

**JO DAVIESS COUNTY BOARD
MEETING MINUTES
MAY 8, 2007**

CALL TO ORDER: Chairperson of the Jo Daviess County Board, Marvin Schultz, called the meeting to order at 7:00 p.m. on Tuesday, May 8, 2007 at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

ROLL CALL was answered as follows: Present-Beth Baranski, Merri Berlage, William Cooper, Bernece Hill, Dane Jackson, Matt Kluesner, Michael Lorig, Ron Mapes, Margie Montelius, Yerda Potter, Marvin Schultz, Terry Stoffregen, Sally Toepfer, and Jack Zillig. Present: 14. Absent-Jody Carroll, Alan Kent and Ron Smith. Absent: 3.

THE PLEDGE OF ALLEGIANCE was led by Chairperson Schultz.

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 Bill Cooper and seconded by Mike Lorig.

The motion carried by roll call vote: Ayes-Beth Baranski, Merri Berlage, William Cooper, Bernece Hill, Dane Jackson, Matt Kluesner, Michael Lorig, Ron Mapes, Margie Montelius, Yerda Potter, Marvin Schultz, Terry Stoffregen, Sally Toepfer, and Jack Zillig. Ayes: 14. Nays: 0. Absent-Jody Carroll, Alan Kent and Ron Smith. Absent: 3.

AGENDA ITEM II – CITIZENS' COMMENTS

There were no citizens' comments at this time.

AGENDA ITEM III – UNFINISHED BUSINESS

Beth Baranski made a motion to have the expansion of the Hahn Quarry at 4297 West Guilford Road on the next regular County Board agenda for reconsideration. Bill Cooper seconded the motion.

The motion failed by roll call vote: Ayes-Bill Cooper, Margie Montelius and Sally Toepfer. Ayes: 3. Nays-Beth Baranski, Merri Berlage, Bernece Hill, Matt Kluesner, Mike Lorig, Ron Mapes, Yerda Potter, Marvin Schultz, Terry Stoffregen and Jack Zillig. Nays: 10. Abstain-Dane Jackson. Abstain: 1. Absent-Jody Carroll, Alan Kent and Ron Smith. Absent: 3.

AGENDA ITEM IV – NEW BUSINESS AND COMMITTEE REPORTS

Michelle Horaney from McGladrey and Pullen, LLP, the accounting firm that conducted the FY2006 audit presented the financial report and answered board members' questions.

SOCIAL AND ENVIRONMENTAL:

The bid was awarded to All-Systems, Inc. of Dubuque, Iowa for office furnishings/renovations in the State's Attorney Offices and County Administrator Office, including the additional option, for a total of \$31,166.96; with the amount in excess of the budgeted figure of \$30,000 to be paid from the Contingency Fund following approval of a committee motion made by Jack Zillig.

The motion carried by voice vote.

A resolution to transfer \$2,719.04 from the Contingency Fund 016-49197-990 to the Capital Investment Fund for the office furnishing/renovations project was approved following a motion made by Jack Zillig, seconded by Dane Jackson.

The motion carried by voice vote.

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A Special Warranty resolution for the Jo Daviess County Transit regarding fair and equitable arrangements to protect the interests of employees affected by federal assistance grants under Section 5311 of the Federal Transit Act of 1964 was approved following a committee motion made by Jack Zillig.

The motion carried by voice vote.

A resolution authorizing the County to apply for and accept Public Transportation Financial Assistance and to authorize the County Board Chairperson to act on behalf of the County for all matters pertaining to the 2008 grant, except the quarterly requisitions, was approved following a committee motion made by Jack Zillig.

The motion carried by voice vote.

The board authorized the director of the Jo Daviess County Transit to initiate the process to apply for downstate operating assistance of up to 55% of the transit system's operating expenses following a committee motion made by Jack Zillig.

The motion carried by voice vote.

