

**JO DAVIESS COUNTY BOARD  
MEETING MINUTES  
OCTOBER 11, 2011**

**CALL TO ORDER:** Chairperson of the Jo Daviess County Board, Marvin Schultz, called the meeting to order at 7:00 p.m. on Tuesday, October 11, 2011, at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

**ROLL CALL** was answered as follows: Present-Merri Berlage, Gerald Bennett, William Cooper, Richard Dittmar, Don Hill, Dane Jackson, Randy Jobgen, Ron Mapes, Kim Monk, Margie Montelius, Steven Rutz, Marvin Schultz, Ron Smith, Terry Stoffregen and Don Zillig. Present: 15. Absent-Bernece Hill 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.

**AGENDA ITEM I – CONSENT AGENDA**

The consent agenda was approved as attached following a motion made by Kim Monk and seconded by Margie Montelius.

The motion carried by roll call vote: Ayes-Merri Berlage, Gerald Bennett, William Cooper, Richard Dittmar, Don Hill, Dane Jackson, Randy Jobgen, Ron Mapes, Kim Monk, Margie Montelius, Steven Rutz, Marvin Schultz, Ron Smith, Terry Stoffregen and Don Zillig. Ayes: 15. Nays: 0. Absent: Bernece Hill and Dan Sheridan. Absent: 2.

**AGENDA ITEM II – CITIZENS’ COMMENTS**

Gerald Podraza from Apple River Township addressed the board about his concept of (POOPS) which stands for Persistent, Offensive, Obnoxious, Pervasive Stench. He feels this describes the conditions of a hog confinement facility near his property.

**AGENDA ITEM III – UNFINISHED BUSINESS**

There was no unfinished business brought before the board.

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

**LAW ENFORCEMENT AND COURTS:**

An ordinance amending the Code of Ordinance of Jo Daviess County to repeal Title 4, Chapter 5, Burglar and Fire Alarm Systems was approved following a committee motion made by Dane Jackson.

The motion carried by voice vote.

**SOCIAL AND ENVIRONMENTAL:**

The FY2012 Downstate Operating Assistance Grant Agreement was approved following a committee motion made by Marvin Schultz.

The motion carried by voice vote.

A resolution authorizing execution and amendment of the Downstate Operating Assistance Agreement was approved following a committee motion made by Marvin Schultz.

The motion carried by voice vote.

**PLANNING COMMISSION/ZONING BOARD OF APPEALS**

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A motion to amend the Planning Commission/Zoning Board of Appeals agenda item C1 to show a change of address from 348 N. Snipe Hollow Road, Elizabeth, to 3596 Woodbine St., Stockton was made by Dane Jackson and seconded by Randy Jobgen.

The amendment to the agenda carried by voice vote.

The Planning Commission's recommendation to approve a Special Use Permit for James and Michelle Shutis, owners, to allow for the operation of a Commercial General Store business in the RP Planned Residential District located at 3596 Woodbine St., Stockton, was approved following a motion made by Rick Dittmar and seconded by Ron Smith.

The motion carried by roll call vote: Ayes-Merri Berlage, Gerald Bennett, William Cooper, Richard Dittmar, Don Hill, Dane Jackson, Randy Jobgen, Ron Mapes, Kim Monk, Margie Montelius, Steven Rutz, Marvin Schultz, Ron Smith, Terry Stoffregen and Don Zillig. Ayes: 15. Nays: 0. Absent-Bernece Hill and Dan Sheridan. Absent: 2.

The Planning Commission's recommendation to approve a Special Use Permit for Mark and Lisa Schenker (Brizen Ivy LLC), owners, to allow for Guest Accommodations in an Agricultural District located at 348 N. Snipe Hollow Road, Elizabeth, was approved following a motion made by Merri Berlage and seconded by Don Hill.

The motion carried by roll call vote: Ayes-Merri Berlage, Gerald Bennett, William Cooper, Richard Dittmar, Don Hill, Dane Jackson, Randy Jobgen, Ron Mapes, Kim Monk, Margie Montelius, Steven Rutz, Marvin Schultz, Ron Smith, Terry Stoffregen and Don Zillig. Ayes: 15. Nays: 0. Absent-Bernece Hill and Dan Sheridan. Absent: 2.

**LEGISLATIVE:**

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

**EXECUTIVE:**

A resolution to establish a special revenue fund and fund description for DeBruce Grain Escrow Fund 073-45166 was approved following a committee motion made by Ron Mapes.

The motion carried by voice vote.

**INFORMATION AND COMMUNICATIONS TECHNOLOGY:**

The price for the new 2011 digital orthophotography files was set at a cost of \$80 per tile following approval of a committee motion made Bill Cooper.

The motion carried by voice vote.

**CVB BOARD OF DIRECTORS:**

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

**FINANCE, TAX AND BUDGET:**

The following FY2011 line item transfer requests and the associated claims in the amount of \$10,881.63 were approved following a motion made by Ron Smith and seconded by Don Zillig.

- a) Transfer of \$806.98 to 001-40102-606 County Board/Minor Equipment from 001-40102-501 County Board/Education/Training to pay a claim to purchasing card in the amount of \$806.98.
- b) Transfer of \$534.74 to 001-41123-701 Communications/Maintenance from 001-41123-701 Communications/Telephone to pay a claim to Comelec in the amount of \$775.00.

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- c) Transfer of \$20,000.00 to 002-43141-611 County Highway Fuel/Oil from 002-43141-901 County Highway Contingency to pay a claim to Saunders Oil Company in the amount of \$9,299.65.

The motion carried by voice vote.

The following FY2011 line item over budget requests and the associated claims in the amount of \$2,200.00 were approved following a motion made by Ron Smith and seconded by Steve Rutz.

