

April 1, 2025

A regular meeting of the Board of Trustees of the Owen Township was held at the Owen Township Hall, on April 1, 2025, at 7:00 p.m.

The following Trustees were present:

Sid Moate, Supervisor
Mark Smith
Jen Grady
Tom Lawson
Jeffrey Arnold

The following other known persons were present:

Susan Barnes, Township Clerk
Charles Barnes, Highway Commissioner
Dana Lemke, Township Assessor
Kenneth G. Benz, Attorney
Lewis Nelson, Member of public
Dave Tassoni, Winnebago County Board Member District 5
Tommy Chapion, Member of public

The meeting was called to order at 7:00 p.m. by Supervisor Sid Moate. After leading the pledge of allegiance, he called for public comment. Members of the public were present and desired to speak.

Public comment began with a discussion regarding a property owner, Mike Lendy, potentially changing his property zoning to allow for a multi-home community. Referred also as the “subject property”. Concerns by the residents to maintain the small-town neighborhood and community. Supervisor Sid Moate had clarified that this township does not hear applications for zoning matters. He had stated that Winnebago County hears matters regarding zoning. He further stated that this board may voice the concerns of Owen Township residence to Winnebago County.

The public further expressed concerns over the railroad track located by the property owner’s property. These concerns are rooted in safety due to kids in the past walking on the tracks. Furthermore, the owner cleared out a portion of the property, build a deck, and parked a trail next to the deck.

Tom Lawson had informed the public he had spoken to the zoning department for Winnebago County regarding the subject the property. He was informed that the owner did request a letter on the property for the property’s legal use. Additionally, Mr. Lawson informed the public that the

subject property owner was given information regarding the process of zoning and potential annexation to Machesney Park. Mr. Lawson further informed the public that a sign was posted on March 26th, 2025, informing the subject property owner of the non-compliance with the zoning ordinance. Said sign has been taken down. Mr. Lawson informed the public that the new sign had been put back on the subject property. He had investigated the subject property to inquire about the status of the sign being present on the property. He had gone to the subject property today and the sign was missing.

Mr. Lawson further stated that the time for compliance with the zoning ordinance runs out on April 14th, 2025. The appropriate entity will then call and ask what has been done to the property for compliance. After seven days, a fine of \$500.00 per week for zoning violations. He finally stated that zoning may allow the subject property owner to pay the fine and time to comply with the current zoning ordinance. If there is no compliance with the zoning ordinance, a move for court intervention is appropriate. The owner of the subject property is not in compliance as of April 1st, 2025.

Lewis Nelson had inquired regarding notice for zoning change. The Supervisor stated that adjacent property owners are notified by the County. Township is typically notified as well for advisement. A sign will be posted on the subject property for 30 days to inform the public on rezoning.

Dave Tassoni of the Winnebago County Board had spoken inform the public that the subject property owner could request his property be annexed to Machesney Park. The current zoning allows farm animals. He further stated that the process to change zoning is lengthy not only requiring the zoning change but also approval by the health department for water and sewage.

Tommy Chapion spoke with Machesney Park. She was informed that they are not going west for annexation. They are going east. Furthermore, annexation would need to be approved by Machesney Park and meet their requirements.

The Supervisor stated the subject property owner is entitled to due process. Any rezoning would be subject to an application, set back for the railroad, set back due to the Army Corps of Engineers. Owen Township will aid in voicing their constituents concerns regarding the subject property owner's use. He further stated that per the current zoning ordinance, the subject property is not allowed to have an axillary structure without a primary structure. As such the deck and the trailer are not allowed.

Dave Tassoni stated that notification is only given to adjacent property owners who are touching the subject property. There is not a current filing with the County to have the subject property rezoned or for a special use permit. If an application is submitted, there would be notification via posting, signing, and online. First, the County zoning board administration hearing reviews the application and evidence to give a recommendation to the zoning committee. The zoning committee then makes a recommendation. Finally, the full board votes on whether to approve the

application. The Supervisor clarified that at the zoning board administration is where sworn testimony and cross examination is done. That is where the public should go to voice concerns about the subject property owner application.

Dave Tassoni advised the public that the next zoning board administration hearing is on April 9th, 2025.

Finally, there was a public comment regarding the absence of posting the minutes online.

The Supervisor called for any other public comment. Seeing none the Supervisor called for review of March 4th, 2025, minutes. The supervisor suggested that the General Assistance Fund amount be corrected to \$45,652. With the foregoing corrections, the Trustees on motion duly made, seconded, and unanimously carried, approved the March 4th, 2025, minutes as corrected.

