

The County Board of Whiteside County, Illinois, convened in the County Board room at the Law Enforcement Center in Morrison, on Tuesday, July 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, Sue Britt, Michael Clark, Barry Cox, Douglas Crandall, Paul Cunniff, Sally Douglas, Shawn Dowd, James Duffy, Glenn Frank, Kurt Glazier, Mark Hamilton, Martin Koster, Brooke Pearson, Linda Pennell, Ernest Smith, Glenn Truesdell, Daniel (Sam) Wancket, Matt Ward, Chad Weaver, Doug Wetzell, Thomas (Alex) Williams and Tom Witmer (24) were present; members: Joan Padilla, Alex Regalado and Larry Russell (3) 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 June 20, 2023 board meeting, and that these minutes, as sent to the members, be approved. Seconded by Mr. Ausman. Motion carried.

Mr. Wetzell presented the following Resolution:

RESOLUTION NO. 07-2023-1

WHEREAS, Prophet Solar III, LLC, 3402 Pico Boulevard, Santa Monica, California, 90405, duly filed with the Building and Zoning Administrator, their petition praying that the premises located at 22853 Gaulrapp Road, Rock Falls, Illinois and legally described as follows:

That part of the Northeast Quarter of Section 21, Township 20 North, Range 6 East of the Fourth Principal Meridian, Whiteside County, Illinois, described as follows: Beginning at the Northeast corner of said Northeast Quarter; Thence South 00°29'05" West 1318.72 feet along the East line of said Northeast Quarter to the South line of the Northeast Quarter of the Northeast Quarter; Thence North 89°49'35" West 1328.89 feet along said South line to the Southwest corner of said Northeast Quarter of the Northeast Quarter; Thence North 89°49'35" West 585.71 feet along the South line of the Northwest Quarter of said Northeast Quarter; Thence North 00°23'00" East 554.35 feet; Thence North 31°58'30" East 136.29 feet; Thence North 58°01'30" West 128.00 feet to the old centerline of Prophetstown Road; Thence North 31°58'30" East 682.96 feet along said centerline to the North line of said Northwest Quarter of the Northeast Quarter; Thence South 89°50'57" East 267.62 feet along said line to the Northwest corner of the Northeast Quarter of the Northeast Quarter; Thence South 89°50'57" East 1329.17 feet along the North line of said Northeast Quarter to the point of beginning containing 55.977 acres (2,438,348 Square Feet) of land more or less, 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. The fence on the eastern portion of the site shall be maintained at no less than 200 feet from the eastern property line at any point along said line.
6. A landscaped buffer of evergreen trees shall be provided in the northeast portion of the site in a width of no less than 25 feet forming an arc opening to the northeast extending from the north property line as shown on the proposed site plan to the east property line. There shall be no less than 2 rows of staggered evergreen trees that create a visual barrier. Evergreen trees shall be six feet (6') in height at time of planting/installation. The evergreen trees shall be planted/installed with spacing no greater than 10 feet (10') on center (o.c.). This buffer shall be maintained in a healthy state and throughout the life of the project. Any evergreens that are dead or dying shall be removed and replaced with another evergreen tree pursuant to the previously outlined specifications.
7. 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.
8. A surety bond shall be required prior to the issuance of building permits insuring the proper decommissioning of the site.

9. In consideration for the issuance of this Special Use Permit, PROPHET SOLAR III, LLC, 3402 PICO BOULEVARD, SANTA MONICA, CALIFORNIA 90405, 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 granted said Special Use Permit in said A-1 Agricultural District.

Motion by Mr. Wetzell to approve the foregoing Resolution for Prophet Solar III, LLC, request of a Special use Permit in the A-1 Agricultural District to allow for a solar farm at 22853 Gaulrapp Road, Rock Falls. Suzy Stickle, Zoning Administrator, answered questions from the board. On the call of the question, the motion was declared carried.

Mr. Wetzell presented the following Resolution:

RESOLUTION NO. 07-2023-2

WHEREAS, bids were received on July 6, 2023 for Section #23-44000-01-GM, County Line Rd in Hahnaman Township Road District, Whiteside County, and;

WHEREAS, the bid of \$141,410.00 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 \$141,410.00 from Helm Civil of Freeport, IL be accepted and approved at a maximum cost not to exceed \$155,551.00 (10% over awarded contract), and;

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

Motion by Mr. Wetzell to approve the foregoing Resolution and Award for Section #23-44000-01-GM - Hahnaman Township, County Line Rd paving to Helm Civil of Freeport, IL, as presented. Motion carried with Mr. Dowd and Mr. Wetzell abstaining.

