

**Proceedings of the Ogle County Board Meeting
August 21, 2018**

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 that Kenney and Williams are absent. The invocation is given by Colson and then followed by the Pledge of Allegiance.

Presentation – Elizabeth Priller, Education Manager and Compliance Officer, Serenity Hospice

Elizabeth Priller, Education Manager & Compliance Officer at Serenity Hospice and Home shared an update on the Virtual Dementia tours that have been provided on behalf of the 708 Board Grant that was received. Priller shared that Serenity has been offering the free Dementia Tours for about a year to residents of Ogle County and the surrounding areas. Priller stated that over 500 people have been served in Ogle County alone and over a 1,000 in the surrounding areas in the year that they have been being done. Priller thanked the Board for the funding through the Mental Health program that has allowed for Serenity to provide programs that have been beneficial to multiple families within the County. Priller shared several personal, positive reviews that came back to Serenity regarding their Virtual Dementia Tour.

Bolin shared his thanks for Serenity Hospice and their ability to help some of his personal family members through their challenges with dementia.

Presentation – Recognition of Ron Colson & Ron Leek Day

Chairman Gouker presents R-2018-0806 to honor Ron Colson and Ron Leek for their induction into the World Series of Drag Racing Hall of Fame. A video was shared on behalf of Ron Colson and the resolution was read on behalf of the County. Smith moves to approve R-2018-0806 and Fritz seconds.

Colson thanked the Board for the honor and stated he is thankful that he is being inducted with such greatness.

The motion carries. (Placed on file)

Consent Agenda Items – by Roll Call Vote

1. Approval of July 17, 2018, Ogle County Board Meeting Minutes
2. Accept Monthly Reports – Treasurer, County Clerk & Recorder and Circuit Clerk
3. Appointments - None
4. Resignations -
 1. County Board - District 3 - Garrett Williams - R-2018-0801
5. Vacancies -
 1. Board of Health – 1 vacancy - applicant must be a dentist
 2. Regional Planning Commission - 1 vacancy - unexpired term
 3. Zoning Board of Appeals (Regular Member) - 1 vacancy
 4. Zoning Board of Appeals (Alternate 1) - 1 vacancy - unexpired term
 5. Housing Authority Board - 1 vacancy
 6. Civic Center Authority Board - 3 vacancies
 7. Franklin Grove Fire Protection District - 1 vacancy

Application and Resumé deadline – Friday, August 31, 2018, at 4:30 p.m. in the County Clerk’s Office located at 105 S. 5th St – Suite 104, Oregon, IL

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8. Housing Authority Board - 1 vacancy
Application and Resumé deadline – Friday, September 28, 2018, at 4:30 p.m. in the County Clerk’s Office located at 105 S. 5th St – Suite 104, Oregon, IL
6. Ogle County Claims –
 - o Department Claims - July 2018 - \$15,637.91
 - o County Board Payments – \$176,290.44
 - o County Highway Fund – \$69,177.66
7. Communications -
 - o Sales Tax for May 2017 was \$26,258.34 and \$73,227.77
 - o Sales Tax for May 2018 was \$30,070.58 and \$82,763.52
 - o ComEd Vegetation Management - Distribution Circuits
 - o Thank You from Mike McNett's Family

McKinney moves to approve the Consent Agenda and Bowers seconds:

YES: Colson, Finfrock, Fritz, Griffin, Gronewold, Heuer, Hopkins, Janes, McKinney, Meyers, Nordman, Oltmanns, Reising, Saunders, Smith, Sparrow, Typer, Whalen, Bolin, Bowers, Colbert, and Gouker

NO: None

ABSENT: Kenney and Williams

Motion carries on roll call vote. (Placed on file)

Moratorium – Solar Farms - 0-2018-0808

Janes moves to approve – O-2018-0808 a Moratorium as presented and Bolin seconds.

Hopkins moves to table O-2018-0808 until next month, so there can be discussion in the Planning and Zoning Committee, McKinney seconds and roll call was taken.

