

**JO DAVIESS COUNTY BOARD
MEETING MINUTES
APRIL 8, 2003**

CALL TO ORDER: Chairperson of the Jo Daviess County Board, Merri Berlage, called the meeting to order at 7 p.m. on April 8, 2003 at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

ROLL CALL was answered as follows: Present-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Present: 13. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

THE PLEDGE OF ALLEGIANCE was led by Chairperson Berlage.

THE INVOCATION and thought for the day were given by Joanne Bielenda.

AGENDA ITEM I – CONSENT AGENDA

The consent agenda was approved as attached following a motion made by William Cooper, seconded by Joanne Bielenda.

The consent agenda was approved by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

Sales Tax Receipts quarterly report for October 1, 2002 through December 31, 2002 and the Sales Tax Annual report for 2002 were submitted to the board as reports and correspondence. A letter from Illinois Historic Preservation Agency listing Millville Town Site on the National Register of Historic Places was also received as well as a letter of resignation from Larry Lyons for County Board seat district #17 effective following the board meeting of April 8, 2003. These reports and correspondence were filed and Larry's resignation was accepted with regrets following a motion made by Marvin Schultz, seconded by Jody Carroll.

The motion carried by voice vote.

AGENDA ITEM II – UNFINISHED BUSINESS

Resigning board member Larry Lyons advised fellow board members that as they continue to make deliberations on this board they should not be swayed by automatic reactions. He said he was guilty of such an action awhile back in regards to Sheriff Allendorf and he would like to make a public apology at this time. Larry advised board members to do the research and know their subjects so they may make informed decisions.

AGENDA ITEM III – NEW BUSINESS AND COMMITTEE REPORTS

PUBLIC WORKS:

County MFT maintenance bids were awarded to bidders as highlighted on the bid tabs that were provided to board members by Steve Keeffer, County Engineer following a motion made by Jody Carroll, seconded by William Cooper.

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The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

A County MFT Maintenance Resolution to appropriate \$468,972.00 for this year's maintenance program was approved following a motion made by Jody Carroll, seconded by Domer Schubert.

The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

Township MFT maintenance bids were awarded to bidders as highlighted on the bid tabs that were provided to board members by Steve Keeffer, County Engineer following a motion made by Jody Carroll, seconded by William Cooper.

The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

Moring Construction from McConnell, Illinois was approved to construct a box culvert on Cameron Drive, Guilford Township at a cost of \$87,149.50 (50% County; 50% Township) following approval of a motion made by Jody Carroll, seconded by Domer Schubert.

The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

Civil Constructors from Freeport, Illinois were approved to construct the River Ridge School turn lanes at a cost of \$1,087,642.66 contingent upon receiving the signed agreement back from the State of Illinois, and verification of right-of-way acquisition following a motion made by Jody Carroll, seconded by Margie Montelius.

The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

HEALTH, ENVIRONMENT AND LAW:

A Special Warranty Resolution 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 Sally Toepfer.

The motion carried by voice vote.

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Rafoth Sheet Metal was awarded the HVAC 2003 project, which includes the air handling equipment for the courtrooms at a cost of \$43,725 and alternate #1 return air duct work from the third floor to the second floor at a cost of \$800 following a committee motion made by Sally Toepfer.

The motion carried by roll call vote: Ayes-Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 12. Nays-Merri Berlage. Nays: 1. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

PLANNING COMMISSION:

The Planning Commission's recommendation to rezone a 2.38 acre parcel on Fiedler Road, Warren from AG-1 Agricultural District to R-1 rural Residential District for Frederick Haas, owner and Matthew Thompson, petitioner was approved following a motion made by Margie Montelius, seconded by Joanne Bielenda.

The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

The Planning Commission's recommendation to rezone a 3.55-acre parcel located at 6009 N. High Ridge Road, Galena from AG-1 Agricultural District to R-1 Rural Residential District and approve a 1-lot subdivision for Randy Wills was approved following a motion made by John Creighton, seconded by William Cooper.

The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

The Planning Commission's recommendation to issue a Special Use Permit to Cynthia Caba to allow a single-family home located at 21 Rapids Drive, Galena Territory 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 Domer Schubert, seconded by William Cooper.

The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

The Planning Commission's recommendation to issue a Special Use Permit to Kevin and Suzanne O'Malley to allow a single-family home located at 6 Tanglewood Path, Galena Territory to be used for transient rental was approved following a motion made by Sally Toepfer, seconded by William Cooper.

The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

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The Planning Commission's recommendation to issue a Special Use Permit to Margaret Bussan, owner and Fischer Excavating Inc., petitioner to allow for the operation of a rock quarry at 4621 NW Miner Road, Galena was denied following a motion for approval made by Jody Carroll, seconded by Larry Lyons.

