

Proceedings of the Ogle County Board Meeting
April 19, 2011

State of Illinois)
County of Ogle) ss

Call to Order

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

Roll Call

The roll call shows members Horner, Messer and Stahl (enters at 5:40 p.m.) are absent. The Invocation is given by Bauer and followed with the Pledge of Allegiance.

Approval of Minutes

Chairman Barnes asks for a motion to approve the March 15, 2011 County Board Meeting minutes. Janes moves to approve, Bauer seconds and the motion carries on a voice vote.

Approval of Reports

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

Presentation – Paul Dempsey of Exelon

Chairman Barnes introduces Paul Dempsey of Exelon. Mr. Dempsey is the Communications Manager at the Byron Nuclear Station and is here to talk about the Japan incident and how it relates to us in Ogle County. He states from what they can tell the damage in Japan was caused by the tsunami and not the 9.0 earthquake. Mr. Dempsey states there are several safety precautions at the Byron Nuclear Plant which are constantly tested. The typical weather in our area is tornadoes and the plants are designed to sustain the winds. There will be an Open House at the training building at the Byron Station on May 1, 2011 from 1:00 p.m. to 4:00 p.m.. There are constant modifications done over the years on the advice from the Nuclear Regulatory Commission.

Appointment – Ashton Fire Protection District – R-2011-0401

Chairman Barnes announces the recommendation of Cliff Jones to the Ashton Fire Protection District for term which ends April 30, 2014. Hopkins moves to approve R-2011-0401, Colbert seconds and the motion carries on a voice vote.(Placed on file)

Appointment – Forreston Fire Protection District – R-2011-0402

Chairman Barnes announces the recommendation of Jack R. Daws to the Forreston Fire Protection District for term which ends April 30, 2014. Kilker moves to approve R-2011-0402, Finfrock seconds and the motion carries on a voice vote.(Placed on file)

Appointment – German Valley Fire Protection District – R-2011-0403

Chairman Barnes announces the recommendation of Randy Stenback to the German Valley Fire Protection District for term which ends April 30, 2014. Stahl moves to approve R-2011-0403, Colbert seconds and the motion carries on a voice vote.(Placed on file)

Appointment – Lynn-Scott-Rock Fire Protection District – R-2011-0404

Chairman Barnes announces the recommendation of Dennis L. Shearer to the Lynn-Scott-Rock Fire Protection District for term which ends April 30, 2014. Janes moves to approve R-2011-0404, Williams seconds and the motion carries on a voice vote.(Placed on file)

Appointment – Oregon Fire Protection District – R-2011-0405

Chairman Barnes announces the recommendation of Sharon K. De Arvil to the Oregon Fire Protection District for term which ends April 30, 2014. Kilker moves to approve R-2011-0405 and Colson seconds. Board Member Bob De Arvil abstains from vote. The motion carries on a voice vote.(Placed on file)

Appointment – Farmland Assessment Review Board – R-2011-0406 – 0407 and 0408

Chairman Barnes announces the recommendation of Shirley J. Bartelt, DeWayne C. Adams and Ronald A. Lewis to the Farmland Assessment Review Board for terms which ends April 30, 2014. Hopkins moves to approve R-2011-0406, R-2011-0407 and R-2011-0408, Welty seconds and the motion carries on a voice vote.(Placed on file)

Appointment – Regional Planning Commission – R-2011-0409

Chairman Barnes announces the recommendation of Paul W. White to the Regional Planning Commission for a term which ends April 30, 2014. Welty moves to approve R-2011-0409, Bowers seconds and Board Member White abstains. Saunders says she will be voting no on this appointment and the next appointment because she feels non-County Board Members should serve on the Planning Commission. The motion carries on a voice vote.(Placed on file)

Appointment – Regional Planning Commission – R-2011-0410

Chairman Barnes announces the recommendation of Ron L. Colson to the Regional Planning Commission for a term which ends April 30, 2014. Finfrock moves to approve R-2011-0410, Janes seconds and Board Member Colson abstains. The motion carries on a voice vote.(Placed on file)

Appointment – Regional Planning Commission – R-2011-0411

Chairman Barnes announces the recommendation of Max E. Baumgardner to the Regional Planning Commission for a term which ends April 30, 2014. De Arvil moves to approve R-2011-0411, Welty seconds and a roll call vote is called:

YES: Welty, White, Williams, Boes, Bowers, Colbert, Colson, De Arvil, Finfrock, Gouker, Janes, Nye, Stahl and Barnes