PLANNING COMMISSION/ZONING BOARD OF APPEALS:

The Planning Commission's recommendation to deny rezoning from AG-1 General Agricultural to R-2 Rural Residential, approximately 105 acres on Buckhill Road, Galena for Glen and Genevieve Wienen, owners, was not approved following a motion by Bill Cooper, seconded by Beth Baranski.

The motion to deny failed by roll call vote: Ayes-Beth Baranski, Merri Berlage, William Cooper, Bernece Hill, Dane Jackson, Michael Lorig and Margie Montelius. Ayes: 7. Nays-Matt Kluesner, Ron Mapes, Yerda Potter, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Nays: 7. Absent-Jody Carroll, Alan Kent and Ron Smith. Absent: 3.

The Planning Commission's recommendation to approve a four-lot subdivision on 8.92 acres at the intersection of Curtis and Airport Roads, Stockton for John Hagedorn and Jeffrey Johnson was approved following a motion made by Merri Berlage, seconded by Ron Mapes

The motion carried by roll call vote: Ayes-Beth Baranski, Merri Berlage, William Cooper, Bernece Hill, Dane Jackson, Matt Kluesner, Michael Lorig, Ron Mapes, Margie Montelius, Yerda Potter, Marvin Schultz, Terry Stoffregen, Sally Toepfer, and Jack Zillig. Ayes: 14. Nays: 0. Absent-Jody Carroll, Alan Kent and Ron Smith. Absent: 3.

The Planning Commission's recommendation to approve rezoning an approximate 5 acre parcel from AG-1 Agricultural to R-1 Rural Residential at the corner of Brown and Bough Roads, Elizabeth, for William and Mary Klosterman, owners and Kim and Ruth MacCloskey, contract purchasers, to allow for a non-agricultural residence was approved following a motion made by Bill Cooper, seconded by Bernece Hill.

The motion carried by roll call vote: Ayes-Bernece Hill, Dane Jackson, Matt Kluesner, Michael Lorig, Yerda Potter, Terry Stoffregen, Sally Toepfer, and Jack Zillig. Ayes: 8. Nays-Beth Baranski, Merri Berlage, William Cooper, Ron Mapes, Margie Montelius and Marvin Schultz. Nays: 6. Absent-Jody Carroll, Alan Kent and Ron Smith. Absent: 3.

Ron Mapes made a motion to send the Wienen rezoning request for 105 acres on Buckhill Road, Galena back to the Zoning Board of Appeals for further reconsideration.

Beth Baranski amended the motion to ask the Board of Appeals for more detail on their position for their decision. Margie Montelius seconded the motion.

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The amendment carried by a show of hands. Ayes: 10. Nays: 4. Absent: 3.

The original motion including the amendment carried by a show of hands. Ayes: 10. Nays: 4. Absent: 3.

LEGISLATIVE:

A resolution in opposition to SB64 and HB561 that would replace the LRA at the former Savanna Army Depot with a port authority was approved following a committee motion made by Merri Berlage.

The motion carried by voice vote.

A letter of support will be sent to Senator Sieben and Representative Sacia for HB3597 that would ensure if property that is the subject of an annexation agreement is located more than 1.5 miles from the corporate boundaries of the annexing municipality, that property is subject to the ordinance, control, and jurisdiction of the annexing municipality unless the county board retains jurisdiction by the affirmative vote of two-thirds of its members following approval of a committee motion made by Merri Berlage.

The motion carried by voice vote.

A resolution in opposition of SB1296 that could leave the local government as the “deep pocket” party in lawsuits was approved following a committee motion made by Merri Berlage.

The motion carried by voice vote.

EXECUTIVE:

The board approved the County Board per diem and mileage policy as presented following a committee motion made by Ron Mapes.

The motion carried by voice vote.

FINANCE, TAX AND BUDGET:

The name of the Drug Enforcement and Education Fund was changed to the Sheriff’s Forfeiture Fund following approval of a committee motion made by Yerda Potter.

The motion carried by voice vote.

The name of the Infant and Toddler Seat Fund was changed to the Public Health Foundation Fund following approval of a committee motion made by Yerda Potter.

