

The County Board of Whiteside County, Illinois, convened in the County Board room at the Law Enforcement Center in Morrison on Tuesday, September 17, 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, Paul Cunniff, James Duffy, John Espinoza, Glenn Frank, Kurt Glazier, Mark Hamilton, Fidencio Hooper-Campos, Eugene Jacoby, Martin Koster, William Lee, Cynthia Mead, William McGinn, William Milby, Karen Nelson, Katherine Nelson, Linda Pennell, Larry Russell, Ruth Stanley, Howard Bud Thompson, Glenn Truesdell and Doug Wetzell (25) were present; Members: Doug Crandall and Robert VanDeVelde (2) 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 August 20, 2019, and that these minutes, as sent to the members, be approved. Seconded by Mr. Ausman. Motion carried.

Mr. Duffy announced the appointment of Penny VanKampen as County Treasurer, effective December 6, 2019. Motion by Mr. Truesdell to confirm the foregoing appointment. Seconded by Mr. Thompson. Motion carried. Penny was introduced and thanked the board for their support and gave a brief background of her experience working in the Treasurer's office.

Drew Wilkens, Whiteside County Airport Board, informed the board about the upcoming Discover Aviation at the Whiteside County Airport. He stated that there would be free airplane rides, kids activities, food and a safety seminar.

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

Motion by Mr. Arduini to place on file the County Offices Committee's meeting report, August 2019 claims report and related informational items, as presented. Motion carried.

Motion by Mrs. Nelson to lay over an ordinance requiring altered and unaltered cats be registered and setting fees for registration, as presented. Motion carried.

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

Motion by Mr. Cunniff to place on file the Public Safety Committee's meeting report, August 2019 claims report and related informational items, as presented. After discussion, the question was called and the motion was declared carried.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 09-2019-1

WHEREAS, The County of Whiteside, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Whiteside, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

STERLING TOWNSHIP

PERMANENT PARCEL NUMBER: 11-17-454-016

As described in certificate(s): 2015-00096 sold October 2016

and it appearing to the Finance Committee that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, City of Sterling, has bid \$793.00 for the County's interest, such bid having been presented to the Finance Committee at the same time it having been determined by the Finance Committee and the Agent for the County, that the County shall receive from such bid \$252.73 as a return for its certificate(s) of purchase. The County Clerk shall receive \$47.27 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive \$0.00 for his services and the Recorder of Deeds shall receive \$43.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$793.00.

WHEREAS, your Finance Committee recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF WHITESIDE COUNTY, ILLINOIS, that the Chairman of the Board of Whiteside County, Illinois, be authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of \$252.73 to be paid to the Treasurer of Whiteside County, Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

Motion by Mr. Truesdell to approve the Resolution authorizing the County to execute a deed of conveyance for the County's interest or cancellation of the appropriate Certificates of Purchase, as the case may be, on certain property known as Sterling Township, Parcel #11-17-454-016. On roll call members: Arduini, Ausman, Bitler, Britt, Cunniff, Duffy, Espinoza, Frank, Glazier, Hamilton, Hooper-Campos, Jacoby, Koster, Lee, McGinn, Mead, Milby, Karen Nelson, Katherine Nelson, Pennell, Russell, Stanley, Thompson, Truesdell and Wetzell (25) voted yes, members voting no: none, and the motion was declared carried.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 09-2019-2

WHEREAS, The County of Whiteside, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Whiteside, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

STERLING TOWNSHIP

PERMANENT PARCEL NUMBER: 11-17-454-017

As described in certificate(s): 2015-00097 sold October 2016

and it appearing to the Finance Committee that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, City of Sterling, has bid \$793.00 for the County's interest, such bid having been presented to the Finance Committee at the same time it having been determined by the Finance Committee and the Agent for the County, that the County shall receive from such bid \$252.73 as a return for its certificate(s) of purchase. The County Clerk shall receive \$47.27 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive \$0.00 for his services and the Recorder of Deeds shall receive \$43.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$793.00.

