

Proceedings of the Ogle County Board Meeting  
August 16, 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 Messer, Nye and White are absent. The Invocation is given by Colson and followed with the Pledge of Allegiance.

**Approval of Minutes**

Chairman Barnes asks for a motion to approve the July 19, 2011 County Board Meeting minutes. Janes moves to approve, Kilker 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. Kenney moves to accept the reports as filed, Simms seconds and the motion carries on a voice vote.(Placed on file)

**Vacancies –**

- Ogle County Housing Authority – 1 vacancies
  - Ogle County Civic Center Authority – 3 vacancies
- Application and Resumé deadline - Friday, September 30, 2011 at 4:30 p.m.  
in the County Clerk's Office located at  
105 S. 5<sup>th</sup> St – Suite 104, Oregon, IL

**Zoning – Ordinance 2011-0801 – Extend Wind Moratorium**

Williams presents Ordinance 2011-0801 and moves to adopt the Ordinance to Extend the Moratorium on Wind Tower (Commercial Wind Energy Conversion Systems) Approvals. De Arvil seconds. Kilker would like to see a date added to this Ordinance and suggests December 31, 2011. Vice-Chairman Heuer makes the motion to amend the Moratorium Ordinance and in Section 1 strike “indefinitely, but” and insert “until December 31, 2011 or” and Bowers seconds. Saunders asks if this Ordinance will affect the Baileyville project. No, this Ordinance does not affect the Baileyville project, states Chairman Barnes. Gouker understands the need to have a date on this Ordinance, but this is the fourth time this has come before the board. I would like to see this remain indefinitely. Chairman Barnes states the current Ordinance expires on September 1, 2011; and the Zoning Board of Appeals has been holding hearings for about 4 months. The ZBA is wrapping up these hearings and should have something to recommend to Planning and Zoning within 60 to 90 days. Vice-Chairman Heuer informs the board about her conversations with State's Attorney Roe and it is preferable to insert a date on the Ordinance. State's Attorney Roe says he does suggest a date be inserted. Welty does not support having a date inserted in the Ordinance. Hopkins says he does not like the word “indefinitely” and would also like to have a date in the Ordinance. A roll call vote is taken to amend the motion:

YES: Stahl, Bauer, Boes, Bowers, Colbert, Colson, Finfrock, Gronewold, Heuer, Hopkins, Horner, Janes, Kenney, Kilker, Saunders and Barnes

NO: Simms, Welty, Williams, De Arvil and Gouker

ABSENT: White, Messer and Nye

The motion carries on a roll call vote.

A roll call vote is taken to approve O-2011-0801 with the amended language:

YES: Stahl, Bauer, Boes, Bowers, Colbert, Colson, Finfrock, Gouker, Gronewold, Heuer, Hopkins, Horner, Janes, Kenney, Kilker, Saunders and Barnes

NO: Welty, Williams, De Arvil and Simms

ABSENT: White, Messer and Nye

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

Ogle County Board Meeting

August 16, 2011

Page 265

## **Public Comment –**

- \* Willem Dijstelbergen of Leaf River – comments on compromised set backs for wind turbines.
- \* Hopkins interjects that these comments should not be made at this time since the ZBA is still holding hearings. Chairman Barnes asks the advice of State’s Attorney Roe regarding the public comments. Roe states whatever is being considered by the ZBA should be off limits since it is a pending hearing. Dijstelbergen would like to present his comments to the board during public comment. Roe asks if he has testified before the ZBA and Dijstelbergen states yes he has. During public comments you are allowed to speak during this time. It would be in the best interest of the process if he has testified before the ZBA his comments stay within that forum; if he sees fit we cannot deny him, says Roe.
- \* Dijstelbergen says he did not make himself clear during his ZBA testimony and left out some important information.(hands out a drawing to board members after his comments)
- \* Tom Smith of White Rock Twp - commends the board on their work and not rushing into a decision.
- \* Dennis Probasco of Kings – expresses his gratitude in the way the ZBA Hearings have been held.
- \* Joan Stehulak of Stillman Valley – would like to hear public discussion regarding the Road and Bridge’s design of a bridge rehabilitation project on River, Kishwaukee and Holcomb Roads.

