

**JO DAVIESS COUNTY BOARD  
MEETING MINUTES  
JULY 11, 2006**

**CALL TO ORDER:** Chairperson of the Jo Daviess County Board, Merri Berlage, called the meeting to order at 7:00 p.m. on Tuesday, July 11, 2006 at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

**ROLL CALL** was answered as follows: Present-Beth Baranski, Merri Berlage, Jody Carroll, William Cooper, Vincent Hasken, Alan Kent, Matt Kluesner, Ron Mapes, Margie Montelius, Tim Petitgout, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Present: 16. Absent-Dane Jackson. Absent: 1.

**THE PLEDGE OF ALLEGIANCE** was led by Chairperson Berlage.

**THE INVOCATION** and thought for the day were given by Tim Petitgout.

**AGENDA ITEM I – CONSENT AGENDA**

The consent agenda was approved as attached following a motion made by Bill Cooper and seconded by Jack Zillig.

The motion carried by roll call vote: Ayes-Beth Baranski, Merri Berlage, Jody Carroll, William Cooper, Vincent Hasken, Alan Kent, Matt Kluesner, Ron Mapes, Margie Montelius, Tim Petitgout, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 16. Nays: 0. Absent-Dane Jackson. Absent: 1.

**AGENDA ITEM II – CITIZENS' COMMENTS**

There were no citizens' comments at this time.

**AGENDA ITEM III – UNFINISHED BUSINESS**

The issue of the supplemental special use permit for Galena State Bank and Trust Company as Trustee under Trust No. 586, owner, to allow for the substantial expansion of Eagle Ridge Realty at 5148 US Highway 20 West, Galena will be sent back to the Planning Commission for clarification of the 3-acre requirement following a motion made by Beth Baranski and seconded by Ron Mapes.

The motion carried by roll call vote: Ayes-Beth Baranski, Vincent Hasken, Alan Kent, Ron Mapes, Margie Montelius, Tim Petitgout, Marvin Schultz, Terry Stoffregen and Jack Zillig. Ayes: 9. Nays-Merri Berlage, Jody Carroll, Matt Kluesner, Yerda Potter, Domer Schubert and Sally Toepfer. Nays: 6. Abstain-William Cooper. Abstain: 1. Absent-Dane Jackson. Absent: 1.

**AGENDA ITEM IV – NEW BUSINESS AND COMMITTEE REPORTS**

**SOCIAL AND ENVIRONMENTAL:**

A resolution authorizing application for Public Transportation Financial Assistance was approved following a committee motion made by Marvin Schultz.

The motion carried by voice vote.

**PLANNING COMMISSION/ZONING BOARD OF APPEALS:**

The Planning Commission's recommendation to rezone a parcel of land from AG-1 Agricultural to R-P Planned Residential and approval of a 1 lot subdivision located at Jule Avenue/Third Street, East Dubuque for Scott and Tammie Schaefer, owners was approved following a motion made by Beth Baranski, seconded by Tim Petitgout.

The motion carried by roll call vote: Ayes-Beth Baranski, Merri Berlage, Jody Carroll, William Cooper, Vincent Hasken, Alan Kent, Matt Kluesner, Ron Mapes, Margie Montelius, Tim Petitgout, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 16. Nays: 0. Absent-Dane Jackson. Absent: 1.

The Planning Commission's recommendation to rezone a parcel of land from AG-1 Agricultural to R-1 Rural Residential located on Hicks Road, Warren, for Daylon and Diane Niemann, owners, and Steven and Jennifer Pax, contract purchasers was approved following a motion made by Jack Zillig and seconded by Alan Kent.

The motion carried by roll call vote: Ayes-Beth Baranski, Jody Carroll, Vincent Hasken, Alan Kent, Matt Kluesner, Ron Mapes, Margie Montelius, Tim Petitgout, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 14. Nays-Merri Berlage and William Cooper. Nays: 2. Absent-Dane Jackson. Absent: 1.

**LEGISLATIVE:**

This committee had no business to bring before the board.

**EXECUTIVE:**

This committee had no business to bring before the board.

**FINANCE, TAX AND BUDGET:**

TRICOR Insurance and Financial Services was hired as the County's broker of record following approval of a committee motion made by Yerda Potter.

The motion carried by voice vote.

County Administrator Dan Reimer was appointed designee with the authorization to approve budget line-item transfer requests up to a limit of \$500.00 following approval of a committee motion made by Yerda Potter.

The motion carried by voice vote.

A resolution for a line-item transfer for the CVB to transfer \$1,000 from Interfund Transfer (027-45161-990) to Professional Services (027-45161-702-19) to cover the department's contribution toward the terminal server project was approved following a committee motion made by Yerda Potter.

The motion carried by voice vote.

Two resolutions allowing redemption upon payment of taxes of parcels in Warren purchased on the County's behalf by tax buyer Joseph Meyer were approved following a committee motion made by Yerda Potter.

