

**COUNTY BOARD MEETING
DECEMBER 18, 2013
7:30 p.m.**

AGENDA

1. Roll Call
2. Pledge to the Flag
3. Approval of Minutes
4. Approval of Agenda
5. Communications and Referrals
 - a. Veteran's Honor Roll
 - b. Employee Service Awards
6. Persons to be Heard from the Floor
7. Proclamations: None
8. Appointments for this Month:
 - a. **Community Mental Health Board 708**: Dr. Thomas Kirts and Mr. Merlin Wessels both reappointments for a term of 4 years beginning 1/1/2014 and expiring 12/31/2017.
 - b. **Community Service Administrative Board**: Gary Chapman and Regina Harris both reappointments for terms beginning 01/01/2014 and expiring 6/30/2016.
 - c. **Board of Health**: Christina Jones reappointment for a 3 year term beginning 1/1/2014 and expiring 12/31/2016. LeAnn Gruber, Celeste Latham and Mayuir Morker all appointments for 3 year terms beginning 1/1/2014 and expiring 12/31/2016 and Paul Stoddard reappointed for a 1 year term beginning 1/1/2014 and expiring 12/31/2014.
 - d. **Supportive Living Facility Board**: Brenda Bannon, Veronica Casella, Russell Deverell, Ronald Klein, Rita Nielsen, Lynn Shepard and Jeff Whelan all reappointments for a 1 year term beginning 1/1/2014 and expiring 12/31/2014.
 - e. **Rehab & Nursing Center Operating Board**: Brenda Bannon, Veronica Casella, Russell Deverell, Ronald Klein, Rita Nielsen, Lynn Shepard and Jeff Whelan all reappointments for a 1 year term beginning 1/1/2014 and expiring 12/31/2014.
 - f. **Metropolitan Exposition, Auditorium & Office Building Authority**: Ruth Anne Tobias, Lowell Akers and Mary Simons all appointed for terms beginning 01/01/2014 and expiring 05/31/2015. William Lenschow, Beryl Smith and Alexander Nerad appointed for terms beginning 01/01/2014 and expiring 05/31/2016. Debbie Armstrong, Kay Riley and Gary Hanson appointed for terms beginning 01/01/2014 and expiring 05/31/2018.
 - g. **Board of Review**: Mike Miner reappointed as an Alternate Board Member for a term beginning 1/1/2014 and expiring 04/30/2015. Robert Merriman and Daniel Cribben both appointed as Alternate Board Members for a term beginning 1/1/2014 and expiring 4/30/2015.
9. Reports from Standing Committees & Ad Hoc Committees

PLANNING & ZONING COMMITTEE

- a. **Ordinance O-2013-17:** Amending the DeKalb County Zoning Ordinance. *The DeKalb County Board does hereby approve to amend the definitions of “agriculture” and “agribusiness” as set forth in the DeKalb County Zoning Ordinance regarding the restriction of County zoning authority with respect to land used for agriculture purposes to better reflect the modern state of agriculture in the County, the legislative intent of the State law and further concurs with the opinion of the State’s Attorney that “agriculture purpose” should be liberally construed.* **Committee Action: Mr. Foster moved to approve the Text Amendments per the language agreed upon by staff and the petitioner, seconded by Mr. Stoddard, and the motion carried unanimously.**

- b. **Resolution R-2013-93:** Reimbursement for DeKalb County Hearing Officer. *The DeKalb County Board does hereby adopt the increase in compensation for the DeKalb County Hearing Officer as recommended by the Planning and Zoning Committee.* **Committee Action: Mr. Cribben moved to forward the Resolution raising the Hearing Officer’s compensation rate, seconded by Mr. Emerson, and the motion carried unanimously.**

COUNTY HIGHWAY COMMITTEE

- a. **Ordinance O-2013-16:** Altered Speed Zone for Rich Road. *The DeKalb County Board does hereby approve to lower the speed limit to 45 mph on Rich Road commencing 2,808 feet westerly of North First Street and continuing westerly for a distance of 2,337 feet. This Ordinance shall take effect immediately after the erection of said signs giving notice of the maximum speed limits.* **Committee Action: Mr. Jones moved and Mr. Pietrowski seconded. A roll call vote was requested and resulted in five (5) yes votes and zero (0) no votes. Motion passed.**

