

STEPHENSON COUNTY BOARD MEETING
Wednesday September 12, 2007
6:30 PM
Stephenson County Board Room

DRAFT



The Stephenson County Board met in the Courthouse on Wednesday September 12, 2007. Chairman Blum called the meeting to order at 6:30 p.m. Rev. James French from Indian Grove Church gave the Invocation and Mr. A. Kuhlemeier 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, William Hadley, John Blum, Donald Parker, Vicki Hooper, James Graham, Alvin Wire, Linda Dotson, Jim Kuhlmeier, Sandra Kubatzke, Andrew Kuhlemeier, Brenda Boynton, Michael Boomgarden, Salvatore Detente and Forrest Senn. Member absent. Twenty one members present. (District "J" seat open)

APPROVAL OF THE AGENDA: Chairman Blum announced the presentations by the University of Illinois Extension and the IHDA-First Time Home Buyer would be moved to next month's agenda. He noted an addition to the Agenda under Old Business to declare District "J" seat vacant. Mr. McKenna made a motion to approve the agenda as amended. Second by Mr. Hilton. The Chair called for a voice vote on the motion. *Motion to approve the agenda as amended carried unanimously.*

APPROVAL OF THE AUGUST 15, 2007 MEETING MINUTES: Mr. Senn made a motion to approve the minutes of the August 15, 2007 meeting as received. Second by Ms. Dotson. The Chair called for a voice vote on the motion. *Motion to approve the minutes of the August 15, 2007 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 reported the following communications had been received;

- Public Defender Monthly Report for August 2007; 204 New Cases, 223 Cases Closed and Income of \$1,792
- Thank you card from the Lowell Bicker Family

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.*

PRESENTATIONS: Kathy Helm from the Downtown Beautification Association addressed the Board encouraging the community's partnership with the Association to spruce up Freeport. Their mission is to foster and promote a cleaner, more beautiful place to work and live.

OLD BUSINESS: The 2006 Audit was received and laid over at the August Meeting. Mr. Graham made a motion to adopt the 2006 Audit. Second by Ms. V. Hooper. Mr. Détente questioned the debt margin from the previous audit vs. the 2006 Audit. Mr. Mulnix explained that certain debt is exempt from the margin. He will compare both audits and advise Mr. Détente directly. The Chair called for a voice vote on the motion. *Motion to approve the 2006 Audit carried unanimously.*

Ms. V. Hooper made a motion to declare the District "J" Seat vacant. Second by Mr. J. Kuhlmeier. The Chair called for a voice vote on the motions. *Motion to declare the District "J" Seat vacant carried unanimously.*

SHERIFF'S REPORT: Sheriff Snyders reported his Department has been notified they will receive Phase II of the FEMA Grant. He informed the Board that merit interviews will be conducted on the three remaining candidates for the Deputy position. The Department will need to test again for telecommunicator positions.

HIGHWAY REPORT: Mr. Isbell presented the following Resolution;

HD 07-28 Resolution #07-09-1470; to appropriate and levy County Bridge funds for Lancaster Township Bridge Replacement for an estimated cost of \$7,000.00. Mr. J. Kuhlmeier made a motion to approve HD 07-28.

Second by Ms. Kubatzke. The Chair called for a voice vote on the motion. *Motion to approve HD 07-28 carried unanimously.*

HD 07-29 Resolution #07-09-1471; to appropriate and levy County Bridge funds for Lancaster Township Bridge Replacement for an estimated cost of \$14,000.00. Mr. J. Kuhlmeier made a motion to approve HD 07-29. Second by Mr. A. Kuhlmeier. The Chair called for a voice vote on the motion. *Motion to approve HD 07-29 carried unanimously.*

Mr. Isbell updated the Board on current construction projects. The Public Works Committee has scheduled their budget meeting for September 27.

ZONING REPORT Mr. Groves presented the following;

Special Use-Home Occupation request by Dave DeMeester for Landscaping Service. The Zoning Board of Appeals recommends the Special Use be granted. Mr. Mikkelsen made a motion to approve the Special Use request. Second by Mr. Parker. The Chair called for a voice vote on the motion. *Motion carried unanimously.*

Special Use Ordinance #SU 07-13 was granted.

