

**JO DAVIESS COUNTY BOARD
MEETING MINUTES
AUGUST 12, 2003**

CALL TO ORDER: Chairperson of the Jo Daviess County Board, Merri Berlage, called the meeting to order at 7 p.m. on August 12, 2003 at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

ROLL CALL was answered as follows: Present-Dick Alexander, Merri Berlage, Jody Carroll, William Cooper, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Present: 15. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

THE PLEDGE OF ALLEGIANCE was led by Chairperson Berlage.

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

AGENDA ITEM I – CONSENT AGENDA

The consent agenda was approved as attached following a motion made by Dane Jackson, seconded by Lynn Sisler.

The motion carried by roll call vote: Ayes-Dick Alexander, Merri Berlage, Jody Carroll, William Cooper, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Ayes: 15. Nays: 0. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

The appointment of Larry Berlage as trustee of the Elizabeth Community Fire Protection District for a three-year term ending July 1, 2006 was approved following a motion made by Lynn Sisler, seconded by Domer Schubert.

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

AGENDA ITEM II – UNFINISHED BUSINESS

Chairperson Berlage informed board members that the survey received for the prevailing wage was only a summary survey. She contacted the Springfield office and requested a complete survey.

AGENDA ITEM III – NEW BUSINESS AND COMMITTEE REPORTS

NEW BUSINESS:

The board was informed of legislation that requires public bodies to make and maintain audio or video recordings of their closed meetings. This law will be effective January 1, 2004.

EXECUTIVE:

There was no business brought before the board by this committee.

FINANCE, TAX AND BUDGET:

A resolution was adopted creating a Delinquent Tax Liquidation Program and a Professional Services Agreement with Joseph E. Meyer and Associates to administer the program was approved following a committee motion made by John Creighton.

The motion carried by voice vote.

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A GIS Automation Fund budget amendment to the FY2003 Annual Budget allowing GIS program expenses to be paid from the GIS Automation Fund was approved following a committee motion made by John Creighton.

The motion carried by voice vote.

A resolution increasing various fees collected by the Circuit Clerk, effective September 1, 2003 was approved following a committee motion made by John Creighton. Circuit Clerk Sharon Wand explained that the five Circuit Clerks from the 15th Judicial Circuit met and discussed the increased fees and 4 of the 5 agreed on the proposed increased amounts.

The motion for approval of the increased fees carried by voice vote with a nay vote recorded for Dick Alexander.

INFORMATION AND COMMUNICATIONS TECHNOLOGY:

MSA Professional Services will be contracted to complete the community parcel mapping at a cost not to exceed \$65,079 following approval of a committee motion made by Lynn Sisler. Entire funding for this project will come from the Illinois Department of Transportation GIS grant.

The motion carried by roll call vote: Ayes-Dick Alexander, Merri Berlage, Jody Carroll, William Cooper, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Ayes: 15. Nays: 0. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

COUNTY DEVELOPMENT AND PLANNING:

A \$30 per diem and mileage payment was approved for the Building Code Board of Appeals following a committee motion made by Vincent Hasken.

The motion carried by voice vote.

A Jo Daviess County Tax Abatement Policy and Agreement was approved following a motion made by Vincent Hasken.

The motion carried by voice vote with nay votes recorded for Merri Berlage, Margie Montelius and Yerda Potter.

An agreement with the Illinois Historic Preservation Agency for staffing the Old Market House Visitors' Center 7 days a week through November 4, 2003 and 4 days a week thereafter for which the state agrees to pay \$7,083.33 was approved following a committee motion made by Vincent Hasken.

The motion carried by voice vote.

Up to \$71,800 will be committed as a 20% match to a Federal Highway Administration National Scenic Byway Program Grant to begin planning and acquiring land for the Great River Road in Illinois Gateway Visitors Center following approval of a committee motion made by Vincent Hasken.