- b. **Resolution R-2013-88:** Preliminary Engineering Agreement for Keslinger Road Bridge. *The DeKalb County Board deems it appropriate to enter into an Engineering Agreement with Wendler Engineering Services, Inc. of Dixon, Illinois for the provision of preliminary engineering services incident to the repair or replacement of a bridge on Keslinger Road over the south branch of the Kishwaukee River located in Afton Road District in the amount not to exceed \$56,000.00.* **Committee Action: A motion was made by Mr. Jones and seconded by Mr. Johnson to forward the resolution to the full County Board for approval. The motion passed unanimously.**

- c. County Highway Presentation by Nathan Schwartz, DeKalb County Engineer.

ECONOMIC DEVELOPMENT COMMITTEE

No Business

HEALTH & HUMAN SERVICES COMMITTEE

No Business

LAW & JUSTICE COMMITTEE

No Business

FINANCE COMMITTEE

- a. **Claims for December 2013:** Move to approve the claims for this month, and the off cycle claims paid during the previous month, in the amount of \$5,333,989.33.
- b. **Reports of County Officials:** Move to accept and place on file the following Reports of County Officials:
 1. Cash & Investments in County Banks – December 2013
 2. Public Defender’s Report – December 2013
 3. Adult & Juvenile Monthly Reports – December 2013
 4. Sheriff’s Jail Report – December 2013
 5. Planning & Zoning Building Permits & Construction Reports – December 2013

EXECUTIVE COMMITTEE

- a. **Resolution R-2013-89:** State’s Attorney Appellate Prosecutor. *The DeKalb County Board hereby agrees to participate in the service program of the Office of the State’s Attorney Prosecutor for Fiscal Year 2014, commencing January 1, 2014, and ending December 31, 2014 in the amount of \$20,000.00, which was included in the FY2014 Budget. It was moved by Mrs. Fullerton, seconded by Mrs. Turner and it was carried unanimously by voice vote to forward the resolution to the full board for approval.*
- b. **Resolution R-2013-90:** Delinquent Property Tax Sale. *To authorize the Chairman of the DeKalb County Board to execute a deed of conveyance of the County’s interest or authorize the cancellation of the appropriate Certificate of Purchase, as the case may be (parcel #09-17-400-010) the sum of \$7,426.06 to be paid to the Treasurer of DeKalb County, Illinois, to be disbursed according to law. Committee Action: It was moved by Mrs. Fullerton, seconded by Mr. Reid and carried unanimously by voice vote to forward the resolution for the full board’s approval.*

- c. **Resolution R-2013-91:** Appointment Corrections. *The DeKalb County Board does hereby approve the correction of the position term dates for the appointment of various officials as outline on the attached schedule with said adjustments to be effective immediately. Committee Action: It was moved by Mrs. Fullerton, seconded by Mrs. Turner and it was moved unanimously by voice vote to forward the correction resolution to the full board for approval.*
 - d. **Resolution R-2013-92:** Deputy County Administrator. *The DeKalb County Board does hereby appoint Mr. Paul Miller as Deputy County Administrator for Operations. The appointment shall take effect January 6, 2014 and automatically sunset on December 31, 2016 with further County Board action needed to either appoint new or renew the recommended individual. Committee Action: It was moved by Ms. Fauci, seconded by Mrs. DeFauw and moved unanimously by voice vote to bring Mr. Paul Miller's name as an appointment to Deputy County Administrator for Operations to the full board for consideration.*
- 10. Old Business
 - 11. New Business
 - a. **Appointments scheduled to be made in the month of January 2014**
 - 1. Community Mental Health Board 708 – 1 position
 - 2. DeKalb County Nursing Home Foundation Board – 1 position
 - b. Other
 - 12. Adjournment

**DEKALB COUNTY FOREST PRESERVE DISTRICT
DECEMBER18, 2013**

AGENDA

- 1. Roll Call
- 2. Approval of Minutes
- 3. Approval of Agenda
- 4. Standing Committee Report
 - a. **Claims for December 2013:** Move to approve the claims for this month, and the off cycle claims paid during the previous month, in the amount of \$42,903.00.
- 5. Old Business
- 6. New Business
- 7. Adjournment