NO: Bauer, Gronewold, Heuer, Hopkins, Kenney, Kilker, Rice and Saunders

ABSENT: Horner and Messer

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

Appointment – Zoning Board of Appeals - Regular – R-2011-0412

Chairman Barnes announces the recommendation of Randy Ocken to the Zoning Board of Appeals as a Regular Member for term which ends April 30, 2016. Boes moves to approve R-2011-0412, Colbert seconds and the motion carries on a voice vote.(Placed on file)

Appointment – Zoning Board of Appeals – Alternate 1 – R-2011-0413

Chairman Barnes announces the recommendation of Maynard L. Stivers to the Zoning Board of Appeals as the Alternate 1 member for a term which ends April 30, 2016. Janes moves to approve R-2011-0413, Heuer seconds and the motion carries on a voice vote.(Placed on file)

Appointment – Zoning Board of Appeals – Alternate 2 – R-2011-0414

Chairman Barnes announces the recommendation of Vernon R. Cassens to the Zoning Board of Appeals as the Alternate 2 member for an unexpired term which ends April 30, 2012. Hopkins moves to approve R-2011-0414, Kenney seconds and the motion carries on a voice vote.(Placed on file)

Vacancies –

- Board of Review – 2 vacancies (Republican Candidates)
- Mental Health 708 Board – 3 vacancies
- Ogle County Civic Center Authority – 3 vacancies

Application deadline - Friday, April 29, 2011 at 4:30 p.m.
in the County Clerk's Office located at
105 S. 5th St – Suite 104, Oregon, IL

- Byron Museum District – 1 vacancy

Application deadline - Friday, June 3, 2011 at 4:30 p.m.
in the County Clerk's Office located at
105 S. 5th St – Suite 104, Oregon, IL

Zoning – #1-11 AMENDMENT – Ordinance 2011-0401

Board Member Welty presents the petition of Laura Fitch, 108 White Rock Road, Chana, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to B-1 Business District on property described as follows and owned by James T. & Laura R. Fitch and Robert W. & Amanda L. Allman: Part of the SE1/4 SW1/4 Section 22, White Rock Township 41N, R1E of the 3rd P.M., Ogle County, IL, 0.63 acres, more or less – P.I.N.: 18-22-300-003 - Common Location: 12554 E. IL Route 64. Welty moves to approve #1-11 Amendment – Ordinance 2011-0401, Williams seconds and the motion carries on a voice vote.(Placed on file)

Zoning - #3-11 SPECIAL USE – Ordinance 2011-0402

Board Member Welty presents the petition of Regina VanBriesen, 10030 E. High Road, Stillman Valley, IL and Josh VanBriesen, 10030 E. High Road, Stillman Valley, IL for a Special Use Permit to allow a single-family dwelling for the son of the farm owner in the AG-1 Agricultural District on property described as follows and owned by the petitioners: Part of the SW1/4 SW1/4 Section 8, Scott Township 42N, R1E of the 3rd P.M., Ogle County, IL, 5.14 acres, more or less – P.I.N.: part of 11-08-300-006 & part of 11-08-300-007 - Common Location: 10030 Block of E. High Road. Welty moves to approve #3-11 Special Use – Ordinance 2011-0402, Janes seconds and the motion carries on a voice vote.(Placed on file)

Zoning - #4-11 SPECIAL USE – Ordinance 2011-0403

Board Member Welty presents the petition of Randall Anderson, 3338 S. Chana Rd., Chana, IL for a special use permit to allow a Small Rural Business (sale of animal feed/care products and seed) in the AG-1 Agricultural District on property described as follows and owned by the petitioners: SW1/4 NW1/4 Section 22, Pine Rock Township 23N, R1E of the 4th P.M., Ogle County, IL, 40 acres, more or less – P.I.N.: 17-22-100-002 - Common Location: 3338 S. Chana Road. Welty moves to approve #4-11 Special Use – Ordinance 2011-0403, De Arvil seconds and the motion carries on a voice vote.(Placed on file)

Zoning - Ordinance 2011-0404 – Wind Moratorium

Board Member Welty presents an Ordinance Extending a Moratorium on Wind Tower (Commercial Wind Energy Conversion Systems) Approvals. Welty moves to approve Ordinance 2011-0404, Boes seconds. Chairman Barnes asks how long the moratorium will be. Welty states it will be until action is taken by the County Board. Hopkins moves to amend the motion to include the date of September 1, 2011 or until action taken by the County Board and Gronewold seconds. Colson states the current Special Use Permit is a viable method in place which was tested in the Supreme Court regarding the Baileyville Wind Farm. Rice calls for a roll call vote. Chairman Barnes states this vote will be on the Amended motion to add the date of September 1, 2011.

