

**JO DAVIESS COUNTY BOARD
MEETING MINUTES
MAY 10, 2016**

1. CALL TO ORDER: Chairperson of the Jo Daviess County Board, Ron Smith, called the meeting to order at 7:00 p.m. on Tuesday, May 10, 2016 at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

2. ROLL CALL was answered as follows: Present-Brandon Behlke, William Bingham, Gerald Bennett, Merri Berlage, Richard Dittmar, Robert Heuerman, Randy Jobgen, Steve McIntyre, John O'Boyle, Brad Petersburg, Steve Rutz, Ron Smith, Terry Stoffregen, Martin Werner and Don Zillig. Present 15. Absent-Dan Hughes and RJ Winkelhake. Absent: 2.

3. THE PLEDGE OF ALLEGIANCE was led by Chairperson Ron Smith.

4. THE INVOCATION and thought for the day, which included a moment of silence for Jordan Duerr, were given by Bill Bingham.

5. MINUTES APPROVAL

Special County Board meeting minutes from the Public Hearing for the State of Illinois Public Transportation Operating Assistance Grant for Jo Daviess County from the April 11, 2016 meeting were approved following a motion made by Merri Berlage and seconded by Randy Jobgen.

The motion carried by voice vote.

Special County Board meeting minutes from the Public Hearing for the State of Illinois Public Paratransit Vehicle Grant for Jo Daviess County meeting from the April 11, 2016 meeting were approved following a motion made by Brandon Behlke and seconded by John O'Boyle.

The motion carried by voice vote.

County Board meeting minutes from the regular April 11, 2016 meeting were approved following a motion made by Merri Berlage and seconded by Rick Dittmar.

The motion carried by voice vote.

6. REPORTS AND CORRESPONDENCE

A thank you note was received from Merri Berlage.

7. CITIZENS' COMMENTS

Erin Murphy, a member of the CVB Board of Directors and who also is associated with Chestnut Mountain Resort and an appointed member of the new DMO inaugural board, addressed the County Board on the recent election process of the elected directors of the new DMO Board. She reported the majority of CVB board members, 4 large lodging entities and several small lodging entities were not happy with the election process. She said the present 4-member inaugural board followed the process as described in the Letter of Intent to the best of their ability. She wanted to make the County Board aware of this situation. She feels that the process needs to continue with the joining of the two tourism entities, but if there are other concerns with the Letter of Intent they should be addressed in order to avoid future problems.

Mike Steinhoff, representing the DeSoto House and Country Inn & Suites on behalf of Dan Kelly read a letter from Dan Kelly stating the recent election process of the elected directors of the new DMO

Board was flawed. The letter included a draft plan for a possible option as to how the DMO board election could be held.

Hal Gilpin, chairman of the CVB Board, told County Board members that he agreed there needs to be one DMO for this destination, but does not agree on the method that is being used to achieve this goal. He expressed his concerns about current CVB staff members. He urged board members to listen to the concerns of the staff as this process continues.

Helen Schamberger of Stockton Country Inn and Suites reported her concerns about the number and representation of lodging on the newly elected DMO board.

Mike Dittmar, representing the Elizabeth Chamber agreed there were problems with the election process, but was satisfied with the results. He commented that most complaints seemed to be coming from lodging entities. He stated that lodging doesn't generate the tax; it is shops, restaurants and other small businesses that generate it and lodging collects the tax. He urged the County Board to stay with the process and complete the job.

8. UNFINISHED BUSINESS

With the consensus of the board agenda items Finance L6 and L7 were dealt with at this time.

Hope Wheeler of CliftonLarsonAllen LLP reviewed and explained the completed FY2015 Jo Daviess County Financial Audit and answered questions from the board.

The FY2015 Jo Daviess County Financial Audit was accepted as presented following a committee motion made by Steve Rutz.

The motion carried by voice vote.

An additional engagement letter with CliftonLarsonAllen LLP, which breaks out the Section 5311 and Downstate Operating Assistance Program annual audits required by Illinois Department of Transportation, was approved following a committee motion made by Ron Smith.

The motion carried by voice vote.