## **Road & Bridge – Vacation – Village of Woosung – R-2011-0801**

Hopkins moves to approve R-2011-0801 to vacate a portion of Cunningham Street right-of-way in the Village of Woosung, Kenney seconds and the motion carries on a voice vote.(Placed on file)

## **Road & Bridge – Vacation – Town of Lightsville – R-2011-0802**

Hopkins moves to approve R-2011-0802 to vacate a portion of an alley right-of-way in the Town of Lightsville, Colson seconds and the motion carries on a voice vote.(Placed on file)

## **Road & Bridge –Preliminary Engineering Agreement – Wagner Rd – R-2011-0803**

Hopkins moves to approve R-2011-0803 a Preliminary Engineering agreement with Wendler Engineering Svcs - design of a bridge on Wagner Rd, Section 11-14134-00-BR. Contract amount not exceed \$22,790. Finfrock seconds and the motion carries on a voice vote.(Placed on file)

## **Road & Bridge – Preliminary Engineering Agreement – River Rd, Kishwaukee Rd & Holcomb Rd - R-2011-0804**

Hopkins moves to approve R-2011-0804 a Preliminary Engineering agreement with Willett, Hofmann & Associates - design of a bridge rehabilitation project on River Rd, Kishwaukee Rd and Holcomb Rd, Section 11-00280-00-BR. Contract amount not exceed \$6,855. De Arvil seconds and the motion carries on a voice vote.(Placed on file)

## **Road & Bridge – Local Agency Railway-Highway Grade Crossing Agreement – R-2011-0805**

Hopkins moves to approve R-2011-0805 a Local Agency Railway-Highway Grade Crossing Improvement agreement between the BNSF, The Illinois Commerce Commission, and Ogle County - 09-00271-00-SP. Simms seconds and the motion carries on a voice vote.(Placed on file)

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

- Payments in Vacation – July 2011 - \$39,273.68
- County Board Payments - August 16, 2011 - \$123,588.28
- County Highway Fund – \$126,714.13
- Utility Expenses – Transfer from Solid Waste Fund
  - Buildings & Grounds - \$24,435.57
  - Highway - \$2,065.65
  - Focus House - \$2,776.52

Bowers moves to approve claims as presented, Gouker 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, Circuit Clerk and State’s Attorney, Executive, Finance and Insurance, HEW & Solid Waste, Juvenile & Probation and Judiciary, Long Range and Strategic Planning, Personnel & Salary and County Clerk, Planning Commission, Road & Bridge, Supervisor of Assessments and Planning & Zoning and Tri-County Opportunities.

The following committees had no minutes to file: Board of Health, Buildings & Grounds and Central Purchasing, G.I.S. Partnership, I.T./N.I.T.T./G.I.S., Liquor Commission, L.O.T.S., LRP –Emergency Operations Center, Mental Health ‘708 Board, Safety Committee, Sheriff & Coroner and UCCI/ICRMT.

**Finance & Insurance      Minutes placed on exhibit**

Ogle County as Trustee  
R-2011-0806

Gouker presents R-2011-0806 regarding the Ogle County as Trustee Tax Sale for P.I.N. 22-09-153-016. Gouker makes the motion to approve R-2011-0806, Heuer seconds and the motion carries on a voice vote.(Placed on file)

**HEW & Solid Waste      Minutes placed on exhibit**

Solid Waste Enforcement  
Grant – R-2011-0807

Bowers presents and makes the motion to approve R-2011-0807 regarding the Solid Waste Enforcement Grant Agreement with IEPA and Kilker seconds. Vice-Chairman Heuer explains indemnification process which allows Steve Rypkema to execute these documents on behalf of Ogle County. The motion carries on a voice vote.(Placed on file)

**Sheriff & Coroner      No Minutes**

False Alarm Ordinance  
O-2011-0901

De Arvil presents O-2011-0901 to establish a False Alarm Ordinance in Ogle County and Colbert seconds. This Ordinance will lay over for 30 days. Saunders asks if this money will be divided up for fire departments who respond to false alarms. Sheriff Harn states this Ordinance is for the Ogle County Sheriff’s Department; the other agencies would have to pass their own Ordinance. Welty asks if the “Alarm Administrator” will be a new position and how will this position be funded. Sheriff Harn states he will be the Alarm Administrator. There were questions about private security systems which are not reported to the Sheriff’s Department. If the Sheriff’s Department does not respond, there will be no fine. Welty also asks if there is an adjudication process if an owner disagrees with the fine. Sheriff Harn states we have a Hearing Officer who handles Ordinance violations in Ogle County. Sheriff Harn states the fines will be tracked on an occurring basis and not a yearly basis. Chairman Barnes states this will be acted on at the next County Board Meeting.

**Executive**

**Minutes placed on exhibit**

Soldiers & Sailors  
Monument

De Arvil reports Art Casting of Illinois will begin their restoration work on the Soldiers and Sailors monument the second week of September and hope to be done in two weeks.

**Long Range  
&  
Strategic Planning**

**Minutes placed on exhibit**

R-2011-0808

Williams moves to approve Long Range Planning bills in the amount of \$2,612.50 for bills as listed below:

Simplex Grinnel – CCTV for Jail Code Upgrade - \$550.00  
Kronos – New World Payroll Automation - \$2,062.50

Sheriff Harn informs the board the Simplex Grinnell bill in the amount of \$550.00 was covered under warranty and should be taken off the Resolution. Sheriff Harn also apologized for no minutes for the 3 committees in the packets this month; his secretary has been out of the office on medical leave.

