

The County Board of Whiteside County, Illinois, convened in the County Board room at the Law Enforcement Center in Morrison on Tuesday, March 19, 2019 at 6:30 p.m. Notice of the meeting was given to all Board Members and was posted in the County Clerk's office.

Mr. Duffy, Chairman, called the board meeting to order and directed the Clerk to call the roll. On roll call members: James Arduini, Thomas Ausman, Daniel Bitler, Sue Britt, Doug Crandall, Paul Cunniff, James Duffy, John Espinoza, Glenn Frank, Kurt Glazier, Mark Hamilton, Fidencio Hooper-Campos, Eugene Jacoby, William Lee, William McGinn, Cynthia Mead, William Milby, Karen Nelson, Katherine Nelson, Linda Pennell, Larry Russell, Howard Bud Thompson, Glenn Truesdell and Doug Wetzell (24) were present; members: Martin Koster, Ruth Stanley and Robert VanDeVelde (3) were absent.

Mr. Duffy led the Board in the Pledge of Allegiance to the Flag.

Motion by Mrs. Britt that the County Clerk dispense with the reading of the minutes of the meeting of February 19, 2019, and that these minutes, as sent to the members, be approved. Seconded by Mr. Ausman. Motion carried.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 03-2019-1

WHEREAS, Eli Pannell of Fulton High School, recently competed in the IHSA State Wrestling Championship at Champaign, Illinois, held on February 16, 2019 and,

WHEREAS, Eli Pannell, placed first in the 220 pound class in the Class 1A State tournament.

NOW, THEREFORE BE IT RESOLVED, that the Whiteside County Board offers its congratulations to Eli Pannell and commends him for his achievements, and for so honorably representing his School and the citizens of Whiteside County, at this highly competitive State-level event and;

BE IT FURTHER RESOLVED, that the County Clerk of Whiteside County be directed to forward a copy of this Resolution to Eli Pannell and to Fulton High School.

Motion by Mr. Truesdell to adopt the foregoing Resolution of Congratulations to Eli Pannell, as presented. Motion carried.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 03-2019-2

WHEREAS, Brody Ivey of Newman Central Catholic High School, recently competed in the IHSA State Wrestling Championship at Champaign, Illinois, held on February 16, 2019 and,

WHEREAS, Brody Ivey, placed first in the 152 pound class in the Class 1A State tournament.

NOW, THEREFORE BE IT RESOLVED, that the Whiteside County Board offers its congratulations to Brody Ivey and commends him for his achievements, and for so honorably representing his School and the citizens of Whiteside County, at this highly competitive State-level event and;

BE IT FURTHER RESOLVED, that the County Clerk of Whiteside County be directed to forward a copy of this Resolution to Brody Ivey and to Newman Central Catholic High School.

Motion by Mr. Truesdell to adopt the foregoing Resolution of Congratulations to Brody Ivey, as presented. Motion carried. Brody was present to accept the Resolution and Plaque.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 03-2019-3

WHEREAS, Karen McDearmon began working for Whiteside County as a Principal Clerk in the Treasurer's Office on August 11, 1999 and;

WHEREAS, Karen McDearmon is retiring after 19 years of service to Whiteside County, and the people of the County of Whiteside;

NOW, THEREFORE BE IT RESOLVED, that the County Board of Whiteside does hereby honor Karen McDearmon for her diligence and exemplary performance as a Principal Clerk, Deputy Collector and Chief Deputy Treasurer in the Treasurer's Office in Whiteside County, and to its citizens, and;

BE IT FURTHER RESOLVED, that the County Clerk of Whiteside County be directed to forward a copy of this Resolution to Karen McDearmon.

Motion by Mr. Truesdell to adopt the foregoing Resolution of Retirement to Karen McDearmon, as presented. Motion carried.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 03-2019-4

WHEREAS, the passing of Elizabeth "Betty" Murphy, mother of Ann Ufkin, occurred on February 28, 2019 and;

WHEREAS, the news of Elizabeth "Betty" Murphy passing grieves us, recognizing her death brings a deep and abiding sorrow to Mrs. Ufkin and her family and;

WHEREAS, we, the members of the Whiteside County Board, with sincerity and respect, wish to condole Mrs. Ufkin and her family in their hour of bereavement;

NOW, THEREFORE BE IT RESOLVED, that the Board's deepest sympathies, memorialized by this Resolution, be conveyed to Ann Ufkin and her family.