The motion carried by voice vote.

A resolution allowing redemption upon payment of taxes of a parcel in Galena purchased on the County's behalf by tax buyer Joseph Meyer was approved following a motion made by Yerda Potter, seconded by Bill Cooper.

The motion carried by voice vote.

A resolution allowing the County Clerk to spend the proceeds from her furniture sales at the Sheriff's auction on furniture and equipment needed for her office was approved following a committee motion made by Yerda Potter.

The motion carried by voice vote.

The following line item transfers and their associated claims totaling \$185.47 were approved following a motion made by Yerda Potter and seconded by Marvin Schultz.

- a) Transfer \$57.60 from 001-40103-605 Office Supplies to 001-40103-706 Printing for business cards
  - Claim of Copyworks for \$57.60 to be paid from 001-40103-706 Printing.
- b) Transfer \$250.00 from 018-46177-706 Postage to 018-46177-704 Telephone to cover costs of phone lines at new Elizabeth Office.
  - Claim of Verizon for \$100.87 to be paid from 018-46177-704 Telephone
- c) Transfer \$27.00 from 002-43141-901 Contingency to 002-43141-702 Professional Services for new hire drug testing
  - Claim of FHN for \$27.00 to be paid from 002-43141-702 Professional Services

The motion carried by roll call vote: Ayes-Beth Baranski, Merri Berlage, Jody Carroll, William Cooper, Vincent Hasken, Alan Kent, Matt Kluesner, Ron Mapes, Margie Montelius, Tim Petitgout, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 16. Nays: 0. Absent-Dane Jackson. Absent: 1.

Claims for over-budget line items in the amount of \$156,281.78 not provided for in the consent agenda for the following Township MFT (021) and Township Bridge (010) line items as follows were approved following a motion made by Yerda Potter and seconded by Bill Cooper.

- a) Fischer Excavating for \$27,328.76 to be paid from 021-43146-605 Maintenance Supplies
- b) Conmat for \$61,328.35 to be paid from 021-43146-601 Maintenance Supplies
- c) Flint Hills Resources for \$5,149.02 to be paid from 021-43146-601 Maintenance Supplies
- d) Flint Hills Resources for \$15,831.45 to be paid from 021-43146-601 Maintenance Supplies
- e) Gasaway Distributors, Inc. for \$3,164.98 to be paid from 021-43146-601 Maintenance Supplies
- f) Fahner Asphalt Sealers for \$40,231.36 to be paid from 021-43146-601 Maintenance Supplies
- g) Gasaway Distributors, Inc. for \$3,247.86 to be paid from 021-43146-601 Maintenance Supplies

The motion carried by roll call vote: Ayes-Beth Baranski, Merri Berlage, Jody Carroll, William Cooper, Vincent Hasken, Alan Kent, Matt Kluesner, Ron Mapes, Margie Montelius, Tim Petitgout, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 16. Nays: 0. Absent-Dane Jackson. Absent: 1.

Claims for over-budget line items not provided for in the consent agenda in the amount of \$8,219.71 as follows were approved following a motion made by Yerda Potter and seconded by Bill Cooper.

- a) Carl M. Wahlstrom, Jr. M.D. for \$6,906.25 to be paid from 001-42134-719 Other Services Charges

- b) Department of Correctional Services for \$300.00 to be paid from 001-42134-719 Other Services Charges
- c) Robert A. Bush for \$267.36 to be paid from 001-42134-719 Other Services Charges
- d) Verizon Legal Compliance for \$150.00 to be paid from 001-42134-719 Other Services Charges
- e) Jo Daviess County Sheriff's Office for \$30.00 to be paid from 001-42134-719 Other Services Charges
- f) Visa for \$375.10 to be paid from 001-42134-502 Travel Expenses
- g) Illinois State Bar Association for \$191.00 to be paid from 001-42134-503 Dues

The motion carried by roll call vote: Ayes-Beth Baranski, Merri Berlage, Jody Carroll, William Cooper, Vincent Hasken, Alan Kent, Matt Kluesner, Ron Mapes, Margie Montelius, Tim Petitgout, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 16. Nays: 0. Absent-Dane Jackson. Absent: 1.

#### **INFORMATION AND COMMUNICATIONS TECHNOLOGY:**

This committee had no business to bring before the board.

#### **DEVELOPMENT AND PLANNING:**

The Rules of Procedures for the Zoning Board of Appeals was approved following a committee motion made by Ron Mapes.

The motion carried by roll call vote: Ayes-Beth Baranski, Merri Berlage, Jody Carroll, William Cooper, Vincent Hasken, Alan Kent, Matt Kluesner, Ron Mapes, Margie Montelius, Tim Petitgout, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 16. Nays: 0. Absent-Dane Jackson. Absent: 1.

The Overall Economic Development Plan with the inclusion of a new visitor center under the appropriate goal was approved following a committee motion made by Ron Mapes.

The motion carried by voice vote.