YES: White, Williams, Bauer, Boes, Bowers, Colbert, Colson, Finfrock, Gouker, Gronewold, Heuer, Hopkins, Janes, Kenney, Kilker, Nye, Rice, Saunders, Stahl, Welty and Barnes

NO: De Arvil

ABSENT: Horner and Messer

The motion carries on a roll call vote.

A roll call Vote is to approve O-2011-0404 with the Amendment as made above.

YES: Williams, Bauer, Boes, Bowers, Colbert, De Arvil, Finfrock, Gouker, Gronewold, Heuer, Hopkins, Janes, Kenney, Kilker, Nye, Rice, Stahl, Welty, White and Barnes

NO: Colson and Saunders

ABSENT: Horner and Messer

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

Public Comments –

- ⇒ Bob Akers – supports the rights of landowners if they choose to have a wind tower on their property.
- ⇒ Keith Zucker – what happens to towers when they are decommissioned
- ⇒ Al Wooden – would like the board to vote positively in favor of windmills
- ⇒ Chairman Barnes states this matter will go before the Planning Commission then to the Zoning Board of Appeals for sworn testimony
- ⇒ Kara Principe, Attorney for the Indiana-Illinois-Iowa Foundation for Fair Contracting reads a prepared statement in favor of wind development in Ogle County
- ⇒ David Whitmore, an iron worker from Ogle County – look at the facts before making any decisions regarding wind energy
- ⇒ James Wilcox – in support of jobs the wind farms will create
- ⇒ David Johnson – in favor of wind farms
- ⇒ Curtis Fruit – look at taxes and other factors in regards to wind mills

- ⇒ Rick Nelson – In the current economic times we should not discourage wind energy in the county. We have a great opportunity that this industry will utilize our natural occurring wind and use this to benefit our county. The recommendations from the WECS Sub-Committee will create an environment which is anti-business and anti-economic development. The local taxing bodies and schools are experiencing revenue shortfalls and we need to find new sources of revenue to provide needed funding. It is not a good idea to keep taxing businesses and residents at higher levels.
- ⇒ Jacob Good – in favor of wind towers
- ⇒ Dan Cox, Leaf River says we need revenue in the county
- ⇒ Chairman Barnes states this will go before the Planning Commission and then to the Zoning Board of Appeals for sworn testimony. They make recommended changes regarding set-backs.
- ⇒ County Board Member Saunders asks Mike Reibel of the Planning and Zoning Department to explain the process for testifying before the ZBA
- ⇒ Mike Reibel states the procedure as directed by the Planning and Zoning Committee will have the WECS Sub-Committee recommendations be filed as a Text Amendment to the performance standards that will supplement the existing special use of commercial wind farms. Legal notices will be published in local newspapers in general circulation of the county, municipalities and Township Supervisors will be notified. The Planning Commission will consider the Text Amendment application and submit recommendations to the Zoning Board of Appeals. Anyone can testify at the Public Hearing you do not need to register. If you want to question or cross-examine witnesses, you are required to enter an appearance. The Zoning Board of Appeals will make their Findings of Fact and a recommendation to the Planning and Zoning Committee. The Planning and Zoning Committee will make the recommendation to the full County Board. The County Board can act on a Text Amendment by adopting the proposed Text Amendment as a whole, in part or modify. Colson asks for clarification regarding the registration to file an appearance. Reibel states a person needs to register five days prior to the public hearing in the Zoning Office. It was stated the public can access information from the Ogle County website at www.oglecounty.org and click on the County Board Tab – agendas are posted and listed under “Committee Meeting Schedule (Calendar)” link.
- ⇒ Chairman Barnes suggests if you write a letter be sure to sign the letter
- ⇒ Dan Head – has two concerns – 1) The adoption of more restrictive sub-standards regarding wind energy & 2) I interviewed for a position on the Zoning Board of Appeals and the first question asked by the Chairman of the Committee was did I have an interest in wind farms, quarries or ethanol plants; as it would be a conflict of interest. How is ownership in an Ethanol Plant a conflict of interest? It sounds like a direct question against my livelihood of farming as a profit. If that is true any investments in oil, gas, coal and nuclear power plants should be a consideration of a conflict of interest.
- ⇒ Pat Carroll, lives four miles outside of Rochelle – is not in favor of wind mills and doesn’t want them in her backyard
- ⇒ Dennis Probasco, Kings says we need to find a compromise and states the set-backs could be a good compromise.
- ⇒ Brian Duncan, Ogle County Farm Bureau distributes information regarding the ½ mile setback and the Baileyville Standards of 1000’ setbacks around residences. The Farm Bureau has taken the position that this issue is regarding property rights.
- ⇒ Keith Bolin, a resident of Bureau County resident and farmer. I work for Mainstream Renewable Power LTD. of Dublin Ireland and run the Walnut Office in Bureau County. I am also on the Bureau Valley School Board where we put the first wind turbine in at a school in the State of Illinois. I have been an activist and supporter of wind generation for about ten years.
- ⇒ Lant Huntley – Invites the board to view a movie called “Windfall” and is willing to have a private viewing in the County Board Room if interested.
- ⇒ Mark Szula, Business Manager for Local 150, Rockford – comments about property rights and questions the documents and the purpose of the WECS Sub-Committee.
- ⇒ Chairman Barnes states since there was dissention; it was decided to form an Adhoc Committee to come up with suggestions. This information will go through the Planning Commission, Zoning Board of Appeals and Planning & Zoning Committee and to the County Board.

