seeking the truth on behalf of the Sheriff, the board and the community; if such an audit is too expensive, we could call an outside federal agency to investigate at no cost to the board. Petrizzo states Dixon is just down the road.

- Chairman Gouker says you are bringing into question the board and what we are doing and a federal crime committed in a neighboring county. This has to stop and quit throwing out the question that you have to prove it wrong. Chairman Gouker states the committee did not say the Forensic Audit was too expensive, they said at this point this is not something in the best interest of the tax payers to spend more money to do something we are currently doing. As to the comment of voting down the Forensic Audit, that is not true, there was no motion and there was a general agreement between everyone on the committee to wait for the audit. The side comment about the audit coming in April and how convenient that is; you again are trying to cast dispersion; the audit is completed in April every year. In December when the auditors began, I sat down with them and said there have been some questions in regards to the Tow Fund and the credit cards for the Sheriff. I asked them to look closely at these particular transactions and they found nothing out of the ordinary. I also asked them to look closely at the Health and Probation Departments as the department heads are retiring this year. Chairman Gouker reiterates we are not hiding anything; we are trying to find whatever we need to find and we will not go on a witch hunt just to look for something.
- Saunders states the change in the Tow Fund Ordinance is a step in the right direction. But the Finance Committee needs to look at the audit from last year. There are several of the funds cited in the audit that are now being run through the General Ledger, but there are several that are not like the Warrant Fee account, Civil Process account and Sex Offender House accounts. As the auditors have noted if these accounts do not go through the Treasurer's Office, 1099 reporting is not done. This is the first year we have addressed them and we should address all of them. Saunders states it is her recommendation that the Finance Committee take a look at last year's audit on page 26 and get the rest of the funds to run through the Treasurer's Office for the 1099 reporting. The auditors will probably cite us again this year, but let's make this year the last year.

#### **New Business –**

#### **Communications –**

- Sales Tax for November 2012 was \$22,598.33 and \$63,700.44
- Sales Tax for November 2013 was \$29,854.63 and \$65,555.34

#### **Adjourn Meeting**

At 6:08 p.m., Finrock moves to adjourn the Ogle County Board Meeting until Wednesday, March 19, 2014 at 5:30 p.m. at the Ogle County Courthouse in Oregon. Nordman seconds and the motion carries on a voice vote.

Chairman Kim P. Gouker  
Ogle County Board

Attest: Rebecca Huntley, Ogle County Clerk &  
Ex-officio Clerk of the Ogle County Board