

**STEPHENSON COUNTY BOARD MEETING**  
**6:30 PM August 12, 2009**  
**Stephenson County Board Room**

The Stephenson County Board met in the Courthouse on Wednesday August 12, 2009. Chairman Blum called the meeting to order at 6:30 p.m. Mr. Newton gave the invocation and Ms. S. Hooper led the Pledge of Allegiance. The Clerk called the roll. Members present; Samuel Newton, Bennie Brown, Charles Hilton, Jeffrey Mikkelsen, Debra Devine, Sheila Hooper, Todd McKenna, Peter Willging, Donald Parker, Vicki Hooper, James Graham, Alvin Wire, Linda Dotson, Jim Kuhlmeier, Thomas Gilmour, Andrew Kuhlemeier, Lynn Koch, Brenda Boynton, George Kinney, Salvatore Detente, Forrest Senn and John Blum. Twenty-two members present.

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

**APPROVAL OF THE JULY 15, 2009 MEETING MINUTES:** Mr. McKenna made a motion to approve the minutes of the July 15, 2009 meeting as received. Second by Ms. Dotson. The Chair called for a voice vote on the motion. *Motion to approve the minutes of the July 15, 2009 meeting as received 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 presented the following communications;

- Public Defender Monthly Report for July; 270 New Cases, 322 Cases Closed and Income to Public Defender Fund \$1,823.20
- ComCast Franchise fee for the period ended June 30, 2009; \$5,402.50
- Notification that Freeport Regional Healthcare Foundation is applying for Property Tax Exemption for parcel #18-18-01-254-005 (1010 Fairway Drive). If approved the application would reduce the assessed valuation of said property by \$100,000 or more

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.*

**OLD BUSINESS:** No old business reported

**SHERIFF'S REPORT:** Sheriff Snyders reported that on July 26th, a jail inmate collapsed and died of congestive heart failure. The same day, individuals working to clean-up the Pecatonica River found a shoe with a foot in it. Following a 3-day search of the river no additional human remains were found. To close out July 26th, a Freeport police officer heard an alarm at the Courthouse and called the Freeport Fire Department. The hydraulic pump in the back elevator had failed and the oil was smoking. The elevator is now out of service. Kone, Inc. estimates that it will cost \$13,186 to repair the elevator. They have agreed to lower their price by \$300 with payment upon completion of the project. Mr. Senn made a motion to approve the cost of the elevator repairs, not to exceed \$13,000. Second by Mr. Détente. The Chair called for a voice vote on the motion. *Motion to approve the cost of the elevator repairs, not to exceed \$13,000 carried unanimously.*

**HIGHWAY REPORT:** Mr. Isbell presented the following resolutions;

**HD 09-23, Resolution #09-08-1672** appropriate and levy County Bridge funds for Rock Run Township Bridge Replacement for an estimated cost of \$235,000.00 with the County's share of \$23,500. Mr. J. Kuhlmeier made a motion to approve HD 09-23. Second by Mr. A. Kuhlemeier. The Chair called for a voice vote on the motion. *Motion to approve HD09-23 Resolution #09-08-1672 to appropriate and levy County Bridge funds for Rock Run Township Bridge Replacement carried unanimously.*

**HD 09-24, Resolution #09-08-1673** appropriate and levy County Bridge funds for Lancaster Township Bridge Replacement for an estimated cost of \$180,000.00, with the Count's share \$18,000. Mr. J. Kuhlmeier made a

motion to approve HD 09-24. Second by Mr. Kinney. The Chair called for a voice vote on the motion. *Motion to approve HD 09-24 Resolution #09-08-1673 to appropriate and levy County Bridge funds for Lancaster Township Bridge Replacement carried unanimously.*

**HD 09-25, Resolution #09-08-1674** appropriate and levy County Bridge funds for Kent Township Bridge Replacement for an estimated cost of \$140,000.00, with the County's share \$14,000. Mr. J. Kuhlmeier made a motion to approve HD 09-25. Second by Mr. Senn. The Chair called for a voice vote on the motion. *Motion to approve HD 09-25 Resolution #09-08-1674 to appropriate and levy County Bridge funds for Kent Township Bridge Replacement carried unanimously.*

