



Lee County Board Meeting Minutes

Lee County, Illinois

Jul 21, 2022 at 6:00 PM CDT

Old Lee County Courthouse, Third Floor Boardroom, 112 E. 2nd. St, Dixon, IL 61021

I. Call to Order:

Chairman Olson called the regular session of the Lee County Board to order July, 21, 2022 at 6:00 P.M. at the Old Lee County Courthouse, 3rd Floor Boardroom in Dixon.

II. Pledge of Allegiance:

Chairman Olson led the pledge of Allegiance.

III. Roll Call:

Clerk Petersen called the roll. Members physically present were Chairman Olson, members: Book, Considine, Farster, Hudson, Humphrey, Kitson, Koppien, Naylor, Nicholson, Schielein, Shippert, Skrogstad, Williams, Zeman. Absent: Allen, Bally, Bivins, McClain, Mimini, Norberg, White and Wilson.

IV. Announcements:

Chairman Olson reminded everyone to mute or turn off cell phones.

V. Approval of Board Minutes of: June 23, 2022 Regular County Board Meeting

Approved as read

VI. Zoning and Planning

A. Petitions Going To the Zoning Board of Appeals: None

B. Petitions Going To the Planning Commission:

1. **Petition 22-PC-67** An Ordinance Regulating Development of Private Pipelines

Motion by Mr. Skrogstad to **move** Petition 22-PC-67 to the Lee County Regional Planning Commission for public hearing. **Moved** by Mr.

Skrogstad. **Second** by Mr. Kitson. **Motion** carried unanimously by voice vote.

2. **Petition 22-PC-68** An Ordinance Amending the Regulating Development of Wind Energy Conversion Systems Ordinance

Motion by Mr. Skrogstad that Petition 22-PC-68 an Ordinance Amending the Text and Regulates Development of Wind Energy Conversion System to be **sent back** to the Renewable Energy Committee for further review. **Second** by Ms. Shippert. **Motion** carried unanimously by voice vote.

3. **Petition 22-PC-69** An Ordinance Amending the Regulating Development of Solar Energy Systems Ordinance

Motion by Mr. Skrogstad that Petition 22-PC-69 an Ordinance Amending the Text and Regulates Development of Solar Energy Systems to be **sent back** to the Renewable Energy System for further review. **Second** by Mr. Kitson. **Motion** carried unanimously by voice vote.

C. Petitions Coming From the Zoning Board of Appeals:

1. **Petition 22-P-1591 GSG Wind, LLC**

Motion to approve **Resolution #07-22-008** **Petition 22-P-1591 GSG Wind, LLC**. **Moved** by Mr. Skrogstad with the following conditions.

1. GSG Wind, LLC should be granted a variance to reuse existing underground collection lines instead of laying new ones; and should be granted a variance to retire unused underground collection lines in place.
2. GSG Wind, LLC is required to provide "waivers" or "consents" from any landowner on whose property any unused underground cable will not be removed, and that copies of the same be provided to the Lee County Zoning Officer prior to the issuance of a building permit.
3. GSG Wind, LLC's request to stay the requirement that a Professional Engineer's Certification regarding design sufficiency to withstand wind load requirements be submitted prior to the ZBA Hearing until prior to the issuance of building permits be granted.
4. Construction activities shall commence no earlier than 6:00 a.m. and shall be discontinued no later than 9:00 p.m., Sunday through Saturday, within 1/2 mile of a non-participating residence, unless a waiver is obtained from the non-participating resident.
5. GSG Wind, LLC must directly pay, or reimburse, Lee County, for any third-party engineering consultant hired by Lee County and/or legal fees incurred by Lee County during the duration of the Project, from the day the Special Use Permit is approved through the final decommissioning of the project. GSG Wind, LLC shall not be responsible for any third-party services not related to this project.
6. Any subsurface drainage tile damaged within the proposed site, must be repaired by GSG Wind,

LLC, or current Owner/Operator, to the same or better condition, in accordance with the AIMA agreement.

7. If GSG Wind, LLC will be using any WTG model other than the GE 3.4-140, it must provide a noise modeling study for the same to the Zoning Officer prior to the issuance of a building permit.

