

**REGULAR ADJOURNED MEETING  
WINNEBAGO COUNTY BOARD  
NOVEMBER 14, 2019**

1. Chairman Haney Called to Order the Regular Adjourned Meeting of the Winnebago County Board for Thursday, November 14, 2019 at 6:02 p.m.
2. Chairman Haney announced the following Agenda Changes:  
  
Please move the Operations & Administrative Committee to the end of the Meeting and move the Personnel and Policies Committee up. There will be a "Closed Session" before the Operations & Administrative Committee.
3. Roll Call: 17 Present. 3 Absent. (Board Members Arena, Bilich, Booker, Boomer, Butitta, Crosby, Fellars, Gerl, Goral, Hoffman, Kelley, McDonald, Redd, Salgado, Tassoni, Webster, and Wescott were present) (Board Members Fiduccia, Nabors, and Schultz were absent.)
4. Chairman Haney asked for a moment of silence for a recently deceased Winnebago County Corrections Officer.
5. County Board Member Crosby gave the invocation and led the Pledge of Allegiance.

**AWARDS, PRESENTATIONS AND/OR PROCLAMATIONS AND PUBLIC PARTICIPATION**

6. Awards - None
- Proclamations - None
- Presentations - None

**PUBLIC COMMENT**

7. Josh Morgan, station manager at 13 WREX spoke of reviewing recordings and minutes of a "Closed Session" meeting on May 2, 2019 regarding the 911 Agreement with Municipalities.

Chairman Haney read the Public Comment Disclaimer.

Justin Zougg a Winnebago County resident spoke of his disappointment with the County Board. Discussion by Board Members Webster, Kelley, and Crosby.

**BOARD MEMBER CORRESPONDENCE**

8. None.

**CHAIRMAN'S REPORT**

9. Capital Improvement Plan (CIP) – Chairman Haney spoke of the Sheriff’s request for body cameras and options for funding.

Dekalb County Fair Map Process – Chairman Haney would like to take the politics out of drawing political maps at a State level.

Landfill Discussion – Chairman Haney announced the Attorney General will be back in court with the Landfill on the 21<sup>st</sup>.

Chairman Haney would like clarification regarding “Open and Closed Sessions.” Discussion by Board Member Goral.

### ANNOUNCEMENTS & COMMUNICATION

10. County Clerk Gummow submitted the Items Listed Below as Correspondence which were “Placed on File” by Chairman Haney:

- A. County Clerk Gummow submitted from the United States Nuclear Regulatory Commission the following:

1. A letter regarding a meeting with Exelon Generation Company, LLC Regarding License Amendment Request to Revise the Allowable Value for Reactor Water Cleanup System Isolation for the James A. FitzPatrick Nuclear Power Plant.
2. Reassignment of the U.S. Nuclear Regulatory Commission Branch Chief in the Division of Operating Reactor Licensing for Plant Licensing Branch III.
3. Federal Register / Vol. 84, No. 204 / Tuesday, October 22, 2019 / Notices.
4. Byron Station, Units 1 and 2: Operator Licensing Examination Approval.
5. Federal Register / Vol. 84, No. 214 / Tuesday, November 5, 2019 / Notices.

- B. County Clerk Gummow submitted from the Illinois Environmental Protection Agency the following:

1. Public Notice Proposed Issuance of a Federally Enforceable State Operating Permit Rock Rover Water Reclamation District in Rockford.
2. Public Notice regarding the National Pollutant Discharge Elimination System.
3. Notice of Application for Permit to Manage Waste (LPC-PA16) Description of Project: Application providing an evaluation of groundwater quality for wells G51S and G49D in accordance with Conditions VII.27 and VII.28 of Permit Modification No. 94.

- C. County Clerk Gummow submitted from Eagle Creek Renewable Energy a notification regarding Rockton Hydroelectric Project (FERC No. 2373-012) Dixon Hydroelectric

Project (FERC No. 2446-051) Consultation for Scheduling the Joint Meeting, Site Visits, and Request for RSVP.

- D. County Clerk Gummow submitted from Sue Goral, Winnebago County Treasurer the Monthly Report for September, 2019 Bank Balances.
- E. County Clerk Gummow submitted from Comcast the following:
  - 1. Xfinity TV Channel Update
  - 2. Cartoon Network and Cartoon Network HD Moving to Digital Preferred Package

### **CONSENT AGENDA**

- 11. Chairman Haney entertained a motion to approve the Consent Agenda for November 14, 2019 (Raffle Report and County Board Minutes of October 10, 2019 and to layover the County Board Minutes of October 24, 2019). Board Member Hoffman moved for the approval of the Consent Agenda, seconded by Board Member Crosby. The motion was approved by a unanimous vote of all members present. (Board Members Fiduccia, Nabors, and Schultz were absent.)

