

STEPHENSON COUNTY BOARD MEETING
6:30 PM December 10, 2008
Stephenson County Board Room

The Stephenson County Board met in the Courthouse on Wednesday December 10, 2008. Chairman Blum called the meeting to order at 6:30 p.m. Ms. Dotson gave the Invocation and Mr. Wire led the Pledge of Allegiance. The Clerk called the roll. Members present; Samuel Newton, Bennie Brown, Jeffrey Mikkelsen, Debra Devine, Sheila Hooper, Todd McKenna, Peter Willging, Donald Parker, John Blum, Vicki Hooper, James Graham, Alvin Wire, Linda Dotson, Jim Kuhlmeier, Thomas Gilmour, Lynn Koch, Brenda Boynton, George Kinney, Salvatore Detente, and Forrest Senn. Members absent: Charles Hilton and Andrew Kuhlmeier. Twenty members present. Two members absent.

APPROVAL OF THE AGENDA: Mr. McKenna made a motion to approve the agenda as received. Second by Mr. Koch. The Chair called for a voice vote on the motion. *Motion to approve the agenda as received carried unanimously.*

APPROVAL OF THE NOVEMBER 25, 2008 MEETING MINUTES: Mr. McKenna made a motion to approve the minutes of the November 25, 2008 meeting as received. Second by Mr. Koch. Mr. Détente made a motion to amend the minutes under "Other Business" to reflect that he had requested the Coroner's insurance not take effect until the State's Attorney provided his written opinion on the legality of this change after the 180-day statutory deadline for a salary adjustment. Second by Mr. Kinney. The Chair called for a voice vote on the amendment to the minutes. Motion carried unanimously. The Chair called for a voice vote on the motion to approve the minutes as amended. *Motion to approve the minutes of the November 25, 2008 meeting as amended carried unanimously.*

APPROVAL OF THE DECEMBER 1, 2008 REORGANIZATION MINUTES: Mr. McKenna made a motion to approve the minutes of the December 1, 2008 meeting as received. Second by Mr. Detente. Mr. Kinney noted that under the election of the vice-chairman it should read "16 votes for Mr. Graham" *not* "Mr. Blum". The Chair called for a voice vote on the motion. *Motion to approve the minutes of the December 1, 2008 meeting as received and noted carried unanimously.*

CLAIMS ON THE CLERK'S DESK: Ms. V. Hooper made a motion that all claims on the Clerk's desk be referred to the proper committees without reading. Second by Mr. Senn. The Chair called for a voice vote on the motion. *Motion that all claims on the Clerk's desk be referred to the proper committees without reading carried unanimously.*

COMMUNICATIONS: The Clerk reported the following communications had been received;

- Public Defender Monthly Report for November, 2008; 240 New Cases, 219 Cases Closed and Income to Public Defender Fund \$1,226.00
- Violent Crime Victims Compensation Act Monthly Report for October and November
- Receipt of Comcast Franchise Fee in the amount of \$5,071.96
- Comcast; Package Name Changes and Introduction of New Packages
- Regional Office of Education Annual Financial Report

Ms. V. Hooper made a motion to approve all communications and place on file. Second by Mr. Senn. The Chair called for a voice vote on the motion. *Motion to approve all communications and place on file carried unanimously.* Noted arrival of Mr. A. Kuhlmeier

OLD BUSINESS: Chairman Blum reviewed the issue of whether the Coroner is eligible for health insurance. It is the State's Attorney's opinion that the Coroner is eligible to participate in the employee health insurance program. An increase of benefits, like an increase in salary, is subject to the same 180-day notice. However, the State's Attorney is basing his opinion on the fact that the Coroner is the only elected department head not currently receiving health insurance benefits. To remediate this unfair and inequitable situation, the Coroner

should receive the same health insurance benefit that other elected department heads receive. It was noted that the Board approved the Coroner access to the County's Health Insurance program at the November 25th County Board Meeting but requested the State's Attorney's opinion. Mr. Détente stated he had requested a written opinion from the States Attorney. Following discussion Ms. S. Hooper stated she thought that the Board's intent was to ensure the County's Health Insurance program was a benefit that is provided to all Elected Department Heads. Ms. S. Hooper made a motion to reiterate this intention. Second by Mr. Graham. Following more discussion on the matter the Chair called for a roll call vote on the motion. Members voting aye: Newton, Brown, Mikkelsen, Devine, S. Hooper, McKenna, Willging, Parker, V. Hooper, Graham, Dotson, J. Kuhlmeier, Gilmour, Koch, Boynton, Senn and Blum. Members voting nay Wire, A. Kuhlemeier, Kinney and Detente. Seventeen ayes. Four nays. *Motion that the County's Health Insurance program is a benefit that is provided to all Elected Department Heads carried.*

