

Proceedings of the Ogle County Board Meeting
August 20, 2013

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 Simms (5:39) is absent. The Invocation is given by Hopkins and asks that the Pledge of Allegiance is led by U.S. Army Veteran Brian Sawlsville. Chairman Gouker announces it is also Brian's Birthday today.

Resolution – Sgt. Brian Sawlsville Day –R-2013-0815

Chairman Gouker asks Retired Brigadier General Steven P. Huber of Byron to read the Resolution which will be presented to Sgt. Brian Sawlsville in honor of his service to his country and declaring Brian Sawlsville Day in Ogle County. Sgt. Sawlsville says it does mean a lot for the recognition of his service and his community; thanks the County Board. McKinney moves to approve R-2013-0815 and Meyers seconds. Chairman Gouker states County Board member Meyers met Brian at a function at Focus House and wanted to recognize Sgt. Sawlsville for his service. The motion carries on a voice vote. (Placed on file and presented to Sgt. Brian Sawlsville)

Approval of Minutes

Chairman Gouker asks for a motion to approve the July 16, 2013 Ogle County Board Meeting minutes. Gronewold makes the motion to approve the July 16, 2013 County Board minutes with the following amendment as recommended by the State's Attorney and Juvenile & Probation Committee: Page 111 "Kirkolis will be abstaining from the vote as she is employed by ~~Focus House~~ Rochelle Township High School District 212 at Focus House." Petrizzo seconds and the motion carries.

Approval of Reports

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

Presentation – Business Employment Skills Team, Inc – Pam Furlan, Executive Director

Chairman Gouker introduces Pam Furlan, Executive Director for B.E.S.T., Inc. talks about the individuals enrolled in the Workforce Investment Act (WIA) services and hands out information regarding the businesses who are served through this program. Pam also introduces a success story of Daniel Gibble who was seeking services since he was laid off; he was a service manager of a local supermarket chain for 24 years. Daniel attended Highland Community College and received an Associate's Degree in Accounting with High Honors and a GPA of .367. Once obtaining his Associate's Degree he has decided to go on and receive his Bachelor's Degree. Daniel states financially he could not have gone back to school without this program. He asks the County Board to continue to support this program as it does help the constituents of Ogle County. Pam thanks Chairman Gouker and the County Board for all his support. Chairman Gouker states this program is funded by grants; there is no money from Ogle County.

Presentation – Jarid Funderburg of Congressman Adam Kinzinger's Office

Chairman Gouker introduces Jarid Funderburg from Congressman Adam Kinzinger's satellite office in Belvidere. Jarid briefly explains services the office can help with in regards to: Capitol Flag requests, Grant Assistance, Internship opportunities, tour requests and help with Federal Agencies.

Presentation – Mental Health 708 Board – Kathe Wilson, President

Chairman Gouker introduces Kathe Wilson and acknowledges the other members of the Mental Health 708 Board also in attendance tonight. Kathe states the 708 Board appreciates the funding and support from the County Board. Kathe talks about some of the agencies who receive funding from the 708 Board; Village of Progress, Sinnissippi Centers, Easter Seals, H.O.P.E and Serenity Hospice and Home just to name a few. Kathe has 708 Board Member Bill Sigler address the board. Bill talks about how important the funding is to the Mental Health 708 Board to help fund the agencies in the community. Bill has a daughter and granddaughter who are clients at the Village of Progress and how

they can offer them opportunities. Bill thanks the board for their funding and support of the various agencies.

Appointment - Byron Museum District – Dusti Adrian – R-2013-0802

Oltmanns makes the motion to approve R-2013-0802 to appoint Dusti Adrian to the Byron Museum District for a term which ends June 30, 2014. Simms seconds and the motion carries on a voice vote.(Placed on file)

Appointment - Dixon Rural Fire Protection District – Brian Mayer – R-2013-0803

Finrock makes the motion to approve R-2013-0803 to appoint Brian Mayer to the Dixon Rural Fire Protection District for an unexpired term which ends April 30, 2016. Bowers seconds and the motion carries on a voice vote.(Placed on file)

Appointment - Zoning Board of Appeals – Alternate 1 – David Williams – R-2013-0804

Welty makes the motion to approve R-2013-0804 to appoint David Williams to the Zoning Board of Appeals as Alternate 1 for an unexpired term which ends April 30, 2016. O'Brien seconds and the motion carries on a voice vote.(Placed on file)

Resignation - Lost Nation New Landing RCD – Dennis Cantrell – R-2013-0817

Chairman Gouker announces he has just received a letter of resignation from Dennis Cantrell who is a member of the Lost Nation New Landing RCD. Simms moves to approve R-2013-0817, Hopkins seconds and the motion carries on a voice vote.(Placed on file)