Williams moves to amend the amount to \$2,062.50, Simms seconds and the motion carries on a voice vote.

Williams makes the motion to suspend County Board Rules of Order #25 and add 2 additional bills in the amount of \$56,547.95 for payment; as listed below:

Moser Plumbing – Generator for Jail - \$50,000.00  
SEPS, Inc. – Battery back-up Radio Room - \$6,547.95

Janes seconds and a roll call vote is taken:

YES: Welty, Williams, Bauer, Boes, Bowers, Colbert, Colson, De Arvil, Finfrock, Gouker, Gronewold, Heuer, Hopkins, Horner, Janes, Kenney, Kilker, Saunders, Simms, Stahl and Barnes

NO: None

ABSENT: Messer, Nye and White

The motion carries on a roll call vote.

Finfrock moves to approve R-2011-0808 to approve \$58,610.45 as presented and De Arvil seconds.

There was discussion regarding the generator for the jail. Sheriff Harn states the generator will allow the jail to operate self-sufficient without having to send the inmates to other facilities.

Welty asks where this money will come from. Williams states they discussed it would come out of the LRP Contingency.

Kenney asks if this generator will be for emergency purposes for all three buildings. Williams states this unit is for the jail to continue in the absence of power.

Sheriff Harn states ComEd has a line in front of the jail which has faulted 3 times and the last outage was for seven hours. They had a couple of emergency lights and a gate opener at the jail. Horner asks if the faulty line has been corrected. Sheriff Harn says ComEd says yes and I say no. Williams is helping with negotiations with ComEd and the Sheriff. Williams suggests we send a letter to ComEd regarding this problem. The problem is ComEd has been busy with all of the storms and we are on the back burner.

Simms also asks the Sheriff if this generator will help with the sprinkler system of the courthouse. Sheriff Harn addresses the board regarding the sprinkler system at the courthouse during this power outage: The air compressor in the cupola was not hooked up to the power supply that sets off the sprinkler system. If the power is off for about eight hours, they would be discharged and we would not be able to shut them off. This generator will help with this problem.

A roll call vote is called:

YES: Williams, Bauer, Boes, Bowers, Colbert, Colson, De Arvil, Finrock, Gouker, Gronewold, Heuer, Hopkins, Horner, Janes, Kenney, Kilker, Saunders, Simms, Stahl, Welty and Barnes

NO: None

ABSENT: Messer, Nye and White

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

Sheriff Harn updates the board on the shelving in the County Clerk's Office; the book shelves are in and they look great. County Clerk Huntley says they are beautiful and really make the room.

- Chairman Comments:

- Chairman Barnes presents a proposed letter of support to Frank Schier regarding the Rock River Trail. Chairman Barnes said it has been suggested to add language that "Ogle County is in support of the Rock River Trail as long as it does not infringe upon private property". The general consensus was to add this verbiage to the letter of support. Saunders asks what he is doing with the letters of support. Chairman Barnes states he is applying for a grant with the Army Corps. of Engineers. Vice-Chairman Heuer comments on verbiage used in a proposed resolution and her concerns. Kenney makes the motion to lay this over for 30 days and Kilker seconds. Chairman Barnes will invite Mr. Schier to attend the September County Board Meeting. The motion carries on a voice vote.
- Chairman Barnes has Kenney update the board on fellow County Board member Mel Messer's condition. Kenney states he is recovering slowly and doesn't know when he will be able to return.
- Chairman Barnes has sent a letter to Jan Birr who was employed in the Supervisor of Assessments Office; she gave up an afternoon and weeded in front of the Courthouse.

- Vice-Chairman Comments:

- Vice-Chairman Heuer has Steve Rypkema speak about the Rock River Sweep to be held on September 10, 2011 and the Electronics Recycling Event to be held on September 23<sup>rd</sup> and 24<sup>th</sup> in Dixon, IL.
- Vice-Chairman explains the Blackhawk Hills RCD letter regarding the Planning Grant for various municipalities.

**Unfinished Business –**

- Hopkins updates information regarding the Bocker-Ruff Grain Facility Tour; we are waiting for a train to be at the facility. County Clerk Huntley offers her assistance with contacting people interested in the tour.

**New Business –**

**Communications –**

- Sales Tax for May 2010 was \$20,133.03 and \$62,351.29
- Sales Tax for May 2011 was \$33,585.81 and \$70,323.76
- Blackhawk Hills RCD – EDA letter for Planning Grant
- Rock River Center – letter
- Chairman Correspondence – Jan Birr

**Adjourn Meeting**

At 6:47 p.m., Boes moves to adjourn the Ogle County Board until Tuesday, September 20, 2011 at 5:30 p.m. to be held at the Ogle County Courthouse. Colbert 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