EMPLOYEE SERVICE AWARDS

December

2013

SUN

MON

TUE

WED

THU

FRI

SAT

30 YEARS OF SERVICE

None

25 YEARS OF SERVICE

None

20 YEARS OF SERVICE

Robert P. Carlson
Nancy M. Olson

12/01/1993
12/09/1993

Public Defender
Health Department

15 YEARS OF SERVICE

Daniel M. Berres

12/14/1998

Health Department

10 YEARS OF SERVICE

Diane M. Chappell
Mary Ann Criscione

12/01/2003
12/09/2003

County Clerk/Recorder
Sheriff's Department

5 YEARS OF SERVICE

John C. Emerson
Karen R. Ellis
Kelly R. Kuschel
Whitney L. Marsh
Christianne S. Turok
Lakendra E. Beverly

12/01/2008
12/02/2008
12/03/2008
12/08/2008
12/11/2008
12/30/2008

County Board
Rehab & Nursing
Circuit Clerk
Sheriff's Department
Circuit Clerk
Rehab & Nursing

For questions or corrections, please contact Lisa in the Administration Office at (895) 895-1639

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DeKalb County Government
Sycamore, Illinois

COUNTY BOARD PROCEEDINGS
November 20, 2013

The County Board Met in regular session at the Legislative Center Wednesday, November 20, 2013. The Chair called the meeting to order and the Clerk called the roll. Those Members present were Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan, Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson and Chairman Metzger. All twenty-Four County Board Members were present.

Chairman Metzger asked Mrs. Haji-Sheikh to lead to the pledge of allegiance.

APPROVAL OF MINUTES

Motion

Mr. O'Barski moved to approve the Minutes of October 16, 2013. Mr. Tyson seconded the motion.

Voice Vote

Chairman Metzger asked for a voice vote on the approval of the Minutes. All Members present voted yea. Motion carried unanimously.

APPROVAL OF AGENDA

Motion

Mrs. Fullerton moved to approve the Agenda and Mr. Brown seconded the motion.

Voice Vote

Chairman Metzger asked for a voice vote on the Agenda. All Members voted yea. Motion carried unanimously.

COMMUNICATIONS AND REFERRALS

Chairman Metzger respectfully presented Mr. Gary Hanson, DeKalb County Administrator, with a plaque honoring his 30 years of service to the County. Mr. Hanson spoke to the Board briefly on his 30 years of service for DeKalb County.

Employee Service Awards

Employee Service Awards for the month of November 2013 were: Ten Years – Terri Vancil: Forest Preserve; Fifteen Years – Deborah Cook: Court Services; Twenty-Five Years – Mary M. Wiltse-Simpson: Rehab & Nursing; Thirty Years – Gary Hanson, Administration.

Vice-Chairman, Mr. Paul Stoddard, read a letter of tribute of Mr. Lee Addleman of Waste Management that was sent to the County Board by his wife.

Chairman Metzger unveiled a new commercial promoting DeKalb County that will run 26 times on Comcast as a part of the IHSA State Football Championship Games that will be played at NIU during the Thanksgiving Holiday Weekend.

PERSONS TO BE HEARD FROM THE FLOOR

There were no individuals present to address the County Board on any items that had not been subject to a properly noticed and legally help public hearing conducted by the Hearing Officer.

Proclamation P2013-06: Open Door Rehabilitation Center

Chairman Metzger read Proclamation P2013-06 congratulating Open Door Rehabilitation Center on their 50 years of service to the DeKalb County Community. Mr. Dave Baker, Executive Director of Open Door Rehabilitation Center was present to accept a framed copy of the Proclamation and say a few words to the Board.

APPOINTMENTS

Chairman Metzger recommended the following appointments: Board of Health - Karen Hagen reappointed for a term of 3 years from 01/01/2013 until 12/31/2015. Emergency Telephone Systems Board (ETSB911) - Jason Leverton, Todd Merritt, Jay VanLanduypt and Gary Hanson all reappointments for a term of 4 years, starting 1/01/2014 until 12/31/2017. Thomas R. Phillips appointment for a term of 4 years starting 01/01/2014 until 12/31/2017. Community Services Administrative Board - Carol Herrington appointed for a term from 09/01/2013 to 12/31/2016, Dawn Littlefield reappointment for a term of 3 years from 12/01/2012 to 12/31/2015.

Motion

Mr. Whelan moved to approve the appointments as presented. Mrs. Haji-Sheikh seconded the motion.