Motion by Mr. Truesdell to adopt the foregoing Resolution of Condolence in memory of Elizabeth "Betty" Murphy, as presented. Motion carried. Mrs. Ufkin was present to accept the Resolution.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 03-2019-5

WHEREAS, Gene Johnston began working for Whiteside County as a Sanitarian-I for the Health Department on March 13, 1989 and;

WHEREAS, Gene Johnston is retiring after 30 years of service to Whiteside County, and the people of the County of Whiteside;

NOW, THEREFORE BE IT RESOLVED, the County Board of Whiteside does hereby honor Gene Johnston for his diligence and exemplary performance as a Sanitarian-I and Director of Environmental Health at the Health Department in Whiteside County, and to its citizens, and;

BE IT FURTHER RESOLVED, that the County Clerk of Whiteside County be directed to forward a copy of this Resolution to Gene Johnston.

Motion by Mr. Truesdell to adopt the foregoing Resolution of Retirement for Gene Johnston, as presented. Motion carried. Mr. Johnston was present to accept the Resolution. He expressed his appreciation for working at the Health Department and Beth Fiorini. He stated that it was a real privilege.

The Clerk informed the Board that the board members had received a communication on their desk from Heyl Royster regarding a proposed solar farm prior to the meeting. She also informed the Board about Zoning objections for property located at 582 Stouffer Rd., Sterling and also 12717 Lawrence Rd., Sterling.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 03-2019-6

WHEREAS, SolAmerica Energy, LLC/Whiteside-Klingenberg, 1819 Peachtree Road, Suite 100, Atlanta, Georgia, duly filed with the Building and Zoning Administrator, their petition praying that the premises located at 582 Stouffer Road, Sterling, and legally described as follows:

That part of the Northeast Quarter of Section 24, Township 21 North, Range 7 East of the Fourth Principal Meridian, described as follows: Beginning at The Southeast corner of said Northeast Quarter; thence South 89 degrees 35 Minutes 24 Seconds

West on the South line of said Northeast Quarter, 1275.55 feet to the East Right-of Way line of Stouffer Road; Thence North 00 degrees 29 Minutes 05 Seconds East on said Right- of Way line, 649.11 feet; Thence South 89 degrees 52 Minutes 59 Seconds East, 1275.68 Feet to the East line of said Northeast Quarter, Thence South 00 degrees 30 Minutes 29 Seconds West of said East line, 637.39 Feet to the Point of Beginning, all in Whiteside County, Illinois,

be granted a Special Use in the A-1 District to allow a Solar Farm, and;

WHEREAS, the Planning and Zoning Commission has recommended to this Board that said premises should not be granted a Special Use in the A-1 District with the following conditions:

1. The active area of the solar farm shall be enclosed by a seven foot (7') fence.
2. Any outdoor lighting shall be located so that it does not unreasonably disturb the neighboring property owners or the safety of the motoring public.
3. There shall be no employees permanently located at the site.
4. Routine service and maintenance shall only be conducted during regular business hours.
5. Access to the site shall be approved/permitted by the jurisdiction having authority over the roadway.
6. A bond shall be required prior to the issuance of building permits insuring the proper decommissioning of the site.
7. In consideration for the issuance of this Special Use Permit, SOLAMERICA ENERGY, LLC, 1819 PEACHTREE ROAD, SUITE 100, ATLANTA, GEORGIA 30309, its successors and assigns, shall defend, indemnify and save harmless from liability Whiteside County, Illinois and its officers, officials, employees and members of the County Board from and against any and all claims, demands, losses, lawsuits, causes of action, damages, injuries, costs, expenses, including but not limited to, attorney's fees and costs of litigation arising from or under this Special Use Permit or from the construction, maintenance or operation of the solar energy project contemplated under this Special Use Permit regardless of whether any such claim or litigation is based upon contract, tort or any other claimed legal theory.

NOW THEREFORE be it Resolved and Ordained by this Board, that the above described premises be and they are hereby not granted said Special Use in said A-1 District.

Motion by Mr. McGinn to approve the foregoing Resolution denying a special use in the A-1 Agricultural District for a solar farm at 582 Stouffer Road, Sterling, as presented. Motion carried.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 03-2019-7

WHEREAS, Juan Roman, duly filed with the Building and Zoning Administrator, his petition praying that the Comprehensive Plan Future Land Use Map for the premises located at 12717 Lawrence Road, Sterling, and legally described as follows:

Lot Forty-three (43) in Indian Ridge Subdivision No. 2, located in Section 36, Township 21 North, Range 6 East of the 4<sup>th</sup> P.M., Whiteside County, Illinois as per recorded plat thereof filed of record on June 6, 1969, in plat book 11 page 74, AND The East half of lot Forty-four (44) in Indian Ridge Subdivision No. 2, located in Section 36, Township 21 North, Range 6 East of the 4<sup>th</sup> P.M., Whiteside County, Illinois, as per recorded plat thereof filed of record on June 6, 1969 in Plat book 11, page 74, all in Whiteside County, Illinois,

be granted an Amendment from RT Rural Transition to RH Rural Hamlet, and;

WHEREAS, the Planning and Zoning Commission has recommended to this Board that said Future Land Use Map should not be Amended from RT Rural Transition to RH Rural Hamlet,

NOW THEREFORE be it Resolved and Ordained by this Board, that the above described Future Land Use Map not be amended at the above described premises to RH Rural Hamlet.

Motion by Mr. McGinn to approve the foregoing Resolution denying the amendment to the Comprehensive Plan Future Land Use Map from RT Rural Transition to RH Rural Hamlet for property located at 12717 Lawrence Road, Sterling. Motion carried.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 03-2019-8

WHEREAS, Juan Roman, duly filed with the Building and Zoning Administrator, his petition praying that the premises located at 12717 Lawrence Road, Sterling, and legally described as follows:  
Lot Forty-three (43) in Indian Ridge Subdivision No. 2, located in Section 36, Township 21 North, Range 6 East of the 4<sup>th</sup> P.M., Whiteside County, Illinois as per recorded plat thereof filed of record on June 6, 1969, in plat book 11 page 74, AND The East

half of lot Forty-four (44) in Indian Ridge Subdivision No. 2, located in Section 36, Township 21 North, Range 6 East of the 4<sup>th</sup> P.M., Whiteside County, Illinois, as per recorded plat thereof filed of record on June 6, 1969 in Plat book 11, page 74, all in Whiteside County, Illinois,

be granted a Re-classification from a R-1 One-Family Residence District to a B-1 Office District, and;

WHEREAS, the Planning and Zoning Commission has recommended to this Board that said premises should not be Re-classified from a R-1 One-Family Residence District to a B-1 Office District,

NOW THEREFORE be it Resolved and Ordained by this Board, that the above described premises not be Re-classified to a B-1 Office District.

Motion by Mr. McGinn to approve the foregoing Resolution denying the request to reclassify property located at 12717 Lawrence Road, Sterling from R-1 One-Family Residence District to B-1 Office District. Motion carried.

Allie Johnston, 4-H, introduced Abby Stichter and Lara Bielema, who discussed their experience with 4-H. They also handed out cookies to the board members.

Gary Camarano, Economic Development Coordinator, showed the board members two videos that highlight Whiteside County. There will be 400 airings of the short commercial and the long version will be available to 200 public tv stations for one year to use during gaps in programming. They will also be on the County's website.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 3-2019-9

WHEREAS, bids were received on March 1, 2019 for the 2019 General County Bituminous Letting, and;

WHEREAS, the low bids submitted were for the following groups:

Group 1	--	Tri-State Asphalt, LLC
Groups 2, 7 & 8	--	Flint Hills Resources, LP
Groups 3, 4, 5 & 6	--	Asphalt Sales Company

WHEREAS, the Public Works Committee reviewed the bids and recommends their approval.

NOW, THEREFORE BE IT RESOLVED that Tri-State Asphalt, LLC of Morris, IL be awarded Group 1, Flint Hills Resources, LP of Dubuque, IA be awarded Groups 2, 7 & 8 and Asphalt Sales Company of Jacksonville, IL be awarded Groups 3, 4 5 and 6.

Motion by Mr. McGinn to approve the foregoing Resolution for the Award of the 2019 General County Bituminous Letting to the low bidders for the various groups above, as presented. Motion carried.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 3-2019-10

WHEREAS, bids were received on March 1, 2019 for #19-XX000-XX-GM, furnish and apply calcium chloride and/or lignin on various township roads, and;

WHEREAS, Sicalco, Ltd. of Hinsdale, IL was the sole bidder for calcium chloride, at a price of \$260.56 per flake ton; and Environmental Road Solutions was the sole bidder for lignin, at a price of \$0.71 per gallon, and;

WHEREAS, the committee reviewed the bids and recommends their approval.

NOW, THEREFORE BE IT RESOLVED that the bids received from the above bidders be approved.

Motion by Mr. McGinn to approve the foregoing Resolution and Award for 2019 Dust Control Letting to the low bidders above, as presented. Motion carried.