- ⇒ Bernice Soresie, Maryland Station – Does not want to see wind mills in her backyard and the jobs are temporary, it is not a permanent situation – asks if this will lower our taxes – suggests everyone see the movie “Windfall” – who is responsible for taking the towers down once they are done.
- ⇒ Don Conn – I applied for the Planning Commission vacancy and was out of town during the interviews. I was told by Welty that I didn’t need to be interviewed since I was on the Planning Commission for two terms. In reference to the questions asked of Dan Head, I would have been asked the same questions. When I was on the County Board I voted for the Baileyville Wind Farm; maybe I wouldn’t have been a candidate chosen for the Planning Commission vacancy.
- ⇒ Craig Dayton, an iron worker at the Byron Nuclear Plant – The Byron Nuclear Plant is a very safe place to work. I have also worked at the Lena and DeKalb County Wind Farms and they are very safe. I would encourage you to build wind towers.

Road & Bridge – County Seal Coat – 11-00000-02-GM – R-2011-0415

Hopkins moves to approve the Award and Appropriation Resolution – County Seal Coat - Section 11-00000-02-GM, \$248,000 from Federal Aid Matching Fund and \$248,000 from County Motor Fuel Tax (R-2011-0415). Rice seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – Local Agency Agreement – Steward Rd -City of Rochelle – R-2011-0416

Hopkins moves to approve the Local Agency Agreement - Jurisdictional Transfer of Steward Road from Ogle County to City of Rochelle, effective 5/1/2012 & 5/1/2013, including the amended signal agreement (R-2011-0416). Colson seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – Remove County Hwy 17 – Steward Rd – R-2011-0417

Hopkins moves to approve R-2011-0417 to Remove County Highway 17, Steward Road, from the Ogle County Highway System effective 5/1/2012 & 5/1/2013. De Arvil seconds and the motion carries on a voice vote.(Placed on file)

Ogle County Claims – Clerk reads the claims:

- Payments in Vacation – March 2011 - \$39,817.57
- County Board Payments - April 19, 2011- \$150,283.66
- County Highway Fund – \$102,585.44
- Utility Expenses – Transfer from Solid Waste Fund
 - Buildings & Grounds - \$33,360.85
 - Highway - \$2,682.44
 - Focus House - \$3,305.36

Kenney moves to approve the claims as read, Finfrock 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, Buildings & Grounds and Central Purchasing, Circuit Clerk and States Attorney, Executive, Finance and Insurance, G.I.S. Partnership, HEW & Solid Waste, I.T./N.I.T.T./G.I.S., Juvenile & Probation and Judiciary, L.O.T.S., Long Range and Strategic Planning, Personnel & Salary and County Clerk, Planning Commission, Reapportionment Committee, Road & Bridge, Supervisor of Assessments and Planning & Zoning and Sheriff & Coroner.

The following committees had no minutes to file: Board of Health, Liquor Commission, LRP – Emergency Operations Center, Mental Health ‘708 Board, Safety Committee and UCCI/ICRMT and Tri-County Opportunities.

