

Proceedings of the Ogle County Board Meeting  
January 19, 2016

State of Illinois )  
County of Ogle ) ss

**Call to Order**

Chairman Gouker calls the Ogle County Board Meeting to order at 5:31 p.m..

**Roll Call**

The roll call shows Nordman (enters after Consent Agenda Roll Call), O'Brien and Welty are absent. The Invocation is given by Janes and is followed by the Pledge of Allegiance.

**Presentation** – County Engineer, Curtis D. Cook – Annual County Highway Report

County Engineer Curtis D. Cook addresses the board with the 2015 Annual County Highway Report and PowerPoint presentation. This report reviews the various projects throughout the 2015 construction season.

Bowers thanks Cook for taking the Road and Bridge Committee members out on a tour of the various County Highway Projects. This was a good experience, comments Bowers.

**Consent Agenda Items – by Roll Call Vote**

1. Approval of December 15, 2015 County Board Meeting Minutes
2. Accept Monthly Reports – Treasurer, County Clerk & Recorder and Circuit Clerk
3. Appointments –
  - Board of Health – Dawood Harunani, DDS, MAGD – R-2016-0101
4. Resignations – none
5. Vacancies -
  - Mental Health 708 Board – 1 vacancy
  - Franklin Grove Fire Protection District – 1 vacancy

Application and Resumé deadline – Friday, January 29, 2016 at 4:30 p.m.  
in the County Clerk's Office located at 105 S. 5<sup>th</sup> St – Suite 104, Oregon, IL
6. Ogle County Claims –
  - Department Claims – December 2015 - \$15,939.37
  - County Board Payments – January 19, 2016 – \$310,898.93
  - County Highway Fund – \$58,225.25
7. Communications –
  - ComEd Vegetation Management Notice
  - Sales Tax for September 2014 was \$24,459.68 and \$71,447.18
  - Sales Tax for September 2015 was \$29,879.76 and \$69,295.01
  - Sales Tax for October 2014 was \$44,426.96 and \$78,507.38
  - Sales Tax for October 2015 was \$30,979.88 and \$75,467.91

Sparrow moves to approve the Consent Agenda as presented, Bowers seconds and motion to be approved by a roll call vote:

YES: Simms, Sparrow, Typer, Bolin Bowers, Brooks, Colbert, Colson, Finfrock, Fritz, Griffin, Gronewold, Heuer, Hopkins, Janes, Kenney McKinney, Meyers, Saunders and Gouker

NO: none

ABSENT: Nordman, O'Brien and Welty

Motion carries.

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**Zoning – #2-15 SPECIAL USE - Byron-Oregon Sportsman & Conservation Club – O-2016-0101**

Janes presents the petition of Byron-Oregon Sportsman & Conservation Club, Inc. % Oscar K. Welty III, President, 1509 E. Town Line Rd.- PO Box 742, Byron, IL for a Special Use Permit to allow a shooting range in AG-1 Agricultural District on property described as follows and owned by the petitioner: Part of the W1/2 of the NE1/4 and part of the E1/2 of NW1/4 of Section 2 Rockvale Township 24N, R10E of the 4<sup>th</sup> P.M., Ogle County, IL, 19.93 acres, more or less. P.I.N.: 09-02-126-002 – Common Location: 1509 E. Town Line Rd. – Janes moves to approve O-2016-0101 as presented and Simms seconds.

Meyers reads a prepared statement: “I was told by a board member that the residents had to prove that their property would be negatively impacted by the building of the pistol range. They did prove it, but it fell on deaf ears. In fact even the remarks of the people have been left out of the committee minutes numerous times as well as mine. Why is that? Their property values will decrease, their peaceful existence will cease but more than anything else their safety will be jeopardized.

Also affected by your decision are the residents of Ogle County who use the beautiful serene forest preserve for recreation. How serene and safe is this going to be when there is pistol fire 365 days a year, all day long and some evenings. A plea against the pistol range from The Byron Forest Preserve board also fell on deaf ears.

This land was approved by the Ogle County Board for a subdivision and rural residential lots and now you are asked to change the rules.

The residents and the Byron Forest Preserve are asking you to preserve their rights. Please vote NO for this special use permit.”

Hopkins states this has been the most controversial issue we have had in Zoning for quite some time. He has checked out the area; with the population area, Forest Preserve and Parks it doesn't seem like this is an area for this type of request.