- a) Claim from Bill Miller in the amount of \$90.00 to be paid from line item 001-41127-451 Mileage; over budget by \$90.00.  
b) Claim from L.W. Blum M.D. in the amount of \$1,500.00 to be paid from line item 001-41127-702 Professional Service; over budget by \$1,500.00.  
c) Claim from Winnebago County Coroner in the amount of \$125.00 to be paid from line item 001-41127-724 Rental; over budget by \$125.00.  
d) Claim from Boone County Coroner in the amount of \$125.00 to be paid from line item 001-41127-724 Rental; over budget by \$125.00.  
e) Claim from AIT Laboratories in the amount of \$360.00 to be paid from line item 001-41127-719 Coroner/Other Service Charges; over budget by \$360.00.

The motion carried by voice vote.

This brings the total claims amount paid in October 2011 to \$687,537.96.

A committee motion to approve a professional service agreement with Chapman & Cutler as bond counsel to finance the Radio Communication Upgrade Project at a cost of \$15,000 plus disbursements and other non fee charges was made by Ron Smith.

An amendment to the motion to cap the disbursements and other non fee charges at \$1,000 with any additions over \$1,000 to be approved by the County Board was made by Merri Berlage and seconded by Bill Cooper.

The amendment carried by voice vote.

The original motion including the amendment carried by voice vote.

**DEVELOPMENT AND PLANNING:**

A committee motion to approve the request from DeBruce Grain, Inc. for an expansion of the Freeport/Stephenson County Enterprise Zone was made by Ron Mapes.

The letter to the Enterprise Zone will be amended to change the acreage from 40 acres to 220 acres following a motion made by Ron Mapes and seconded by Steve Rutz.

The original motion carried by voice vote.

**PUBLIC WORKS:**

A committee motion to purchase a used 2004 John Deere 544J Wheeled End Loader at a price of \$49,000 from Roeder Implement of Dubuque, Iowa, to be paid from line item 002-43141-810 Equipment was made by Merri Berlage.

An amendment to the motion to state that the purchase included the trade in of a 1991 Michigan L90 end loader was made by Merri Berlage and seconded by Dane Jackson.

The amendment carried by voice vote.

The original motion including the amendment carried by voice vote with an abstain vote recorded for Ron Smith.

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A committee motion made by Merri Berlage recommending that Jo Daviess County assume maintenance responsibilities on a portion of Elmoville Road and Groezinger Road in Pleasant Valley Township that is receiving additional traffic from closure of Bethel Road. The maintenance responsibilities will include adding road rock, grading and snow plowing. These maintenance costs will be paid from line item 011-43145-601 County Aid to Bridges/Maintenance Supplies and will be 100% reimbursable from the Emergency Repair program of the Federal Highway Administration.

The motion carried by voice vote.

**OTHER COMMITTEES AND BOARDS:**

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

**AGENDA ITEM V – BOARD MEMBER CONCERNS**

Bill Cooper reminded everyone that November 11 is Veteran's Day and encourages all to partake in a Veteran's Day service.

Margie Montelius said East Dubuque was ready to pour the new asphalt that was damaged in the flood and traffic would be delayed. She suggested that drivers might want to use the Wisconsin bridge to access Dubuque.

Ron Smith thanked Joe Kratcha and the GIS Department for installing the new overhead projector and TV screen in the County Board Room.

**AGENDA ITEM VI – CITIZENS' COMMENTS**

There were no citizens' comments at this time.

**AGENDA ITEM VII – CLOSED SESSION**

The board entered closed session at 8:20 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 and reconvened to open session at 8:28 p.m. following a motion made by Bill Cooper and seconded by Don Hill.

The motion carried by voice vote.

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

There was no action needed as a result of closed session.

**AGENDA ITEM IX - ADJOURNMENT**

The meeting adjourned following a motion made by Bill Cooper and seconded by Don Hill.

The motion to adjourn carried by voice vote.

Chairperson Schultz adjourned the meeting at 8:29 p.m. until 7:00 p.m. Tuesday, November 8, 2011, at the Jo Daviess County Board Room, Jo Daviess County Courthouse, Galena, Illinois.

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Jean Dimke, Jo Daviess County Clerk

**JO DAVIESS COUNTY BOARD  
CONSENT AGENDA APPROVED  
OCTOBER 11, 2011**

**MINUTES APPROVAL**

1. County Board meeting minutes from September 13, 2011, Board Meeting and October 4, 2011, Budget Workshop.

**APPOINTMENTS**

1. Appointment of Aaron Abt to the Emergency Telephone System Board (ETSB) for the remainder of a three-year term ending April 30, 2013.
2. Appointment of Andrew Berlage to the Galena Rural Fire Protection District for a remainder of a three-year term ending April 30, 2013.
3. Appointment of Dr. Michael Zeman to the Board of Health for a three-year term ending November 30, 2014.

**REPORTS AND CORRESPONDENCE**

1. Notice letter from SotaVenture, LLC to terminate the marketing agency-of-record agreement between the Galena/Jo Daviess County Convention & Visitors Bureau and Sota Venture, LLC.
2. Letter from Galena Rural Fire Protection District requesting the appointment of Andrew Berlage as trustee.
3. Letter from Illinois Counties Association (ICA) on the free membership in NACO for one year.
4. Letter from Kleinschmidt Energy & Water Resource Consultants providing notice of filing with Federal Energy Regulatory Commission for licensing of the proposed Lock and Dam 12 Hydroelectric Project.

**CLAIMS**

1. Claims in the amount of \$647,456.33.
2. Emergency Telephone Systems Board claims in the amount of \$24,289.88.
3. Sheriff's Forfeiture Funds claims in the amount of \$36.68.