9. NEW BUSINESS AND COMMITTEE REPORTS

UPDATE AND DISCUSSION ON THE DMO PROCESS

Brad Petersburg, County Board Member and an appointed director of the 4-member DMO inaugural board, reported on the recent election of the elected directors to the new DMO Board. Brad explained the process used for sending, receiving and counting the votes. He reported the results of the election. He also informed the board of complaints received on the process of the election. Brad reported that the directors followed the election process as laid out in the letter of intent that was signed by the City of Galena and the County Board. Brad answered questions from other board members concerning complaints about the election process.

APPOINTMENTS:

The appointment of Carl Winter to the Building Code Board of Appeals for a three-year term ending February 28, 2019 was made by Brandon Behlke and seconded by Rick Dittmar.

The motion carried by voice vote with an abstention recorded for Merri Berlage.

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The appointment of Jerry Dittmar to the Merit Commission for a four-year term ending February 28, 2020 was made by John O'Boyle and seconded by Steve McIntyre.

The motion carried by voice vote.

The appointment of Jerry Meyer to the Dunleith-Menominee Fire Protection District for a three-year term ending April 30, 2019 was made by Brandon Behlke and seconded by Steve McIntyre.

The motion carried by voice vote.

The appointment of Dave Diedrich to the Farmland Assessment Committee for a three-year term ending May 31, 2019 was made by Merri Berlage and seconded by Rick Dittmar.

The motion carried by voice vote.

Appointment of Deb Price to the Jo Daviess County Housing Authority Board for a three-year term ending May 31, 2019 was made by Brandon Behlke and seconded by Randy Jobgen.

The motion carried by voice vote.

The appointment of Steve Rutz to the Jo-Carroll Enterprise Zone Maintenance Organization for the remainder of a three-year term ending January 1, 2018 was made by Bill Bingham and seconded by Brandon Behlke.

The motion carried by voice vote with an abstention recorded for Steve Rutz.

The appointment of Steve McIntyre to the Jo-Carroll Enterprise Zone Maintenance Organization for a three-year term ending January 1, 2019 was made by Merri Berlage and seconded by Rick Dittmar.

The motion carried by voice vote with an abstention recorded for Steve McIntyre.

The appointment of Colin Fulrath to the Jo-Carroll Enterprise Zone Maintenance Organization for a three-year term ending January 1, 2019 was made by Brandon Behlke and seconded by John O'Boyle.

The motion carried by voice vote.

LAW ENFORCEMENT AND COURTS:

A memorandum of understanding for Emergency Law Enforcement Response between the Jo Daviess County Sheriff's Office and the United States Department of the Interior U.S. Fish and Wildlife Service National Wildlife Refuge System was approved following a committee motion made by Bill Bingham.

The motion carried by voice vote.

A memorandum of understanding for Non-Emergency Law Enforcement Response between the Jo Daviess County Sheriff's Office and the United States Department of the Interior U.S. Fish and Wildlife Service National Wildlife Refuge System was approved following a committee motion made by Bill Bingham.

The motion carried by voice vote.

Agenda item 9E3 Law Enforcement and Courts dealing with bids for the Courthouse HVAC Improvements Project was removed from the agenda and returned to the committee for further review.

SOCIAL AND ENVIRONMENTAL:

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A resolution to approve Change Order #5 for the Jo Daviess County Transit Building Addition Project in the amount of \$3,840.00 was approved following a committee motion made by Brandon Behlke.

The motion carried by voice vote.

PLANNING COMMISSION/ZONING BOARD OF APPEALS:

This board had no business to bring before the board at this time.

LEGISLATIVE:

This committee had no business to bring before the board.

EXECUTIVE:

The Executive Committee had no business to bring before the board.

INFORMATION AND COMMUNICATIONS TECHNOLOGY:

The following intergovernmental agreements with entities wishing to participate in the 2016 Orthophotography Project were approved following a committee motion made by Gerald Bennett.

- a. Jo-Carroll Depot LRA
- b. The Galena Territory
- c. Apple Canyon Lake
- d. Village of Scales Mound

The motion carried by voice vote.

CVB BOARD OF DIRECTORS:

This committee had no business to bring before the board.

FINANCE, TAX AND BUDGET:

Bill Bingham left the meeting at this time.