Voice Vote

The Chairman asked for a voice vote on the appointments. All Members voted yea. Motion carried unanimously.

REPORTS FROM STANDING COMMITTEES

COUNTY HIGHWAY COMMITTEE

Resolution R2013-85: MFT for Salary and Equipment Rental

Motion

Mr. Gudmunson moved The DeKalb County Board hereby authorizes the expenditure of MFT funds for salary and equipment rental in the amount of \$941,000.00. Mr. Frieders seconded the motion.

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Roll Call Vote

Chairman Metzger called for a roll call vote on the Resolution. Those Members voting yea were Mrs. Haji- Sheikh, Mr. Johnson, Mr. Jones, Nr. O’Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan. Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson and Chairman Metzger. All Members voted yea. Motion carried unanimously.

Resolution R2013-86: MFT for 2014 Winter Maintenance Materials

Motion

Mr. Gudmunson moved The DeKalb County Board does approve the County to expend MFT funds for salt during 2014 in the amount of \$500,000.00. Mr. O’Barski seconded the motion.

Roll Call Vote

Chairman Metzger called for a roll call vote on the Resolution. Those Members voting yea were Mrs. Haji- Sheikh, Mr. Johnson, Mr. Jones, Nr. O’Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan. Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson and Chairman Metzger. All Members voted yea. Motion carried unanimously.

LAW & JUSTICE COMMITTEE

Resolution R2013-84: Intergovernmental Agreement with Kane County

Motion

Mrs. Fullerton moved The DeKalb County Board does hereby authorized to enter into an intergovernmental agreement with the County of Kane for the provision of multi-systemic therapy services to juveniles and their families as ordered by the courts. Mr. Oncken seconded the motion.

Voice Vote

The motion carried unanimously by voice vote.

FINANCE COMMITTEE

Ordinance 2013-14 Adoption of the FY2014 Tax Levy

Motion

Mr. Reid moved Adoption of FY2014 Tax Levy. The DeKalb County Board hereby adopts the Property Tax Levy for the 2014 Fiscal Year in the amount of \$20,900,000. Mrs. Turner seconded the motion.

Motion to Table

Mr. Cvek moved to table to FY2014 Tax Levy and FY2014 Budget so that the Finance Committee can have another month to try and cut more spending. Mr. Jones seconded the motion.

Call the Question

After much discussion on whether or not to table the Levy and Budget Mr. Stoddard moved to call the question. Mr. Reid seconded the motion.

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Voice Vote on Call the Question

Chairman Metzger called for a voice vote to call the question. A majority of the Members voted yea. Motion carried.

Roll Call Vote to Table

The Chairman asked for a roll call vote on Mr. Cvek's motion to table the FY2014 Levy and Budget. Those Members voting yea were Mr. Jones, Mr. Oncken, Mr. Cribben, Mr. Cvek, Mr. Deverell, Mr. Emerson, Mr. Foster, Mr. Frieders, Mrs. Fullerton and Mr. Gudmunson. Those Members voting nay were Mrs. Haji-Sheikh, Mr. Johnson, Mr. O'Barski, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan, Mr. Brown, Mrs. DeFauw, Ms. Fauci and Chairman Metzger. Ten Members voted yea and fourteen voted nay. Motion failed.

Roll Call Vote on the Approval of the FY2014 Tax Levy

The Chairman called for a roll call vote to adopt the FY2014 Tax Levy. Those Members voting yea were Mrs. Haji-Sheikh, Mr. Johnson, Mr. O'Barski, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan, Mr. Brown, Mrs. DeFauw, Ms. Fauci and Chairman Metzger. Those Members voting nay were Mr. Jones, Mr. Oncken, Mr. Cribben, Mr. Cvek, Mr. Deverell, Mr. Emerson, Mr. Foster, Mr. Frieders, Mrs. Fullerton and Mr. Gudmunson. Fourteen Members voted yea and ten voted nay. Motion carried to adopt the FY2014 Tax Levy.

Resolution R2013-15: Adoption of the FY2014 Budget

Motion

Mr. Reid moved The DeKalb County Board hereby adopts the 2014 Annual Operating Budget for January 1, 2014 through December 31, 2014 in the amount of \$77,333,650. Mrs. Turner seconded the motion.