**HD 09-26, Resolution #09-08-1675** obtain engineering firm Fehr Graham, for the consultation regarding the intersection of Pearl City Road and Kiwanis Drive, contingent upon the signed Intergovernmental Agreement with the City of Freeport. Mr. J. Kuhlmeier made a motion to approve HD 09-26. Second by Mr. Gilmour. Mr. Isbell noted that although not official until the funds are released by the Governor; Senator Bivens may be able to acquire \$500,000.00 for Stephenson County. \$100,000.00 of the monies would go toward engineering costs and \$400,000.00 toward construction costs of the project. The City of Freeport would use their federal aid money for the rest of the construction, around \$800,000.00. The Chair called for a roll call vote on the motion. Members voting aye: J. Kuhlmeier, Gilmour, A. Kuhlemeier, Koch, Boynton, Kinney, Détente, Senn, Newton, Brown, Hilton, Mikkelsen, Devine, S. Hooper, McKenna, Willging, Parker, V. Hooper, Graham, Wire, Dotson, and Blum. *Motion to approve HD 09-26 Resolution #09-08-1675 obtaining engineering firm Fehr Graham, for the consultation regarding the Intersection of Pearl City Road and Kiwanis Drive, contingent upon the signed Intergovernmental Agreement with the City of Freeport carried unanimously.*

Mr. Isbell updated the Board on current road and bridge projects.

**ZONING REPORT:** Mr. Groves presented the following Zoning Requests;

**Map Amendment 2009-01** Map Amendment request by Hassan Al-Taaey at 3136 US Business 20 West; for B-3 to E-3 for a single family dwelling in existing building. Mr. Mikkelsen made a motion to approve the Map Amendment. Second by Ms. S. Hooper. Mr. Kinney stated he would like the motion amended to include the condition that a well and septic test be done by the Health Department. Mr. A. Kuhlemeier made a motion to amend the original motion to include the condition for a well and septic inspection. Second by Mr. Kinney. Much discussion followed on rules and procedures concerning health standards and zoning issues. Mr. Mikkelsen commented that he is not in favor of conditions being put on zoning decisions. It was further noted that if the Health Departments receives a complaint they do an inspection. Mr. McKenna called for the question. Second by Mr. Koch. The Chair called for a voice vote on the motion to call the question. Motion to call the question carried with nays noted. The Chair called for a roll call vote on the motion to amend the original motion. Members voting aye: A. Kuhlemeier, Boynton, Kinney, Détente, Senn, Newton, and Brown. Members voting nay: Hilton, Mikkelsen, Devine, S. Hooper, McKenna, Willging, Parker, V. Hooper, Graham, Wire, Dotson, J. Kuhlmeier, Gilmour, Koch, and Blum. 7 ayes. 15 nays. *Motion to approve MA 2009-01 with condition for well and septic inspection failed.* The Chair called for a roll call vote on the original motion. Members voting aye: Mikkelsen, Devine, S. Hooper, McKenna, Willging, Parker, V. Hooper, Graham, Wire, Dotson, J. Kuhlmeier, Gilmour, Koch, Senn, Newton, Brown, Hilton and Blum. Members voting nay: A. Kuhlemeier, Boynton, Kinney, and Détente. 18 ayes. 4 nays. *Motion to approve MA 2009-01 for B-3 to E-3 carried.*

**Special Use request 2009-05** request by Brenda Breeze at 4747 IL Rt 26 North; for lawn tractor races. Mr. Mikkelsen made a motion to approve the Special Use request. Second by Mr. Gilmour. The Chair called for a voice vote on the motion. *Motion to approve SU 2009-05 carried unanimously.*

**PECATONICA PRAIRIE PATH/JANE ADDAMS TRAIL:** No report

**EMERGENCY MANAGEMENT REPORT:** No report

**9-1-1 REPORT:** Distributed July minutes, stats and financial reports. Mr. Groves reviewed this month's financial report. The CAD system has been selected. Matt Rose has been retained as the 9-1-1 Coordinator for the ETSB.