Residential Special Use request by Aaron Cashman for a single family dwelling. The Zoning Board of Appeals recommends the Special Use be granted. Mr. Mikkelsen made a motion to approve the Special Use request. Second by Mr. Detente. The Chair called for a voice vote on the motion. *Motion carried unanimously. Special Use Ordinance #SU 07-14 was granted.*

Zoning Map Amendment request by Brenda King for a single family dwelling. The Zoning Board of Appeals recommends the Zoning District Map Amendment be granted. Mr. Mikkelsen made a motion to approve the Zoning Map Amendment request. Second by Mr. McKenna. The Chair called for a voice vote on the motion. *Motion carried unanimously. Special Zoning Map Amendment Ordinance #MA 07-02 was granted.*

Chairman Blum asked State's Attorney Vogt to explain the outcome of his review on the Zoning Petitions and signatures as received. The State's Attorney outlined his procedures in determining the number of landowners within the County and legitimate signatures and petition sheets. Eligible signatures and "non" landowner signatures were not counted. Petition sheets with no statement as to what was being protested were not counted. Petition sheets with an inaccurate statement as to what was being protested were counted. Petition sheets with "no certification of qualified signer" were counted. If land was in a trust the individual signatures were counted. The final number of signatures that the State's Attorney considered met the criteria was 1,387 which was just shy of the 1,392 determined necessary. Mr. Détente questioned the process of the hearing and if the procedure, as required by law, was carried out. He felt that documents should have been available prior to the night of the hearing. Special Assistant State's Attorney Cook stated that revisions were made throughout the process. The proper notices were published and people were notified as required. Mr. Détente stated that items, which were laid over at the hearing, were brought to the Board and voted on. Mr. Cook reported he had reviewed the process and those actions taken by the ZBA are reflected in the minutes. These minutes are the official record of what the ZBA did and they stand as such. Mr. Wire stated he felt the documents should have been ready at the time the Notice of Meeting was given. Mr. Cook reiterated he felt the meeting was conducted legally.

PECATONICA PRAIRIE PATH/JANE ADDAMS TRAIL: Mr. Groves distributed minutes from the June 29th Pecatonica Prairie Path Commission and the August 16th Jane Addams Trail Commission Meetings.

EMERGENCY MANAGEMENT REPORT: Mr. Groves distributed the 4th Quarter Report for the Stephenson County Emergency Management Agency.

9-1-1 REPORT: Mr. Groves distributed minutes from the September 10th 911 Board Meeting.

HEALTH DEPARTMENT REPORT: Mr. Beintema distributed the Animal Control Report and Food Scores for the month of August. He reported all mosquito testing has been negative. This year there have been twenty-four counties reporting West Nile virus positives in Illinois. The Health and Highway Departments along with IEPA will be hosting a used tire collection for governmental entities at the Stephenson County Highway facility on September 27th. The Health Department will be hosting a Household Hazardous Waste Collection in conjunction with IEPA at the Stephenson County Fairgrounds on October 13th.

NURSING CENTER REPORT: Ms. Gravenstein recognized Michael Magno from Central Supply and Purchasing for 25 years of service at the Nursing Center. Ms. Gravenstein reported the Nursing Center received an anonymous donation of a conference table and chairs and the Nursing Center Auxiliary has furnished a new family visiting room in the center wing. Over \$300 was raised from the Fair Booth Basket Raffle.

PROBATION DEPARTMENT REPORT: Mr. Pauley presented the following monthly Probation Department Statistics for August: Caseload; 2,598 Adult, 263 Juvenile, Reports to the Court; 13 Adult Pre-Sentence, 3 Juvenile, Restitution paid out; \$10,138.63, Restitution collected; \$5,943.80 and Public Service Work Hours; 1,494 Adult.

STATE'S ATTORNEY REPORT: State's Attorney Vogt reported on the hiring of two new Assistant State's Attorneys. They have taken their bar exams and are waiting their results.

CHAIRMAN'S REPORT: Chairman Blum presented the following report.