Vacancies –

- Ogle County Housing Authority – 1 vacancy
- Franklin Grove Fire Protection District – 1 vacancy
- Ogle County Civic Center Authority – 5 vacancies
- Lost Nation New Landing RCD – 1 unexpired term

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

Zoning – none

Public Comment –

- Gronewold – Updates the board members on the invitation sent out in regards to the Ogle County AG Advisory Committee; please RSVP with the County Clerk's Office.
- Hopkins states County Engineer Curtis Cook has distributed his Highway History information to the board members

Road & Bridge – Vacation in Haldane - unincorporated Township of Lincoln – R-2013-0813

Hopkins moves to approve R-2013-0813 which is a petition to vacate certain roads in Haldane in the unincorporated Township of Lincoln, McKinney seconds and the motion carries on a voice vote.(Placed on file)

Ogle County Claims – Clerk reads the claims:

- Department Claims – July 2013 - \$33,341.84
- County Board Payments - August 20, 2013 - \$130,158.66
- County Highway Fund – \$90,763.32

McKinney moves to approve the claims as read, Oltmanns seconds and the motion carries on a voice vote.

COMMITTEE REPORTS

The following committee minutes have been placed on exhibit: County Infrastructure, County Security, Executive Committee, Finance & Insurance and Personnel, HEW & Solid Waste and Veterans, Judiciary and Circuit Clerk, L.O.T.S., Long Range and Strategic Planning, Negotiations Committee, Public Aid Appeals, Road & Bridge and Mapping (GIS), State's Attorney and Juvenile & Probation and Supervisor of Assessments and Planning & Zoning.

The following committees had no minutes to file: 911 ETS Board, Blackhawk Hills RC&D, Board of Health, G.I.S. Partnership, Liquor Commission, Mental Health '708 Board, Planning Commission, Safety Committee, UCCI/ICRMT and Tri-County Opportunities.

Ogle County Board Meeting

August 20, 2013

County Infrastructure Committee:

- Autumn on Parade– R-2013-0805- Chairman Gouker states this was tabled at the committee and due to time constraints we will need to act on this tonight. Chairman Gouker has spoken to the Chairman of the committee and asks that he present the resolution. Gronewold presents and moves to approve R-2013-0805, Colson seconds and the motion carries on a voice vote.(Placed on file)

Executive Committee:

- Prescription Drug Program – R-2013-0806 – Chairman Gouker presents and makes the motion to approve R-2013-0806 and McKinney seconds. Oltmanns will abstain from the vote due to conflict of interest since he is covered under this program through his mother who is an employee of the county. The motion carries on a voice vote.(Placed on file)
- Credit Card Policy – R-2013-0807 – Chairman Gouker states they have been working diligently on a Credit Card Policy for the county. Chairman Gouker presents and makes the motion to adopt R-2013-0807, O’Brien seconds and the motion carries on a voice vote.(Placed on file)

Finance and Insurance Committee:

- Ogle County as Trustee – 16-16-352-013 – R-2013-0808
- Ogle County as Trustee – 22-08-429-006 – R-2013-0809
- Ogle County as Trustee – 22-08-433-025 – R-2013-0810
- Ogle County as Trustee – 22-08-430-022 – R-2013-0811

Chairman Gouker asks if anyone has an objection to adopting these four resolutions together. There are no objections. Gouker presents and makes the motion to approve R-2013-0808, R-2013-0809, R-2013-0810 and R-2013-0811, Hopkins seconds and a roll call vote is called:

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

NO: None

ABSENT: None

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

HEW Committee:

- HEW Funding Hearings – Bowers announces the Funding Hearings will be Wednesday, August 28, 2013 beginning at 8:00 a.m. in the County Board Room; county board members are invited to attend.

Long Range and Strategic Planning Committee:

- LRP Bills – R-2013-0812 – Griffin moves to approve R-2013-0812 as follows:

| SUPPLIER NAME | DESCRIPTION | AMOUNT |
|--------------------------------|-------------------------------|------------|
| Saavedra Gehlhausen Architects | Professional Svcs – July 2013 | \$5,050.00 |
| | TOTAL: | \$5,050.00 |

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

Planning & Zoning Committee:

- Status update - Muscarello Lawsuit and Baileyville Wind Farm Special Use Permit – Welty states the lawsuit was dismissed by the Judge on July 16, 2013 in the Federal Court. Welty states there was a meeting with himself, State’s Attorney Mike Rock, Assistant State’s Attorney Michael O’Brien and Zoning Administrator Mike Reibel to discuss the status of the Special Use Permit #9-12SU and it was decided that Reibel would send a letter to Apex Clean Energy, Inc notifying them that #9-12SU will expire on July 16, 2014 (one year from the dismissal of the Muscarello lawsuit) if significant progress was not made on that project. Welty also states the committee will ask a representative from Apex Clean Energy, Inc. to attend the October committee meeting to give an update on the project. Last week the committee was notified Muscarello has filed an appeal in the Federal Court.