**HEALTH DEPARTMENT REPORT:** Mr. Beintema reported on the FQHC planning grant; in August sections of the grant will be completed and in September they will begin on the organizational structure and

business plan. Mosquito surveillance began in July. No positive mosquitoes have been reported in the County. Two positive human H1N1 cases have been reported in the County. The Health Department is working on a plan to immunize the following 4 groups; 1) pregnant women 2) health care & emergency services personnel with direct patient contact 3) children 6 months through 4 years of age 4) children 5-18 with chronic medical conditions. Immunization will be two inoculations, initial and then a booster. The Department expects shipments of the immunization later in October. The 21<sup>st</sup> Century Healthy Communities Needs Assessment and Community Plan will be submitted to the State. The Animal Control Report, Food Scores and a summary of the Health Care Needs Assessment Household survey were distributed.

The Board of Health recommends the appointment of Keith Martin, MD, to fill the unexpired term of Dr. Clarence Parks. Ms. V. Hooper made a motion to approve the appointment. Second by Mr. Gilmour. The Chair called for a voice vote on the motion. *Motion to approve the appointment of Keith Martin, MD to the Board of Health carried unanimously.*

**NURSING CENTER REPORT:** No report

**PROBATION REPORT:** Statistics for July were distributed. Mr. Pauley reported the detention and placement costs are still in line. The Department continues to track the 17 year-olds placed on Probation or in custody.

**STATE'S ATTORNEY REPORT:** State's Attorney Vogt reported the Victim/Witness coordinator is on a leave of absence; he will need to fill the position temporarily in order to fulfill the guidelines of the grant. An overview was given of the Drug Court. Non-violent offenders with drug related issues will qualify to participate. The program includes screening, weekly reporting to the Probation Department, with frequent drug testing. The Collections Systems, Inc. service contract has been cancelled. A request for proposals on the collection of delinquent fines has been sent out, with a due date of September 1, 2009.

**CHAIRMAN'S REPORT:** Chairman Blum presented the following report;

- It's apparent that we are entering a challenging budget formation effort. We are operating within one of the most unstable national and state economic climates in recent memory. Our department heads were briefed today during our monthly department head meeting on the many issues to consider during the budget process. They will receive more specific information at the budget meeting scheduled for this coming Friday, August 14, 2009.
- It is no secret that Springfield is in "delay mode" with no structural corrections to the present budget process. The State Legislature is in election protection mode that postpones difficult financial decisions to a point in the future after election petitions are filed. The economic environment of the State is gloomy at best and is expected to be worse in 2011. Locally, we need to be in a proactive mode to aggressively deal with these budget challenges. I believe that we have an excellent group of elected officials, department heads, and county board members that will work together to generate a budget that is fair and effective while maintaining our required services and economic development efforts.
- One of the bills recently signed into law is Video Gaming. This new Public Act will allow specific liquor license holders to have up to (5) video gaming devices on their premises. These devices will be wired to the State and be closely controlled. The State will take 30% of the proceeds and reimburse 5% to the local government. These machines cost about \$14,000 each. The new Act outlaws any video gaming in any establishment, including those for "entertainment only". Local jurisdictions have the opportunity to "opt out" of the new gaming law which would prevent any machines of any type to be operated. I am aware that a number of jurisdictions around the State have already elected to opt out. It will take a number of months before the State is able to implement this new Public Act.
- Representatives of Project Cat were here yesterday to provide us with an update on the status of their proposed \$42 million biodiesel facility. They continue to move forward and are close to securing the total amount of project funding. A key component in this process has been the completion of their pilot plant. This plant was scheduled to begin operation a little more than a year ago. It is now operating and the grand opening ceremony is planned for September 28, 2009. I have been invited to attend with a

small group of local officials. The performance of the pilot plant will be used to prove the viability of the production plant planned for Stephenson County.