McKinney voices his is concern with the safety of the residents in the area and will be voting no on the issue.

Fritz has spent time visiting other gun clubs in the area. The Sportsman Club has made changes that were first proposed and were reflected on what the neighborhood residents wanted. The visits made at the Ogle County clubs, none of them were enclosed. Fritz has talked to many of the people involved on both sides looking for something to stand out and hasn't found it. If this were something in my backyard would I want it there? The answer is no in my opinion, states Fritz.

Colson informs the board there were 14 conditions attached to the request primarily in safety and in consideration of other things. After the Planning, Assessment and Zoning Committee was locked-up in a tie vote; Zoning Administrator Mike Reibel added 7 more conditions which brings it to a total of 21 conditions to ensure the way it is operated and the inspection process. Colson feels this has answered all of the concerns which have been raised.

Simms states she is on the Planning, Assessment and Zoning Committee and has read all of the documentation and concerns on this request. Simms feels this gun club is a huge asset to Ogle County and will be the only enclosed facility in Ogle County. What an opportunity for Ogle County to have a building designed by a professional engineer to ensure the safety of everyone around. Simms will be voting in favor of this.

Saunders believes in the Concealed Carry Law and would like to have a place like this to shoot. I don't like the way we have come to the conclusion because so much of what was promised was not under sworn testimony. The area is too populated and I would like to see this in a less populated area. Saunders will be voting no.

Chairman Gouker comments that zoning is a very difficult and emotional issue. But fundamentally it is about property rights of the petitioner and the neighbors in the area. We've already said we need a facility like this. But are we in the business to determine where this should go or are we in the business to determine when someone comes with an application that they have satisfied the concerns of the neighbors so they can use their property as well? There

are two fundamental issues here, can they provide for the safety and can they reduce the level of sound. There are 21 restrictions on this zoning amendment. Gouker feels this is the definition of compromise.

Colbert says she believes this is a quality of life issue and our number one priority should be to protect the communities. Colbert will be voting for what is best for the most people involved and the good of Ogle County. Colbert will be voting no.

A roll call vote is called:

YES: Sparrow, Typer, Bolin, Brooks, Colson, Finrock, Griffin, Janes, Oltmanns, Simms and Gouker

NO: Bowers, Colbert, Fritz, Gronewold, Heuer, Hopkins, Kenney, McKinney, Meyers, Nordman and Saunders

ABSENT: Welty, and O'Brien

Tie vote, the motion is defeated.

**Public Comment –**

- David Eder – Byron, Rockvale Heights Subdivision – Thanks the County Board members who returned telephone calls to discuss concerns, Zoning Administrator Mike Reibel, Ron Colson for additional restrictions, Lee Meyers and Rick Fritz for visiting other gun ranges.
- Barb Graham – Oregon, Chapter Leader for the Well-Armed Woman – Speaks about how safe this gun range would be and the need for this facility for people to shoot their guns.
- Lynn Courta – Byron, Rockvale Heights Subdivision – There have never been any accidents or problems at the gun club. She is concerned with the voting down of the request; we do not live in a safe environment. You have voted down a place where we can legally and safely practice shooting our guns. She is more concerned about the people walking around on the Forest Preserve property.
- Amy Eder – Byron, Rockvale Heights Subdivision – This neighborhood is not the correct location for this type of facility.
- Ken Conti – Townline Rd – This is not a gun issue; this is a zoning issue. This has been zoned for clay pigeon shooting for many years. The Assessment, Planning Zoning Committee may have had a difficult time, because they have to make the decision based on the zoning standards not what may be good or bad. Conti commends the County Board on the decision they made this evening.
- Oscar Welty III – Thanks the board for their time and consideration on this issue.
- Deb Toney – Mt Morris – Asks if not at this location, where?
- Bethany Wiltshire – Deer Path Rd – Her family are FOID cardholders, go hunting and have guns. She thanks the members who have kept separate the issues of gun ownership and the rights of gun ownership from your roll in the zoning of Ogle County. This issue was a zoning issue and thanks the board members for their vote tonight.
- Nic Bolin – Announces the birth of his son on January 11, 2016.

**COMMITTEE REPORTS**

The following committee minutes have been placed on exhibit: County Infrastructure, County Security, Executive Committee, Finance and Insurance, HEW & Solid Waste and Veterans, Judiciary and Circuit Clerk, Long Range and Strategic Planning, Road & Bridge and Mapping (GIS), State's Attorney and Juvenile & Probation, Supervisor of Assessments and Planning & Zoning.