Roll Call Vote

Chairman Metzger called for a roll call vote to adopt the FY2014 Annual Operating Budget. Those Members voting yea were Mrs. Haji-Sheikh, Mr. Johnson, Mr. O'Barski, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan, Mr. Brown, Mrs. DeFauw, Mr. Deverell, Ms. Fauci and Chairman Metzger. Those voting nay were Mr. Jones, Mr. Cribben, Mr. Cvek, Mr. Emerson, Mr. Foster, Mr. Frieders, Mrs. Fullerton and Mr. Gudmunson. Mr. Oncken abstained from voting. The Motion carried with fifteen voting yea, eight voting nay, and one abstention.

Resolution R2013-87: Elected Officials Salaries

Motion

Mr. Reid moved The DeKalb County Board hereby approves to set the DeKalb County Elected Official's salaries for those officials to be elected in November of 2014 with an effective date of January 1, 2015. Mr. Foster seconded the motion.

Voice Vote

The Chairman asked for a voice vote. All Members voted yea. Motion carried unanimously.

Claims for October 2013

Motion

Mr. Reid moved to approve the claims for November 2013, and the off cycle claims paid during the previous month, in the amount of \$5,118,571.22. Mrs. Turner seconded the motion.

Roll Call Vote

The Chairman asked for a roll call vote on the approval of the claims. Those Members voting yea were Mrs. Haji- Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan. Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson and Chairman Metzger. All Members voted yea. Motion carried unanimously.

Reports of County Officials

Motion

Mr. Reid moved to accept and place on file the following Reports of County Officials: Cash & Investments in County Banks – November 2013; Court Services Report – Adult & Juvenile Detention for November 2013; Jail Report – November 2013; Planning & Zoning Building Permits & Construction Report – November 2013. Mrs. Haji-Sheikh seconded the motion.

Voice Vote

The Chairman requested a voice vote to accept the Reports of County Officials. All Members presented voted yea. Motion carried unanimously.

APPOINTMENTS SCHEDULED TO BE MADE IN THE MONTH OF DECEMBER 2013

- Metropolitan Exposition, Auditorium & Office Building Authority - 9 positions
- Rehab & Nursing Center Operating Board – 7 positions
- Supportive Living Facility Board – 7 positions
- Board of Health – 4 positions
- Community Service Administrative Board – 2 positions
- Community Mental Health Board 708 – 3 positions
- DeKalb County Nursing Home Foundation Board – 1 position

OLD BUSINESS / NEW BUSINESS

There were no items for discussion under old business / new business.

ADJOURNMENT

Motion

Mr. Turner moved to adjourn the meeting and Mrs. Haji-Sheikh seconded the motion.

Voice Vote

Chairman Metzger called for a voice vote on the adjournment. All Members voted yea. Motion carried unanimously.

DeKalb County Board Chairman

DeKalb County Clerk

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STATE OF ILLINOIS)
)SS
COUNTY OF DEKALB)

ORDINANCE 2013-17

**AN ORDINANCE AMENDING THE
DEKALB COUNTY ZONING ORDINANCE
REGARDING THE DEFINITIONS OF
AGRICULTURE AND AGRIBUSINESS**

WHEREAS, Illinois State law, 55 ILCS 5/5-12001, grants to counties the authority to adopt and enforce zoning regulations for land uses within unincorporated areas of counties, but excludes lands used or to be used for “agricultural purposes” from such authority; and

WHEREAS, it is the opinion of the DeKalb County State’s Attorney that in the exercise of county zoning authority, “agricultural purposes” are to be liberally construed in favor of particular uses being deemed agricultural in order to fully effectuate the legislative intent expressed by the statutory exclusion of agriculture from counties’ regulatory authority; and

WHEREAS, the nature of the business of agriculture has evolved over time, and persons actively engaged in agricultural pursuits now conduct a wide variety of activities in support of agricultural purposes, in consequence of which some lands used for agricultural purposes include neither the growing of crops nor the raising of livestock; and

WHEREAS, the DeKalb County Farm Bureau has submitted an application for Zoning Text Amendments, in accordance with the requirements of Section 10.04.C. of the DeKalb County Zoning Ordinance, in order to amend the definitions of “agriculture” and “agribusiness” to better reflect the reality of modern agriculture and the wider range of agriculturally-related activities undertaken by those engaged in agricultural pursuits, and to assure that these are treated in the same way as other agricultural purposes with respect to zoning and building regulation; and