- On July 22, 2009 we hosted members of the Illinois Historical Preservation Agency as they provided instruction to our staff as to how to properly stabilize the grave markers in the old poor farm cemetery. This training now gives us the ability to apply for a permit to conduct preservation work at the cemetery. I applied for this permit on August 6, 2009. It is hoped that we can get the markers stabilized, all graves identified, the area sodded, and the memorial marker installed yet this year.
- The Local Workforce Investment Board met this morning in Lanark. We continue to meet or exceed all (9) of our performance goals set by the federal government. We have been advised that our performance goals will remain the same for the next fiscal year. Approximately 165 youth are involved in the summer work program. We have approximately \$230,000 in funding left to support the program and are intent on investing all of the funds in the program.
- Mr. Mulnix and I, along with representatives of JoDaviess and Carroll Counties, met with the Regional Office of Education to discuss their budget request for this next year. They are requesting \$1500 more than last year, but in actuality, our contribution will go down due to a shift in EAV to JoDaviess County. Our share of the facility lease for the ROE is determined by the comparative EAV's of each member county. There was some discussion to amend this formula since JoDaviess has the higher EAV, but Stephenson County has more than half the students. It was also noted that since the 1996-97 school year, the enrollment in each county has declined. Stephenson County had 8155 students enroll in 1996 and in 2008 we had 7061, a decline of 1094 students or 13.4%.
- Vision 2020 has been working with the Freeport Community Foundation to assist in the creation of a community crisis fund designed to help not-for-profit agencies weather the current economic storm. We are working to raise \$25,000 in a short period of time that will be matched with \$25,000 from the foundation to create a small pool of money to support the agencies. As of today we have raised \$19,590. In addition to the funding efforts, Vision 2020 is working with the not-for-profits to look at ways to improve their operations, be more efficient, and more effectively collaborate.
- The Principal Chief of the Sac and Fox Nations visited here on July 30. We continued discussions about the renovation of the Kellogg Grove Battle Memorial and other project of a county and regional interest.
- I continue to work with Mr. Castro on the Lincoln Statue project. We are gathering support from various Lincoln organizations, but we have not yet found a sponsor to host our charitable fund drive. I believe we are close, but haven't reached a formal agreement as yet. Work is being completed on a brochure and when funds are available we need to get the model statue lasered and formed into miniatures to be used during the capital program.
- Our State Legislators have advised us that we have been included in the yet-to-be-approved capital plan. We have \$500,000 designated for our share of a reconstruction of the intersection of Pearl City and Forrest Roads and \$100,000 to help fund a rail access switch for Mill Race Crossing.
- The EDA has delayed our project reviews for Mill Race Crossing until at least September due to the work load created by stimulus-funded projects.
- We continue to press for support on the Blackhawk Express, the return of rail service to NW Illinois. The competition for funds is very keen and there is still no assurance we will get the train back.
- On July 25, I participated in the RAMP Wheel-a-thon. I was also able to serve as the Wheel-a-thon Chairman for this years fund raising event. We were able to raise almost \$30,000 for RAMP programs and awareness initiatives. This was equal to last year's results which we thought were wonderful considering the economic climate.
- We have been advised by USEPA that our new Brownfield grants are ready for use pending a few more pieces of clarifying information. This should be completed early next week.
- We continue to work on the redistribution of courthouse space. A critical component in the process has been the proper storage of records. The amount of records continues to grow and we are mandated to maintain these records in a safe and accessible manner. We have found new resources over the past few

weeks to help deal with this issue. The State Archives can catalog and maintain a number of our records at the storage site at NIU in Dekalb. The County Clerk, Circuit Clerk, and Assessor will work with this agency to appropriately relocate records to the State Archives. This will free up space and will allow records that are currently stored at title companies to be returned to the courthouse.

- I have asked the Circuit Clerk, Bonnie Curran, to now serve as the Chairperson of the ad-hoc committee charged with provided a plan for reuse of the court house space. Bonnie is most strategically placed within the courthouse operations to have a centralized view of the needs of each courthouse department. She also has experience with courtroom scheduling and utilization as it relates to the needs of our courts. I ask that each department, including the Presiding Judge, Sheriff, States Attorney, Public Defender, and Probation support the coordinating efforts of the Circuit Clerk on this project. I request that Ms. Curran communicate with the Public Property Committee on a regular basis and provide an appropriate plan within the context of efficiency and funding.