The motion failed by roll call vote: Ayes-Merri Berlage, Jody Carroll, Larry Lyons and Marvin Schultz. Ayes: 4. Nays-Joanne Bielenda, William Cooper, John Creighton, Margie Montelius, Yerda Potter, Domer Schubert, Terry Stoffregen, Sally Toepfer and Jack Zillig. Nays: 9. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

EXECUTIVE:

This committee had no business to bring before the board.

FINANCE, TAX AND BUDGET:

The Finance, Tax and Budget Committee needed no action by the board at this time.

INFORMATION AND COMMUNICATIONS TECHNOLOGY:

Initial cost recovery rates to cover requests for digital data developed by the County GIS staff was set at \$0.50 per geometry feature for requests from commercial entities or the general public and \$0.25 per geometry feature for requests from government and non-profit entities following approval of a committee motion made by Jack Zillig.

The motion carried by voice vote.

Data update recovery rates to cover requests for digital data developed by the County GIS staff was set at \$900 plus 25% of the initial cost for requests from commercial entities or the general public and \$675 plus 25% of the initial cost for requests from government and non-profit entities following approval of a committee motion made by Jack Zillig.

The motion carried by voice vote.

Criteria establishing requirements for a Digital GIS Data Sharing Agreement between the County and any entity requesting digital sharing of data was approved following a committee motion made by Jack Zillig.

The motion carried by voice vote.

A cost recovery charge of \$30,343 for entities wishing to obtain a license of all 1" = 400' digital orthophotography files covering the county and a cost recovery charge of \$38,050 for entities wishing to obtain a license for all ten-foot digital contour data files covering the county were set following approval of a committee motion made by Jack Zillig.

The motion carried by voice vote.

COUNTY DEVELOPMENT AND PLANNING:

CVB Local Promotion Grants totaling \$10,204.50 for six groups of applicants were approved following a committee motion made by Joanne Bielenda.

The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert,

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Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

40,000 copies of the CVB Calendar of Events will be printed at a cost up to \$7,500 following approval of a committee motion made by Joanne Bielenda.

The motion carried by roll call vote: Ayes-Merri Berlage, Joanne Bielenda, Jody Carroll, William Cooper, John Creighton, Larry Lyons, Margie Montelius, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 13. Nays: 0. Absent-Dick Alexander, Vincent Hasken, Dane Jackson and Lynn Sisler. Absent: 4.

The County Board Chairperson is authorized to enter into a Community Planning Allowance Grant Agreement for \$84,511 with the Illinois Department of Natural Resources to offset the loss of property tax revenues to the County resulting from the department's purchase of land following approval of a committee motion made by Joanne Bielenda.

The motion carried by voice vote

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 8:27 p.m. to discuss personnel, property and litigation issues following a motion made by William Cooper, seconded by Terry Stoffregen.

The motion carried by voice vote

The board exited Executive Session at 9:05 p.m.

The County will limit its participation in the acquisition of the property discussed in Executive Session to the amount of money contained in the approved grant agreement with the Illinois Department of Natural Resources through its Open Land Trust Grant Program (Project GOLT 00-006) and the Legislative Line Item Grant through the Illinois Department of Natural Resources (Line Item Project #GIF0033) following approval of a motion made by John Creighton and seconded by Jody Carroll.

The motion carried by voice vote.

The board entered into a second Executive Session at 9:10 p.m. to discuss personnel, property and litigation issues following a motion made by William Cooper, seconded by John Creighton.

The motion carried by voice vote

The board exited Executive Session at 9:25 p.m.

AGENDA ITEM VII – ADJOURNMENT

The meeting adjourned following a motion made by Jack Zillig, seconded by Terry Stoffregen.

The motion to adjourn carried by voice vote.

Chairperson Berlage adjourned the meeting at 9:26 p.m. until 7 p.m. Tuesday, May 13, 2003 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
APRIL 8, 2003**

MINUTES APPROVAL

1. Regular County Board meeting minutes of March 11, 2003

APPOINTMENTS

1. Re-appointment of Ernest Lieb to the Stockton Fire and Ambulance Protection District for a 3-year term beginning May 1, 2003

RAFFLE APPLICATIONS

1. Shepherd of the Hills Lutheran Church Youth Group-
2. Riverview Center-May 20 through October 12, 2003
3. St. Joseph Church Altar and Rosary Society-May through October 2003
4. Dick's Team for Life (Relay for Life)-April through June 6, 2003

CLAIMS

1. Claims approval in the amount of \$276,019.27