YES: Gronewold, Heuer, Hopkins, McKinney, Saunders, Colson

NO: Finfrock, Fritz, Griffin, Janes, Meyers, Nordman, Oltmanns, Reising, Smith, Sparrow, Typer, Whalen, Bolin, Bowers, Colbert, and Gouker

ABSENT: Kenney and Williams

Motion is defeated on roll call vote.

Janes shared that the reason for the Moratorium is that at this time regulations are not in place to deal with large industrial production of electricity. Janes shared that it would be in the County’s best interest to do research and communicate with other counties and states that have working solar farms. It appears that the solar farms are going to be insurmountable and the County doesn’t have the capability to deal with the impact as of right now. Janes expressed that there needs to be a policy in place to deal with large industrial electrical production, which we have never experienced before. This needs to be in place before we start granting rights to individual Solar Farms in the County. The policy should look out for all of the resident’s safety and protection to make sure they are all treated fairly.

Saunders shared that she isn’t opposed to the Moratorium itself but rather to the way that the Moratorium came about. Saunders expressed that it should go through Committee since this is a committee form of Government.

Chairman Gouker shared that Janes brought it up in the Executive Committee and then it was taken care of from there.

Janes shared that it is going to end up back in the Planning and Zoning Committee and Saunders clarified that the normal procedure would have been to go through Planning and Zoning and then to the Executive Committee. Saunders again clarified that is the only reason she voted the way that she did. She stated she will vote for the Moratorium but still thinks the process should have been better handled.

Colson asked State’s Attorney Morrow if the County is being opened up to liability issues now that we have allowed some Solar Farms and are now putting a moratorium in effect. State’s Attorney Morrow suggested that at this point they will have to wait and see if any companies take that route

with the County. Morrow also stated that the Moratorium only came up as early as last week so it is something they haven't had a chance to explore. Morrow, however, stated that if these issues do arise out of the passing of the Moratorium that it is the job of his office to deal with any legal issues that may come up.

McKinney stated that he voted no because he doesn't feel that six months is long enough and it will continue to come back to the Board. The building of things won't start for about a year and then we won't know for another year what the effect this has on the County. McKinney suggest that the Moratorium be put on for 24 months.

Chairman Gouker shared that delaying the process may make it look like we are trying to stop it by delay. For that very reason 6 months was what was chosen. Gouker shared there is probably merit that there should probably be an extension clause in the Moratorium. Gouker clarified that the extension clause should be for at least one time and we wouldn't want to see multiple extensions.

McKinney stressed that even in a year we will not know what the effect of the Solar Farms will even be on the County.

Meyers asked that a roll call vote be taken and questioned if the 6 months can be extended at any time for any amount of time.

Chairman Gouker suggested adding an amendment to the ordinance under Section 5 to clarify that it may be extended.

Meyers asked how many have been approved by the Board and if those would be effected. Chairman Gouker stated it has been 3: Forreston, Mt. Morris and Davis Junction and that according to Section 4 they are excluded because they have been approved by the majority of the County Board before the passing of the Moratorium.

Meyers suggested that those solar farms should be able to provide us with an indication of what the effects of the solar farms are on the County. Chairman Gouker stated that they may, but it is too hard to say.

Meyer asks what the voltage is that the solar farms will generate. Chairman Gouker concluded that maybe that is what will be figured out during the Moratorium.

Whalen asked if the Moratorium is passed what is the process; how are we going to educate ourselves more in 6 months versus what we have learned and know now.

Chairman Gouker expressed that he feels that the County has made a mistake by not creating a Solar Farm Ordinance, to give specific guidelines before we started dealing with all of these. Gouker shared that him and the Vice-Chairman have been attending UCCI meetings in the past several months and all the other Counties had been preparing and passing solar farm ordinances and Ogle County has not. Gouker also expressed that solar farms shouldn't be falling under the Special Use Permit as they are not special circumstance. For that reason the solar farms should not be treated as a Special Use but rather a different type of permit of their own. These permits should include specific standards, regulations, and recommendations to be followed for any organization/persons to follow when applying for solar farms.

Whalen asked if the ordinance process happens in Zoning Board of Appeals. Chairman Gouker agreed with Whalen that is how it will happen.

