

**JO DAVIESS COUNTY BOARD
MEETING MINUTES
JUNE 9, 2009**

CALL TO ORDER: Chairperson of the Jo Daviess County Board, Marvin Schultz, called the meeting to order at 7:00 p.m. on Tuesday, June 9, 2009, at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

ROLL CALL was answered as follows: Present-Gerald Bennett, Merri Berlage, Jody Carroll, William Cooper, Gavin Doyle, Bernece Hill, Dane Jackson, Michael Lorig, Ron Mapes, Kim Monk, Margie Montelius, Marvin Schultz, Ron Smith and Terry Stoffregen. Present: 14. Absent-Alan Kent and Dan Sheridan. Absent: 2.

THE PLEDGE OF ALLEGIANCE was led by Chairperson Schultz.

THE INVOCATION and thought for the day were given by Merri Berlage. A heart-felt poem honoring recently deceased board member Jack Zillig was composed and read 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 Ron Smith.

The motion carried by roll call vote: Ayes-Gerald Bennett, Merri Berlage, Jody Carroll, William Cooper, Gavin Doyle, Bernece Hill, Dane Jackson, Michael Lorig, Ron Mapes, Kim Monk, Margie Montelius, Marvin Schultz, Ron Smith and Terry Stoffregen. Ayes: 14. Nays: 0. Absent-Alan Kent and Dan Sheridan. Absent: 2.

Marvin Schultz was appointed to the Tri County Economic Development Alliance Board of Directors through November 30, 2010 following a motion made by Merri Berlage and seconded by Ron Mapes.

The motion carried by voice vote with an abstain vote recorded for Marvin Schultz.

AGENDA ITEM II – CITIZENS' COMMENTS

There were no citizens' comments at this time.

AGENDA ITEM III – UNFINISHED BUSINESS

There was no unfinished business brought before the board.

AGENDA ITEM IV – NEW BUSINESS AND COMMITTEE REPORTS

A declaration of a vacant seat for County Board District #2, Dunleith II was approved following a motion made by Merri Berlage and seconded by Bill Cooper.

The motion carried by voice vote.

PUBLIC WORKS:

A request for aid from Council Hill Township for replacement of a bridge carrying Kelly Road over the Galena River at an estimated cost of \$500,000 (State 80%; County 10%; Township 10%) with the County portion to be paid from line 011-43145-890 County Aid to Bridges was approved following a committee motion made by Jody Carroll.

The motion carried by voice vote.

A petition for aid from Apple River Township for the replacement of five road culverts on Dotzel Road, Mt. Sumner Road and Hodgins Road at an estimated cost of \$10,000 (County 50%; Township 50%)

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with the County portion to be paid from line item 011-43145-890 County Aid to Bridges was approved following a committee motion made by Jody Carroll.

The motion carried by voice vote.

A bid was awarded to Windy Hill Construction of Galena in the amount of \$49,887.72 for the replacement of a box culvert extension on Stagecoach Trail to be paid from line item 011-43145-890 County Aid to Bridges following approval of a motion made by Jody Carroll and seconded by Merri Berlage.

The motion carried by voice vote.

LAW ENFORCEMENT AND COURTS:

A recommendation to establish a Communication Upgrade Committee and an established fee schedule as presented was approved following a committee motion made by Dane Jackson.

The motion carried by voice vote.

The appointment of Bill Cooper, John Duerr, Joe Heim, Kevin Turner, Randy Baysinger, Ben Petitgout, Dan Schleicher, Tom Winter, Mike Moser, Bryan Bohnsack, Scott Toot and Jerry Westemeier to the Communications Upgrade Committee was approved following a committee motion made by Dane Jackson.

The motion carried by voice vote.

An addendum to the Allen and Urbain professional services contract for design and construction management of the Sheriff's Department carport project in the amount of \$1,500.00 to be paid from line item 042-46171-805-426 Capital Investment Fund was approved following a committee motion made by Dane Jackson.

The motion carried by voice vote.

Two FY2009 Public Defender contracts with Donald Schweih for \$52,982 and Thomas Nack for \$34,893 each to be paid from line item 001-42131-401 Courts was approved following a committee motion made by Dane Jackson.

The motion carried by voice vote.

Agenda item C5, the Sheriff's Department roof project, was returned to committee for further review.

Change order #2 for Phase II of the Courthouse re-roofing project not to exceed \$7,300.00, including painting options 1, 5 and 7 was approved following a committee motion made by Dane Jackson.

The motion carried by voice vote.

SOCIAL AND ENVIRONMENTAL:

The bid proposal from Lerdahl Business Interiors for 2009 Courthouse office furnishings project was rejected for not meeting the bid specifications following a committee motion made by Margie Montelius.

The motion carried by voice vote.

