

Proceedings of the Ogle County Board Special Meeting
April 16, 2013

State of Illinois)
County of Ogle) ss

Call to Order

Chairman Gouker calls the Ogle County Board Special Meeting to order at 3:07 p.m.

Roll Call

The roll call shows Heuer (3:16 p.m.), Hopkins (3:20 p.m.), Kenney and Saunders are absent.

Public Comment –

- Curtis Cook – County Engineer – Information and a picture titled “Ogle County Acquires Trucks for Road Construction”. This picture was taken around 1920 and Cook is seeking information as to where the picture was taken.

Closed Session –

At 3:10 p.m., Chairman Gouker asks for a motion to enter into Closed Session to discuss negotiating matters between the public body and its employees or their representatives, pursuant to 5 ILCS 120/2 (c) (2). Chairman Gouker asks for Attorney James Spizzo, Sheriff Michael Harn and State’s Attorney Michael Rock to remain for the Closed Session. Petrizzo makes the motion to go into Closed Session, Finfrock seconds and a roll call vote is taken:

YES: Simms, Sparrow, Typer, Welty, Bowers, Brooks, Colbert, Colson, Finfrock, Griffin, Gronewold, Janes, Kirkolis, McKinney, Meyers, Nordman, O’Brien, Oltmanns, Petrizzo and Gouker

NO: None

ABSENT: Heuer, Hopkins, Kenney and Saunders

Open Session –

At 4:38 p.m., the County Board returns to Open Session.

Adjourn Meeting

At 4:39 p.m., Oltmanns moves to adjourn the Ogle County Board Special Meeting; Bowers 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

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State of Illinois)
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Call to Order

Chairman Gouker calls the Ogle County Board Meeting to order at 5:33 p.m.

Roll Call

The roll call shows Kenney is absent.

Chairman Gouker would like to make note of the passing of a woman who had attended many County Board Meetings; Margaret Knight who was the League of Women Voters County Board Observer and was 93 and please keep her family in your prayers.

The Invocation is given by Finrock and followed by the Pledge of Allegiance.

Hopkins states Jim Seeberg the former Lee County Board Chairman passed away Monday.

Approval of Minutes

Chairman Gouker asks for a motion to approve the March 19, 2013 Ogle County Board Meeting minutes. Janes moves to approve, McKinney 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, Heuer seconds and the motion carries on a voice vote.(Placed on file)

Presentation – Concealed Carry Referendum Election Results – R-2013-0401

Chairman Gouker presents R-2013-0401 regarding the Concealed Carry Referendum Election Results. Oltmanns moves to approve R-2013-0401, O'Brien seconds and the motion carries on a voice vote.(Placed on file)

Appointments –

Chairman Gouker asks the board members to approve all of the appointments with one motion; unless there is one someone would like to remove for discussion. The appointments are listed as follows:

- Dixon Fire Protection District – Rodney Fetterolf - R-2013-0402 – term ends 4/30/2016
- Forreton Fire Protection District –Lee Black - R-2013-0403 – term ends 4/30/2016
- Leaf River Fire Protection District – Dawn Plock - R-2013-0404 – term ends 4/30/2016
- Leaf River Fire Protection District – Walter Rose - R-2013-0405 – unexpired term ends 4/30/2014
- Lost Nation/New Landing RCD –Martin Portner - R-2013-0406 – term ends 4/30/2018
- Lynn-Scott-Rock Fire Protection District – Curtis Fruit - R-2013-0407 – term ends 4/30/2016
- Oregon Fire Protection District –James Egyed - R-2013-0408 – term ends 4/30/2016
- Planning Commission –Wayne Reising - R-2013-0409 – term ends 4/30/2016
- Planning Commission – Douglas Creason - R-2013-0410 – term ends 4/30/2016
- Zoning Board of Appeals – Maynard Stivers- R-2013-0411 – term ends 4/30/2018
- Byron Museum District – Nellene Jeter - R-2013-0412 – unexpired term ends 6/30/2016
- Mental Health “708” Board – Harold Best - R-2013-0413 – term ends 12/31/2016

Sparrow moves to approve R-2013-0402 through R-2013-0413 as listed and Nordman seconds. Chairman Gouker asks if anyone would like to have a resolution pulled out for discussion; there were no comments made. Chairman Gouker states Oltmanns will abstain from the Lynn-Scott-Rock FPD appointment due to a conflict of interest; Oltmanns is seeking employment in that FPD.

