

**JO DAVIESS COUNTY BOARD
MEETING MINUTES
MAY 13, 2014**

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 13, 2014, at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

ROLL CALL was answered as follows: Present-Brandon Behlke, Merri Berlage, William Bingham, Jody Covert, Richard Dittmar, Robert Heuerman, Randy Jobgen, Steve McIntyre, Margie Montelius, John O'Boyle, Ron Smith, Terry Stoffregen, RJ Winkelhake and Don Zillig. Present: 14. Absent-Gerald Bennett, Dan Hughes and Steven Rutz. Absent: 3.

THE PLEDGE OF ALLEGIANCE was led by Chairperson Smith.

THE INVOCATION and thought for the day were given by Merri Berlage.

AGENDA ITEM I – CONSENT AGENDA

The consent agenda was approved as attached following a motion made by Merri Berlage and seconded by Margie Montelius.

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

AGENDA ITEM II – CITIZENS' COMMENTS

Brad Petersburg, a Rice Township resident, encouraged the board to support the extension of the Great River Trail from Savanna to Galena. He feels it would be a real benefit to the County in terms of tourism and recreational opportunities. He stated that it would be a public safety benefit by shifting bicycle traffic from Blackjack Road to River Road.

Jerry Johnson, Rice Township Trustee, stated that he is against using River Road for the extension of the Great River Trail. He said that part of River Road in Rice Township is currently closed due to frequent standing water on the road and landslides caused by washouts. He is concerned about the liability it would place on the Township. He feels that an alternative route such as Blackjack Road would be more appropriate.

David Shelow, a resident of Rice Township, feels River Road is not designed for multi-use. He stated that it is very narrow and only 12 feet wide in some areas. He said that the liability would increase with the intended use of the Great River Trail and Rice Township does not have the revenue to maintain the road. He thinks it would be better to spend the money to improve Blackjack Road and make it safer.

Beth Baranski from Galena said she worked on the Great River Trail Plan. She agrees that the use of River Road for the extension of the Great River Trail is complicated and issues need to be addressed. She said the resolution that is being presented is simply asking for support in the effort to extend the route from Savanna to Galena focusing on River Road. She stated that Blackjack Road will not be friendly for bicycles. A resolution of support from the County will help in getting monetary support for the project.

Tom Stafford, Rice Township Trustee, encouraged the board to hold-off on the resolution in support of the extension of the Great River Trail. He feels there is not enough information to make an educated decision at this time.

Steve Barg, 32 Heatherdowns Lane, Galena and Executive Director of the Jo Daviess Conservation Foundation, spoke in favor of supporting the extension of the Great River Trail from Savanna to Galena. He stated in 2009 the County adopted the Greenways and Trails Plan that recommended using River Road for the Green River Trail because it is safer and a much less challenging route for bikers. He said the liability issue needs to be sorted out. He said there are thousands of miles of bicycle trails in Illinois with many miles located on State, County and Township Roads. He encouraged interested parties to talk to other municipalities who support bicycle trails about the benefits versus liabilities. He said it is not the intention to increase liability or costs for Rice Township or any other government entity. He stated there are grants available for this type of project and Galena received a 1.3 million dollar grant for their trail.

Dennis Guenzler, 8377 S. Massbach Road, Elizabeth, addressed the board about a fire that destroyed his home on January 20, 2014. He stated that his old home was built in 1910 and has a bad foundation and a septic system that is not up to code. He said he wants to build a new structure 150 feet up the hill in order to have a better location for a septic system. He said he is being dead-ended because zoning dictates that he builds the new structure on a separate parcel with a 150 feet or road frontage, unless he builds on the exact location of the home that was destroyed by the fire. He said the only solution at this time would require time and added expense.

AGENDA ITEM III – UNFINISHED BUSINESS

There was no unfinished business brought before the board at this time.

AGENDA ITEM IV – NEW BUSINESS AND COMMITTEE REPORTS

Don Berlage, Vice President of the Jo Daviess County Farm Bureau, invited board members to a Farm Tour on June 11, 2014. The tour would start at Matt Berning's farm, include lunch and end at Nick and Joanne Tranel's farm. He stated this would open the doors of communication to help the County Board understand what agriculture business does for Jo Daviess County. He feels that it would help establish a relationship between board members of the County and the Farm Bureau for input on agricultural related issues that affect the County.