8. If GSG Wind, LLC will be using any WTG model other than the GE 3.4-140, it will also be required to provide a "waiver," "consent" or "agreement" to the Lee County Zoning Officer from any landowner on whose property there will be an IPCB noise exceedance prior to the issuance of the building permit.

9. Regardless of any WTG models used in the Project, GSG Wind, LLC, or current Owner/Operator, must notify the County of and respond to the complainant within 5 business days after being notified in writing of a noise complaint.

10. If GSG Wind, LLC will be using any WTG model other than the GE 3.4-140, it must provide a shadow flicker modeling study for the same to the Zoning Officer prior to the issuance of a building permit.

11. If the Applicant will be using any WTG model other than the GE 3.4-140, it will also be required to provide a "waiver," "consent" or "agreement" from any landowner on whose Primary Structure more than 30 hours of annual shadow flicker is modeled to occur, prior to the issuance of the building permit.

12. Regardless of any WTG models used in the project, GSG Wind, LLC, or current Owner/Operator, must respond within 10 working days after being notified in writing of a shadow flicker complaint.

13. Before a building permit is issued, GSG Wind, LLC must show to the satisfaction of the Lee County Zoning Officer that the finalized turbine models and corresponding locations meet the Lee County Ordinance's 10-15-15D.9. setback provisions.

14. The Applicant be able to utilize any method for deconstruction of the WECS Facility as long as WTG blade removal is done in a manner that does not cause the blades to break apart, shatter, splinter, or disintegrate, and no WECS Tower may be felled with the blades still attached. Any hazardous fluids must be removed from the WTG prior to the felling.

15. The Applicant must comply with the IDNR in its Consultation Letter, which recommended a continuing Bird and Bat Strategy that included the Applicant curtailing all wind turbine operations below wind speeds of 5.0

meters per second, from sunset to sunrise, between July 15th to October 15th each year.

16. The Applicant be required to provide a copy of any "waiver," "consent" or "agreement" to the Lee County Zoning Officer from any landowner on whose property the required setbacks will not be met, prior to the issuance of the building permit.

17. A violation of the terms or conditions of the Special Use Permit granted herein shall be grounds for revocation of the Special Use by the Lee County Zoning Administrator.

Second by Mr. Kitson. Discussion was had on the Petition, Mr. Humphrey asked if these conditions were the same that came out of the Zoning Board hearing and Ms. Henkel stated that these are not. They are close to what the Zoning Board recommended. There were a few issues that they are trying to align these conditions with what has been done with past projects. There are two conditions that do vary from what the Zoning Board recommended. They are number 3, the construction activities shall commence no earlier than 7 a.m. and shall be discontinued no later than 8 p.m. Monday thru Saturday within a half a mile of non-participating residents. With past projects they have been allowed to work from 6 a.m. to 9 p.m. seven days a week. They would like this to be consistent with requirements of previous projects. Number 13 is the other condition. The Zoning Board recommended that the petitioner be allowed to employ the reverse build WTG Removal Method. This method of decommissioning requires the biggest crane, which consists of 40 to 50 truckloads to bring it in and they will not be able to walk it across any roads. So they will have to take it across the landowners property and it is very expensive. What they recommend is that they are allowed to utilize any of the three methods of deconstruction of the facility presented at the hearing. Big discussion is on the big WTG blades and their removal. Ms. Henkel is asking the board to consider these two amendments. A lot of discussion on why we have the Zoning board of appeals and why we would over rule they're recommendations.

A roll call vote is called.

YES: Kitson, Koppien, Naylor, Nicholson, Palen, Schielein, Shippert, Skrogstad, Williams, Zeman, Book and Farster

NO: Humphrey, Considine and Farster

ABSENT: McClain, Mimini, Norberg, White, Wilson, Allen, Bally and Bivins

ABSTAIN: Olson

Motion carried by roll call vote.

D. Petitions Coming From the Planning Commission: None

VII. Administrator Monthly Update and Board Member Comments

Administrator Ryerson spoke on behalf of the update on the boardroom technology. The Big Screen Monitors just arrived. Which means we have all of the equipment here except for the microphones themselves. Estimated arrival time for the microphones is not until October. Time frame for start of installation is still in the works.