The motion carries on a voice vote.(Placed on file)

Meyers asks why he should approve any appointments without knowing the background of the applicant or how many people applied for the vacancies. Colbert states the committee interviewed 35

applicants and the interviews were held in Closed Session. Chairman Gouker states all of the appointments were made with the consensus of the committee and is part of the Committee process. McKinney states as a board member, Meyers could have attended the interviews.

Saunders explains why she voted no on the appointments for the Planning Commission and Zoning Board of Appeals. These candidates were not interviewed by the Supervisor of Assessments and Planning & Zoning Committee and feels the State's Attorney Committee does not have the same background when selecting applicants for the vacancies. Chairman Gouker states the Zoning process is an important process and there is potential for conflict. As a matter of fact one of the candidates was on the committee as a County Board member. Saunders states that is why she has always voted no when choosing a County Board member for the Planning Commission. Chairman Gouker did approach Zoning Administrator Mike Reibel regarding the need for the process of objectivity and have the State's Attorney Committee do the interviews. Reibel was also asked to be present for the interviews to be of assistance to the committee. Chairman Gouker invites Meyers to attend interviews for appointment in the future.

Resignation – Ogle County Housing Authority - Donald Finn - R-2013-0414

Chairman Gouker announces he has received a notice of resignation from Donald Finn on the Ogle County Housing Authority. Sparrow moves to approve R-2013-0414, Petrizzo seconds and the motion carries on a voice vote.(Placed on file)

Resignation - 9-1-1 ETSB (Fire/EMS) – Bill Winebaugh – R-2013-0415

Chairman Gouker announces he has received a notice of resignation from Bill Winebaugh of the 9-1-1 ETSB. O'Brien moves to approve R-2013-0415, McKinney seconds and the motion carries on a voice vote.(Placed on file)

Vacancies –

- Board of Review (Republican Candidates) – 2 vacancies
- Ogle County Housing Authority – 1 unexpired term ends 10/31/2015
- Franklin Grove Fire Protection District – 1 vacancy
- 9-1-1 ETSB (Fire/EMS) – 1 unexpired term ends 6/30/2014
- Ogle County Civic Center Authority – 5 vacancies

Application and Resumé deadline – Friday, May 3, 2013 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 and Resumé deadline – Friday, May 31, 2013 at 4:30 p.m.
in the County Clerk's Office located at 105 S. 5th St – Suite 104, Oregon, IL

Zoning – #1-13 Text Amendment – Ordinance 2013-0401

Welty presents the petition of Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board c/o Ogle County Planning & Zoning Department, 911 W. Pines Rd., Oregon, IL for an Amendment to the text of the *Ogle County Amendatory Zoning Ordinance*, involving the following:

- Division 6 Supplementary District Regulations; Section 6.02 Yard and Setback Exceptions; Paragraph C. Structural Projections
- Division 6 Supplementary District Regulations; Section 6.06 Accessory Buildings, Structures and Uses; Paragraph C
- Division 6 Supplementary District Regulations; Section 6.06 Accessory Buildings, Structures and Uses; Paragraph D.2 Accessory building size limitations; Exceptions
- Division 6 Supplementary District Regulations; Section 6.06 Accessory Buildings, Structures and Uses; Paragraph I. Permitted Accessory Buildings, Structures and Uses
- Division 9 Administration and Enforcement; Section 9.01 General Provisions; Paragraph A.2.c Zoning Board of Appeals; Jurisdiction of the Board
- Division 9 Administration and Enforcement; Section 9.01 General Provisions; Paragraph A.2.e Zoning Board of Appeals; Finality of Decisions of the Board in Certain Cases
- Division 9 Administration and Enforcement; Section 9.06 Variations; Paragraph D.3 Standards for Variations
- Division 9 Administration and Enforcement; Section 9.06 Variations; Paragraph G. Duration of Permit for Variation

Welty moves to approve O-2013-0401 and Hopkins seconds. Welty says these are maintenance items. The motion carries on a voice vote.(Placed on file)

Ogle County Board Meeting

April 16, 2013

Public Comment –

- Brian Duncan, President of the Ogle County Farm Bureau distributes a letter sent to the Ogle County State’s Attorney regarding concerns regarding a question asked during the interview process of applicants for appointments. Chairman Gouker states it is not the policy of the County Board to discriminate against any organizations. However, the question was asked by one committee member and was not an official question.(Placed on file)
- Kim Kirkolis announces the Focus House Spaghetti Dinner and Silent Auction to be held tomorrow at Focus House from 4:30 p.m. – 7:30 p.m.