**APPOINTMENT:** Chairman Blum reported that Joe Maupin has completed his term on the Board of Review. Mr. Maupin served as an outstanding member of the Board of Review for 10 years. At this time Chairman Blum would like to recommend the appointment of Edgar Oppenheimer. Mr. Oppenheimer has 37 years of real estate experience. Mr. Graham made a motion to approve the appointment of Edgar Oppenheimer to the Board of Review. Second by Mr. Gilmour. The Chair called for a voice vote on the motion. *Motion to approve the appointment of Edgar Oppenheimer to the Board of Review carried with nay vote noted.*

#### **Action Items from Standing Committee**

**Finance:** Mr. Graham made a motion to adopt the 2009-2010 Budget Year Calendar. Second by Ms. V. Hooper. The Chair called for a voice vote on the motion. *Motion to adopt the 2009-2010 Budget Year Calendar carried unanimously.*

**Public Property:** Mr. Senn reported that in the budget process, the salary budget for the Part-Time Director and the EMA Intern were reversed and that it was simpler to change the two budget lines, rather than eight months of payroll records. Mr. Senn made a motion to approve a Budget resolution transferring \$8,354.00 from the EMA Intern budget line to the Part-Time Director budget line. Second by Mr. Willging. The Chair called for a roll call vote on the motion. Members voting aye: Senn, Newton, Brown, Hilton, Mikkelsen, Devine, S. Hooper, McKenna, Willging, Parker, V. Hooper, Graham, Wire, Dotson, J. Kuhlmeier, Gilmour, A. Kuhlmeier, Koch, Boynton, Kinney, Détente, and Blum. Twenty-two ayes. *Motion to approve Resolution #09-08-1676 transferring \$8,354.00 from the EMA Intern budget line to the Part-Time Director budget line carried unanimously.*

**Administration:** Ms. S. Hooper presented the following action items;

A draft copy of the “Fair Housing” ordinance has been received from the State’s Attorney. Ms. S. Hooper made a motion to approve the Fair Housing Ordinance. Second by Mr. Mikkelsen. Mr. Newton pointed out a typographical error in Section 4; should read “shall be punished by a fine not less than one hundred dollars (\$100.00) nor more than fifteen hundred dollars (\$1,500.00)”. The Chair called for a voice vote on the motion with the error noted. *Motion to approve the Fair Housing Ordinance carried unanimously.* It was noted the correction will be made on the original document.

Raffles (all fees and bonding in order)

1525 Cedarville Lions Club, Manager Arthur Leverington

1526 Freeport Art Museum, Manager Jennifer Kirker

1528 United Sportsmen’s Youth Foundation, Manager Brendan Walsh

Ms. S. Hooper made a motion to approve the raffles as read. Second by Ms. Dotson. The Chair called for a voice vote on the motion. *Motion to approve the raffles carried unanimously.* Ms. S. Hooper noted that raffle request #1527 for the Nursing Center was denied because they do not qualify as a not for profit organization; her committee recommended that it be resubmitted through the SNC Foundation.

**Nursing Center:** Mr. Détente reported that one proposal was received for therapy businesses from Infinity Rehab. They would provide therapy staff and market the facility. It was noted that revenue estimated from Infinity Rehab is \$153,000. Mr. Détente made a motion to approve the 1-year agreement with Infinity Rehab,

subject to final review by the State’s Attorney. Second by Ms. Dotson. Concern was voiced by several Board Members that they were not able to read through the agreement before voting. It was noted that due to time restraints the Committee had needed to act swiftly and asked the other Board Members to trust their decision regarding this matter. The Chair called for a roll call vote on the motion. Members voting aye: Détente, Senn, Newton, Brown, Hilton, Mikkelsen, Devine, S. Hooper, McKenna, Willging, Parker, V. Hooper, Graham, Wire, Dotson, J. Kuhlmeier, Gilmour, A. Kuhlemeier, Koch, Boynton, Kinney, and Blum. Twenty-two ayes. *Motion to approve the 1-year agreement with Infinity Rehab carried unanimously.*

**Information Items from Standing Committees**

**Public Safety:** Mr. Senn reported that Mr. Groves has been appointed to the Bi-State Storm Ready board. In this position, he will travel to other counties to help with their storm readiness preparations.