- The County has been notified that EDA has executed our contract to authorize the use of the \$1.7 million grant for Mill Race Crossing. EDA is scheduling a construction meeting for October 16, 2007 in their Chicago office to go over the process for processing the paperwork for these grant funds. Chairman Blum and Mr. Mulnix will attend along with our engineering consultants.
- The IDOT Rail Grant Contract is being reviewed by the ICC. This process should take another 7-10 days. After this review is complete, the contract will be executed by IDOT and the required bid process will begin.
- Phase I Construction on Mill Race Crossing is drawing to a close. The footing for the weir in the wet detention pond was poured and all that will be left is a short punch list of detail items to be worked out between the engineers and the contractor.
- Blackhawk Biofuels is working to close the gap in the project financing. Recently they were awarded a USDA guarantee for 50% of the project cost. This is a valuable tool to allow more bank financing to become available for the project. They are having a bank meeting on Monday, September 17, 2007 to finish all of the financing commitments. The target for official ground breaking is October 10, 2007. We are also working on a CDAP grant application with DCEO for the Blackhawk Biofuels project.
- We are working on a second application for Brownfield grant funds from USEPA. This grant application for \$400,000 is due in October 2007 and awards will be made sometime in May of 2008. This will be a continuation of the grants that we are currently working in the area of hazardous materials and petroleum assessments. In addition, we are applying for a \$1 million revolving loan fund grant from USEPA to provide a low or no interest source for funding for individual cleanup projects within the County. Normally, these grants require a 20% match, but because of the economic distress in Stephenson County we are asking for a waiver from this required match. We have approached the IEPA to be the grant administrator for this RLP and they are interested in providing this service. Chairman Blum has met with the head of the IEPA Brownfields Programs to discuss this collaborative effort.
- The FAEDF has entered a real estate/marketing contract with GVA Williams to represent Mill Race Crossing. GVA Williams is a multinational company with a tremendous array of industry contacts coupled with numerous marketing tools. There will be new signage as well as print and internet media showcasing Mill Race Crossing. This comprehensive effort should yield a number of sales leads that could transform into new investment for the industrial park.
- We are preparing to submit a grant application to IDNR for funds to improve the boat launch at Brewsters Landing near Winslow. If successful, these funds will be used to rebuild a boat landing site with other amenities that will add tourism and recreational activities to the river trail. It is also planned that if we receive grant funds that we partner with the Village of Winslow and/or the Winslow Park District to develop and maintain the boat launch area.
- The next meeting of the Kellogg's Grave Battlefield Monument Committee is scheduled for October 9, 2007, 5:30 p.m., at the Rafters Restaurant in Lena.
- A court date has been set to begin hearing the case involving the wind development. The first appearance is scheduled for October 3, 2007 in Ogle County. Both cases are being heard simultaneously.

- HB6647 has now been signed by the Governor and has become a Public Act. This sets the formula for property assessment on wind turbines for tax purposes. As you know, we developed a PILOT agreement in anticipation of the State doing something to mandate a tax system for wind generators. Our approved plan would generate more funding for the taxing districts, especially schools, provide a stable and increasing rate of revenue over time, have an initial light financial burden in the beginning to help the developers get started, and be exempt from any tax appeal process that could reduce the tax revenue. The State's formula is based on a depreciation schedule that provides less revenue over time, less total revenue to the taxing districts over time, and is possibly open to tax appeals. We are researching if our PILOT, since it was approved in advance of the Public Act takes precedence in order to realize the greatest benefit for the taxing districts and the developers.
- Our Local Workforce Investment Board has completed the regional labor shed study for the 5-county area. The data indicates that the Stephenson County area has 35,700 available workers for new or expanding business. We have a pool of approximately 12,000 unemployed people and an additional pool of about 19,600 workers that are underemployed. The current median pay for underemployed people is \$12.46 per hour and they would change jobs for \$12.81 per hour. About 25% of the underemployed would take a job for \$10.40 an hour while the 25% most qualified would command more than \$17.24 per hour.
- The bimonthly board meeting of the FAEDF was held Tuesday morning, September 11, 2007. The Board approved a new operating name of the organization, Northwest Illinois Development Alliance (NIDA).
- The County Calendars are now available for \$10 each.