WHEREAS, your Finance Committee recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF WHITESIDE COUNTY, ILLINOIS, that the Chairman of the Board of Whiteside County, Illinois, be authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of \$252.73 to be paid to the Treasurer of Whiteside County, Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

Motion by Mr. Truesdell to approve the Resolution authorizing the County to execute a deed of conveyance for the County's interest or cancellation of the appropriate Certificates of Purchase, as the case may be, on certain property known as Sterling Township, Parcel #11-17-454-017. On roll call members: Arduini, Ausman, Bitler, Britt, Cunniff, Duffy, Espinoza, Frank, Glazier, Hamilton, Hooper-Campos, Jacoby, Koster, Lee, McGinn, Mead, Milby, Karen Nelson, Katherine Nelson, Pennell, Russell, Stanley, Thompson, Truesdell and Wetzell (25) voted yes, members voting no: none, and the motion was declared carried.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 09-2019-3

WHEREAS, The County of Whiteside, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Whiteside, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

COLOMA TOWNSHIP

PERMANENT PARCEL NUMBER: 11-33-256-021

As described in certificate(s): 2015-00303 sold October 2016

and it appearing to the Finance Committee that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Mike Bunshaw, has bid \$793.00 for the County's interest, such bid having been presented to the Finance Committee at the same time it having been determined by the Finance Committee and the Agent for the County, that the County shall receive from such bid \$193.80 as a return for its certificate(s) of purchase. The County Clerk shall receive \$106.20 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive \$0.00 for his services and the Recorder of Deeds shall receive \$43.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$793.00.

WHEREAS, your Finance Committee recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF WHITESIDE COUNTY, ILLINOIS, that the Chairman of the Board of Whiteside County, Illinois, be authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of \$193.80 to be paid to the Treasurer of Whiteside County, Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

Motion by Mr. Truesdell to approve the Resolution authorizing the County to execute a deed of conveyance for the County's interest or cancellation of the appropriate Certificates of Purchase, as the case may be, on certain property known as Coloma Township, Parcel #11-33-256-021. On roll call members: Arduini, Ausman, Bitler, Britt, Cunniff, Duffy, Espinoza, Frank, Glazier, Hamilton, Hooper-Campos, Jacoby, Koster, Lee, McGinn, Mead, Milby, Karen Nelson, Katherine Nelson, Pennell, Russell, Stanley, Thompson, Truesdell and Wetzell (25) voted yes, members voting no: none, and the motion was declared carried.

Motion by Mr. Truesdell to amend the Ordinance establishing a county cannabis retailers' occupation tax to include a tax of 3% in municipalities within the county. Motion carried.

Mr. Truesdell presented the following Ordinance:

ORDINANCE NO. 09-2019-4

AN ORDINANCE ESTABLISHING A COUNTY CANNABIS RETAILERS' OCCUPATION TAX

WHEREAS, the County of Whiteside, a body politic and corporate of the state of Illinois ("County") is a non-home rule unit of local government pursuant to Article VII, § 8 of the 1970 Illinois Constitution; and,

WHEREAS, the Illinois General Assembly enacted Public Act 101-0027, effective January 1, 2020, which is a comprehensive revision of State statutes regulating the adult use of cannabis in Illinois counties; and,

WHEREAS, the County has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety and welfare of its citizens; and,

WHEREAS, this Ordinance is adopted pursuant to the provisions of the Illinois County Cannabis Retailers' Occupation Tax Law (55 ILCS 5/5-1006.8) (the "Act"); and,

WHEREAS, this Ordinance is intended to impose the tax authorized by the Act providing for a county cannabis retailers' occupation tax which will be collected by the Illinois Department of Revenue;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF WHITESIDE, ILLINOIS, THAT THIS ORDINANCE ESTABLISHING A COUNTY CANNABIS RETAILERS' OCCUPATION TAX BE AND HEREBY IS ADOPTED AS FOLLOWS:

SECTION I: Recitals.

The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION II: Tax imposed; Rate.

(a) A tax is hereby imposed upon all persons engaged in the business of selling cannabis, other than cannabis purchased under the Compassionate Use of Medical Cannabis Pilot Program Act, at retail locations in the County on the gross receipts from these sales at the following rates:

(i) 3.75% of the gross receipts from these sales made in the course of that business in unincorporated areas of County; and

(ii) 3.00% of the gross receipts of sales made in a municipality located in county; and

(b) The imposition of this tax is in accordance with the provisions of the County Cannabis Retailers' Occupation Tax Law (55 ILCS 5/5-1006.8).

SECTION III: Collection of tax by retailers.

(a) The tax imposed by this Ordinance shall be remitted by such retailer to the Illinois Department of Revenue (the "Department"). Any tax required to be collected pursuant to or as authorized by this Ordinance and any such tax collected by such retailer and required to be remitted to the Department shall constitute a debt owed by the retailer to the State. Retailers may reimburse themselves for their seller's tax liability hereunder by separately stating that tax as an additional charge, which charge may be stated in combination, in a single amount, with any State tax that sellers are required to collect.

(b) The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department. The Department shall have full power to administer and enforce the provisions of this article.