Road & Bridge – County Sealcoat Program - 13-00000-02-GM – R-2013-0416

Hopkins moves to approve R-2013-0416 with the low bidder being A.C. Pavement Striping Co. in the amount of \$524,948.76 with an appropriation of \$265,000.00 from Federal Aid Matching Fund and \$265,000 from County Motor Fuel Tax for the County portion of said project; McKinney seconds. Meyers asks if this is a local company. Hopkins states they are not local; there aren’t many local companies who can provide this type of work. The motion carries on a voice vote.(Placed on file)

Road & Bridge - Kennedy Hill Rd - 13-00290-00-RS – R-2013-0417

Hopkins moves to approve R-2013-0417 with the low bidder being Herbig Blacktop Construction, Inc. of Byron, Illinois in the amount of \$12,379.00 with an appropriation of \$13,000.00 from the County Highway Fund for the County portion of said project; Griffin seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Chana Road - 13-00000-03-GM - R-2013-0418

Hopkins moves to approve R-2013-0418 with the low bidder being Martin & Company Excavating of Oregon, Illinois in the amount of \$183,019.40 with an appropriation of \$95,000.00 from Federal Aid Matching Fund and \$95,000.00 from County Motor Fuel Tax for the County portion of said project; Heuer seconds and the motion carries on a voice vote.(Placed on file)

Ogle County Claims – Clerk reads the claims:

- Payments in Vacation – March 2013 - \$190,232.26
- County Board Payments - April 16, 2013 - \$147,256.96
- County Highway Fund – \$100,036.63

Sparrow moves to approve claims and Hopkins seconds.

Bowers comments looking at the Payments in Vacation report this month; the payments are getting out of hand. We need to put a stop to these Payments in Vacation; Saunders has been bringing this up for some time. Meyers states he has been assured by the Department Head these payments are saving money for discounts on the items or services. Chairman Gouker states the committee should have the proper review of any payments in vacation.

Welty states the Finance Committee spoke about this at great lengths and in the next few months Treasurer John Coffman will be running Payments in Vacation reports by committee for review. This way the committees can have them at the committee meetings for review.

Meyers asks if we can change the name “Payments in Vacation”. Chairman Gouker states he doesn’t think we can just change the name. State’s Attorney Mike Rock states this is statutory language. Chairman Gouker states these are payment made between County Board meetings while the County Board is in vacation; this is being reviewed by the committee and will bring it back to the board.

The motion carries on a voice vote.

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, Liquor Commission, Long Range and Strategic Planning, Planning Commission, Road & Bridge, State’s Attorney and Juvenile & Probation and Supervisor of Assessments and Planning & Zoning.

The following committees had no minutes to file: Blackhawk Hills RC&D, Board of Health, G.I.S. Partnership, L.O.T.S., Mental Health '708 Board, Safety Committee, Tri-County Opportunities and UCCI/ICRMT.

Executive Committee:

- Aggregation of Electrical Load and Electric Power Aggregation Plan of Operation and Governance – O-2013-0402

Chairman Gouker presents O-2013-0402 and states this will be held over until the May County Board Meeting.

Finance & Insurance Committee:

- Outside Agencies Health Insurance premium Surcharge R-2013-0419

Chairman Gouker presents R-2013-0419 and asks for a motion to adopt. Sparrow moves to approve R-2013-0419, Welty seconds and roll call vote is called:

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

NO: Bowers, Hopkins, McKinney and Saunders

ABSENT: Kenney

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

- 2012 Audit

Chairman Gouker announces the 2012 Audit has been placed on the desks this evening. Please review the information and have any questions available at the May County Board meeting; the Auditors will be on hand to answer them.

Long Range and Strategic Planning Committee:

- Long Range Bills – R-2013-0420

SUPPLIER NAME	DESCRIPTION	AMOUNT
NITT	Membership	\$2,000.00
	TOTAL:	\$2,000.00

Colson moves to approve R-2013-0420, Sparrow seconds and the motion carries on a voice vote.(Placed on file)

State's Attorney and Juvenile & Probation Committee:

- Department of Juvenile Justice Contract – R-2013-0421

Finfrock presents R-2013-0421 the Department of Juvenile Justice Contract with Focus House for approval pending the State's Attorney obtaining verbal commitments from the Department of Juvenile Justice.