Colson suggested that the current Solar Farm requests that are on the County Board agenda fall after the passing/failing of the Moratorium so, if it passes these people are "frozen" until the completion of the Moratorium. Chairman Gouker agreed if the Moratorium failed then the items would be discussed and if it passes they are suspended based on the passing of the Moratorium.

Hopkins shared that he doesn't really have a problem with the Moratorium except for those that are on the agenda tonight they followed all of the recommendations they have gone through the process of paying for the Special Use and going to committees. Hopkins stated he sees that as more or less a slap in the face to them for all that they have gone through to get to where they are tonight. Hopkins suggested that the Moratorium be voted on after the individual items on this evenings agenda are voted on. Then any after tonight would be under the Moratorium.

Chairman Gouker suggested that if the board is approving a Moratorium, which we as a board are essentially suggesting that in the past the passing solar farms was a "mistake." By approving others right now when it is being stated that the ones approved previously were a mistake will be negligent on our behalf as a board. Gouker stated that he understands that this may cause some situations and that we may have to deal with that as we go through this Moratorium process.

Hopkins stated that he feels that it would be better to vote on the individual ones on tonight's agenda - no matter if they pass or fail – instead of sidestepping them and passing the Moratorium. The Moratorium will then be put on anything new from here on out instead of cutting off those who have worked hard to get this far.

Heuer asked if this item will then be brought back under Zoning Administration. Chairman Gouker clarified that it will go back to Planning and Zoning Committee. The process will go Planning Commission, Zoning Board of Appeals and Planning and Zoning Committee.

Heuer asked if this is an amendment or addition to the Zoning Ordinance. Is this being kept as a Special Use or are we making it something entirely different. Chairman Gouker stated it would be handled by the Zoning Committee and that he personally feels that leaving it as a Special Use may be asking for trouble. Being that it is somewhat controversial it needs more than just guidelines to follow.

Meyers stated that he was in agreement with Chairman Gouker that there were mistakes made and that passing the ones tonight and then the Moratorium would continue to allow those mistakes. Chairman Gouker commented that by approving any of the items on the agenda and then passing the Moratorium it may be an avenue for legal action to be taken against the County.

Smith stated that when the Moratorium passes it then goes back to the Planning Commission for review. During that process of comparing other states and counties the public also be allowed to share their input. Chairman Gouker shared that in the process of passing an ordinance like this does call for a public hearing.

McKinney moves to delay O-2018-0808 for consideration until after all items from Zoning have been voted on and Hopkins seconds.

YES: Hopkins, McKinney, Saunders, Colson

NO: Fritz, Griffin, Gronewold, Heuer, Janes, Meyers, Nordman, Oltmanns, Reising, Smith, Sparrow, Typer, Whalen, Bolin, Bowers, Colbert, Finfrock, and Gouker

ABSENT: Kenney and Williams

Motion is defeated on roll call vote.

Meyers moves to amend O-2018-0808 with an addition under Section Five the Ordinance states that an extension of six months or more can be added by a majority vote of the Ogle County Board, Oltmanns seconds.

Colson clarifies that this amendment allows for an extension if needed not puts one on it already. Chairman Gouker confirms it allows for one but only if voted on and passed by a majority vote of the board.

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

Sparrow moves to call to question and roll call vote was taken.

YES: Griffin, Gronewold, Heuer, Janes, McKinney, Meyers, Nordman, Oltmanns, Reising, Saunders, Smith, Sparrow, Typer, Whalen, Bolin, Bowers, Colbert, Colson, Finfrock, Fritz, and Gouker

NO: Hopkins,

ABSENT: Kenney and Williams

Motion carries on roll call vote. (Placed on file)

Zoning - #6-18 SPECIAL USE - YOUNESZADEH - O-2018-0801

#6-18 SPECIAL USE - FFP IL Community Solar, LLC, Sam Youneszadeh, 100 Montgomery St., Ste. 725, San Francisco, CA; and Ronald E. & Carolyn A. Pifkin, 6821 E. Hales Corner Rd., Stillman Valley, IL for a Special Use Permit to allow a solar farm in the AG-1 Agricultural District on property described as follows, owned by Ronald E. & Carolyn A. Pifkin, and being leased by FFP IL Community Solar, LLC: Part of the East Half (E ½) of G.L. 2 of the Northeast Fractional Quarter (NE Fr. 1/4) of Section 3; and part of G.L. 1 and G.L. 2 of the Northwest Fractional Quarter (NW Fr. 1/4) of Section 2 Marion Township 24N, R11E of the 4th P.M., Ogle County, IL, 55.3 acres, more or less - P.I.N.(s): 10-03-200-012 & 10-02-101-001 - Common Location: 7000 block of E. Hales Corner Rd.