### **COUNTY ADMINISTRATOR'S REPORT**

- 12. No Report.

### **DEPARTMENT HEAD UPDATES**

- 13. Supervisor of Assessments, Tom Hodges gave a brief update on the 2019 Assessment Complaints. Discussion by Board Member Webster.

### **REPORTS FROM STANDING COMMITTEES**

#### **FINANCE COMMITTEE**

- 14. Board Member Salgado read in for the first reading of a Budget Amendment 2020-001 Teen Pregnancy to be Laid Over. Board Member Salgado made a motion to suspend the rules, seconded by Board Member Wescott. Motion to suspend the rules was approved by a voice vote. (Board Members Fiduccia, Nabors, and Schultz were absent.) Board Member Salgado made a motion to approve Budget Amendment 2020-001 Teen Pregnancy, seconded Wescott. Motion was approved by a unanimous vote of all members present. (Board Members Fiduccia, Nabors, and Schultz were absent.)
- 15. Board Member Salgado read in for the first reading of a Budget Amendment 2019-033 Ware Building Improvements to be Laid Over. Board Member Salgado made a motion to suspend the rules, seconded by Board Member Gerl. Motion to suspend the rules was approved by a voice

vote. (Board Members Fiduccia, Nabors, and Schultz were absent.) Board Member Salgado made a motion to approve Budget Amendment 2019-033 Ware Building Improvements, seconded by Board Member Gerl. Discussion by Interim County Administrator Chapman. Motion was approved by voice vote. (Board Member McDonald voted no.) (Board Members Fiduccia, Nabors, and Schultz were absent.)

16. Board Member Salgado read in for the first reading of a Budget Amendment 2020-002 Probation to be Laid Over. Board Member Salgado made a motion to suspend the rules, seconded by Board Member Gerl. Motion to suspend the rules was approved by a voice vote. (Board Members Fiduccia, Nabors, and Schultz were absent.) Board Member Salgado made a motion to approve Budget Amendment 2020-002 Probation, seconded by Board Member Gerl. Discussion by Interim County Administrator Chapman, Chairman Haney, and Board Member Salgado. Motion was approved by a unanimous vote of all members present. (Board Members Fiduccia, Nabors, and Schultz were absent.)
17. Board Member Salgado made a motion to approve a Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Robert Zimmerman Versus Winnebago County, seconded by Board Member Gerl. Motion was approved by Board Member Gerl. Motion was approved by a voice vote. (Board Members Fiduccia, Nabors, and Schultz were absent.)
18. Board Member Salgado made a motion to approve a Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Frank Ventre Versus Winnebago County, seconded by Board Member Gerl. Motion was approved by a unanimous vote of all members present. (Board Members Fiduccia, Nabors, and Schultz were absent.)
19. Board Member Salgado made a motion to approve a Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Scott Johnston Versus Winnebago County, seconded by Board Member Gerl. Motion was approved by a unanimous vote of all members present. (Board Members Fiduccia, Nabors, and Schultz were absent.)

Board Member Salgado spoke of Capital Projects and a letter from the Attorney General regarding the "Closed Meeting Act." Board Member Salgado added for the record that he and Board Member McDonald received a letter from the Attorney General and was sent to Deputy State's Attorney Kurlinkus and the State's Attorney's Office and they responded and sent the recordings to see if there was a foiable violation based on the "Closed Meeting Act." Board Member Salgado was aware that the State's Attorney would file an appeal. Discussion by Chairman Haney, State's Attorney Hite-Ross, and Board Member Salgado.

#### **ZONING COMMITTEE**

20. No Report.

#### **ECONOMIC DEVELOPMENT**

21. Board Member Bilich made a motion to approve an Ordinance Amending The Winnebago County Code Of Ordinances By The Addition Of Article VI To Chapter 78, Imposing A County Cannabis Retailers' Tax Laid Over from October 24, 2019 Meeting, seconded by Board Member

Fellars. Discussion by State's Attorney Hite-Ross and Board Members Arena, Bilich. Board Member Butitta made a motion to amend the Ordinance to remove the unincorporated Winnebago County portion of the language that would allow for a tax in the unincorporated portions of Winnebago County. Motion failed for a lack of a second. Motion to approve the Ordinance was approved by a roll call vote of 16 yes and 1 no vote. (Board Member Butitta voted no.) (Board Members Fiduccia, Nabors, and Schultz were absent.)

22. Board Member Bilich made a motion to approve an Ordinance Amending The Winnebago County Code Of Ordinances To Provide For Video Gaming As Allowed By The Illinois Video Gaming Act Laid Over from October 24, 2019 Meeting, seconded by Board Member Butitta. Discussion by Board Member Bilich. Motion was approved by a voice vote. (Board Members Fiduccia, Nabors, and Schultz were absent.)