The following committees had no minutes to file: 911 ETS Board, Agriculture Committee, Blackhawk Hills RC&D, Board of Health, G.I.S. Partnership, Liquor Commission, L.O.T.S., Mental Health 708 Board, Negotiations Committee, Personnel and Salary, Public Aid Appeals, Regional Planning Commission, Tri-County Opportunities and UCCI/ICRMT.

- **Executive:**
  - Ogle County Safety Manual – R-2016-0102
    - Heuer presents and moves to approve R-2016-0102 as presented and Oltmanns seconds. Heuer states this was asked for by ICMRT and CIRMA to develop a safety manual which is based off of the Lee County model. It will be up to the Department Heads to get the safety manual to the people needed. The Safety Committee will meet quarterly and the report will be in the minutes. Oltmanns thanks Heuer and the members of the committee for reviewing and putting this manual together. The motion carries.(Placed on file)
    - Annual Meeting Notice – R-2016-0103  
Chairman Gouker presents and asks for a motion to approve R-2016-0103 as presented. Bolin moves to approve R-2016-0103 as presented, Bowers seconds and the motion carries.(Placed on file)
- **Finance & Insurance (County Clerk & Recorder and Treasurer):**
  - Indemnity Fund – O-2016-0102  
Sparrow presents and moves to approve O-2016-0102 as presented and Hopkins seconds. Sparrow states the county has sufficient funds available in the Tort Liability Fund to provide indemnity to the County for any exposure created as a result of a tax sale. The balance of the Tax Sale Indemnity Fund will be transferred to the General Fund. The motion carries.(Placed on file)
  - Transfer IFiber, Sheriff’s Petty Cash, Bad Check Restitution and Self Insurance Reserve Fund to General Fund – R-2016-0104  
Sparrow presents and moves to approve R-2016-0104 as presented, Griffin seconds and the motion carries.(Placed on file)
  - 2016 Budget Amendment – Appropriate funds for Probation Vehicles – present for February vote  
Sparrow states this is presented this evening and will be voted on next month. The Probation Department has requested to purchase two vehicles.
- **Long Range Planning:**
  - Long Range Bills – R-2016-0105

Griffin presents and moves to approve R-2016-0105 as follows:

SUPPLIER NAME	DESCRIPTION	AMOUNT
O'Brien Civil Works Inc.	Final Payment on Parking Lot - 501 W. Washington Street	\$ 3,774.33
IT Credit Card	Wall Mount Brackets - Focus House	\$114.58
Syndeo Networks, Inc.	Hillcrest Radio - Batteries & Supplies Installation & Configuration	\$ 8,703.97
Syndeo Networks, Inc.	Focus House Internet Switch & Installation	\$2,297.00
Clear Armor LLC	Bullet Resistant Mylar film on windows - Public Safety Complex	\$42,303.65
Dach Fence Co.	Fencing @ Public Safety Complex	\$18,657.50
Saavedra Gehlhausen Architects	Professional Services for Dec. 2015 - Ogle County Maintenance Projects	\$2,005.00
	TOTAL:	\$77,856.03

Bolin seconds. The motion carries.(Placed on file)

- Project Updates – Griffin has distributed information regarding updates on the various projects.
- **State’s Attorney and Juvenile & Probation:**
  - State’s Attorney Appellate Prosecutor – R-2016-0106  
Finfrock presents and moves to approve R-2016-0106 as presented; this is an annual resolution. Oltmanns seconds and the motion carries.(Placed on file)

**Unfinished and New Business:**

**Chairman Comments:**

- Multi-County Partnership – Chairman Gouker has been meeting with six other County Board Chairman from Boone, Lee, Stephenson, Winnebago, McHenry and DeKalb counties to develop a Multi-County Partnership. The purpose is to build collective clout for grants and economic development.
- Exelon donation to Weld Park Eagle Scout Memorial Project – Exelon has donated \$5,000 towards the Eagle Scout Memorial Project at Weld Park. This money will be given to the county for tax deduction purposes.

**Closed Session - none**

**Adjourn Meeting**

At 6:40 p.m., there being no further business Griffin moves to adjourn the meeting until Tuesday, February 16, 2016 at 5:30 p.m. at the Courthouse in Oregon, McKinney seconds and the motion carries.

Chairman, Kim P. Gouker  
Ogle County Board

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