Action Items from Standing Committee

Finance:

Ordinance #007-09-1477; providing for the issue of \$6,395,000 Debt Certificates, Series 2007. Mr. Graham made a motion to approve the Ordinance. Second by Mr. Boomgarden. The adoption of this Ordinance is a necessary requirement associated with last month's decision to refinance the jail construction bonds. Mr. Chapman of Raymond James was available to answer and questions. He stated the cost to refinance was \$149,000. He reviewed the new debt service requirements and overall savings from the original bond. Ms. V. Hooper called for the question. Second by Mr. Brown. The Chair called for a voice vote on the motion. *Motion to call the question carried with nays noted.* The Chair called for a roll call vote on the motion to approve Debt Certificates, Series 2007 Ordinance #007-09-1477. Members voting aye: Newton, Brown, Hilton, Mikkelsen, Devine, S. Hooper, McKenna, Parker, V. Hooper, Graham, Dotson, J. Kuhlmeier, Kubatzke, Boomgarden, Senn and Blum. Members voting nay; Hadley, Wire, A. Kuhlemeier, Boynton, and Détente. Sixteen ayes. Five nays. *Motion to approve Debt Certificates, Series 2007 Ordinance #007-09-1477 carried.*

Public Property & Safety:

Resolution #07-09-1475; amending the Sheriff's Budget for receipt and expenditures under a new Grant Program. Mr. Boomgarden made a motion to approve the Budget Amendment. Second by Ms. S. Hooper. The Sheriff received a \$69,065 grant that was not reflected in the current budget. The Chair called for a roll call vote on the motion. Members voting aye: Newton, Brown, Hilton, Mikkelsen, Devine, S. Hooper, McKenna, Hadley, Parker, V. Hooper, Graham, Wire, Dotson, J. Kuhlmeier, Kubatzke, A. Kuhlemeier, Boynton, Boomgarden, Détente, Senn and Blum. Twenty-one ayes. *Motion to approve Resolution #07-09-1475 carried unanimously.*

Resolution #07-09-1474; amending the EMA Budget to cover expenses. Mr. Boomgarden made a motion to approve the Budget Amendment. Second by Mr. Senn. An anticipated \$15,000 grant from the State was not awarded and the actual cash carry forward was less than expected. Members voting aye: Newton, Brown, Hilton, Mikkelsen, Devine, S. Hooper, McKenna, Hadley, Parker, V. Hooper, Graham, Wire, Dotson, J. Kuhlmeier, Kubatzke, A. Kuhlemeier, Boynton, Boomgarden, Senn, Détente and Blum. Twenty-one ayes. *Motion to approve Resolution #07-09-1474 carried unanimously.*

Administration:

Resolution #07-09-1476; amending the Supervisor of Assessments Budget to cover expenses. Ms. S. Hooper made a motion to approve the Budget Amendment. Second by Mr. Graham. The \$2,500 amendment is for the purchase of a used vehicle yet this fiscal year. The Chair called for a voice vote on the motion. *Motion to approve the Budget Amendment for the Supervisor of Assessments carried unanimously.*

Ms. S. Hooper presented the following Raffles with all fees paid and bonding in order;

1425 Freeport Arts Center, Manager Jennifer Kirker

1426 St. Mary Church, Manager Mary Kelley

Ms. S. Hooper made a motion to approve the Raffle Applications. Second by Mr. A. Kuhlemeier. The Chair called for a voice vote on the motion. *Motion to approve the Raffle Applications carried unanimously.*

Planning & Development:

Resolution #07-09-1472; supporting Rentech Energy Midwest Corporation Conversion and Expansion Project in JoDaviess County, Illinois. Mr. Mikkelsen made a motion to approve the Rentech Energy Project. Second by Mr. McKenna. Supporters of the Rentech Energy project in JoDaviess County are looking for support, in their request to the Illinois and United States Environmental Protection Agencies to issue the necessary permits. The Chair called for a voice vote on the motion. *Motion to approve Resolution #07-09-1472 carried unanimously.*

Mr. Mikkelsen made a motion to approve Grant applications for the Brownsfields Assessment Grants. Second by Mr. Mewton. The Chair called for a voice vote on the motion. *Motion to approve the Grant applications carried.*

Resolution #07-09-1473; adopting the Annual Report of the Comprehensive Economic Development Strategy for the six county region. Mr. Mikkelsen made a motion to adopt the Annual Comprehensive Economic Development Strategy. Second by Ms. S. Hooper. The Chair called for a voice vote on the motion. *Motion to approve Resolution #07-09-1473 carried unanimously.*

Information Items from Standing Committees

Finance: Mr. Graham reported UCCI is planning a dinner and seminar in Springfield, on October 12th and 13th.