A request from the Jo Daviess County Housing Authority for the County to approve and sign a Certification of Categorical Exclusion for Capital Fund Grant (IL06P082501-14) in the amount of \$101,404 from the Department of Housing and Urban Development (HUD) was approved following a motion made by Brandon Behlke and seconded by Randy Jobgen.

The motion carried by voice vote.

LAW ENFORCEMENT AND COURTS:

A resolution authorizing the execution of a Law Enforcement Mutual Aid Agreement and the Existence and Formation of the Illinois Law Enforcement Alarm System by Intergovernmental Cooperation was approved following a committee motion made by RJ Winkelhake.

The motion carried by voice vote.

A resolution to purchase a digital capture system for the Livescan fingerprinting program and to pay the cost of said purchase from the Contingency Fund 016 was approved following a committee motion made by RJ Winkelhake.

The motion carried by voice vote.

Agenda item IV C.3, a proposal for professional services from Shive Hattery for architectural and civil engineering services associated with life-safety items identified in September 13, 2013 Exterior Building Condition Study of the Jo Daviess County Courthouse was removed from the agenda at this time.

SOCIAL AND ENVIRONMENTAL:

A proposal for professional services from Baranski, Hammer, Moretta & Sheehy for architectural services associated with the Jo Daviess County Transit Building Expansion Project in the amount of \$52,000 to be paid from the Jo Daviess County Transit Fund 071-44163-702 was approved following a committee motion made by Margie Montelius.

The motion carried by voice vote.

PLANNING COMMISSION/ZONING BOARD OF APPEALS:

The Planning Commission's recommendation to issue a Special Use Permit to Clint and Cory Haas, owners and Cory and Nicole Haas, petitioners to allow for a single family residence in the AG Agricultural District on a lot less than forty (40) acres located at 10036 S. Good Hope Road, Elizabeth was approved following a motion made by Steve McIntyre and seconded by Margie Montelius.

The motion carried by roll call vote: Ayes-Brandon Behlke, Merri Berlage, William Bingham, Jody Covert, Richard Dittmar, Robert Heurman, Randy Jobgen, Steve McIntyre, Margie Montelius, John O'Boyle, Ron Smith, Terry Stoffregen, RJ Winkelhake and Don Zillig. Ayes: 14. Nays: 0. Absent-Gerald Bennett, Dan Hughes and Steven Rutz. Absent: 3.

LEGISLATIVE:

This committee had no business to bring before the board.

EXECUTIVE:

A request by Building and Zoning Administrator Linda Delvaux to hire a part-time secretary (per FY2014 hiring freeze policy, positions may be filled only with County Board approval) was approved following a committee motion made by Merri Berlage.

The motion carried by voice vote.

A request by County Engineer Steve Keeffer to hire a part-time animal control officer (per FY2014 hiring freeze policy, positions may be filled only with County Board approval) was approved following a committee motion made by Merri Berlage.

The motion carried by voice vote.

An Ordinance establishing salaries of elected officials, County Clerk and Recorder, County Treasurer, County Sheriff, and Clerk of the Circuit Clerk for four years beginning FY2015, FY2016, FY2017 and ending FY2018 was approved following a committee motion made by Merri Berlage.

The motion carried by roll call vote: Ayes-Brandon Behlke, Merri Berlage, William Bingham, Jody Covert, Richard Dittmar, Robert Heurman, Randy Jobgen, Steve McIntyre, Margie Montelius, John O'Boyle, Ron Smith, Terry Stoffregen, RJ Winkelhake and Don Zillig. Ayes: 14. Nays: 0. Absent-Gerald Bennett, Dan Hughes and Steven Rutz. Absent: 3.

INFORMATION AND COMMUNICATIONS TECHNOLOGY:

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

CVB BOARD OF DIRECTORS:

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

FINANCE, TAX AND BUDGET:

With the consensus of the board Agenda item IV J4 and IV J5 were addressed at this time.

Hope Wheeler, CliftonLarsonAllen, LLP, reviewed the results of the FY2013 Annual Financial Audit. She reported that the County received a clean unqualified opinion.

The FY2013 Jo Daviess County Financial Audit as reported by CliftonLarsonAllen, LLP, was accepted following a committee motion made by RJ Winkelhake.

The motion carried by voice vote.

A motion to approve the following FY2014 line item transfer requests and associated claims in the amount of \$39,657.50 was made by RJ Winkelhake and seconded by Randy Jobgen.