SHERIFF'S REPORT: No report

HIGHWAY REPORT: Mr. Isbell presented the following items;

HD 08-32 #08-12-1621 County Engineer Salary Resolution for Section 09-00000-00-CS requesting state reimbursement. This resolution appropriates the sum of \$102,600 for payment of the County Engineer's salary from the County's Motor Fuel Tax funds and authorizes the sum of \$51,300 of their Surface Transportation Program funds be made available to the Illinois Department of Transportation for the State's use in exchange for an equal amount of State funds. The State funds shall equal 50% of the County Engineer's annual salary. Mr. J. Kuhlmeier made a motion to approve HD 08-32. Second by Mr. Parker. The Chair called for a voice vote on the motion. *Motion to approve HD 08-32 requesting state reimbursement for the County Engineer Salary carried unanimously.*

HD 08-33 #08-12-1622 County Engineer's Salary and Expense Resolution for 09-00000-00-CS requesting state reimbursement. This resolution appropriates the sum of \$109,100 from Motor Fuel Tax Funds for Section 09-00000-00-CS. \$102,600 for the County Engineer's Salary and 6,500 for County Engineer's Expenses. Mr. J. Kuhlmeier made a motion to approve HD 08-33. Second by Mr. Wire. The Chair called for a voice vote on the motion. *Motion to approve HD 08-33 requesting state reimbursement for the County Engineer Salary and Expense carried with nay vote noted.*

HD 08-34 #08-12-1623 Section 09-00000-00-GM County Maintenance. This resolution awards all bidders at the lowest on the road cost. Mr. J. Kuhlmeier made a motion to approve HD 08-34. Second by Ms. Boynton. The Chair called for a voice vote on the motion. *Motion to approve HD 08-34 for Section 09-00000-00-GM County Maintenance carried unanimously.*

Ordinance #008-12-1624 amending Section 12-4 to add as follows "(13) County Highway 4 (Rock Grove Road) through the unincorporated area of Rock Grove. No Parking on the South side of Rock Grove Road from December 1 to March 1. It was noted the property owners would be notified and this would not be enforced until next year. Mr. J. Kuhlmeier made a motion to approve Ordinance #008-12-1624. Second by Mr. Gilmour. Mr. A. Kuhlemeier stated he wanted alternate parking for both sides of the road and made a motion to refer it back to Committee. Second by Mr. Détente. Committee members reported it came out of Committee with a 5-1 vote and they did not want it back. Mr. Koch stated he was not at the Committee Meeting but would have voted to approve the Ordinance as is. Mr. Parker questioned that "snow emergency" was not in the wording of the Ordinance. The Chair called for a voice vote on the motion to refer the Ordinance back to Committee. *Motion to refer Ordinance 008-12-1624 back to Committee failed.* The Chair called for a voice vote on the motion to approve Ordinance 008-12-1624. *Motion to approve Ordinance 008-12-1624 carried with nay vote noted.*

Mr. Isbell distributed information on IMRF Early Retirement Incentive savings to the County Highway Budgets. Mr. Graham explained this matter was discussed at this month's Finance Meeting and was laid over when Mr. Détente requested time to meet with Nursing Center management, to find out the impact this could have on their operations. Further discussion will take place at next month's Finance Committee Meeting. Mr. Isbell informed the Board he is still waiting on IDOT about the warning lights at Cedarville and Rock City Roads. He expects installation of the solar powered warning lights will be in the spring.

ZONING REPORT: No report

PECATONICA PRAIRIE PATH/JANE ADDAMS TRAIL: No report

EMERGENCY MANAGEMENT REPORT: No report

9-1-1 REPORT: Mr. Groves distributed Minutes of the November 911 Board meeting, monthly stats and projects. The 911 Board is looking into purchasing a new CADS system with an estimated cost of over a ½ million dollars.

NURSING CENTER REPORT: Chairman Blum reported the Nursing Center reports would now be given by the Committee Chairman.

HEALTH DEPARTMENT REPORT: Mr. Beintema reported the County Need Assessment, “21st Century Health Communities” has identified the following top priorities; Poverty, Unemployment/economy and Child/abuse Neglect, Premature Death of African Americans, ATOD, Obesity, Low Birth Weight, Teen Pregnancy and STD. Mr. Beintema informed the Board there are 8 confirmed cases of Pertussis. Flu shots are still available. The Health Department is one of 25 in the nation awarded a FQHC planning grant. The advisory committee has met to discuss direction. Services provided by Well Woman of Northwest Illinois were explained. Mr. Beintema distributed Food Scores for the month of November, Animal Control report and a profile on Board of Health Member Robert Geller, MD who has served on the Board since 1998.