Mr. Wetzell presented the following Resolution:

ORDINANCE NO. 07-2023-3

AN ORDINANCE FOR THE ESTABLISHMENT OF AN ALTERED SPEED ZONE

IT IS HEREBY DECLARED by the County Board of Whiteside County, Illinois, that the basic statutory vehicular speed limits established by Section 11-601 of the Illinois Vehicle Code are greater, or less, than that considered reasonable and proper on the street or highway listed in the following Schedule for which the various road districts have maintenance responsibility and which is not under the jurisdiction of the Department of Transportation, State of Illinois.

BE IT FURTHER DECLARED that this Board has caused to be made an engineering and traffic investigation upon the streets or highways listed in the Schedule; and,

<u>Name of Road</u>	<u>Start of Zone</u>	<u>End of Zone</u>	<u>Maximum Speed Limit</u>
David Road	Cordova Road	Crestview Road	30 mph
Ridgeview Road	Cordova Road	1300' North	30 mph

BE IT FURTHER DECLARED that, by virtue of Section 11-604 of the above Code, this Board determines and declares that reasonable and proper absolute maximum speed limits upon those streets and highways described in the Schedule shall be as stated therein.

BE IT FURTHER DECLARED that the signs giving notice thereof shall be erected in conformance with the standards and specifications contained in the Illinois Manual of Uniform Traffic Control Devices for Streets and Highways.

BE IT FURTHER DECLARED that this ordinance shall take effect immediately after the erection of said signs giving notice of the maximum speed limits.

Motion by Mr. Wetzell to approve the foregoing Ordinance for the Establishment of Altered Speed Zones for David Rd & Ridgeview Rd in Eric Township, as presented. Russ Renner, County Engineer, answered questions from the board. On the call of the question, the motion was declared carried.

Motion by Mr. Wetzell to approve the purchase of an in-stock 2023 Ford Explorer through the state bid for \$42,880.00 from Morrow Brother's Ford, Inc., of Greenfield, IL. Motion by Mr. Wetzell to amend the motion to include a \$375 delivery fee. Seconded by Mr. Cunniff. Motion carried. On the call of the original motion, as amended, the motion was declared carried.

Mr. Wetzell presented the following Petition:

PETITION NO. 07-2023-4

Section #22-36143-00-BR

TO THE HONORABLE CHAIRMAN AND MEMBERS OF THE
COUNTY BOARD OF WHITESIDE COUNTY, ILLINOIS

WHEREAS, I find it necessary to construct or repair the existing drainage systems located on Covell Road, approximately ½ mile of its intersection with Pigeon Road in Section 1, Clyde Township, Whiteside County, Illinois; and,

WHEREAS, the cost will be more than 0.02% of the value of all taxable property in the Township of Clyde as equalized or assessed by the Department of Revenue and the tax rate for road purposes for each year for the 2 (two) years last past in said Township has been not less than the maximum allowable rate as provided for in Sections 6-501 of this code of all taxable property in the Township of Clyde, as equalized or assessed by the Department of Revenue.

THEREFORE, I petition the County Board of Whiteside County, Illinois to appropriated levy from the County Treasury, County Bridge Fund, \$14,631.38 to meet one-half of the Local Agency's share of cost of said construction or repair. The cost for said construction or repair is \$29,262.76.

Motion by Mr. Wetzell to approve the foregoing Petition for County Aid - Clyde Road District - #22-36143-00-BR Covell Rd Bridge, a presented. Motion carried.

Motion by Mr. Wetzell to approve the purchase of a Freightliner cab and chassis in the amount of \$140,000.00 from Truck Country Quad Cities of Davenport, IA through Sourcewell. Russ Renner, County Engineer, answered questions from the board. On the call of the question, the motion was declared carried.

Motion by Mr. Wetzell to place on file the Public Works Committee's meeting report, June 2023 claims report, Township motor fuel tax claims and related informational items, as presented. Motion carried.

Motion by Ms. Pearson to place on file the County Offices Committee's meeting report, Recorder's six month activity Report, June 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, June 2023 claims report and related informational items, as presented. Motion carried.

Motion by Mr. Ausman to approve the Public Defender's salary, as presented. Seconded by Mr. Cox. Motion carried.

Motion by Mr. Ausman to place on file the Judiciary Committee's meeting report, June 2023 claims report and related informational items, as presented. Motion carried.

Mr. Glazier presented the following Ordinance:

ORDINANCE NO. 07-2023-5

Amending Chapter 16 Law Enforcement as it relates to the Impound Fund

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, the County's most recent audit including a finding requiring all off book accounts be moved to the County's accounting system to ensure completeness and accuracy, enhancing the validity of their financial records,

THEREFORE, BE IT ORDAINED BY THE BOARD, AS FOLLOWS:

Paragraph 1. Chapter 16, LAW ENFORCEMENT; Section 16-5-6: ADMINISTRATIVE FEE be amended as follows:

- D. Any funds collected under this Division as an Administrative Fee shall be ~~used at the discretion of the Sheriff, without need for appropriation, deposited into a separate County Fund within the Sheriff's budget. Expenditures shall be~~ for law enforcement related activities including the purchase or maintenance of police vehicles, equipment, or training and shall be subject to the County's procurement policy.