The motion carried by roll call vote: Ayes-Dick Alexander, Merri Berlage, Jody Carroll, William Cooper, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Ayes: 15. Nays: 0. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

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An application made by Helen Schamberger authorizing graduated county tax abatement over 3 years for the Country Inn and Suites in Stockton was approved following a motion made by Vincent Hasken, seconded by Jack Zillig.

The motion carried by roll call vote: Ayes-Dick Alexander, William Cooper, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Ayes: 12. Nays-Merri Berlage, Jody Carroll and Yerda Potter. Nays: 3. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

PUBLIC WORKS:

Agenda item number 1 under Public Works in regards to the registration fees for dogs was pulled from the agenda for further review following a motion made by Jody Carroll, seconded by William Cooper.

The motion carried by voice vote

An engineering agreement for consultant services with Ozyurt and Stone, Inc. for the railroad bridge in Scales Mound Township, at a fee of 11% of the awarded project cost was approved following a committee motion made by Jody Carroll.

The motion carried by roll call vote: Ayes-Dick Alexander, Merri Berlage, Jody Carroll, William Cooper, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Ayes: 15. Nays: 0. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

The Elizabeth-Scales Mound Road will be designated as the Honorary Cleland Hickman Highway following approval of a committee motion made by Jody Carroll.

The motion carried by voice vote.

HEALTH, ENVIRONMENT AND LAW:

An ETSB budget amendment increasing the bottom line by \$6,705 from the ETSB reserves was approved following a committee motion made by Lynn Sisler.

The motion carried by roll call vote: Ayes-Dick Alexander, William Cooper, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Ayes: 11. Nays-Merri Berlage, Jody Carroll, John Creighton and Yerda Potter. Nays: 4. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

PLANNING COMMISSION:

The Planning Commission's recommendation to rezone a 5.38-acre parcel of land from AG-1 Agricultural to R-1 Rural Residential as a 1-lot subdivision on Lincoln Drive, East Dubuque for Florence McCarthy was approved following a motion made by Vincent Hasken, seconded by Margie Montelius.

The motion carried by roll call vote: Ayes-Dick Alexander, Merri Berlage, Jody Carroll, William Cooper, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Ayes: 15. Nays: 0. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

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The Planning Commission's recommendation to issue a Special Use Permit to Leo and Patricia Rosignal to allow for a single-family home located at 6 Augusta Drive, Galena to be used for transient rental subject to the conditions set forth in the findings of fact and recommendation was approved following a motion made by Lynn Sisler, seconded by John Creighton.

The motion carried by roll call vote: Ayes-Dick Alexander, Merri Berlage, Jody Carroll, William Cooper, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Ayes: 15. Nays: 0. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

The Planning Commission's recommendation to rezone a 10-acre parcel of land located on the north side of Schapville Road just west of 8 Schapville Road from AG-1 Agricultural to R-1 Rural Residential for Robert and Jeanne Crispin subject to conditions set forth in the findings of fact and recommendation was approved following a motion made by Dick Alexander, seconded by Dane Jackson.

The motion carried by roll call vote: Ayes-Dick Alexander, Merri Berlage, Jody Carroll, William Cooper, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Ayes: 15. Nays: 0. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

The Planning Commission's recommendation to issue a Special Use Permit to James and Melody Bowden to allow for a greenhouse and the retail selling of plants and related items at 1959 Blackjack Road, Galena subject to the conditions set forth in the findings of fact and recommendation was approved following a motion made by Dick Alexander, seconded by Jody Carroll.

The motion carried by roll call vote: Ayes-Dick Alexander, Merri Berlage, Jody Carroll, William Cooper, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Lynn Sisler and Jack Zillig. Ayes: 14. Nays: 0. Abstain-Sally Toepfer. Abstain: 1. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

A motion to approve the rezoning request changing the 29.82 acre parcel on North Lake No. 1 Road, Apple River from AG-1 Agricultural to R-P Planned Residential for Foster Field, LLC, provided that water management plans are professionally engineered showing septic design, showing drain tile system, and locations of curtain drains with the plans meeting approval of the Jo Daviess County Environmental Health and all applicable standards before construction was made by Sally Toepfer and seconded by Vincent Hasken.