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

A State’s Attorney Felony/Misdemeanor Diversion Program Fund was established following approval of a motion made by Yerda Potter and seconded by Bill Cooper.

The motion carried by voice vote.

The following line item transfers and their associated claims totaling \$14,072.40 were approved following a motion made by Yerda Potter and seconded by Ron Mapes.

1. Transfer \$54.00 from 002-43141-901 Contingency to 002-43141-702 Professional Services
 - Claim from Freeport Health Network in the amount of \$54.00 to be paid from 002-43141-702
2. Transfer of \$9,654.47 from 011-43145-890 Other Improvements to 011-43145-702 Professional Services

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- Claim from Fehr-Graham & Associates in the amount of \$12,707.50 to be paid from 011-43145-702
- 3. Transfer of \$1,125.00 from 047-47186-810 Equipment to 047-47186-501 Education and Training
 - Claim from RSM McGladrey Inc. in the amount of \$1,125.00 to be paid from 047-47186-501
- 4. Transfer of \$200.00 from 026-44152-905 Miscellaneous Expense to 026-44152-705 Publishing
 - Claim from Journal Standard in the amount of \$125.90 to be paid from 026-44152-705
 - Claim from East Dubuque Register in the amount \$60.00 to be paid from 026-44152-705

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

Claims for over-budget line items not provided for in the consent agenda in the amount of \$3,444.81 as follows were approved following a motion made by Yerda Potter and seconded by Jack Zillig.

- a) Claim from State Surplus Revolving Fund in the amount of \$400.00 to be paid from line item 001-41121-503 Dues
- b) Claims from Clingman Pharmacy in the amount of \$2,411.11 to be paid from line item 001-41122-702-047 Professional Services
- c) Claim from Medical Associates in the amount of \$109.50 to be paid from line item 001-41122-702-047 Professional Services
- d) Claim from FHN Family Counseling in the amount of \$30.00 to be paid from line item 011-41122-702-047 Professional Services
- e) Claim from US Bank in the amount of \$145.00 to be paid from line item 001-41125-920 Unbudgeted Grant Expense
- f) Claim from Comlec Services in the amount of \$349.20 to be paid from line item 001-41127-704 Telephone

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

This brings the total claims amount paid for May 2007 to \$566,507.34.

INFORMATION AND COMMUNICATIONS TECHNOLOGY:

The IDOT Local Crash Data Collection Agreement was approved with the \$10,000 being paid by IDOT to the County to be deposited in the GIS Automation Fund following approval of a committee motion made by Bill Cooper.

The motion carried by voice vote.

DEVELOPMENT AND PLANNING:

The CVB media plan and media budget with McDaniels Marketing beginning June 1, 2007 and ending November 30, 2007 at a cost of \$149,759.00 to be paid from line item 027-45161-702-10 was approved following a committee motion made by Ron Mapes.

The motion carried by voice vote with nay votes recorded for Matt Kluesner and Margie Montelius.

An amendment to the URS contract, for consulting services for the Rentech project, to include work order #3 for \$25,000 to be paid from line item 034-45165-702 was approved following a committee motion made by Ron Mapes.

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The motion carried by voice vote.

A resolution supporting improved passenger rail service for northern Illinois was approved following a committee motion made by Ron Mapes.

The motion carried by voice vote with a nay vote recorded for Margie Montelius.

A committee motion to send a letter supporting the Ulysses Grant Interpretive Center to be located as part of the U.S. Grant Home State Historic Site in Galena was made by Ron Mapes.

An amendment to the motion to change the word “letter” to “resolution” was made by Bill Cooper and seconded by Sally Toepfer.

The amendment carried by voice vote.

The original motion including the amendment carried by voice vote with a nay vote recorded for Matt Kluesner and an abstain vote recorded for Beth Baranski.

Agenda item H5, proposing an amendment to the Freeport/Stephenson County Enterprise Zone Committee Rules of Procedure was returned to the Development and Planning Committee for further review.