State's Attorney and Juvenile & Probation Committee:

- Video Gaming Ordinance – O-2013-0801 - Chairman Gouker states at the Executive Committee there was discussion regarding the pros and cons to the Video Gaming Ordinance. There will be one person from each side to speak tonight and they will each have 5 to 7 minutes. Finfrock presents O-2013-0801 and makes the motion to approve O-2013-0801 and Sparrow seconds.

Anita Bedell, Executive Director of Illinois Church Action on Alcohol and Addiction Problems: This group opposes the expansion of gambling in the State of Illinois and especially concerned about the video gaming since it comes into each community. The machines are the problem and these machines are called the “Crack Cocaine” of gambling. Anita gives statistics regarding gambling, crime and revenue lost due to gambling.

Tom Green, representative from Blackhawk Music Co and Gold Rush Amusement of Sterling, Illinois – Tom says video gambling has been in Ogle County in various municipalities for about one year. There are economic advantages as the net profits from the gaming devices are split four ways - State gets 25 percent, the municipality or county gets 5 percent, and the establishment owner and owner of the machines each receive 35 percent. They have not experienced any crime at all. The screening process to get a video gaming license from the State of Illinois is very strict. They are making sure the people running the machines in the establishments are not criminals. The maximum bet is \$2 with the maximum prize of \$500. You can win more on a scratch-off lottery ticket than you can video gaming. These machines are not like the progressive machines in casinos.

Welty appreciates the opportunity to hear both sides of the video gaming issue tonight.

McKinney states video gaming is already in several cities and villages throughout the county; denying it to the businesses in the unincorporated areas of the county is unfair and puts them at a disadvantage.

Meyers is opposed to video gaming and states you cannot legislate morality.

Simms cannot support this ordinance because of the risk for what little revenue could be generated.

Oltmanns is also opposed to this ordinance; statistics show with video gaming there is an increase in domestic violence, foreclosures and other crimes. We would need to staff the sheriff's department for this increase and see this as a net-loss financially for the county.

Saunders states video gaming is already allowed in Ogle County, the costs are already here regardless. We are only talking about the unincorporated part of the county. Are we going to discriminate against the business owners outside of the city or village limits? Saunders will support this since she doesn't want to discriminate against businesses in the unincorporated areas. Saunders also states she finds the gaming devices irritating; the choice belongs to an individual who goes in to play. I believe in an individual rights and business owners rights and I will be voting to support it.

Welty comments on the business owners rights and states the County Board has the responsibility to make decisions morally for the tax payers of the county.

Sparrow states Chairman Gouker has asked him to be the Economic Development Liaison for the communities in the county. With meeting with the businesses and trying to expand the economic base in the community; this is as though they are operating at a disadvantage if we don't pass this ordinance. There are 13 municipalities in Ogle County and 9 of them allow video gaming. Not passing this ordinance for the unincorporated area of the county is not going to stop the problems as the State has already approved this and is already in the county. All you are doing is denying the businesses in the unincorporated area of the county. This is an opportunity to attract customers. Sparrow states he will support this.

Gouker agrees with Welty and Meyers as this is harmful to the social fabric; however we do have businesses in the county and these liquor establishments are in the smaller unincorporated communities. Gouker asked State's Attorney Mike Rock to look at the State Statute to see if we have the ability to limit this based on sales. Rock stated he couldn't find anything that would specifically say we can't. It has been discussed in other communities but it could possibly lead to litigation. Gouker states he could only support this if we could add an amendment where 50 percent of the sales need to be generated from golf, food and liquor. There should also be a limitation on the signs for these establishments. Saunders states we do have sign limitations in our Zoning Ordinance. Sparrow would like to have State's Attorney Rock look into being more restrictive than the State and he doesn't see where we can be more restrictive than the State since we are not “Home Ruled.” State's Attorney Rock states this was brought up in Loves Park and at the advice of their

counsel it was dropped; and he has not been able to find out why. County Clerk Huntley would like to know who is going to audit this information. Chairman Gouker states he does not want video gaming to be the primary business. McKinney states the City of Rochelle receives a monthly report from the State showing how much money was generated; you can obtain information from these reports.