A contract with All-Systems, Inc., of Dubuque, Iowa in the amount of \$45,840.60 to be paid from line item 042-46171-805-413 for the 2009 Courthouse office furnishings project was approved following a committee motion made by Margie Montelius.

The motion carried by voice vote.

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An amount not to exceed \$3,000 from the GIS Capital Equipment/Investment Fund 064-46180-810 to be used for the 2009 Courthouse office improvement project was approved following a committee motion made by Margie Montelius.

The motion carried by voice vote.

PLANNING COMMISSION/ZONING BOARD OF APPEALS:

A recommendation by the Planning Commission/Zoning Board of Appeals to rezone a parcel of land to allow for a non-agricultural residence located adjacent to the east of address 8965 Illinois Route 84 North, Galena, for Leroy & Lela Mae Hilby, owners, and Scott Temperly and Carrie Wienen, petitioners, from AG-1 Agricultural to R-2 Rural Residential, with the approval of a one lot subdivision, was approved following a motion made by Bill Cooper and seconded by Terry Stoffregen.

The motion carried by roll call vote: Ayes-Gerald Bennett, Merri Berlage, Jody Carroll, William Cooper, Gavin Doyle, Bernece Hill, Dane Jackson, Michael Lorig, Ron Mapes, Kim Monk, Margie Montelius, Marvin Schultz, Ron Smith and Terry Stoffregen. Ayes: 14. Nays: 0. Absent-Alan Kent and Dan Sheridan. Absent: 2.

LEGISLATIVE:

An email alert for legislation that is current and in need of immediate action will be established for County Board members following a committee motion made by Merri Berlage.

The motion carried by voice vote.

A recommendation to propose legislation that prohibits elected officials names from being attached to any signage in the State of Illinois was approved following a committee motion made by Merri Berlage.

The motion carried by voice vote.

EXECUTIVE:

A committee motion to approve an ordinance imposing a retailer's occupation tax and service occupation tax at a rate of 1% in the County of Jo Daviess to be used exclusively for school facility purposes was made by Ron Mapes.

An amendment to the motion to replace the rate of 1% with the rate of 1/2% was made by Kim Monk and seconded by Gavin Doyle.

The amendment failed by roll call vote: Ayes-Gerald Bennett, Merri Berlage, Gavin Doyle, Michael Lorig, Kim Monk and Marvin Schultz. Ayes: 6. Nays-Jody Carroll, William Cooper, Bernece Hill, Dane Jackson, Ron Mapes, Margie Montelius, Ron Smith and Terry Stoffregen Nays: 8. Absent-Alan Kent and Dan Sheridan. Absent: 2.

The original motion to approve an ordinance imposing a retailer's occupation tax and service occupation tax at a rate of 1% in the County of Jo Daviess to be used exclusively for school facility purposes failed by voice vote: Ayes-Gerald Bennett, Bernece Hill, Dane Jackson, Ron Mapes, Margie Montelius, Ron Smith and Terry Stoffregen. Ayes: 7. Nays-Merri Berlage, Jody Carroll, Bill Cooper, Gavin Doyle, Michael Lorig, Kim Monk, and Marvin Schultz. Nays: 7. Absent-Alan Kent and Dan Sheridan. Absent: 2.

FINANCE, TAX AND BUDGET:

The following FY2009 line item transfer requests and their associated claims in the amount of \$5,914.99 were approved following a motion made by Ron Smith and seconded by Merri Berlage.

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1. Transfer \$4,000 from 002-43141-901 County Highway Contingency to 002-43141-724 County Rental
 - Claim from Martin Equipment of Illinois in the amount of \$2,625.00
 - Claim from Miller-Bradford & Risberg, Inc. in the amount of \$3,000.00
2. Transfer \$1,000.00 from 002-43141-901 County Highway Contingency to 002-43141-606 County Highway Minor Equipment & Small Tools
 - Claim from Rick's Sales & Service in the amount of \$289.99

The motion carried by voice vote.

The following FY2009 line item over-budget claim totaling \$4,444.38 was approved following a motion made by Ron Smith and seconded by Kim Monk.

- Claims from Directron.com in the amount of \$4,444.38 to be paid from line item 038-46179-606 Minor Equipment & Small Tools; over budget by \$4,444.38.

The motion carried by voice vote.

This brings the total claims amount paid in June 2009 to \$598,177.56.

A voluntary employee furlough program for the remainder of FY2009, with furlough days approved at the discretion of the department head, was approved as presented following a committee motion made by Ron Smith.

The motion carried by voice vote.

The Prevailing Wage Ordinance, Wages of Employees on Public Works, was adopted following a committee motion made by Ron Smith.

The motion carried by voice vote with nay votes recorded for Merri Berlage, Jody Carroll, Bill Cooper and Marvin Schultz.