The Sheriff has a commitment from a citizen to match any County Board Members contribution, for the Sheriff’s Reserve Unit boat. It was noted that several Board Members have made contributions. Mr. Isbell has identified a possible grant that could be used to purchase equipment for the Sheriff’s Reserve Unit boat. He has spoken to the Sheriff and they will work on obtaining available funds for the boat and tow vehicle.

**Administration:** Ms. S. Hooper reported discussion was held on various revenues due to the County. It was noted there was an error in the new plat book and some of the property sales were not printed. The Committee will continue discussion on how to respond to organizations that schedule raffles without first obtaining a raffle license. Chairman Blum has recommended the Committee deal with the issue when the draft of the new ordinance book is received.

**Public Works:** Mr. J. Kuhlmeier reported that Mr. Isbell’s contract is under discussion.

**CLAIMS**

Finance & Procurement	\$	805,144.96
Administration	\$	47,463.77
Public Works	\$	312,267.24
Nursing Center	\$	149,917.58
Public Property	\$	25,386.18
Court Services	\$	20,705.47
Public Safety	\$	101,483.21
Planning & Development	\$	15,797.18
9-1-1	\$	42,599.32

Mr. Graham made a motion to approve the claims as received. Second by Ms. V. Hooper. Members voting aye: Graham, Wire, Dotson, J. Kuhlmeier, Gilmour, Koch, Senn, Newton, Brown, Hilton, Mikkelsen, Devine, S. Hooper, McKenna, Willging, Parker, V. Hooper and Blum. Members voting nay: A. Kuhlemeier, Boynton, Kinney and Détente. Eighteen ayes. Four nays. *Motion to approve the claims as received carried.*

**Mileage & Per Diems** – *Subject to review by Finance Chairman*

Blum 9 days, 0 miles-Boynton 1 day, 18 miles-Brown 4 days, 10 miles-Detente 5 days, 78 miles-Devine 3 days, 14 miles-Dotson 3 days, 109 miles-Gilmour 4 days, 138 miles-Graham 8 days, 49 miles-Hilton 4 days, 10 miles-S Hooper 4 days, 8 miles-V Hooper 5 days, 10 miles-Kinney 3 days, 38 miles-Koch 3 days, 72 miles-A Kuhlemeier 3 days, 97 miles-J Kuhlmeier 5 days, 114 miles-McKenna 3 days, 12 miles-Mikkelsen 6 days, 54 miles-Newton 6 days, 120 miles-Parker 5 days, 20 miles-Senn 2 days, 28 miles- Willging 3 days, 12 miles-Wire 3 days, 162 miles. Mr. Graham made a motion to approve the Mileage & Per Diems as received. Second by Mr. Hilton. The Chair called for a voice vote on the motion. *Motion to approve the mileage & per diems as received carried unanimously.*

**OTHER BUSINESS:** Mr. A. Kuhlemeier asked about budget numbers. He was told that no numbers are available yet.

**MEMBERS OF THE AUDIENCE:** None

**EXECUTIVE SESSION:** No executive session needed

**ADJOURN UNTIL 6:30 P.M. WEDNESDAY SEPTEMBER 16, 2009:** Mr. McKenna made a motion to adjourn until 6:30 p.m. on Wednesday September 16, 2009. Second by Mr. Gilmour. The Chair called for a voice vote on the motion. *Motion to adjourn carried unanimously at 8:40 p.m.*

*Mr. Newton will be responsible for the Invocation at the September 16<sup>th</sup> Meeting  
Mr. Parker will lead the Pledge*

DRAFT