Regular county claims and utility claims in the amount of \$1,211,755.32, Emergency Telephone Systems Board Fund claims in the amount of \$7,749.66, Sheriff's DUI claims in the amount of \$85.52 and Sheriff's Forfeiture Fund claims in the amount of \$57.92 were approved following a motion made by Steve Rutz and seconded by Merri Berlage.

The motion carried by roll call vote: Ayes-Brandon Behlke, Gerald Bennett, Merri Berlage, Richard Dittmar, Robert Heuerman, Randy Jobgen, Steve McIntyre, John O'Boyle, Brad Petersburg, Steve Rutz, Ron Smith, Terry Stoffregen, Martin Werner and Don Zillig. Ayes 14. Nays: 0. Absent-Bill Bingham, Dan Hughes and RJ Winkelhake. Absent: 3.

A motion to approve the following FY2016 line item transfer requests in the amount of \$3,500.00 was made by Steve Rutz and seconded by Randy Jobgen.

- a. Transfer of \$1,000.00 from 020-44154-703 Postage to 020-44154-405 Overtime.
- b. Transfer of \$2,500.00 from 026-44152-401 Full-time Salaries to 026-44152-412 Unemployment Insurance.

The motion carried by voice vote with a nay vote recorded for Merri Berlage.

Bill Bingham returned to the meeting at this time.

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A motion to approve the following FY2016 line item transfer request and associated claim in the amount of \$544.50 was made by Steve Rutz and seconded by Terry Stoffregen.

- a. Transfer of \$544.50 from 038-46179-606 Minor Equipment/Small Tools to 038-46179-702 Professional Service to pay an associated claim to Buss Boyz Customs in the amount of \$544.50.

The motion carried by roll call vote: Ayes-Brandon Behlke, William Bingham, Gerald Bennett, Merri Berlage, Richard Dittmar, Robert Heuerman, Randy Jobgen, Steve McIntyre, John O'Boyle, Brad Petersburg, Steve Rutz, Ron Smith, Terry Stoffregen, Martin Werner and Don Zillig. Ayes: 15. Nays: 0. Absent-Dan Hughes and RJ Winkelhake. Absent: 2.

A motion to approve the following FY2016 over budget request and associated claim in the amount of \$2,395.00 was made by Steve Rutz and seconded by Randy Jobgen.

- a. Claim from Mary Davis Detention Home in the amount of \$2,395.00, to be paid from Probation budget line item 001-42132-719 Other Service Charges in the amount of \$2,395.00; over budget by \$2,395.00.

The motion carried by roll call vote: Ayes-Brandon Behlke, William Bingham, Gerald Bennett, Richard Dittmar, Robert Heuerman, Randy Jobgen, Steve McIntyre, John O'Boyle, Brad Petersburg, Steve Rutz, Ron Smith, Terry Stoffregen, Martin Werner and Don Zillig. Ayes: 14. Nays-Merri Berlage. Nays: 1. Absent-Dan Hughes and RJ Winkelhake. Absent: 2.

This brings the total claims paid in May, 2016 to \$1,214,694.82.

A resolution for a deed of conveyance of the County's interest in Parcel 22-101-411-00 in West Galena Township to Lucas E. Nastruz was approved following a committee motion made by Steve Rutz.

The motion carried by voice vote.

A resolution to approve the transfer of funds from one appropriation of one fund to another of the same fund for the purpose of making accelerated payments to IMRF was approved following a committee motion made by Steve Rutz.

The motion carried by roll call vote: Ayes-Brandon Behlke, William Bingham, Gerald Bennett, Merri Berlage, Richard Dittmar, Robert Heuerman, Randy Jobgen, Steve McIntyre, John O'Boyle, Brad Petersburg, Steve Rutz, Ron Smith, Terry Stoffregen, Martin Werner and Don Zillig. Ayes: 15. Nays: 0. Absent-Dan Hughes and RJ Winkelhake. Absent: 2.

A resolution to establish a line item to account for expenses associated with Violent Crime Victim Assistance Grant and approve an associated line item transfer in the amount of \$19,100.00 was approved following a committee motion made by Steve Rutz.

The motion carried by voice vote.

Bill Bingham left the meeting at this time.