Mr. McGinn presented the following Resolution:

RESOLUTION NO. 3-2019-11

WHEREAS, bids were received on March 1, 2019 for #19-XX000-XX-GM, to furnish and apply sealcoat material for four townships in Whiteside County, and;

WHEREAS, the low bid was received from Porter Brothers Asphalt & Sealing of Rock Falls, IL for:

Garden Plain Township	--	\$33,420.34
Hahnaman Township	--	\$86,639.59
Prophetstown Township	--	\$54,634.20
Tampico Township	--	\$56,327.92

WHEREAS, the Public Works Committee reviewed the bids and recommends its approval.

NOW, THEREFORE BE IT RESOLVED that the respective groups be awarded to the low bidders above. The cost of each project is not to exceed 10% of the awarded bid.

Motion by Mr. McGinn to approve the foregoing Resolution and Award for Section #19-XX000-XX-GM - Sealcoating, for the townships above, to the low bidder, Porter Brothers Asphalt & Sealing of Rock Falls, IL, as presented. Motion carried.

Motion by Mr. McGinn to declare the 2005 Chevrolet Trailblazer and the 1999 Dodge ½ ton pickup truck surplus, as presented. Motion carried.

Motion by Mr. McGinn to approve the Engineering Agreement with Wendler Engineering Services of Dixon, IL at a maximum not-to-exceed \$39,925.00, as presented. Motion carried.

Motion by Mr. McGinn to approve the Engineering Agreement from Chastain & Associates of Rockford, IL at a maximum not-to-exceed \$109,106.00, as presented. Motion carried.

Motion by Mr. McGinn to place on file the Public Works Committee's meeting report, February 2019 claims report and related informational items, as presented. Motion carried.

Motion by Mrs. Nelson to place on file the Health and Social Services Committee's meeting report, December 2018, January 2019 and February 2019 claims reports and related informational items, as presented. Motion carried.

Motion by Mr. Milby to place on file the Judiciary Committee's meeting report, February 2019 claims report and related informational items, as presented. Motion carried.

Motion by Mrs. Britt to place on file the Public Safety Committee's meeting report, February 2019 claims report and related informational items, as presented.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 03-2019-12

WHEREAS, the County Board adopted a Risk Management Plan on November 15, 2016, and;

WHEREAS, the Finance Committee is recommending the plan be amended to reflect a restructuring of duties within the State's Attorney's office,

NOW, THEREFORE, BE IT RESOLVED BY THE WHITESIDE COUNTY, as follows:

Paragraph 1. The Whiteside County Risk Management Plan be amended as outlined in Exhibit 1, which is made a part hereof.

Paragraph 2. This Resolution and every provision thereof shall:

- A. Be considered separable and the invalidation of any provision(s) shall not affect the validity of the remainder.
- B. Supersede any other Resolution or parts thereof, in conflict herewith.

Motion by Mr. Truesdell to approve the amended Risk Management Plan, as presented. Motion carried.

Motion by Mr. Truesdell to approve February 2019 Mileage and travel reimbursement items for County Board members in the amount of \$680.80. On roll call members: Arduini, Ausman, Bitler, Britt, Crandall, Cunniff, Duffy, Espinoza, Frank, Glazier, Hamilton, Hooper-Campos, Jacoby, Lee, McGinn, Mead, Milby, Karen Nelson, Katherine Nelson, Pennell, Russell, Thompson, Truesdell and Wetzell (24) voted yes, members voting no: none, and the motion was declared carried.

Motion by Mr. Truesdell to place on file the Finance Committee's meeting report, February 2019 claims report and related informational items, as presented. Motion carried.

Mr. Duffy announced the appointment of Thomas P. Witmer, Jordan Township, to the unexpired term of the Planning and Zoning Board. Motion by Mr. Truesdell to confirm the foregoing appointment. Motion carried.

Mr. Duffy announced the emergency appointment of Steven Barasch to the 708 Board to fill the unexpired term. Motion by Mr. Truesdell to confirm the foregoing appointment. Motion carried.

Motion by Mr. Truesdell to authorize the Chair to approve an Intergovernmental Agreement and contract to hire a lobbyist to represent the six counties (Carroll, Jo Daviess, Lee, Ogle, Stephenson and Whiteside) regarding the Capital Bill. Seconded by Mr. Glazier. Mr. Truesdell spoke out against hiring a lobbyist. After discussion, the question was called and the motion was defeated.