PROBATION DEPARTMENT REPORT: Probation Director Pauley reported restitution costs have gone down. The Mary Davis facility did not submit a bill for this month so they are anticipating a double bill next month. The Probation Department received word they were denied the Redeploy Illinois Grant. At this time they have no one in long term care and one young man in 30 day placement. They are still working on their in-house drug testing. Legislation has been signed stating 17 year olds will be considered as juveniles.

STATE’S ATTORNEY REPORT: No report

CHAIRMAN’S REPORT: Chairman Blum presented the following report;

- The NIDA Member Board will be meeting next week to consider the updated bylaws and operating procedures for the foundation. Chairman Blum has been involved with the Executive Committee during this entire process and has made every effort to include a fair and equitable operational partnership between the private business members, the City of Freeport, and Stephenson County. If the NIDA Board approves these updated documents they will be presented as information at the next Planning and Development Committee meeting.
- The development agreement for Project Cat is in the final stages and we are still waiting for a response from DCEO on possible State incentives for the project. Communication was received this morning from DCEO that stated the following, “As of yesterday the Director has told the staff that we will be moving forward with business as usual and there should be no delays on our actions. We hope to have an answer to you by the end of business today.”
- We have submitted an updated application for funds to EDA. It was reported last month; we were applying for an additional \$500,000 in grant funds. However, after completing the scope of work and factoring in the anticipated State grants we had to scale back our request to \$475,000. We should have a response from EDA by our next Board meeting.
- Last month the award of \$4 million in non-home rule bond capacity for use in the first-time homebuyer program was announced. Tonight the Board will be considering official action to request another \$4 million in bond cap for the next year. We continue to work with the Illinois Housing Development Authority and local banks to provide a program that will be competitive and attractive to homebuyers in Stephenson County.
- The next County CEDS meeting is planned for December 17, 2008, 5 p.m., at the NIDA office. They will continue to work on a list of “shovel-ready” projects in the County for consideration by the new Administration as economic stimulators.
- The Vision 2020 Steering Committee met on December 8, 2008 to begin the process of an annual review. The members discussed the accomplishments made in the seven focus areas adopted six years ago. These areas are economic development, education and youth, parks, recreation, and leisure,

collaborative government, neighborhoods, transportation, and health. The committee is discussing the purpose, opportunities, and mission of the group effort in order to enhance future needs.

- We now have all the documentation in place to begin drawing funds for Mill Race Crossing from the \$147,000 HUD grant.
- The City of Freeport is beginning the process of updating their Comprehensive Land Use Plan. The first public-input meeting was scheduled for last evening, but due to the weather it was postponed until next month. Stephenson County went through this process beginning in 1998 in a partnership with the City of Freeport we called Partners in Planning. The City and County worked on this project until July 2000 when the County Board adopted our comprehensive land use plan, but the City did not complete their portion. We have been operating with this plan since and it is the basis of our zoning and land use decisions. It cost the County about \$30,000 to complete the updated plan.
- Kate Ramsay will be leaving her position as Staff Assistant to the Local Workforce Investment Board effective December 12, 2008. This position is funded by a State grant and has been administered by Stephenson County. The LWIB is now in the process of finding a replacement. Kate has been a valuable resource to the LWIB and the 5-county members.
- Chairman Blum has received the year-end status report for our LWIB from DCEO. We have met all performance measures set by the State. This is great news. The letter from DCEO stated, "The Bureau of Workforce Development appreciates the efforts of your workforce investment board and staff, and all the partner agencies in your area, to build a better workforce development system." He also received a letter from the Office of Governor indicating that our LWIB recertification has been approved for 2 more years. This, again, is great news and a product of the work completed by the board and the member counties.
- Last month, Mr. Wire brought up some apparent issues with wireless internet service problems in the area of Ecogrove. A few phone calls were received from customers of an internet provider out of Stockton that have had service interruptions, and they assumed this was a problem caused by the new turbines being erected in the area. Chairman Blum worked with Ecoenergy and the provider out of Stockton to investigate the problem. The transmission and receiving systems were analyzed and measured for reliability. At the end of this process it was confirmed and agreed to by the service provider that the problems were caused by the provider's equipment and has absolutely nothing to do with the presence of turbines.