No Action was taken due to the passing of the Moratorium – O-2018-0808

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Zoning - #7-18 SPECIAL USE - YOUNESZADEH - O-2018-0802

#7-18 SPECIAL USE - FFP IL Community Solar, LLC, Sam Youneszadeh, 100 Montgomery St., Ste. 725, San Francisco, CA; and Dan Terhark, 3997 N. Pear Rd., Polo, IL for a Special Use Permit to allow a solar farm in the AG-1 Agricultural District on property described as follows, owned by Dan Terhark, and being leased by FFP IL Community Solar, LLC: Part of the Southwest Quarter (SW1/4) of Section 27 Marion Township 25N, R11E of the 4th P.M., Ogle County, IL, 52.68 acres, more or less - P.I.N.(s): 05-27-300-011 - Common Location: 8248 N. Kishwaukee Rd.

No Action was taken due to the passing of the Moratorium – O-2018-0808

Zoning - #10-18 SPECIAL USE - BAUMGARDNER - O-2018-0803

Janes presents #10-18SU - Max Baumgardner, 8986 S. Lowden Rd., Franklin Grove, IL for a Special Use Permit to allow a single-family dwelling to be separated from a farm on 3.97 acres in the AG-1 Agricultural District on property described as follows and owned by the petitioner: Part of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section 16, Taylor Township 22N, R10E of the 4th P.M., Ogle County, IL, 3.97 acres more or less - P.I.N.: Part of 22-16-400-035 - Common Location: 8986 S. Lowden Rd.

Janes moves to approve – O-2018-0803 as presented and Colson seconds.

The motion carries. (Placed on file)

Zoning - #11-18 SPECIAL USE - HUGHES - O-2018-0804

Janes presents #11-18SU - Wes & Janie Hughes, 5908 S. Ridge Rd., Oregon, IL for a Special Use Permit to allow a contractor shop for a tree service (tree trimming & removal) in the AG-1 Agricultural District on property described as follows and owned by the petitioners: Part of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section 35 Pine Creek Township 23N, R9E of the 4th P.M., Ogle County, IL, 3.58 acres, more or less - P.I.N.: 15-35-400-005 - Common Location: 5908 S. Ridge Rd.

Janes moves to approve – O-2018-0804 as presented and Hopkins seconds.

The motion carries. (Placed on file)

Zoning - #7-18 AMENDMENT - BADER - O-2018-0805

Janes presents #7-18AM - Carmelita (Connie) C. Bader, 813 W. Devil's Backbone Rd., Oregon, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District and I-1 Industrial District to R-1 Rural Residence District on property described as follows and owned by the petitioner: Part of Lots 6, 7, 14 and 15 of the School Trustee's Subdivision of Section 16 and located in part of the Northwest Quarter (NW1/4) of Section 16 Oregon-Nashua Township 23N, R10E of the 4th P.M., Ogle County, IL, 18.38 acres, more or less - P.I.N.: 16-16-100-006 - Common Location: 813 W. Devil's Backbone Rd.

Janes moves to approve – O-2018-0805 as presented and Smith seconds.