- a) Transfer of \$2,000.00 from 003-44151-701 Public Health/Maintenance Service to 003-44151-412 Public Health/Unemployment Insurance to pay a claim to Illinois Department of Employment Security in the amount of \$5,490.50.
- b) Transfer of \$30,000.00 from 011-43145-890 County Aid to Bridges/Improvements to 011-43145-801 County Aid to Bridges/Land to pay claims to Berlage Family Trust in the amount of \$17,083.50 and Virginia Berlage in the amount of \$17,083.50.

The motion carried by roll call vote: Ayes-Brandon Behlke, William Bingham, Jody Covert, Richard Dittmar, Robert Heuerman, Randy Jobgen, Steve McIntyre, Margie Montelius, John O'Boyle, Ron Smith, Terry Stoffregen, RJ Winkelhake and Don Zillig. Ayes: 13. Nays: 0. Abstain-Merri Berlage. Abstain: 1. Absent-Gerald Bennett, Dan Hughes and Steven Rutz. Absent: 3.

A motion to approve the following FY2014 over budget requests and associated claims in the amount of \$3,290.00 was made by RJ Winkelhake and seconded by Margie Montelius.

- a) Claim from Mary Davies Detention Home in the amount of \$3,290.00 to be paid from line item 001-42132-719 Probation Services/Other Service Charges; over budget by \$2,915.00

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

This brings the total claims paid in May 2014 to \$722,503.64.

A policy for the Review and Approval of Year-end Financial Statements and the Schedule of Federal Awards was approved following a committee motion made by Steve Rutz.

The motion carried by voice vote.

An ad-hoc Health Insurance Committee, consisting of 13 members: three department heads, three County Board members, three union representatives, three at-large county employees and the County Administrator will be established following approval of a committee motion made by Merri Berlage.

The motion carried by voice vote.

DEVELOPMENT AND PLANNING:

A letter reaffirming County Board support for the development of a senior living community proposed by Prairie Ridge of Galena LLC and for its inclusion in the City of Freeport/Stephenson County Enterprise Zone was approved following a committee motion made by Merri Berlage.

The motion carried by voice vote.

A resolution supporting the extension of the Great River Trail to Galena was referred back to the Public Works Committee to be addressed at the June 23, 2014 meeting for review of additional information including information on the liability issue researched by the State's Attorney following approval of a motion made by Merri Berlage and seconded by Randy Jobgen.

The motion carried by voice vote.

PUBLIC WORKS:

Agenda item IV L.1, a resolution supporting the extension of the Great River Trail to Galena was removed from the agenda at this time.

The presented bids for County Maintenance Material Bids as presented in bid tabulations to be paid from 006-43142-601 County Motor Fuel Tax Fund/Maintenance Supplies was approved following a committee motion made by Randy Jobgen.

The motion carried by voice vote.

The presented bids for Township Maintenance Material Bids as presented in bid tabulations to be paid from 021-43146-601 Township Motor Fuel Fund/Maintenance Supplies was approved following a committee motion made by Randy Jobgen.

The motion carried by voice vote.

A federal funding agreement for the culvert project on Longhollow and Brodrecht Roads in Elizabeth and Guilford Townships to be paid from 008-43143-830 Federal Aid Matching Fund/Highways was approved following a committee motion made by Randy Jobgen.

The motion carried by voice vote.

A petition from Nora Township for county aid for a 50/50 culvert project on Greenvale Road to be paid from 011-43145-890 County Aid to Bridges/Other Improvements was approved following a committee motion made by Randy Jobgen.

The motion carried by voice vote.

A petition from Elizabeth Township for county aid for a 50/50 bridge repair project on Pleasant Hill Road with an estimated cost of \$25,000 to be paid from 011-43145-890 County Aid to Bridge/Other Improvements was approved following a committee motion made by Randy Jobgen.

The motion carried by voice vote.

OTHER COMMITTEES AND BOARDS:

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

AGENDA ITEM V – BOARD MEMBER CONCERNS

Board members were concerned about the zoning ordinance regulations in relation to Dennis Guenzler's request to build a new home 150 feet from the previous home that was destroyed by fire on January 20, 2014. They agreed that the regulations needed to be compassionate to the citizens of the County. Chairman Ron Smith will talk to Zoning Administrator Linda Delvaux and ask her to contact Mr. Guenzler to review all his options. Merri Berlage invited board members to a Special Development and Planning meeting on June 17 where discussion on changes or amendments to the Zoning Ordinance will take place.