Chairperson Berlage reminded board members that since a letter of protest was filed in compliance with the Zoning Ordinance the motion must have $\frac{3}{4}$ majority in order to be approved.

The motion to approve failed by roll call vote: Ayes-Dick Alexander, Merri Berlage, John Creighton, Vincent Hasken, Margie Montelius, Domer Schubert, Marvin Schultz, Sally Toepfer and Jack Zillig. Ayes: 9. Nays-Jody Carroll, William Cooper, Dane Jackson, Ron Mapes, Yerda Potter and Lynn Sisler. Nays: 6. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

The Planning Commission's recommendation to issue a Special Use Permit to allow for a private aircraft landing field at 13216 E. Krise Road, Stockton subject to the conditions set forth in the findings of fact and recommendation for Sharon and Robin Hasting was approved following a motion made by Dick Alexander, seconded by Lynn Sisler.

The motion carried by roll call vote: Ayes-Dick Alexander, Merri Berlage, Jody Carroll, John Creighton, Vincent Hasken, Dane Jackson, Ron Mapes, Margie Montelius, Domer Schubert, Marvin Schultz, Lynn Sisler, Sally Toepfer and Jack Zillig. Ayes: 13. Nays-William Cooper and Yerda Potter. Nays: 2. Absent-Joanne Bielenda and Terry Stoffregen. Absent: 2.

LIQUOR COMMISSION:

An amendment to the County Liquor Ordinance adjusting fees for liquor licenses was approved following a committee motion made by Vincent Hasken.

The motion carried by voice vote.

Sheriff Steve Allendorf addressed the board in regards to the Village of Hanover's request to provide law enforcement services to the village. There would be a signed contract and the Village would pay for the services. This issue will be considered at the next Health, Environment and Law committee meeting and will come to the entire board later.

AGENDA ITEM IV – OTHER COMMITTEES AND BOARDS

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

AGENDA ITEM V – CITIZENS' COMMENTS

There were no citizens' comments.

AGENDA ITEM VI – EXECUTIVE SESSION

The board entered Executive Session at 8:35 p.m. to discuss personnel, property and litigation issues following a motion made by Lynn Sisler, seconded by William Cooper.

The motion carried by voice vote.

The board exited Executive Session at 8:45 p.m.

AGENDA ITEM VII – ADJOURNMENT

The meeting adjourned following a motion made by Vincent Hasken, seconded by Margie Montelius.

The motion to adjourn carried by voice vote.

Chairperson Berlage adjourned the meeting at 8:47 p.m. until 7 p.m. Tuesday, September 9, 2003 at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

**JO DAVIESS COUNTY BOARD
CONSENT AGENDA APPROVED
AUGUST 12, 2003**

MINUTES APPROVAL

1. Regular County Board meeting minutes of July 8, 2003

APPOINTMENTS

1. Resignation of Bill Cowser from the CEDS committee
2. Appointment of Joanne Bielenda to the Jo Daviess County Community Needs Assessment Committee for a short-term commitment
3. Appointment of Terry Kurt to the Merit Commission for a three-year term ending June 1, 2006
4. Appointment of Nancy Schuldt to the Merit Commission for three-year term ending June 1, 2006

RAFFLE APPLICATIONS

1. Apple Canyon Lake Property Owners association-August 31, 2003
2. Jo Daviess County Chapter Thrivent Financial for Lutherans-August 13 through August 23, 2003

REPORTS AND CORRESPONDENCE

1. Report of Sales Tax Receipts for the period 1/1/03 through 3/31/03, which were collected 2/1/03 through 4/30/103
2. Report from NICAA Housing Programs regarding the Small Rental Properties Program

CLAIMS

1. Claims approval in the amount of \$1,196,612.87