DEVELOPMENT AND PLANNING:

A committee motion to approve an Ordinance amending the boundaries of the Joint City of Freeport-County of Stephenson Certified Enterprise Zone to include Barkau Group's Collision Center and JJ Freeport Venture's was made by Merri Berlage.

An amendment to the motion to include Exhibit B, legal description was made by Merri Berlage and seconded by John O'Boyle.

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The amendment carried by voice vote.

The original motion including the amendment carried by roll call vote: Ayes-Brandon Behlke, Gerald Bennett, Merri Berlage, Richard Dittmar, Robert Heuerman, Randy Jobgen, Steve McIntyre, John O'Boyle, Brad Petersburg, Steve Rutz, Ron Smith, Terry Stoffregen, Martin Werner and Don Zillig. Ayes 14. Nays: 0. Absent-Bill Bingham, Dan Hughes and RJ Winkelhake. Absent: 3.

A committee motion to approve a resolution authorizing an amendment to the Intergovernmental Agreement for the Operation of an Enterprise Zone to add the proposed expansion of the Enterprise Zone to include Barkau Group's Collision Center and JJ Freeport Venture's was made by Merri Berlage.

An amendment to the motion to include Exhibit B, legal description was made by Merri Berlage and seconded by Brandon Behlke.

The amendment carried by voice vote.

The original motion including the amendment carried by voice vote.

PUBLIC WORKS:

A recommendation to set a rental rate of \$3,600.00 per year for two years for office space that TCEDA has expressed interest in at the Hanover Highway Department Building was approved following a committee motion made by Randy Jobgen.

The motion carried by voice vote.

Bids for County MFT maintenance seal coat asphalt to be paid from line item 006-43142-601 was awarded to Flint Hills Resources of Dubuque, Iowa at a cost of \$19,639.96 for prime coat and \$238,664.82 for seal coat to be paid from line item 006-43142-601 following approval of a committee motion made by Randy Jobgen.

The motion carried by voice vote.

10. OTHER COMMITTEES AND BOARDS:

Board members appointed to other special committees updated the board with actions involving those committees.

11. BOARD MEMBER CONCERNS

Don Zillig thanked Brad Petersburg for the countless hours he has devoted as one of the appointed directors of the 4-member inaugural DMO committee.

12. CITIZENS' COMMENTS

Hal Gilpin, chairman of the Jo Daviess County CVB Board and small business owner, stated that on the off chance he would have been elected to the new DMO board he would have respectfully declined.

13. CLOSED SESSION

The board entered closed session at 9:00 p.m. to discuss:

Personnel section 2(c)1

"The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity." Topics of discussion: CVB employees, following approval of a motion made by Merri Berlage and seconded by Rick Dittmar.

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The motion carried by roll call vote: Ayes-Brandon Behlke, Gerald Bennett, Merri Berlage, Richard Dittmar, Robert Heuerman, Randy Jobgen, Steve McIntyre, John O'Boyle, Brad Petersburg, Steve Rutz, Ron Smith, Terry Stoffregen, Martin Werner and Don Zillig. Ayes 14. Nays: 0. Absent-Bill Bingham, Dan Hughes and RJ Winkelhake. Absent: 3.

The board reconvened to open session at 9:15 p.m. following approval of a motion made by Brandon Behlke and seconded by Merri Berlage.

The motion carried by voice vote.

Roll call was answered as follows: Present-Brandon Behlke, Gerald Bennett, Merri Berlage, Richard Dittmar, Robert Heuerman, Randy Jobgen, Steve McIntyre, John O'Boyle, Brad Petersburg, Steve Rutz, Ron Smith, Terry Stoffregen, Martin Werner and Don Zillig. Present: 14. Absent-Bill Bingham, Dan Hughes and RJ Winkelhake. Absent: 3.

14. POSSIBLE ACTION AS A RESULT OF CLOSED SESSION

No action was needed as a result of closed session.

15. ADJOURNMENT

The meeting adjourned following a motion made by Steve McIntyre and seconded by John O'Boyle.

The motion to adjourn carried by voice vote.

Chairperson Smith adjourned the meeting at 9:16 p.m. until 7:00 p.m. Tuesday, June 14, 2016 at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.