Merri Berlage was concerned about board members being invited to other public meetings and then attendance being limited to only four board members due to the Open Meetings Act.

AGENDA ITEM VI – CITIZENS' COMMENTS

There were no citizens' comments at this time.

AGENDA ITEM VII – CLOSED SESSION

The board entered closed session at 9:07 p.m. to discuss:

- a) 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: Reclassification review request, GIS/IT Coordinator position and IT Systems Administrator position; employee performance.
- b) collective bargaining section 2(c)2, Topic of discussion: Update on current union negotiations
- c) property section 2(c)5
"The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired." Topics of discussion: Possible purchase of property in Hanover, Illinois for Highway Department.
- d) litigation section 2(c)11

following approval of a motion made by Merri Berlage and seconded by Randy Jobgen.

The motion carried by voice vote.

The board reconvened to open session at 10:03 p.m. following approval of a motion made by Randy Jobgen and seconded by Terry Stoffregen.

The motion carried by voice vote.

AGENDA ITEM VIII - POSSIBLE ACTION AS A RESULT OF CLOSED SESSION

Jo Daviess County will purchase the following real estate in Hanover; parcel number 43-09-001-397-01 commonly known as Lot 2 of Hanover Technical Park located on Commercial Drive, Hanover, Illinois, for the purchase price of \$150,000 following approval of a motion made by Merri Berlage and seconded by Randy Jobgen.

The motion carried by roll call vote: Ayes-Brandon Behlke, Merri Berlage, William Bingham, Jody Covert, Robert Heuerman, Randy Jobgen, Steve McIntyre, Margie Montelius, John O'Boyle, Ron Smith, Terry Stoffregen, RJ Winkelhake and Don Zillig. Ayes: 13. Nay-Richard Dittmar. Nays: 1. Absent-Gerald Bennett, Dan Hughes and Steven Rutz. Absent: 3.

The recommendation by Carlson Dettman for the reclassification request for the GIS/IT Coordinator position to be increased to a grade 17 was approved following a motion made by Margie Montelius and seconded by John O'Boyle.

The motion carried by roll call vote: Ayes-Jody Covert, Robert Heuerman, Margie Montelius, John O'Boyle, Ron Smith, Terry Stoffregen, RJ Winkelhake and Don Zillig. Ayes: 8. Nays-Brandon

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Behlke, Merri Berlage, William Bingham, Richard Dittmar, Randy Jobgen and Steve McIntyre. Nays: 6. Absent-Gerald Bennett, Dan Hughes and Steven Rutz. Absent: 3.

The recommendation by Carlson Dettman for the reclassification request for the IT Systems Administrator position to be increased to a grade 13 was approved following a motion made by Brandon Behlke and seconded by Margie Montelius.

The motion carried by roll call vote: Ayes-Brandon Behlke, Jody Covert, Robert Heuerman, Margie Montelius, John O'Boyle, Ron Smith, Terry Stoffregen, RJ Winkelhake and Don Zillig. Ayes: 9. Nays-Merri Berlage, William Bingham, Richard Dittmar, Randy Jobgen and Steve McIntyre. Nays: 5. Absent-Gerald Bennett, Dan Hughes and Steven Rutz. Absent: 3.

AGENDA ITEM IX - ADJOURNMENT

The meeting adjourned following a motion made by Steve McIntyre and seconded by Merri Berlage.

The motion to adjourn carried by voice vote.

Chairperson Smith adjourned the meeting at 10:15 p.m. until 7:00 p.m. Tuesday, June 10, 2014, at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

**JO DAVIESS COUNTY BOARD
CONSENT AGENDA APPROVED
MAY 13, 2014**

MINUTES APPROVAL

1. County Board meeting minutes from the April 7, 2014 meeting, April 17, 2014 Public Hearing for Operating Assistance Grants, and April 17, 2014 Public Hearing for Public Paratransit Vehicle Grant.

APPOINTMENTS

1. Appointment of Laura Duerr to the Board of Health for a three-year term ending May 30, 2017.

REPORTS AND CORRESPONDENCE

1. Invitation from Northern Illinois Preparedness and Response Coalition for a Table Top Exercise on June 25, 2014.

CLAIMS

1. Claims approval in the amount of \$679,556.14.
2. Emergency Telephone Systems Board Fund claims in the amount of \$19,940.44.
3. Sheriff's DUI claims in the amount of \$528.89.