The motion carries. (Placed on file)

Zoning - #12-18 SPECIAL USE - SQUADRON - O-2018-0806

#12-18SU - Stillman Valley Solar, LLC by Richard J. Squadron, an authorized party c/o SunEast Development, LLC, 121 W. Miner St., Ste. 1E, West Chester, PA; and Stocking Family Trust #2-96, c/o Ronald Stocking - Trustee, 3749 E. Pine Rock Rd., Oregon, IL for a Special Use Permit to allow a solar farm in the AG-1 Agricultural District on property described as follows, owned by Stocking Family Trust #2-96, and being leased by Stillman Valley Solar, LLC: Part of the Southwest Quarter (SW1/4) of Section 35 Marion Township 25N, R11E of the 4th P.M., Ogle County, IL, 146.78 acres, more or less - P.I.N.: 05-35-300-004 - Common Location: 7000 block of Hales Corner Rd.

No Action was taken due to the passing of the Moratorium – O-2018-0808

Zoning - RESCIND #1-16 SPECIAL USE - STUKENBERG - O-2018-0807

Janes presents the rescind approval of #1-16 SPECIAL USE – Mike Stukenberg, 7833 N. Columbine Rd., Forreston, IL; and STKE, LLC, %Steve Moring & Kevin Moring, 306 E. Main St., Forreston, IL

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for a Special Use Permit to allow a Class II Motor Carrier Facility in the AG-1 Agricultural District on property described as follows, owned by Mike Stukenberg and being purchased by STKE, LLC: Part of the NE1/4 of the NE1/4 of Section 34 Maryland Township 25N, R8E of the 4th P.M., Ogle County, IL, 6.28 acres, more or less - P.I.N.: Part of 02-34-200-002 - Common Location: 11123 W. IL Rte. 72

Janes moves to approve the rescinding – O-2018-0807 as presented, Fritz seconds and Reising abstains from vote due to business conflict of interest.

Morrow shared that he received a letter from the Attorney on behalf of STKE LLC stating that they have no objections to the rescission.

The motion carries. (Placed on file)

Public Comments –

Mike Lalor wanted to thank the Board for passing the Moratorium. The idea of all of this got sprung on us and the more we dig into it the more questions are arising. Lalor wanted to thank Mr. Smith specifically for allowing and suggesting that the public be involved because some people have worked very hard and uncovered a lot of things that have been uncovered.

Colbert invited the County Board and those in attendance to come and enjoy the New Horizons Ogle County Drug/DUI Court fundraiser being hosted by Focus House. The event is to take place at Sunset Golf Course in Mt. Morris, IL on September 9th. Registration will begin at 1:30 pm. This event has been organized to be a family friendly event and she would love to see not only the County Board involved but also the public.

COMMITTEE REPORTS

The following committee minutes have been placed on exhibit: 911 ETS, County Facilities, County IT, County Security, Executive, Finance and Insurance, HEW & Solid Waste and Veterans, Judiciary and Circuit Clerk, Long Range and Strategic Planning, Personnel and Salary, Regional Planning Commission, Road & Bridge, State's Attorney and Juvenile & Probation, and Supervisor of Assessments and Planning & Zoning.

- **Finance**

- Enterprise Zone Amendment – City of Mt. Morris – O - 2018-0809

Finfrock moves to approve O-2018-0809 as presented and Colson seconds. This ordinance includes a more specific and clear description of the boundaries of the Enterprise Zone.

The motion carries. (Placed on file)

- Enterprise Zone Amendment – City of Oregon – O - 2018-0810

Griffin moves to approve O-2018-0810 as presented and Nordman seconds. Ordinance 2018-0810 is amending the previous zone and adding about 92 acres in the city of Oregon and about 62 acres in the city of Ashton.

The motion carries. (Placed on file)

- 2019 County Holiday Schedule – R-2018-0802

Sparrow moves to approve R-2018-0802 as presented and Bolin seconds.

The motion carries. (Placed on file)

- Update Committee Assignments – R-2018-0803

Sparrow moves to approve R-2018-0803 which changed members of the Insurance Committee and edits to the Personnel & Salary Committee and Fritz seconds.

Whalen asked if there will have to be another update to the Committee Assignments due to the fact that Williams has resigned. Chairman Gouker stated that the person who is appointed to his spot will just resume his positions.

The motion carries. (Placed on file)

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- Workforce Investment – R-2018-0804

Reising moves to approve R-2018-0804 as presented and Colson seconds. Heuer abstains from voting due to an employment conflict.