No County Board Member comments.

VIII. Public/Visitor Comments:

A. Items on the agenda - visitors allowed 10 minutes

Danelle Burrs from the Lee County Farm Bureau got up and spoke on behalf of the Animal Control Ordinance and how it pertains to livestock production and how it could affect farmers abilities to raise their livestock. She has been working closely with Teri Zinke from Animal Control and she has several concerns. One of her concerns is the use of the guardian dog and the definition which she thinks needs to be firmed up in the Ordinance. She would like to see a clarification on companion animal versus livestock.

B. Items not on the agenda - visitors allowed 5 minutes

None

IX. Reports of Committee:

A. Administrative Services: Chris Norberg, Chair

In place of Mr. Norberg's absent Ms. Naylor spoke . Minutes are in On-Board. New to this Committee is part of the Employee Spotlight Program, where department heads have brought an employee from their department to meet the committee members and talk about their different duties. So far it has been very favorable. Covid numbers have seen a decline so it was brought up that this committee drop that section in up and coming meetings. Committee went into Executive Session for the purpose of releasing some of the past minutes from Executive Sessions.

- B. Blackhawk Hills Regional Council: John Nicholson, Liaison
No meeting it has been re-scheduled for July 28th.
- C. Claims Committee: Marilyn Shippert, Chair
Ms. Shippert stated that the Committee is running with 40 to 50 claims per meeting.
- D. Executive Committee: Bob Olson, Chair
Minutes are in On-Board
- E. Finance: Jim Schielein, Chair
Minutes are in On-Board
- F. Health Department: Katie White, Liaison
Ms. White was absent so there was no report
- G. 911 Board: Keane Hudson, Liaison
Mr. Hudson stated that as a result of retirement of Brad Sibley, Dixon City Fire Chief Ryan Busco was appointed to ETSB sheer position. Cyber Security Audit is taking place with the state. 988 Mental Health Suicide Prevention Hotline went live July 16th and the CESA Committee is meeting monthly and they created the sub-committee to establish protocols between 911 and 988 prior to the January 2023 deadline.
- H. Properties / Planning / Zoning: Tom Wilson, Chair
Mr. Wilson and Mr. Bally were absent. Mr. Skrogstad was called on to give an update. Minutes are in On-Board.
- I. Public Safety / Health / Judicial: Mike Koppien, Chair
Mr. Koppien spoke on behalf of the meeting. Dangerous Abandoned Properties is a work in process. UTV Ordinance update, townships still looking at it and the problems that fall under the liability issues and Torma Insurance Group.
- J. Transportation / Solid Waste: Doug Farster, Chair
Mr. Farster stated minutes are in your On-Board. Bid went out for the recycle dumpster hauling and Midwest Disposal came in as the low bid.
- K. Tri-County Opportunities Council: Marvin Williams, Liaison
Mr. Williams stated that they met on June 23rd at 6:00 p.m. Talked about the website and how the current job openings are posted there for 9 surrounding counties. If anyone is in need of assistance with their sewer and water bill the number can be located in this monthly report.

L. Tourism: Bill Palen, Liaison

Mr. Palen stated that the council met on July 13th. Various advertising items are located on everyone's desk. Hotel and Motel Tax for May \$9337.68.

M. United Counties Council of Illinois (UCCI): Doug Farster, Liaison

Mr. Farster stated no meeting in June. July meeting is held in Galena at the annual conference.

X. Old Business:

A. Animal Control Ordinance (Held over from June) - Revised

Motion to accept **Resolution #07-22-001** Animal Control Ordinance as presented. **Moved** by Mr. Kitson. **Second** by Mr. Schielein. Discussion was to consider future amendments to this Ordinance as it pertains to the concerns brought forward from the Lee County Farm Bureau. **Motion** carried unanimously by voice vote.

B. Ordinance: Opt Out of Special Assessment for Affordable Rental Housing (held over from June)

Motion is to approve **Ordinance #07-22-002** Opt Out of Special Assessment for Affordable Rental Housing. **Moved** by Mr. Hudson. **Second** by Ms. Naylor. **Motion** carried unanimously by voice vote.