PUBLIC WORKS:

A federal participation agreement for the Willow Road resurfacing project; the estimated project construction cost being \$475,000 with the County’s 20% share equaling \$95,000 to be paid from line item 008-43143-890 was approved following a committee motion made by Merri Berlage.

The motion carried by voice vote.

The annual County MFT maintenance resolution in the amount of \$347,898.69, to be paid from line item 006-43142-601 was approved following a committee motion made by Merri Berlage. The motion carried by voice vote.

Culvert work on Walnut Road, Menominee Township with the proposed project consisting of the installation of a culvert liner in a 30” diameter metal culvert at an estimated cost of \$10,000 to be paid from line item 011-43145-890 was approved following a committee motion made by Merri Berlage.

The motion carried by voice vote with an abstain vote recorded for Dane Jackson.

LAW ENFORCEMENT AND COURTS:

A Multijurisdictional Drug Task Force Agreement between the City of Dubuque, Dubuque County, the City of East Dubuque and Jo Daviess County was approved following a motion made by Dane Jackson and seconded by Merri Berlage.

The motion carried by voice vote.

A mutual aid agreement between Lafayette County, Wisconsin and Jo Daviess County was approved following a motion made by Dane Jackson and seconded by Bernece Hill.

The motion carried by voice vote.

AGENDA ITEM V - OTHER COMMITTEES AND BOARDS

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

AGENDA ITEM VI – BOARD MEMBER CONCERNS

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Bill Cooper feels that citizens are not receiving adequate press coverage on the board meetings making it necessary for the board to submit articles to the press. He hopes that with a representative here from the press, there will be detailed coverage of the board meetings.

Beth Baranski stated that she worked as an election judge the first time at the April Consolidated Election. She said she now has a basic understanding of vast amount of preparation that goes into preparing for an election and thanked County Clerk Jean Dimke and her staff for a job well done.

Chairperson Schultz stated that State's Attorney Terry Kurt and Building & Zoning Administrator Linda Delvaux will conduct a training session on zoning issue procedures and answer board members' questions regarding their role in the process.

AGENDA ITEM VII – CITIZENS' COMMENTS

Dan Donar from Menominee addressed the board with his concern about the money spent on a culvert project in Menominee Township.

AGENDA ITEM VIII – CLOSED SESSION

The board entered closed session at 9:07 p.m. to discuss personnel section 2(c)1, collective bargaining section 2(c)2, property section 2(c)5 and litigation section 2(c)11 following approval of a motion made by Dane Jackson and seconded by Ron Mapes.

The motion carried by voice vote.

The board returned from closed session at 9:25 p.m.

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

There was no action as a result of closed session.

AGENDA ITEM X - ADJOURNMENT

The meeting adjourned following a motion made by Bill Cooper and seconded by Bernece Hill. The motion to adjourn carried by voice vote.

Chairperson Schultz adjourned the meeting at 9:28 p.m. until 7:00 p.m. June 12, 2007 at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

Jean Dimke, Jo Daviess County Clerk

**JO DAVIESS COUNTY BOARD
CONSENT AGENDA APPROVED**

MAY 8, 2007

MINUTES APPROVAL

1. Regular County Board meeting minutes of April 9, 2007

APPOINTMENTS

1. Appointment of Mike Petitgout to the Board of Health for three-year term through May 1, 2010
2. Reappointment of Wayne Krohmer as trustee to the Elizabeth Fire Protection District for a three-year term through May 1, 2010

RAFFLE APPLICATIONS

1. Tammy's Stockholders Relay for Life Team- March 17 through June 2, 2007

REPORTS AND CORRESPONDENCE

1. Thank you letter from the National Labor Relations Board
2. Thank you note from Vince Hasken and family for flowers

CLAIMS

1. Claims in the amount of \$548,990.13
2. Emergency Telephone Systems Board claims in the amount of \$8,033.54
3. Drug Enforcement & Education claims in the amount of \$338.54