The motion carries. (Placed on file)

- **Long Range Planning:**

- Long Range Invoices - R-2018-0805

Griffin presents R-2018-0805 for the following bills:

| <u>VENDOR NAME</u> | <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|---|---|---------------|
| Blackhawk Hills Regional Council | Economic Development July 1 - Dec 20, 2018 | \$ 5,906.58 |
| Comcast Cable Communications | Relocate existing fiber optic/coaxial cable | \$ 29,690.82 |
| DeKalb Fiber Optics | Fiber 251 Project - Primary IRU Fee Invoice | \$ 75,000.00 |
| DeKalb Fiber Optics | Fiber 251 Project - Primary IRU Fee Invoice | \$ 104,173.20 |
| Frontier | Vacate Frontier facilities on 6th St. (between 6th St & Washington Street (IL64) & Jefferson St | \$ 20,316.56 |
| Gilbane Building Company | Construction Management Services - New Jail - Preconstruction Phase | \$ 42,000.00 |
| Innovatech IT Service Solutions LLC | Camera System -10 XP Professional + Device License | \$ 1,690.00 |
| Kirby Cable Service Inc | KCS-Open Cut Trench from Fiber Hand Hole to Building at Cell Tower & placed conduit & wire | \$ 2,473.75 |
| Kim D. Krahenbuhl / Attorney for: Williams McCarthy LLP | Property Purchase - 607 W. Washington St., Oregon II | \$ 167,357.50 |
| Manheim Solutions, Inc | Professional services, economic development, marketing, staffing | \$ 4,000.00 |
| Revize LLC | IT Website | \$ 1,745.00 |
| Syndeo | Dark Fiber - GEOID 268 to RT 251 HH - Single Fiber | \$ 14,754.00 |
| Willett Hofmann & Associates | New Jail Public Utility Relocation & Site Survey - Professional Services for June 3-30, 2018 | \$ 1,830.46 |

TOTAL: \$ 470,937.87

Griffin moves to approve R-2018-0805 for a total of \$470,937.87 and Bowers seconds.

The motion carries. (Placed on file)

- Jail Update

There was an adjustment made to the design team. There is a young architect who is from a small town that is working on the outside of the building and the design team working on the inside has made things more efficient. There has been a lot of progress in the last month. The schedule is moving exactly on course to where it is supposed to be. The design on the inside has been adjusted to remove the mezzanine and take ten feet of the wall down. This has brought the costs down.

Chairman Gouker shared that the phases of the jail project have been set to coincide with the County Board meeting except for September. Chairman Gouker asked the board in order to stay on task and keep things moving, the meeting in September needs to be moved back one week or the County Board could have the regular meeting and then have a Special meeting to vote on the completed Design Development.

Saunders stated that moving the meeting back one week would be the most cost effective way of doing.

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Chairman Gouker stated the architects couldn't complete their work needed by the 18th which means it would then come before the board in October and then the project is a month behind. So as long as it is a unanimous decision when we adjourn we will state the date that we will return for the next board meeting.

Chairman Gouker also expressed the appointing of the replacement in County Board District #3 would be discussed with him and the Vice-Chair but that they would follow what they did last time. Gouker shared that there is only one other board member in the district representing the same party. Chairman Gouker suggested the interviewing process include the Executive Committee as well as the other County Board member of the same party for that district. The decision will hopefully be brought back at next month's meeting. The deadline for the applications will be Friday, September 7th. Chairman Gouker also stated that the applications can be picked-up in the County Clerk's Office.

Unfinished and New Business:

Bowers reminded the HEW committee about the funding hearings next Wednesday, starting at 8 am.

Chairman Comments:

Vice-Chairman Comments:

Thanked all of the individuals that came to the meeting for their fine decorum throughout the meeting.

Adjourn Meeting

At 6:48 p.m., Gronewold makes the motion to adjourn the meeting until Tuesday, September 25, 2018 at 5:30 p.m. at the Courthouse in Oregon, Bolin seconds and the motion carries.

Chairman, Kim P. Gouker
Ogle County Board

Attest: Laura J. Cook, Ogle County Clerk &
Ex-officio Clerk of the Ogle County Board