

The County Board of Whiteside County, Illinois, convened in the County Board room at the Law Enforcement Center in Morrison, on Tuesday, April 18, 2023, 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. Koster, Chairman, called the board meeting to order and directed the Clerk to call the roll. On roll call members: Thomas Ausman, Daniel Bitler, Michael Clark, Douglas Crandall, Paul Cunniff, Shawn Dowd, James Duffy, Glenn Frank, Kurt Glazier, Mark Hamilton, Martin Koster, Joan Padilla, Brooke Pearson, Linda Pennell, Alex Regalado, Larry Russell, Ernest Smith, Glenn Truesdell, Matt Ward, Chad Weaver, Thomas Alex Williams and Tom Witmer (22) were present; members: Sue Britt, Barry Cox, Sally Douglas, Brhenan Linke and Douglas Wetzell (5) were absent.

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

Motion by Ms. Pearson that the County Clerk dispense with the reading of the minutes of the March 21, 2023 board meeting, and that these minutes, as sent to the members, be approved. Seconded by Mr. Ausman. Motion carried.

Mr. Glazier presented the following Resolution:

RESOLUTION NO. 04-2023-1

WHEREAS, since our last Whiteside County Board meeting, we have been informed of the passing of Kaye Truesdell, wife of our esteemed colleague, Glenn Truesdell and;

WHEREAS, the news of Kaye Truesdell's passing grieves us, recognizing her death brings a deep and abiding sorrow to Glenn Truesdell and his family in their hour of bereavement;

NOW, THEREFORE BE IT RESOLVED, that the Board's deepest sympathies, memorialized by this Resolution, be conveyed to Glenn Truesdell and his family.

Motion by Mr. Glazier to adopt the foregoing Resolution of Condolence in memory of Kaye Truesdell. Motion carried.

Dana Nelson, County Clerk, read a communication from Brian Bartoz, teacher at Morrison High School, inviting the board to a presentation by substance abuse and mental health speaker, Landon Ballard on April 25 at 12:30 p.m.

Mr. Frank presented the following Resolution:

RESOLUTION NO. 04-2023-2

WHEREAS, 312 Solar Development, LLC, 55 Technology Drive, Suite 102, Lowell, Massachusetts, 01851, duly filed with the Building and Zoning Administrator, their petition praying that the premises located in the 13700 Block of Sawyer Road, Morrison, Illinois and legally described as follows:

A Part of the Northwest Quarter of Section 29, Township 21 North, Range 5 East of the Fourth Principal Meridian in Whiteside County, Illinois, described as follows: Beginning at the Northwest corner of said Section 29; thence North 89 Degrees 25 Minutes 50 Seconds East along the North line of said Section 29 a distance of 1297.94 Feet; Thence South 00 Degrees 26 Minutes 54 Seconds East, 1334.50 Feet; Thence South 89 Degrees 58 Minutes 23 Seconds East, 1290.73 Feet; Thence North 45 Degrees 01 Minutes 37 Seconds East, 72.85 Feet to the East line of Said Northeast Quarter; Thence South 00 Degrees 26 Minutes 05 Seconds East along said East line, 154.28 feet; Thence North 44 Degrees 58 Minutes 23 Seconds West, 74.61 Feet; Thence North 89 degrees 58 Minutes 23 Seconds West, 1290.32 Feet; Thence South 00 Degrees 26 Minutes 54 Seconds East, 40.00 Feet; Thence North 89 Degrees 58 Minutes 23 Seconds West, 1297.65 Feet to the West line of said Section 29; Thence North 00 Degrees 27 Minutes 42 Seconds West along said West line, 1410.99 Feet to the Northwest corner of said Section 29, said point also being the Point of Beginning, all in Whiteside County, Illinois,

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

WHEREAS, the Zoning Hearing Officer has recommended to this Board that said premises should be granted a Special Use Permit in the A-1 Agricultural District with the following conditions:

1. Any outdoor lighting shall be located so that it does not unreasonably disturb the neighboring property owners or the safety of the motoring public.
2. There shall be no employees permanently located at the site.
3. Routine service and maintenance shall only be conducted during regular business hours.
4. Access to the site shall be approved/permitted by the jurisdiction having authority over the roadway.
5. Final project parcel area, approved at time of building permit issuance, including all acreage required to meet setbacks, distances from residences, access to the site from public roadway, etc. shall remain intact and under the full lease control of the owner/operator of said solar farm throughout the life of the project.