Mr. Truesdell presented the following Ordinance:

ORDINANCE NO. 03-2019-13

Smoking/Vaping/E-Cigarette policy

WHEREAS, the County of Whiteside, Illinois (the "County") is a duly organized and existing County of the State of Illinois; and

WHEREAS, the County is now operating under the provisions of the Illinois Counties Code, as supplemented and amended; and

WHEREAS, there is a Whiteside County Code ("the Code"), adopted on September 20<sup>th</sup>, 2016, subject to revision by Ordinance and Resolution of the Whiteside County Board from time to time; and,

WHEREAS, The State of Illinois bans smoking in all public buildings; and,

WHEREAS, vaping contains nicotine and nicotine can be damaging to the development of youth interfering with memory and attention, as well as harmful to the cardiovascular system, and unborn babies in pregnant women; and,

WHEREAS, the vaping liquid can contain dangerous chemicals that can cause cancer; and,

WHEREAS, Surgeon General Jerome Adams issued a rare advisory from his office. "I am officially declaring e-cigarette use [vaping] among youth an epidemic in the United States;"; and

WHEREAS, the Whiteside County Board wishes to ban Vaping and Smoking in all County Buildings,

THEREFORE, BE IT ORDAINED, BY THE WHITESIDE COUNTY BOARD, that:

Paragraph 1. Chapter 2 - ADMINISTRATION ARTICLE IV -CITY BUILDINGS AND OTHER PROPERTY be amended as follows:

Sec. 2-276 Smoking/Vaping/E-Cigarette – No smoking, vaping, or use of electronic cigarettes is permitted in any County owned building.

Paragraph 2. The Sheriff be directed to post the appropriate signage in all County Owned Buildings.

Paragraph 3. This Ordinance and every provision thereof shall:

Section 1. Be considered separable and the invalidation of any provision(s) shall not affect the validity of the remainder.

Section 2. Supersede any other Ordinance or Resolutions or parts thereof, in conflict herewith.

Section 3. Go into effect immediately upon passage.

Motion by Mr. Truesdell to adopt the revised E-cigarette policy, as presented. Motion carried.

Motion by Mr. Truesdell to place on file the Executive Committee's meeting report, February 2019 claims report and related informational items, as presented. Motion carried.

Motion by Mr. Thompson that this meeting be adjourned, the Board to meet again on Tuesday, April 16, 2019 at 6:30 p.m. for the regular meeting. Seconded by Ms. Kathy Nelson. Motion carried. The meeting adjourned at 8:02 p.m.

INDEX

Appointment - Thomas Witmer to the Planning and Zoning Board; Pg. KK 206  
Appointment - Steven Barasch to the 708 Board; Pg. KK 206  
Capital Bill - Intergovernmental agreement with six counties for Lobbyist, defeated; Pg. KK 206  
Condolence - Res. #1 re: Darrell Erickson, father of Tim Erickson; Pg. KK 185  
E-Cigarette - Ord. #03-2019-13 re: Revised E-cigarette policy adopted; Pg. KK 206  
Highway Dept. - Res. #03-2019-9 re: 2019 General County Bituminous Letting; Pg. KK 204  
Highway Dept. - Res. #03-2019-10 re: 2019 Dust Control Letting; Pg. KK 204  
Highway Dept. - Res. #03-2019-11 re: Sealcoating; Pg. KK 204  
Highway Dept. - 2005 Trailblazer and 1999 Dodge ½ ton pickup truck declared surplus; Pg. KK 205  
Highway Dept. - Engineering Agreement with Wendler Engineering Services approved; Pg. KK 205  
Highway Dept. - Engineering Agreement with Chastain & Associates approved; Pg. KK 205  
Mileage & Travel Reimbursement - Pg. KK 205  
Recognition - Res. #03-2019-1 re: Eli Pannell, Fulton High School Wrestler; Pg. KK 201  
Recognition - Res. #03-2019-2 re: Brody Ivey, Newman High School Wrestler; Pg. KK 201  
Retirement - Res. #03-2019-3 re: Retirement of Karen McDearmon; Pg. KK 201  
Retirement - Res. #03-2019-5 re: Retirement of Gene Johnston; Pg. KK 202  
Risk Management - Res. #03-2019-12 re: Amended Risk Management Plan approved; Pg. KK 205  
Sympathy - Res. #03-2019-4 re: In memory of Elizabeth Murphy; Pg. KK 202  
Zoning - Res. #03-2019-6 re: Special Use for solar farm at 582 Stouffer Rd., Sterling, denied; Pg. KK 202  
Zoning - Res. #03-2019-7 re: Amendment to Comprehensive Plan for 12717 Lawrence Rd., Sterling, denied; Pg. KK 203  
Zoning - Res. #03-2019-8 re: Request for reclassification for 12717 Lawrence Rd., Sterling, denied; Pg. KK 203