APPOINTMENTS: No Appointments

Action Items from Standing Committee

Finance: Mr. Graham explained that the County Treasurer has received several bids, from local banks, for Tax Anticipation Warrants. State Bank proposed a Tax-Exempt fixed rate of 2.90% in the amount of \$1,500,000 for the General/Liability Fund with interest paid on the Money Market Account at the rate of 2%. Citizens Bank proposed a Tax-Exempt fixed rate of 2.50% in the amount of \$500,000 for the Nursing Center Fund with interest paid on the Money Market Account at the rate of 2.25%. Mr. Graham made a motion to approve the Tax Anticipation Warrants. Second by Ms. V. Hooper. The Chair called for a roll call vote on the motion. Members voting aye: Newton, Brown, Mikkelsen, Devine, S. Hooper, McKenna, Willging, Parker, V. Hooper, Graham, Wire, Dotson, J. Kuhlmeier, Gilmour, Koch, Boynton, Détente, Senn and Blum. Members voting nay A. Kuhlmeier and Kinney. Nineteen ayes. Two nays. *Motion to approve Tax Anticipation Warrants carried.*

The "First-Time Home Buyer" program requires an annual reauthorization. Mr. Graham made a motion to approve a Resolution authorizing application for Bond Volume Cap, issuance of Bonds and execution of Intergovernmental Agreement with the Illinois Housing Development Authority. Second by Mr. Brown. The Chair called for a voice vote on the motion. *Motion to approve Resolution 08-12-1628; Authorizing Application for Bond Volume Cap, Issuance of Bonds and Execution of Intergovernmental Agreement with the Illinois Housing Development Authority carried unanimously.*

Public Property: Mr. Senn made a motion to approve the Ordinance prohibiting use of electronic devices within the Courthouse. Second by Mr. Graham. Mr. McKenna made a motion to amend the Ordinance by

adding “Land Surveying Firms” as a permitted user. Second by Mr. Newton. The Chair called for a voice vote on the amendment. *Motion to amend Section 2.9 #5 adding Land Surveying Firms carried with 2 nay votes noted.* Following discussion Ms. Boynton called the question. Second by Ms. S. Hooper. The Chair called for a voice vote on the motion to call the question. *Motion to call the question carried with nay vote noted.* The Chair called for a voice vote on the motion to approve the Ordinance as amended. *Motion to approve Ordinance #008-12-1629 prohibiting use of electronic devices within the Courthouse carried with nay votes noted.*

Mr. Senn made a motion to approve the Conceal-Carry Resolution of Support. Second by Mr. Koch. Much discussion followed with consideration from both sides of the argument. Mr. Kinney called the question. Second by Mr. Mikkelsen. The Chair called for a voice vote on the motion to call the question. *Motion to call the question carried with nay votes noted.* The Chair called for a roll call vote on the motion to approve the Resolution as read. Members voting aye: Wire, Dotson, J. Kuhlmeier, Gilmour and A. Kuhlemeier, Détente, Senn and Blum. Members voting nay: Newton, Brown, Mikkelsen, Devine, S. Hooper, McKenna, Willging, Parker, V. Hooper, Graham, Koch, Boynton, and Kinney. Eight ayes. Thirteen nays. *Motion to approve the Conceal-Carry Resolution of Support failed.*

Administration: Ms. S. Hooper made a motion to adopt the 2009 County Board Calendar. Second by Mr. Parker. The Chair called for a voice vote on the motion. *Motion to approve the 2009 County Board Calendar carried unanimously.*

Ms. S. Hooper made a motion to adopt the Liquor Code Ordinance as presented. Second by Mr. Senn. The Chair called for a voice vote on the motion. *Motion to approve Liquor Code Ordinance #008-12-1630 carried unanimously.*

Ms. S. Hooper made a motion to approve the following Raffles with all fees and bonding in order;

1488 Stephenson County Historical Society, Manager Edward F Finch

1489 Aquin Catholic Schools, Manager John Carlson

Second by Ms. V. Hooper. The Chair called for a voice vote on the motion. *Motion to approve the Raffles as presented carried unanimously.*

Planning & Development: Mr. Mikkelsen reported that the Enterprise Zone Committee recommended approval of an expansion of the Enterprise Zone for inclusion of the 5.3 acres for the Supportive Living Facility, at the intersection of Pearl City and Forrest Roads. Mr. Mikkelsen made a motion to approve the Resolution to Authorize an Amendment to the Intergovernmental Agreement for the Operation of an Enterprise Zone and the Ordinance Amending the Boundaries of the Joint City of Freeport-County of Stephenson Certified Enterprise Zone. Second by Mr. Koch. The Chair called for a voice vote on the motion. *Motion to approve Resolution #08-12-1631; Authorizing an Amendment to the Intergovernmental Agreement for the Operation of an Enterprise Zone and Ordinance #008-12-1632; Amending the Boundaries of the Joint City of Freeport-County of Stephenson Certified Enterprise Zone carried unanimously.*

Information Items from Standing Committees

Finance: Mr. Graham challenged Board Members to monitor spending at the Committee level early on and not wait until the end of the year.