An acceptance agreement with the State Board of Elections for a voter registration reimbursement grant not to exceed \$10,460 was approved following a committee motion made by Ron Smith.

The motion carried by voice vote.

INFORMATION AND COMMUNICATIONS TECHNOLOGY:

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

DEVELOPMENT AND PLANNING:

A resolution to amend the existing Jo Daviess County Building and Zoning fee structure was approved following a committee motion made by Ron Mapes.

The motion carried by voice vote.

The revised Jo Daviess County Revolving Loan Fund Internal Policy and the Jo Daviess County Revolving Loan application package was approved following a committee motion made by Ron Mapes.

The motion carried by voice vote.

CVB BOARD OF DIRECTORS:

No board action was needed by this committee.

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

Ron Smith asked if the failed motion to approve an ordinance imposing a retailer's occupation tax and service occupation tax at a rate of 1% for school facility purposes could be reconsidered by the board. State's Attorney Terry Kurt stated that yes, it could. Marvin Schultz read the procedure for bringing the question back to the board for reconsideration.

Bill Cooper stated that most of the assessment complaints from persons from the Apple Canyon Lake area had been reduced by the Board of Review. He feels that the assessment of all parcels in the area needs to be revalued.

Gerald Bennett informed the board that there will be a fundraiser benefit held June 28 at the old Hanover School for the family of Trevor McColley. Trevor passed away in a house fire in Hanover on May 30.

Marvin Schultz reminded board members of the UCCI Golf Outing and education seminar to be held at Eagle Ridge Resort in July. He stated that the County was a member of UCCI (United County Councils of Illinois).

AGENDA ITEM VII – CITIZENS' COMMENTS

Katherine Kelly, Superintendent of East Dubuque School District, and Dale Greimann, Superintendent of Galena School District, each expressed their concerns with the board's failure to approve the 1% retailer's occupation tax and service occupation tax to be used exclusively for school facility purposes.

AGENDA ITEM VIII – CLOSED SESSION

The board entered closed session at 8:27 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 Bill Cooper and seconded by Kim Monk.

The motion carried by voice vote.

The board exited closed session and reconvened to open session at 9:13 p.m. following approval of a motion made by Merri Berlage and seconded by Dane Jackson.

The motion carried by voice vote.

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

The employment of Betsy Eaton in the position of Executive Director of the Jo Daviess County Convention and Visitors Bureau was terminated effective immediately following approval of a motion made by Gavin Doyle and seconded by Kim Monk.

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

Michael Scholz was appointed interim Executive Director of the Jo Daviess County Convention and Visitors Bureau effective immediately following approval of a motion made by Gavin Doyle and seconded by Mike Lorig.

The motion carried by voice vote.

AGENDA ITEM X - ADJOURNMENT

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

Chairperson Schultz adjourned the meeting at 9:17 p.m. until 7:00 p.m. Tuesday, July 14, 2009 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
JUNE 9, 2009**

MINUTES APPROVAL

1. County Board minutes from May 12, 2009

APPOINTMENTS

1. Appointment of Helen Schamberger to the CEDS Committee for two-year term ending July 1, 2011
2. Appointment of Gary Jobgen to the 708 Mental Health Board for three-year term ending July 1, 2012
3. Appointment of Ernest Lieb as trustee to the Stockton Fire Protection District for a three-year term ending May 1, 2012
4. Appointment of Larry Wiedenheft to the Board of Review for a three-year term ending June 1, 2012
5. Appointment of Edna Penticoff to the Board of Review for a three-year term ending June 1, 2012
6. Appointment of Thomas Schuldt to the Farmland Assessment Committee for a three-year term ending June 1, 2012
7. Appointment of John Cox to the Merit Commission for a three-year term ending June 1, 2012
8. Appointment of Vickie Gratton to the Merit Commission for a three-year term ending June 1, 2012
9. Appointment of Margie Montelius as Chairperson to the Jo Daviess County Social & Environmental Committee to complete a two-year term ending November 30, 2010
10. Appointment of Michael Lorig as Vice-Chairperson to the Jo Daviess County Social & Environmental Committee to complete a two-year term ending November 30, 2010
11. Appointment of Roger Groezinger to the County Board Structure Committee

REPORTS AND CORRESPONDENCE

1. Rice Township Newsletter
2. UCCI Annual Golf Outing and Education Seminar
3. Thank you card from the family of Jack Zillig
4. Letter from IDOT awarding Transit Vehicle under Call for Projects under the American Recovery and Reinvestment Act
5. City of East Dubuque ordinance for annexation of three properties

CLAIMS

1. Claims in the amount of \$587,818.19
2. Emergency Telephone Systems Board claims in the amount of \$56,963.17
3. Sheriff's Forfeiture Fund claims in the amount of \$2,486.80