Focus House Director Matt Mekeel briefs the County Board on the history of Focus House seeking revenue sources. Mekeel states Focus House had looked at a contract for the Department of Children and Family Services (DCFS). The DCFS contract did not have a clause to reject a kid; once you sign the contract you are mandated to take every kid they send for placement. Based on the knowledge of DCFS without an opt-out clause, we were not interested, stated Mekeel. Focus House is unique as we are run by the County of Ogle and we are exempt from DCFS licensure as a State Agency as being a County owned and operated shelter care facility. However, in order to obtain a State of Illinois contract you have to be DCFS licensed. We did meet with DCFS several times; went through policies and procedures and had some on site visits with them as well. During this time we upgraded some of the fire systems in the housing that was not up to DCFS licensure standards. At that time we did meet the DCFS

standards and we obtained a letter from them stating we are exempt from the licensure; even though we have met all of their requirements. At this point we began talks with the Department of Juvenile Justice to take some of their parolees from the Kewanee Facility.

Mekeel states the DJJ contract says up to ten juveniles and Focus House will take up to four juveniles with preference given to juveniles from Ogle County first. We have sat down with State's Attorney Mike Rock and an Assistant State's Attorney regarding language changes they would like to see. State's Attorney Mike Rock speaks about some of the issues he had regarding the language in the contract. Rock states the DJJ contact was out of the office last week and will be working on the issues this week.

Mekeel states the general population will be kids who have adjudicated of a juvenile sexual offense and will partner with the farm house. The farm house is the specialized population which we currently serve on probation; although these kids would be paroled. There is currently a juvenile who has been sitting in DJJ for two years because he has no home site to be paroled to. The family home has young children and DJJ will not parole him to his family home and he has no other family to take him in. Mekeel states this was a case where a county didn't have a placement budget and they sent the juvenile to prison on his first offense. He waited one year for a trial, was placed on an electronic GPS monitor, didn't have any issues and is awaiting parole.

Mekeel introduces Jeff Sundberg who is the licensed Therapist and has been working with the juveniles at the farm house. Sundberg doesn't anticipate accepting any juveniles with profiles any different than the current juveniles at the farm house. When looking at the information obtained so far, these are kids Focus House would have accepted on the front end prior to them being sentenced to the DJJ. It appears there are a lot of counties in the State of Illinois who do not have community based providers and financial resources for these kids and they send them to corrections.

Chairman Gouker states this is a revenue issue for the county but it also gives a young individual the opportunity to re-enter into society. We are also very concerned about the effect on the others we already have at Focus House.

Finrock moves to approve R-2013-0421 pending the State's Attorney verbal communication from Department of Juvenile Justice and Meyers seconds.

Welty notes the contract says up to 10 juveniles and Focus House will only accept 4; but the contract will allow up to 10. Does Focus House anticipate any staffing level changes, expense level changes or expansion in the facilities at Focus House to accommodate this, asks Welty. Mekeel states there may be a change in staffing patterns. The DJJ is looking to transition these kids into independent living and we will be a Transitional Living Program. Welty wants to know if we are going to expand the costs at Focus House to accommodate this contract or are we filling bed space at Focus House. Mekeel states the DJJ contract is probably a template from the DCFS contract and the Farm House is a 10 bed facility; this is probably where that number came from. Mekeel states we are looking to run at capacity and not expanding at this point.

Heuer makes the motion to table R-2013-0421 until the next County Board Meeting and McKinney seconds. A roll call vote is taken:

YES: Sparrow, Typer, Welty, Bowers, Brooks, Colson, Finrock, Griffin, Heuer, Janes, Kirkolis, McKinney, O'Brien, Oltmanns and Simms

NO: Colbert, Gronewold, Hopkins, Meyers, Nordman, Petrizzo, Saunders and Gouker

ABSENT: Kenney

The motion carries on a roll call vote.

- Chairman Comments:
 - Announces an Open House tonight at the Pine Rock Township Building for Supervisor Don Huntley's retirement until 7:00 p.m..
 - If you would like a tour of the Intermodal Facility next month before the County Board Meeting at Focus House; contact me.
- Vice-Chairman Comments: none

Communications –

- Sales Tax for January 2012 was \$32,452.22 and \$54,379.27
- Sales Tax for January 2013 was \$26,302.37 and \$58,275.92

Unfinished Business –

New Business –

Adjourn Meeting

At 6:31 p.m., Hopkins moves to adjourn the Ogle County Board Meeting until Tuesday, May 21, 2013 at 5:30 p.m. at the Focus House in Rochelle. Oltmanns 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