Administration: Ms. S. Hooper reported on recent legislation which increases property tax assessment exemptions.

Nursing Center: Ms. Kubatzke reported the three members of the Sub-Committee for the Administrator search are; Ms. Kubatzke, Mr. Hilton and Mr. McKenna. They have run ads in the Daily Herald, a Madison paper and a Peoria paper. The deadline for applications will be October 15, 2007. Ms. Kubatzke reported there will be a fundraiser bake sale in September, sponsored by Wal-Mart employees. The funds raised will go toward the matching funds from the corporate Wal-Mart and will be used to renovate the County Cemetery.

Planning and Development: Mr. Mikkelsen reported the Committee's recommendation to authorize \$25,000, for the Soil and Water Conservation District in the 2007-2008 budget. The Committee feels our support of the Soil and Water Conservation District is a good investment for the County. Mr. Mikkelsen reported that he is working with a group to reinstate the youth services that were formerly provided through the Martin Luther King Center. He is looking for possible funding through grants, fundraising and United Way. Ms. V. Hooper is working to reestablish a Youth Commission. The Township is applying for a \$10,400 grant to help with this group.

CLAIMS

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|------------------------|-----------------|
| Finance & Procurement | \$ 1,147,978.52 |
| Administration | \$ 35,785.36 |
| Public Works | \$ 928,791.46 |
| Nursing Center | \$ 193,550.54 |
| Public Property | \$ 34,393.12 |
| Court Services | \$ 20,239.30 |
| Public Safety | \$ 53,204.69 |
| Planning & Development | \$ 25,394.90 |

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\$ 17,186.53

Mr. Graham made a motion to approve the Claims as presented. Second by Mr. Parker. The Chair called for a roll call vote on the motion. Members voting aye: Newton, Brown, Hilton, Mikkelsen, Devine, S. Hooper, McKenna, Hadley, Parker, V. Hooper, Graham, Wire, Dotson, J. Kuhlmeier, Kubatzke, A. Kuhlmeier, Boynton, Boomgarden, 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 6 days, 0 miles-Boomgarden 4 days, 64 miles-Boynton 3 days, 35 miles-Brown 3 days, 8 miles-Detente 3 days, 39 miles-Devine 3 days, 10 miles-Dotson 3 days, 109 miles-Graham 6 days, 21 miles-Hadley 3 days, 14 miles- Hilton 5 days, 14 miles-S Hooper 4 days, 8 miles-V Hooper 4 days, 8 miles- Kubatzke 5 days, 108 miles-A Kuhlmeier 3 days, 95 miles-J Kuhlmeier 5 days, 114 miles-McKenna 4 days, 16 miles-Mikkelsen 7 days, 14 miles-Newton 4 days, 8 miles- Parker 3 days, 12 miles-Senn 3 days, 42 miles-Wire 3 days, 118 miles, Bicker 7 days, 124 miles. Mr. Graham made a motion to approve the mileage and per diems. Second by Mr. McKenna. The Chair called for a voice vote on the motion. *Motion to approve the mileage and per diems carried unanimously.*

MEMBERS OF THE AUDIENCE:

Mike King of 5003 N. Dakota Road, Dakota; stated he has questions on the signature verification for the petitions filed. He would like to review the signatures in question. He voiced his objection to comments made by Mr. Groves in an article in the Focus.

Marianne Guffrea of 3172 E. Town Hall Road, Freeport; stated her objection with the absence of public comment in future zoning issues. She also voiced her concern that documents were not available for public review at the ZBA meeting regarding the Wind Farms.

Sam Guffrea of 3172 E. Town Hall Road, Freeport; stated his objection to comments made by Mr. Groves in an article in the Focus.

ADJOURN UNTIL 6:30 P.M. WEDNESDAY OCTOBER 10, 2007: Mr. Mikkelsen made a motion to adjourn until 6:30 p.m. Wednesday October 10, 2007. Second by Ms. V. Hooper. The Chair called for a voice vote on the motion. *Motion to adjourn carried at 9:18 p.m.*

Mr. Boomgarden will lead the Pledge and Mr. Detente will be responsible for the Invocation at the October Meeting