Public Property: Mr. Senn reported the Committee is looking into whether to have a cost study done again to determine if the current fee schedule needs to be increased.

Administration: Ms. S. Hooper reported that each year UCCI asks for any legislative suggestions for the General Assembly. Anyone with suggestions is invited to attend the next Administrative Committee Meeting.

Nursing Center: Mr. Détente reported the payment of \$86,000 on their note with an additional payment of at least \$39,000 in January. He is working to improve cash flow reporting with the Nursing Center, County Treasurer and County Administrator.

CLAIMS

Finance & Procurement	\$	687,245.36
Administration	\$	75,203.18
Public Works	\$	509,839.43
Nursing Center	\$	198,837.42

Public Property	\$	49,182.16
Court Services	\$	16,794.92
Public Safety	\$	77,604.95
Planning & Development	\$	1,364.43
9-1-1	\$	20,058.60

Mr. Graham made a motion to approve the Claims as presented. Second by Mr. Détente. The Chair called for a roll call vote on the motion. Members voting aye: Newton, Brown, Mikkelsen, Devine, S. Hooper, McKenna, Willging, Parker, V. Hooper, Graham, Wire, Dotson, J. Kuhlmeier, Gilmour, A. Kuhlemeier, Koch, Boynton, Kinney, Détente, Senn and Blum. Twenty-one ayes. Motion to approve the Claims as presented carried unanimously.

Mileage & Per Diems – Subject to review by Finance Chairman

Blum 5 days, 0 miles-Boynton 4 days, 88 miles-Brown 4 days, 10 miles-Detente 5 days, 92 miles-Devine 2 days, 8 miles-Dotson 4 days, 144 miles-Gilmour 5 days, 174 miles-Graham 5 days, 21 miles-Hilton 3 days, 8 miles-S Hooper 3 days, 6 miles-V Hooper 5 days, 10 miles-Kinney 4 days, 34 miles-Koch 2 days, 72 miles-A Kuhlemeier 4 days, 128 miles-J Kuhlmeier 6 days, 136 miles-McKenna 3 days, 12 miles-Mikkelsen 5 days, 15 miles-Newton 4 days, 8 miles- Parker 4 days, 20 miles-Senn 5 days, 70 miles-Willging 4 days, 12 miles-Wire 4 days, 156 miles. Ms. V. Hooper made a motion to approve the mileage and per diems. Second by Mr. Graham. The Chair called for a voice vote on the motion. Motion to approve the mileage and per diems carried unanimously.

OTHER BUSINESS: Mr. Gilmour made a motion to adopt a Resolution to call for the Governor’s resignation. Chairman Blum explained this action item was not on the agenda and would need to go through Committee. Mr. Gilmour made a motion to refer the adoption of a Resolution to call for the Governor’s resignation to the Finance Committee. Second by Mr. Parker. The Chair called for a voice vote on the motion. *Motion to refer the adoption of a Resolution to call for the Governor’s resignation to the Finance Committee carried unanimously. Discussion followed on whether this should go to through Administration & Legal Affairs Committee. Chairman Blum stated that it should.*

Mr. Détente reported that his vacant seat on the Nursing Center’s Building and Grounds Sub-Committee was filled by Mr. Gilmour and Mr. Hilton has been appointed Chairman of the Sub-Committee.

Mr. Kinney asked if Mr. McLeRoy could give the UCCI report to the full County Board. Chairman Blum referred the matter to the Finance Committee for discussion.

MEMBERS OF THE AUDIENCE:

Dave Schexnayder of 12305 N Basswood Road, Winslow addressed the Board with his comments in support of conceal-carry legislation.

Mike King of 5003 N Dakota Road, Dakota addressed the Board with comments in opposition of conceal-carry legislation. He asked Chairman Blum if suggestions for signage, lighting etc had been discussed with the EcoGrove Wind Farm developers. The Chairman stated that he has spoken to them.

EXECUTIVE SESSION: No Executive Session

ADJOURN UNTIL 6:30 P.M. WEDNESDAY JANUARY 14, 2009: Ms. Vicki Hooper made a motion to adjourn until 6:30 p.m. on Wednesday January 14, 2009. Second by Mr. Koch. The Chair called for a voice vote on the motion. *Motion to adjourn carried unanimously at 9:25 p.m.*

Mr. Gilmour will lead the Pledge and Mr. J. Kuhlmeier will be responsible for the Invocation at the January 14th Meeting