Executive Committee Minutes placed on exhibit

R-2011-0418 Chairman Barnes presents R-2011-0418 regarding the Ogle County Multi-Jurisdictional All Hazards Mitigation Plan (R-2011-0418). Heuer moves to approve R-2011-0418 as presented and Colson seconds. Sheriff Harn addresses the board and states this mitigation

plan began developing about two years ago. This is completed and representatives from every municipality and government agency have approved this plan. This is the first completed plan in the State of Illinois. This helps apply for FEMA money in the event of a disaster. The motion carries on a voice vote.(Placed on file)

Finance Committee Minutes placed on exhibit

County Audit Gouker informs the board of the Ogle County Annual Financial Audit which has been distributed to the County Board Members this evening. The Auditors, WIPFLi can attend the next County Board meeting if needed. Please review the documents.

H.E.W. Committee Minutes placed on exhibit

R-2011-0419 Bowers presents R-2011-0419 regarding an Intergovernmental Agreement between the Ogle County Animal Control with Village of Adeline. Bowers moves to approve R-2011-0419 as presented. The change made to the agreement was to add “Set forth under the IRS Standard Mileage Rate”. Kilker seconds and the motion carries on a voice vote.(Placed on file)

R-2011-0420 Bowers presents R-2011-0420 to hire a new Ogle County Animal Control Officer chosen by Dr. Champley, D.V.M. and her name is Bonnie Baxter. Bowers moves to approve R-2011-0420, Finfrock seconds and the motion carries on a voice vote.(Placed on file)

Long Range Planning Minutes placed on exhibit

R-2011-0421 Williams moves to approve Long range Planning bills in the amount of \$402,924.56 for bills as listed below:

Judicial Center	Early Retirement of Bonds	\$399,992.96
Dixon/Ottawa Communications	Installation of Maux Cards – Sheriff Bldg	\$ 2,931.60

White seconds. Rice asks how much money we are saving by paying off the Judicial Center Bonds. Gouker states it is about \$30,000 in interest. The motion carries on a voice vote.(Placed on file)

Chairman Comments

- o Chairman Barnes announces he did sign a Proclamation for the National Public Safety Telecommunications Week.

Unfinished Business –

- o Bauer has a question regarding the interview process; being the former Chairman on the HEW Committee we used questions that were approved by the State’s Attorney. Bauer asks Welty if the questions he used were approved by the State’s Attorney. Welty states yes, it was suggested by the State’s Attorney Office. Bauer asks if there is a set process for every committee regarding the interview process. Bowers states the HEW Committee did not interview the candidates for the Animal Control Warden; that was handled by Dr. Champley. Kilker says the Circuit Clerk & State’s Attorney Committee is working on a document regarding the interview process.
- o County Clerk Huntley thanks all of the Judges of Election for their service and the staff in her office for all of their hard work during this time. Huntley also thanks Peters Automotive in Rochelle, who supplies a utility van for bringing the election supplies from Dement, Flagg and Lynnville precincts to the courthouse. We had a 17% turnout in Ogle County on Election Day.
- o Chairman Barnes received an e-mail from John Bearrows complimenting County Clerk Huntley and her staff for the work they do. He stated after 31 years involved with the fire protection district; he had his last meeting and states the County Clerk’s Office was always helpful.
- o Gronewold announces they are making the old County Board desks available to any not-for-profit agencies. Please send a letter of intent to make it a matter of record.

- Chairman Barnes announces the May 17, 2011 County Board meeting will be held at Focus House.

New Business –

Communications –

- Ogle County Annual Financial Audit (on file)
- Ogle County Control Deficiencies (on file)
- Ogle County Report on Federal Award Programs (on file)
- Sales Tax for December 2009 was \$50,585.02 and \$65,780.51
- Sales Tax for December 2010 was \$43,431.52 and \$66,584.97
- Sales Tax for January 2010 was \$32,061.24 and \$51,874.02
- Sales Tax for January 2011 was \$30,112.60 and \$56,483.60
- National Public Safety Telecommunications Week Proclamation (on file)
- IDOT – Motor Fuel Tax Funds (County) - Audit Report No. 73 (on file)
- IDOT – Township Bridge Funds – Audit Report No. 73 (on file)
- IDOT – Motor Fuel Tax Funds (Road Districts) – Audit Report No. 73 (on file)

Adjourn Meeting

At 7:11 p.m., Hopkins moves to adjourn the Ogle County Board until Tuesday, May 17, 2011 at 5:30 p.m. the meeting will be held at Focus House in Rochelle. Janes seconds and the motion carries on a voice vote.

Chairman James L. Barnes
Chairman - Ogle County Board

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