C. Resolution: Appointment of Dr. Sharilee Patel to the Lee County Board of Health (Tabled in June of 2022)

Motion is to **move** the Appointment of Dr. Shailee Patel to the Lee County Board of Health **off the table**. **Moved** by Mr. Schielein. **Second** by Mr. Nicholson. **Motion** carried unanimously by voice vote. **Motion** is to approve **Resolution #07-22-003** Appointment of Dr. Shailee Patel to the Lee County Board of Health. **Moved** by Mr. Schielein. **Second** by Ms. Naylor. **Motion** carried unanimously by voice vote.

D. Resolution: Appointment of Emily Rose to the Lee County Board of Health (Tabled in June of 2022)

Motion is to **move** the Appointment of Emily Rose to the Lee County Board of Health **off the table**. **Moved** by Mr. Koppfen. **Second** by Kitson. **Motion** carried unanimously by voice vote. **Motion** is to approve **Resolution #07-22-004** Appointment of Emily Rose to the Lee County Board of Health. **Moved** by Ms. Shippert. **Second** by Mr. Kitson. **Motion** carried unanimously by voice vote.

XI. New Business:

A. ARPA Committee Funding Recommendations

1. Small Business Program Requests - Pro-rated

Administrator Ryerson spoke on behalf of the Small Business Program and the allocation of \$500,000. The program states that individuals or businesses could apply and receive up to \$20,000. The county ended up with 62 applications. ARPA staff reviewed those applications and recommended:

- 3 of the requests were better suited for the non-profit community service organization category, so they were pulled out of the small business category.
- One business was removed because the current owner was not the owner at the time of shut down.
- Eight other businesses were removed from the list because they were not businesses that were required to close according to the governor's order.
- Two other businesses that were eliminated from this list because they had already received ARPA Funds.

They ended up with a total of 49 eligible request. Of which one they are recommending to fund at \$5,000 and one to fund at \$6,000 because that is what they requested. The remaining 47 requests were prorated based on the total small business allocation of \$500,000. The remaining businesses will receive \$10,404. This amount was approved at the ARPA Committee and Finance Committee meetings. Subsequent to those meetings they had communications from individuals removed from the list. They wished to appeal the decision of the two committees. Appeal letters were included in the packet for the Board's consideration. It is asked that all take a look at these letters and take them under consideration. If the board adds or removes anybody from the list then the proration of the \$10,404 will need to be adjusted. Finance Chair Jim Schielein noted the Finance Committee did not receive the appeals letters until after the committee had met on their regular scheduled day. He further stated he stands behind the decision of the ARPA Committee and Finance Committee. **Motion to approve** the ARPA Small Business Program applications at a pro-rated funding level of \$10,404 and to approve the three non-profit applications at a funding level of \$10,000 from the Community Service ARPA allocation, as per staff, ARPA Committee and Finance Committee recommendations. **Moved** by Mr. Nicholson. **Second** by Mr. Koppien.

A roll call vote is called

YES: Kitson, Koppien, Naylor, Palen, Schielein, Shippert, Skrogstad, Williams, Zeman, Book, Considine, Farster and Hudson.

NO: None

ABSENT: McClain, Mimini, Norberg, White, Wilson, Allen, Bally and Bivins

ABSTAINED: Nicholson, Humphrey and Olson

Motion carried by roll call vote.

2. Small Business Award Agreement

Administrator Ryerson spoke on behalf of this agreement stating that Ms. Leisner has created this award agreement along with the community service program that we offered. Any small business that has been approved for funds under the small business program will receive this and they will sign off on that and agree with the terms of the award agreement and then upon them returning their application we would then issue the checks. **Motion** to approve the ARPA Small Business Award Agreement. **Moved** by Ms. Shippert. **Second** by Mr. Kitson.

A roll call vote is called

YES: Koppien, Naylor, Nicholson, Palen, Schielein, Shippert, Skrogstad, Williams, Zeman, Book, Considine, Farster, Hudson, Humphrey and Kitson.

NO: None

ABSENT: McClain, Mimini, Norberg, White, Wilson, Allen, Bally, and Bivins

ABSTAINED: Olson

Motion carried by roll call vote

3. Abandoned Properties Request for \$100,000

Motion to approve the ARPA Abandoned Properties Request from ARPA for \$100,000. **Moved** by Mr. Hudson. **Second** by Mr. Nicholson. **Motion** carried unanimously by voice vote.