### **PERSONNEL AND POLICY COMMITTEE**

23. Board Member Boomer made a motion to approve a Resolution Authorizing the Execution of a Renewal Agreement with Gallagher Bassett for Third Party Administrator Fees for Workers Compensation and Liability Claims, seconded by Board Member Hoffman. Motion was approved by a unanimous vote of all members present. (Board Members Fiduccia, Nabors, and Schultz were absent.)
24. Board Member Boomer made a motion to approve a Resolution Authorizing the Execution of a Renewal Agreement with Arthur J. Gallagher for the Property, Causality, and Workers Compensation Coverage, seconded by Board Member Goral. Motion was approved by a voice vote. (Board Members Fiduccia, Nabors, and Schultz were absent.)

### **OPERATIONS & ADMINISTRATIVE COMMITTEE**

25. Chairman Haney entertained a motion to go into Closed Session to discuss Litigation. Board Member Fellars made a motion to close the meeting pursuant to the provisions of Section 2C-11 of the Illinois Open Meeting Act 5ILCS 20/2C-11, seconded by Board Member Kelley. The motion failed by a voice vote. (Board Members Fiduccia, Nabors, and Schultz were absent.)
26. Board Member McDonald made a motion to send back to committee an Ordinance Amending Chapter 70 of the Winnebago County Code of Ordinances Related to Waste Haulers and Solid Waste Laid Over from October 24, 2019 Meeting, seconded by Board Member Boomer. Discussion by Chairman Haney, State's Attorney Hite-Ross, and Board Members Crosby, Arena, Goral, Fellars, and Butitta. Board Member Boomer made a motion to call the question, seconded by Board Member Wescott. Motion to call the question was approved by a roll call vote of 15 yes and 2 no votes. (Board Members Booker and Crosby voted no.) (Board Members Fiduccia, Nabors, and Schultz were absent.) Motion to send back to committee was approved by a roll call vote of 10 yes and 7 no votes. (Board Members Booker, Butitta, Crosby, Fellars, Goral, Hoffman, and Kelley voted no.) (Board Members Fiduccia, Nabors, and Schultz were absent.)

### **PUBLIC WORKS**

27. No Report.

## PUBLIC SAFETY

28. Board Member Booker announced there will be a Public Safety Committee Meeting next Wednesday.

## UNFINISHED BUSINESS

29. Chairman Haney entertained a motion to approve the Board Appointment. Board Member Gerl made a motion to approve the Board Appointment (listed below), seconded by Board Member Fellars. Motion was approved by a voice vote. (Board Members Fiduccia, Nabors, and Schultz were absent.)

A. Otter Creek Lake Utility District

1. **Edwin Herman**  
Davis, IL  
October 2019 – October 2024

## NEW BUSINESS

30. Land Bank Abandonment IGA (Referred to Economic Development Committee) - Director of Development Services Dornbush gave a brief explanation regarding the Land Bank Abandonment IGA. Discussion by Board Member Arena.

Chairman Haney spoke of his disappointment during the County Board Meeting regarding ending “hot topic” discussions too early and would like announce for the record that he will never stop a Board Member from sharing his or her opinion. Board Member Webster responded to Chairman Haney’s comment. Board Member Webster explained he called “Point of Order” and believes discussion and debates should be among Board Members. Board Member Webster reported that under Ordinance, a Chairman runs the meeting but not his position to take part in debate and discussion on the Board floor. Board Member Webster turned to State’s Attorney Hite-Ross for clarification regarding “Point of Order.” State’s Attorney Hite-Ross explained that a memo was previously sent out regarding “Point of Order.” Discussion by Deputy State’s Attorney Kurlinkus and Board Member Hoffman.

31. Chairman Haney entertained a motion to go into Closed Session to discuss Opioid Litigation. Board Member Fellars made a motion to close the meeting pursuant to the provisions of Section 2C-11 of the Illinois Open Meeting Act 5ILCS 20/2C-11, seconded by Board Member Crosby. The motion was approved by a voice vote. The Meeting closed at 7:30 p.m.

Board Members McDonald and Fellars departed at 7:30 p.m.

32. The Meeting reconvened at 7:50 p.m. Chairman Haney announced that no action was taken during the Closed Session.

33. Chairman Haney entertained a motion to adjourn. County Board Member Hoffman moved to adjourn the meeting, seconded by Board Member Kelley. Motion was approved by a voice vote. (Board Members Fellars, Fiduccia, Nabors, McDonald, and Schultz were absent.) The meeting was adjourned at 7:51 p.m.

Respectfully submitted,



Lori Gummow  
County Clerk

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