The CVB's local promotion grants as presented for new product development in the amount of \$602.60 and for special events in the amount of \$8,003.00 to be paid from line item 027-45161-906-11 was approved following a committee motion made by Ron Mapes.

The motion carried by voice vote.

A resolution adopting new additional fees to the fee schedule for administrative variances and LESA was approved following a committee motion made by Ron Mapes.

The motion carried by voice vote.

The Jo Daviess County LESA (Land Evaluation and Site Assessment) system used by officials through the local zoning process was approved following a committee motion made by Ron Mapes.

The motion carried by voice vote.

Costs for the Economic Development Director to attend an educational seminar with a line item transfer of \$250.00 from 018-46177-703 Postage to 018-41677-501 Education and Training and to pay the associated claim of \$250.00 to Midwest Community Development Institute from line item 018-46177-501 were approved following a committee motion made by Ron Mapes.

The motion carried by roll call vote: Ayes-Beth Baranski, Merri Berlage, Jody Carroll, William Cooper, Vincent Hasken, Alan Kent, Matt Kluesner, Ron Mapes, Margie Montelius, Tim Petitgout, Yerda Potter, Domer Schubert, Marvin Schultz, Terry Stoffregen, Sally Toepfer and Jack Zillig. Ayes: 16. Nays: 0. Absent-Dane Jackson. Absent: 1.

This brings the total claims amount paid for July 2006 to \$676,312.31.

**PUBLIC WORKS:**

A petition for aid from Elizabeth Township for culvert repair on Sawmill Road with an estimated cost of \$5,000 (50% County; 50% Township) was approved following a committee motion made by Jody Carroll.

The motion carried by voice vote.

The design services contract for the Scales Mound Township, Veta Grande Road railroad bridge with Ozyurt and Stone was reassigned to Fehr Graham and Associates from Freeport following a committee motion made by Jody Carroll.

The motion carried by voice vote.

A resolution allowing over-budget expenditures for the resurfacing projects on Elizabeth-Scales Mound Road and Derinda Road was approved following a committee motion made by Jody Carroll.

The motion carried by voice vote.

The Public Works Committee was authorized to award the bid on the Menominee Township Route 5 box culvert project once the pending IDOT approval is received following approval of a committee motion made by Jody Carroll.

The motion carried by voice vote.

The county will enter into a 3-year contract with Cintas for uniform rental service for Highway Department employees following a committee motion made by Jody Carroll.

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

Jo Daviess Workshop (JDWI) will be allowed to purchase fuel from the Jo Daviess County Transit System following approval of a committee motion made by Jody Carroll.

The motion carried by voice vote.

**LAW ENFORCEMENT AND COURTS:**

An ordinance governing barking dogs was approved following a committee motion made by Bill Cooper.

The motion carried by voice vote.

**Jo Daviess County Board Meeting Minutes**

**July 11, 2006**

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**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**

Jack Zillig said he would like to review the barking dog ordinance after it has been in place for a few months.

Marvin Schultz thanked the LESA Committee for their time and good work on the LESA (Land Evaluation and Site Assessment) system.

Schultz also complimented the Economic Development staff for doing an excellent job.

Tim Petitgout said he is in need of a board member to take over the Invocation and Thought for the Day for the monthly board meetings.

**AGENDA ITEM VII – CITIZENS’ COMMENTS**

There were no citizens’ comments at this time.

**AGENDA ITEM VIII – CLOSED SESSION**

The board entered Closed Session at 8:10 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 Terry Stoffregen.

The motion carried by voice vote.

The board exited Closed Session at 8:36 p.m.

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

The Jo Daviess County State’s Attorney was authorized to sign a contract with Foley & Lardner to represent the county as special legal counsel for the Rentech project following a motion made by Tim Petitgout and seconded by Alan Kent.

The motion carried by voice vote.

**AGENDA ITEM X - ADJOURNMENT**

The meeting adjourned following a motion made by Jack Zillig and seconded by Tim Petitgout.

The motion to adjourn carried by voice vote.

Chairperson Berlage adjourned the meeting at 8:37 p.m. until 7 p.m. Tuesday, August 8, 2006 at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

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Jean Dimke, Jo Daviess County Clerk

#### MINUTES APPROVAL

1. Regular County Board meeting minutes of June 13, 2006

#### ORDINANCES, RESOLUTIONS & PROCLAMATIONS

1. Resolution designating August 27 as “Workforce Development Week”

#### RAFFLES

1. Apple Canyon Lake Property Owners Association-July 1, 2006
2. Habitat for Humanity of Freeport, Inc.-July 20, 2006
3. Galena Territory Fire Department-August 15 through October 7, 2006
4. Galena Territory Foundation-August 18, 2006
5. Galena Territory Foundation-July 12 through September 9, 2006
6. Menominee-Dunleith Fire Protection District-July 11 through September 6, 2006

#### CLAIMS

1. Claims in the amount of \$511,375.35