McKinney makes the motion to amend O-2013-0801 and add Item 10: to include net profits of 50 percent of food, drinks, golf and gasoline and other non-gaming revenue and Gouker seconds.

Hopkins doesn't see how we are going to audit and see if a business is making a 50 percent profit on their business. Saunders states "total sales" does not mean "net profit" as the gaming machine may have a profit and the business could be losing money.

McKinney amends the motion to say: The establishment's gross revenues which would include video gaming profits must have at least more than 50 percent non-gaming revenue and Gouker seconds. A roll call vote is called:

YES: McKinney, Sparrow and Gouker

NO: Brooks, Colbert, Colson, Finfrock, Griffin, Gronewold, Heuer, Hopkins, Janes, Kenney, Kirkolis, Meyers, Nordman, O'Brien, Oltmanns, Petrizzo, Saunders, Simms, Typer, Welty and Bowers

ABSENT: None

The motion is defeated on a roll call vote.

State's Attorney Rock states there needs to be a language change in Paragraph F: add "county" in place of "city". A roll call is called:

YES: Colson, Frinfrock, Griffin, Heuer, Kirkolis, McKinney, Petrizzo, Saunders and Sparrow

NO: Gronewold, Hopkins, Janes, Kenney, Meyers, Nordman, O'Brien, Oltmanns, Simms, Typer, Welty, Bowers, Brooks Colbert and Gouker

ABSENT: None

The motion is defeated on a roll call vote.

- Amendment to Liquor License to allow Video Gaming – O-2013-0802 – Chairman Gouker states no action needs to be taken on this since O-2013-0801 was not approved.

Chairman Comments:

- R-2013-0801 Supporting Ogle County Workforce Development System: Chairman Gouker asks for a motion. Hopkins makes the motion to approve R-2013-0801, Heuer seconds and the motion carries on a voice vote.(Placed on file) Heuer states B.E.S.T. Partners has an office at the Rock River Center.
- R-2013-0816 to Support New Superintendent of Lee-Ogle Regional Office of Education: Chairman Gouker states this appointment by State Statute was completed by a committee of the Chairman of Lee and Ogle Counties and introduces Paul J. McMahan as the new Superintendent. Bowers moves to approve R-2013-0816, Nordman seconds and the motion carries on a voice vote.(Placed on file)
- County Board Rules of Order – Information has been distributed in your packets – The Executive Committee will be reviewing this information and adding a new Rule for the handling of Closed Session minutes. If you have any suggestions and/or comments please contact a member of the Executive Committee.
- Electrical Aggregation Update – Chairman Gouker states there was a very high percentage of residents in Ogle County who took advantage of the Aggregation Program.

- Workplace Safety Committee – R-2013-0814: Chairman Gouker presents R-2013-0814 which was recommended by our Insurance Committee and is made up of one Department Head or Representative from each building and one County Board Member as follows:

Ogle County Workplace Safety Committee

| Member | Position | County Building |
|---------------------|----------------------------|---------------------------|
| Curtis Cook | County Engineer | Highway Dept. Admin Bldg. |
| Judge Robert Hanson | Circuit Judge | Judicial Center |
| Marcia Heuer | County Board Dist. #8 | County Board rep. |
| Rebecca Huntley | County Clerk & Recorder | Old Courthouse |
| Matt Mekeel | FOCUS House Director | FOCUS House |
| Doreen O'Brien | Health Dept. Administrator | Pines Road Annex |
| Lt. James Getzelman | Administration Commander | Sheriff's Admin. Building |

Griffin moves to approve R-2013-0814, McKinney seconds and the motion carries on a voice vote.(Placed on file)

- Ogle County AG Advisory Committee: Meeting will be held for County Board Members at Ronnie Snodgrass' Dairy Farm on Wednesday, August 25th
- Community Economic Development Committee: Sparrow has invited the Presidents/Mayors from the various municipalities/villages to come to the Courthouse for a presentation; D.E.C.O. and Blackhawk Hills will also be present.
- There is an NRC Hearing tonight in Byron regarding the re-licensing of the Byron Nuclear Plant.

Vice-Chairman Comments: none

Unfinished Business –

New Business –

Communications –

- Thank you from the family of Gail Dirksen
- Sales Tax for May 2012 was \$18,913.21 and \$68,039.64
- Sales Tax for May 2013 was \$25,654.15 and \$72,467.53

Adjourn Meeting

At 7:15 p.m., O'Brien moves to adjourn the Ogle County Board Meeting until Tuesday, September 17, 2013 at 5:30 p.m. at the Ogle County Courthouse in Oregon. Sparrow 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