6. A surety bond shall be required prior to the issuance of building permits insuring the proper decommissioning of the site.
7. An indemnification clause shall be provided in the Special Use Resolution and shall read as follows: "In consideration for the issuance of this Special Use Permit, 312 SOLAR DEVELOPMENT, LLC, 55 TECHNOLOGY DRIVE, SUITE 102, LOWELL, MASSACHUSETTS 01851, 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."
8. Petitioner shall work with all adjacent neighbors to provide visual screening/buffering, as decided upon by both parties. Petitioner shall be responsible for all screening/buffering costs and installation.
9. Petitioner shall work with all adjacent neighbors to ensure drainage tile function is efficient and capable of its current output.

NOW THEREFORE be it Resolved and Ordained by this Board, that the above described premises be and they are hereby granted said Special Use Permit in said A-1 Agricultural District.

Motion by Mr. Frank to approve the Petition and Resolution of 312 Solar Development, LLC for a Special Use Permit in the A-1 Agricultural District to allow a solar farm in the 13700 Block for Sawyer Rd. Motion carried.

Tim LaVelle, spoke regarding the Health Department union contract negotiations.

Motion by Mr. Frank to increase the minimum user charge/month/unit to \$16.50 and charge per hundred cubic feet to \$4.90 effective May 1, 2023 for SSA #1. After discussion, the question was called and the motion was declared carried.

Mr. Frank presented the following Resolution:

RESOLUTION NO. 04-2023-3

WHEREAS, bids were received on March 27, 2023 for #23-37000-01-GM, Lenore Street in Coloma Road District, Whiteside County, and;

WHEREAS, the bid of \$20,318.57 was submitted by Martin & Company Excavating of Oregon, IL and;

WHEREAS, the Committee reviewed the bid and recommends its approval.

NOW, THEREFORE BE IT RESOLVED that the bid of \$20,318.57 from Martin & Company Excavating of Oregon, IL be accepted and approved at a maximum cost not to exceed \$22,350.43 (10% over awarded contract), and;

BE IT FURTHER RESOLVED that the County Board Chairman be authorized to sign the necessary documents.

Motion by Mr. Frank to approve the foregoing Resolution and Award for Section #23-37000-01-GM - Coloma Twp. - Lenore St. paving to the low bidder, Martin & Company of Oregon, IL, as presented. Motion carried with Mr. Dowd abstaining.

Mr. Frank presented the following Resolution:

RESOLUTION NO. 04-2023-4

WHEREAS, bids were received on March 27, 2023 for #23-53000-01-GM, Lyman Road in Portland Road District, Whiteside County, and;

WHEREAS, the bid of \$206,642.30 was submitted by Helm Civil of Freeport, IL and;

WHEREAS, the committee reviewed the bid and recommends its approval.

NOW THEREFORE BE IT RESOLVED, that the bid of \$206,642.30 from Helm Civil of Freeport, IL be accepted and approved at a maximum cost not to exceed \$227,306.53 (10% over awarded contract), and;

BE IT FURTHER RESOLVED that the County Board Chairman be authorized to sign the necessary documents. Motion carried.

Motion by Mr. Frank to approve the foregoing Resolution and Award for Section #23-53000-01-GM- Portland Twp. - Lyman Rd paving to the low bidder, Helm Civil of Freeport, IL, as presented. Motion carried with Mr. Dowd abstaining.

Mr. Frank presented the following Resolution:

RESOLUTION NO. 04-2023-5

WHEREAS, bids were received on March 27, 2023 for #23-55000-01-GM, various roads in Sterling Road District, Whiteside County, and;

WHEREAS, the bid of \$64,842.60 was submitted by Porter Bros of Rock Falls, IL and;

WHEREAS, the committee reviewed the bid and recommends its approval.

NOW THEREFORE BE IT RESOLVED, that the bid of \$64,842.60 from Porter Bros of Rock Falls, IL be accepted and approved at a maximum cost not to exceed \$71,326.86 (10% over awarded contract), and;

BE IT FURTHER RESOLVED that the County Board Chairman be authorized to sign the necessary documents. Motion carried.

Motion by Mr. Frank to approve the foregoing Resolution and Award for Section #23-55000-01-GM- Sterling Twp. - Seal Coat various roads to the low bidder, Porter Bros. of Rock Falls, IL, as presented. Motion carried with Mr. Dowd and Mr. Glazier abstaining.

Motion by Mr. Frank to approve the Federal Aid Agreement (Dixon Ave Bridge - Section #17-00228-00-BR), as presented. Motion carried with Mr. Dowd abstaining.