The Supervisor next called for review of the communication, special reports or presentations. Seeing none the Supervisor called the next item on the agenda. The Supervisor called for discussion and possible action regarding Board action on insurance settlement for building damage and Board discussion/action repair of shop roof. Mr. Smith advised regarding the bids received. He advised that they received four bids. Two bids are not local, but they are the two lowest. The other two bids are local. Mr. Smith expressed concerns regarding the two lowest bids. He was concerned about whether they were paying prevailing wage per Illinois law seeing that their bid was substantially lower than the local bids. This could cause issues with Owen Township for compliance with state law. Furthermore, one of the two lowest bids did not complete their bid. Mr. Smith had contacted the references for the two lowest bids. It was revealed that those references would use the contractor again due to being the cheapest but they had problems and unsatisfactory work.

Mr. Arnold had advised that the insurance company wants a breakdown from the contractors. Insurance may have concerns over the contract price. Concerned regarding if insurance will cover the repairs. Mr. Arnold advised that insurance may give additional funds for the roofing system. He will need additional details.

Tom Lawson advised that the damage to the roof is over two years old. Insurance may have an issue with paying out due to the rising costs over the years. A CPI may be given to adjust for the claim being two years old. We would need more info to move forward concerning whether the Township could be liable for the costs of the repairs in excess of the insurance coverage.

The Highway Commissioner advised that the siding damage does not allow for the outside elements to infiltrate the building. The siding could be delayed but the roofs need to be replaced. The garage roof does leak. The salt shed does its job.

Mr. Smith clarified that bid one is for the garage that is not covered by insurance. Base two has insurance. They need a breakdown by bidders. He believes that the two remaining bidders will not have an issue giving a breakdown.

Mr. Arnold had asked if after accepting a bid can the Township change to work only for the roof. Attorney Benz advised that he has to check with Attorney G. Michael Scheurich. The Highway Commissioner advised that the aluminum removed due to repairs could be recycled to recoup some of the costs.

The Highway Commissioner advised that the two chimneys need work. He has contacted local masonries and estimates that the cost will be for \$2,800 per chimney. He advised that it would be better to have this work done before repairs on the roofing are done. Alternatively, it maybe cheaper to remove them and install a more efficient system.

Next the Supervisor called for financial business. He stated the General Assistance Fund has \$45,652 and the Township Fund has \$192,450. He advised that part of the Township Fund has a little of the insurance proceeds. He next called for a presentation and consideration of Township bills and Road District Bills. On motion duly made, seconded and unanimously carried, the Township Bills were approved.

Next, the Supervisor called for new business. The Supervisor had read a proposed resolution discussing Owen Townships' opposition for any statute requiring consolidation of townships currently pending in the state house or senate. He further estimates that 50% of townships would be consolidated.

The Highway Commissioner stated that in some instances it may make sense to consolidate due to the township not being able to function. He further stated that Owen Township is able to operate, cover the costs, and they have excellent support from the County. He did express a general concern if the County would be able to manage the roads the Township currently manages is they were forced to consolidate. By a first, second, and unanimous vote, the resolution passed. Said resolution was given the number 2025-01.

Next the Supervisor called for discussion on PTELL Limiting Rate/Reallocation form. He advised that the Township had exceeded the limit and there would be an adjustment on the rate. He advised that this does not change the amount of taxes the Township would receive as it takes into account the rise in home value. The Highway Commissioner further stated that there is a limit to levying taxes above 105% unless there is a vote. He further stated that this does not result in less money to the Township.

Next the Supervisor called for a discussion on the Township Municipal Aggregation Contract Renewal. He advised that he has received correspondence regarding its renewal and that a presentation for it will be on the next meeting agenda.

The Supervisor stated the next meeting would be on April 8th, 2025, at 7:00 p.m. for the annual Township meeting.

Finally, Dave Tassoni advised at the meeting of the County's plan regarding bridge maintenance, repairs, road closures and road construction.

There being no further business to come before the Board on motion duly made, seconded and unanimously carried, the meeting was adjourned at 8:33 p.m.

THE NEXT MEETING WILL BE THE ANNUAL TOWNSHIP
MEETING HELD ON APRIL 8TH, 2025, AT 7:00 P.M. AT THE
OWN TOWNSHIP HALL, 4019 LATHAM ROAD, ROCKFORD,
IL, AND NEXT REGULAR MEETING WILL BE HELD ON
MAY 6TH, 2025, AT 7:00 P.M. AT THE OWEN TOWNSHIP
HALL.

Susan Barnes, Township Clerk