SECTION IV: Severability. The provisions and sections of this Ordinance shall be deemed separable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION V: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law, provided, however, that the tax provided for herein shall take effect for all sales on or after the first day of January, 2020. Copies of this Ordinance shall be certified and sent to the Illinois Department of Revenue prior to September 30, 2019.

Motion by Mr. Truesdell to approve the Ordinance establishing a county cannabis retailers' occupation tax, as amended. Motion carried.

Motion by Mr. Truesdell to approve August 2019 Mileage and travel reimbursement items for County Board members in the amount of \$1,586.16. On roll call members: Arduini, Ausman, Bitler, Britt, Cunniff, Duffy, Espinoza, Frank, Glazier, Hamilton, Hooper-Campos, Jacoby, Koster, Lee, McGinn, Mead, Milby, Karen Nelson, Katherine Nelson, Pennell, Russell, Stanley, Thompson, Truesdell and Wetzell (25) 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, August 2019 claims report and related informational items, as presented. Motion carried.

Mr. Duffy announced the reappointment of Gary Clark as Drainage Commissioner of Drainage District No. 2 of the Towns of Tampico and Hahnaman. Motion by Mr. Truesdell to confirm the foregoing reappointment. Motion carried.

Mr. Duffy announced the reappointment of Dustin D. Hook as Drainage Commissioner of the Johnson Creek Levee and Drainage District of Whiteside and Carroll Counties. Motion by Mr. Truesdell to confirm the foregoing reappointment. Motion carried.

Mr. Duffy announced the reappointment of Dustin D. Hook as Drainage Commissioner of the Johnson Creek Levee and Drainage Subdistrict #1. Motion by Mr. Truesdell to confirm the foregoing reappointment. Motion carried.

Mr. Duffy announced the appointment of Thomas DePasquale to the 708 Mental Health Board to fill an unexpired term with the term to end 12/31/2022. Motion by Mr. Truesdell to confirm the foregoing appointment. Motion carried.

Mr. Truesdell presented the following Ordinance:

ORDINANCE NO. 09-2019-5

Amend Mileage Rate - Board Members

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 20th, 2016, subject to revision by Ordinance and Resolution of the Whiteside County Board from time to time; and,

WHEREAS, the Whiteside County Board desires to increase the mileage reimbursement rate for work-related mileage to the maximum rate set by the Internal Revenue Service;

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

Paragraph 1. The County Code be amended as outlined in Exhibit 1, which is made a part hereof.

Paragraph 2. 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 December 1st, 2019.

Motion by Mr. Truesdell to adopt the foregoing Ordinance amending the mileage rate for the board members, as presented. After discussion, the question was called and the motion was declared carried.

Motion by Mr. Truesdell to take from the table an ordinance amending the board rules to allow for recognition of local valedictorians and salutatorians including pending amendments.

Motion by Mr. Truesdell to amend the ordinance to include 4-H State Champions. On roll call members: Ausman, Frank, Glazier, Jacoby, Koster, Lee, Mead, Pennell, Stanley and Wetzell (10) voted yes; members: Arduini, Bitler, Britt, Cunniff, Duffy, Espinoza, Hamilton, Hooper-Campos, McGinn, Milby, Karen Nelson, Kathy Nelson, Russell, Thompson and Truesdell (15) voted no, and the motion was defeated.

Mr. Truesdell presented the following Ordinance:

ORDINANCE NO. 09-2019-6

Amend Board Rules - Recognitions

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 20th, 2016, subject to revision by Ordinance and Resolution of the Whiteside County Board from time to time; and,

WHEREAS, the Whiteside County Board desires to revise the rules regarding recognitions to include valedictorians and salutatorians;

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

Paragraph 1. Sec. 2-25. - Condolences, acknowledgments, recognitions and plaques.

(d) Academic recognition resolutions. High school students and teams who take first place in an Illinois High School Association (IHSA) state level or higher competition shall be recognized with a congratulatory resolution and a plaque. High school students and teams that place second, third or fourth in an IHSA state-level or higher competitions shall be recognized

with a congratulatory resolution. High school students graduating as valedictorian or salutatorian shall be recognized with a congratulatory resolution.

Paragraph 2. 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 approve the foregoing Ordinance amending the board rules to allow for recognition of local valedictorians and salutatorians. Motion carried.

Motion by Mr. Truesdell to place on file the Executive Committee's meeting report, August 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, October 15, 2019 at 6:30 p.m. for the regular meeting. Seconded by Ms. Kathy Nelson. Motion carried. The meeting adjourned at 7:15 p.m.

Dana Nelson
Whiteside County Clerk

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