4. Old Courthouse HVAC - Funding From ARPA

Motion to approve the Funding for the Old Courthouse HVAC Project through the ARPA Capital Fund. **Moved** by Ms. Naylor. **Second** by Mr. Palen. **Motion** carried unanimously by voice vote.

B. Rebuild Illinois Grant, Round 3, Appendix D

Motion to approve **Resolution #07-22-005** Rebuild Illinois Grant Round 3 Appendix D. **Moved** by Mr. Koppien. **Second** by Ms. Shippert. **Motion** carried unanimously by voice vote.

C. Establishing Co Board Terms Following Redistricting

Administrator Ryerson spoke on this Resolution and explained following the census every 10 years this is just another step you have to do to determine the term each county board member will receive. It is determined by a lottery that the Chairman will pick for the four districts. Which term will be drawn, either 2-4-4 or 4-4-2. In December the new county board members will have a separate lottery and based on what the district lottery said the board members will individually pull the terms whether they will be a 2 year 4 year and 4 year or a 4 year 4 year and 2 year. **Motion** to approve **Resolution #07-22-006** Establishing County Board Terms Following Redistricting. **Moved** by Mr. Kitson. **Second** by Ms. Naylor. **Motion** carried unanimously by voice vote.

D. Maintenance Department Step Program Concept Approval

Administrator Ryerson spoke on this Program, it's been in discussion for at least six months. Mr. Wilson came up with this program initially and then they built it out from there. It is intended to be a step program for the maintenance department. As noted in the packet we will hire and develop skilled maintenance personnel. They will have the opportunity to learn different skill levels and be able to advance by receiving step salary increases. Any budgetary impact of this proposal is going to be moving thru the finance committee and they are not expecting a huge budget increase. \$5,000 will be allocated for training so they can send employees to training, and some additional salary in case an individual within the program actually achieves the next step up and is awarded that salary increase. If this goes forward they will build out this program with more detailed specifics. **Motion** to approve the Maintenance Department Step Program Concept. **Moved** by Mr. Nicholson. **Second** by Mr. Skrogstad. **Motion** carried unanimously by voice vote.

XII. Appointments:

A. Appointment of Eva Pitzer as a Trustee to the Dixon Community Fire Protection District

Motion to approve **Resolution #07-22-007** Appointment of Eva Pitzer as a Trustee to the Dixon Community Fire Protection District. **Moved** by Mr. Book. **Second** by Mr. Skrogstad. **Motion** carried unanimously by voice vote.

XIII. Executive Session:

None

XIV. Approval of County Officers Reports/Quarterly Treasurer' Report

Motion to approve the County Officers Reports. **Moved** by Mr. Kitson. **Second** by Mr. Farster. **Motion** carried unanimously by voice vote.

- XV. Approval of Monthly Revenue Report, Claims Paid, Claims Paid in Vacation, and Payroll Paid (Roll Call Vote)

Motion to approve Monthly Revenue Report, Claims Paid, Claims Paid in Vacation and Payroll Paid. **Moved** by Ms. Shippert. **Second** by Ms. Naylor.

A roll call vote is called

Yes: Naylor, Nicholson, Palen, Schielein, Shippert, Skrogstad, Williams, Zeman, Book, Considine, Farster, Hudson, Humphrey, Kitson, Koppien and Olson

No: None

Absent: Norberg, White, Wilson, Allen, Bally, Bivins, McClain and Mimini

Motion carried by roll call vote

- XVI. Approval of Board Member Mileage and Per Diem

Motion to approve Board Member Mileage and Per Diem for the month of June paid out in the month of July. **Moved** by Mr. Kitson. **Second** by Mr. Williams. **Motion** carried unanimously by voice vote.

- XVII. Motion to Adjourn:

Motion to adjourn. **Moved** by Mr. Koppien. **Second** by Mr. Kitson. **Motion** carried unanimously by voice vote.

Adjourned at 7:19 P.M.

Robert Olson Chairman Lee County Board

Attest: Nancy Petersen Ex-Officio Clerk of the Lee County Board