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. This ordinance shall go into effect immediately upon passage.

Motion by Mr. Glazier to amend the foregoing Impound Fee Ordinance, as presented. Motion carried.

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

Mr. Truesdell presented the following Resolution:

RESOLUTION NO. 07-2023-6

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 35 ILCS 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:

FAIRVIEW SUB #4 LOT 10 BLK 2 397900x

PERMANENT PARCEL NUMBER: 11-33-304-010

As described in certificate(s): 2019-00306 sold on November 05, 2020

Commonly known as: W. 20th ST.

and it appearing to the Finance Committee that it is in the best interest of the County to accept full payment of the delinquent taxes, penalties, interest, and costs from the owner of an interest in said property.

WHEREAS, US Bank Home Mortgage, for Brian Douglas Westfall, has paid \$1,839.17 for the full amount of taxes involved and a request for surrender of the tax sale certificate has been presented to the finance Committee and at the same time it having been determined that the county shall received \$1,128.79 as a return for its Certificate(s) of Purchase. The County Clerk shall receive \$74.85 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account. US Bank Home Mortgage, for Brian Douglas Westfall shall receive \$116.00 for overpayment. The remainder is the amount due the Agent under his contract for services.

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, hereby authorizes the cancellation of the appropriate Certificate(s) of Purchase on the above described real estate for the sum of \$1,128.79 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 on the County's interest or cancellation of the appropriate Certificates of Purchase, as the case may be, on said property known as, Permanent Parcel 11-33-304-010. Motion carried.

Motion by Mr. Truesdell to approve the June 2023 mileage and travel reimbursement items for County Board members in the amount of \$1,461.13. On roll call members: Thomas Ausman, Daniel Bitler, Sue Britt, Michael Clark, Barry Cox, Douglas Crandall, Paul Cunniff, Sally Douglas, Shawn Dowd, James Duffy, Glenn Frank, Kurt Glazier, Mark Hamilton, Martin

Koster, Brooke Pearson, Linda Pennell, Ernest Smith, Glenn Truesdell, Daniel (Sam) Wancket, Matt Ward, Chad Weaver, Doug Wetzell, Thomas (Alex) Williams and Tom Witmer (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, June 2023 claims report and related informational items, as presented. Motion carried.

Mr. Koster announced the reappointments of Lois Grimm, Al Connelly and Kathy Quick to the Spring Valley Presbyterian Cemetery Association. Motion by Mr. Glazier to approve the foregoing reappointments. Motion carried.

Mr. Koster announced the reappointments of Donald D. Beswick, George A. Chamberlain and Betty J. Steinert to the Morrison Community Hospital District. Motion by Mr. Glazier to approve the foregoing reappointments. Motion carried.

Motion by Mr. Glazier to place on file the Executive Committee's meeting report, June 2023 claims report and related informational items, as presented.

Motion by Mr. Hamilton that this meeting be adjourned, the Board to meet again on August 15, 2023 at 6:30 p.m. for the regular meeting. Seconded by Mr. Ausman. Motion carried.

The meeting adjourned at 7:08 p.m.

Dana Nelson
Whiteside County Clerk

INDEX

Appointment - Lois Grimm, Al Connelly and Kathy Quick to the Spring Valley Presbyterian Cemetery Assoc.; Pg. KK 587
Appointment - Donald Beswick, George Chamberlain and Betty Steinert to the Morrison Hospital District; Pg. KK 587
County Code - Ord. #07-2023-5 re: Amending Chapter 16 Law Enforcement - Impound Fund; Pg. KK 585
Deed - Res. #07-2023-6 re: Surrendered certificate; Pg. KK 586
Highway Dept. - Res. #07-2023-2 re: Bids for Section #23-44000-01-GM, County Line Rd; Pg. KK 584
Highway Dept. - Res. #07-2023-3 re: Establishing an Altered Speed Zone; Pg. KK 584
Highway Dept. - Purchase of 2023 Explorer; Pg. 585
Highway Dept. - Pet. #07-2023-4; re: Petition for Aid Sec. #22-36143-00-BR, Clyde Twp.; Pg. KK 585
Highway Dept. - Purchase of Freightliner cab and chassis; Pg. KK 585
Mileage & Travel Reimbursement; Pg. KK 586
Public Defender - Salary set; Pg. KK 585
Zoning - Res. #07-2023-1 re: Special Use for Prophet Solar III, LLC; Pg. KK 583