Mr. Frank presented the following Resolution:

RESOLUTION NO. 04-2023-6

Resolution for Improvement Under the Illinois Highway Code
Section #17-00228-00-BR

BE IT RESOLVED, by the Board of the County of Whiteside Illinois that the following described street(s)/road(s)/structure be improved under the Illinois Highway Code. Work shall be done by Contract.

For Structures:

Name of Street(s)/Road(s)	Existing Structure No.	Route	Location	Feature Crossed
Dixon Avenue	098-3001	FAU 5560	2.6 Mi. East of Rock Falls	Howland Creek

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of replacing existing structure with galvanized steel tub-girder system.

2. That there is hereby appropriated the sum of Four-hundred-forty-five thousand and no/100 Dollars (\$445,000.00) for the improvement of said section from the Local Public Agency's allotment of County Bridge Fund.

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

Motion by Mr. Frank to approve the foregoing Resolution for Improvement by County Under the Illinois Highway Code appropriating County Bridge Funds (Dixon Ave Bridge - Section #17-00228-00-BR), as presented. Motion carried with Mr. Dowd abstaining.

Motion by Mr. Frank to approve the low bid of \$31,400.00 to Mike Harris Mason of Rockford, IL for the replacement of garage lintels on the Highway Maintenance Building. Motion carried.

Motion by Mr. Frank to place on file the Public Works Committee's meeting report, March 2023 claims report and related informational items, as presented. Motion carried.

Motion by Ms. Pearson to place on file the County Offices Committee's meeting report, March 2023 claims report and related informational items, as presented. Motion carried.

Motion by Mr. Hamilton to place on file the Health and Social Services Committee's meeting report, March 2023 claims report and related informational items, as presented. After discussion, the question was called and the motion was declared carried.

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

Motion by Mr. Glazier to place on file the Public Safety Committee's meeting report, March 2023 claims report and related informational items, as presented. States Attorney Terry Costello updated the board on the distressed properties in the County. After discussion, the question was called and the motion was declared carried.

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 04-2023-7

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: 11-28-276-002

As described in certificate (s): 2018-00209 sold November 2019

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 Rock Falls, has bid \$7,011.00 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 \$5,105.65 as a return for its certificate(s) of purchase. The County Clerk shall receive \$109.10 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 \$58.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$7,011.00.

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 hereby 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 \$5,105.65 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 foregoing Resolution authorizing the County to execute a deed of conveyance of the County's interest or cancellation of the appropriate Certificates of Purchase, as the case may be, on certain property known as, Permanent Parcel #11-28-276-002. Motion carried.

Motion by Mr. Truesdell to approve the March 2023 mileage and travel reimbursement items for County Board members in the amount of \$1,057.18. On roll call members: Thomas Ausman, Daniel Bitler, Michael Clark, Douglas Crandall, Paul Cunniff, Shawn Dowd, James Duffy, Glenn Frank, Kurt Glazier, Mark Hamilton, Martin Koster, Joan Padilla, Brooke Pearson, Linda Pennell, Alex Regalado, Larry Russell, Ernest Smith, Glenn Truesdell, Matt Ward, Chad Weaver, Thomas Alex Williams and Tom Witmer (22) 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, March 2023 claims report and related informational items, as presented. Discussion was held regarding rider ship with the transportation program. After discussion, the question was called and the motion was declared carried.

Motion by Mr. Glazier to place on file the Wage & Salary Committee's meeting reports and related informational items, as presented. Motion carried.

Motion by Mr. Glazier to place on file the Executive Committee's meeting report, March 2023 claims report and related informational items, as presented. Discussion was held regarding SB895/SB249 Labor Sharing and HB2781 Twp Bridge Fund.

Russ Renner, County Engineer, would like the board to oppose SB895/SB249 and support HB2781. After discussion, the question was called and the motion was declared carried.

Mr. Duffy updated the board on the UCCI event that was held on March 28th and 29th. He also informed the members about upcoming UCCI events.

Mr. Dowd questioned why the Health Department had hired a high priced attorney for the contract negotiations. He was informed that it was a question for the Board of Health not the County Board.

Motion by Mr. Hamilton that this meeting be adjourned, the Board to meet again on Tuesday, May 16, 2023 at 6:30 p.m. for the regular meeting. Seconded by Ms. Pearson. Motion carried.

The meeting adjourned at 7:48 p.m.

Dana Nelson
Whiteside County Clerk

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