WHEREAS, following due notice published in The Daily Chronicle not less than 15 days in advance, a public hearing was conducted on October 18, 2013 by the DeKalb County Hearing Officer regarding the proposed Zoning Text Amendments, and two members of the public spoke in favor of the proposal and none in opposition thereto; and

WHEREAS, based on the testimony given at the public hearing, the Hearing Officer has forwarded to the DeKalb County Board findings and a recommendation that the definitions of “agriculture” and “agribusiness” as set forth in the Zoning Ordinance be amended as set forth in the Findings of Fact and Recommendation, dated October 18, 2013, a copy of which is appended hereto as Exhibit “A”; and

WHEREAS, the Planning and Zoning Committee of the DeKalb County Board has reviewed and considered the proposed Text Amendments, the recommendation of the Hearing Officer, and the recommendations of the petitioner and the Planning, Zoning and Building Department staff, and has forwarded a recommendation to the full County Board that amendments to the definitions of “agriculture” and “agribusiness” be adopted; and

WHEREAS, the County Board of DeKalb County has determined that it is in the best interests of the citizens of the County to amend the definitions of “agriculture” and “agribusiness” as set forth in the DeKalb County Zoning Ordinance to better reflect the modern state of agriculture in the County and the legislative intent of the State law regarding the restriction on County zoning authority with respect to land used for agricultural purposes, and further concurs with the opinion of the State’s Attorney that “agricultural purpose” should be liberally construed;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS, as follows:

SECTION ONE: The report of the DeKalb County Hearing Officer, Exhibit “A” attached hereto, is hereby accepted as findings, and the deliberations of the Planning and Zoning Committee regarding requested Amendments to the definitions of “agriculture” and “agribusiness” as set forth in the DeKalb County Zoning Ordinance are hereby adopted as the conclusions of the DeKalb County Board.

SECTION TWO: The DeKalb County Zoning Ordinance, Appendix A of the DeKalb County Code, Article 2, Definitions, Section 2.03, Definitions, is hereby amended as follows:

1. The definition of “agriculture” is hereby replaced in its entirety with the following:

Agriculture: shall mean land, or land and structures, which is primarily used and intended for agricultural purposes which includes the growing of farm crops; truck garden crops; animal and poultry husbandry; animal feed lots, apiculture, aquaculture, dairying; floriculture; horticulture; nurseries, tree farms; sod farms; pasturage; viticulture; wholesale greenhouses; the growing, developing, processing, conditioning and selling of hybrid seed corn, seed beans, seed oats, or other farm seeds, when such agricultural purposes constitute the principal activity on the land; and uses customarily incidental to agricultural purposes including the production, processing, storage and sale of grain, animal feed and fodder; field scouting and soil sampling; precision agriculture; remote aerial imagery and data processing; field drain tile installation and repair; manure application; on-farm machine repair and used machine sales; and limited on-farm processing of locally grown crops, produce, livestock or poultry, when such incidental uses take place on land used for agricultural purposes. Any and all land or structures used in

accordance with the above shall be considered to be used for agricultural purposes.

2. The definition of “agribusiness” is hereby replaced in its entirety with the following:

Agribusiness: shall mean agriculturally related businesses such as, but not limited to, commercial anhydrous ammonia facilities; commercial bulk fertilizer facilities; commercial grain elevators and grain storage; commercial sale, rental and repair of farm implements and equipment; commercial storage, distribution and sales of liquid petroleum products; retail animal feed; commercial feed preparation, grinding, and mixing; and commercial livestock depots and buying or sale yards, where such business activity constitutes the principal activity on the land and further provided sufficient evidence accompanies the application that adjoining or neighboring properties will not be adversely affected by the proposed business.

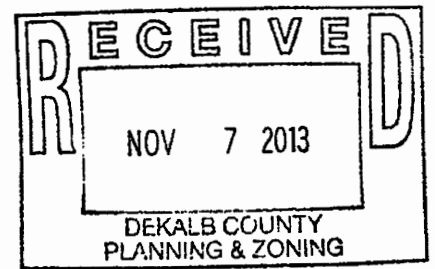
SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of DeKalb County, Illinois.

ADOPTED BY THE COUNTY BOARD THIS 18TH DAY OF DECEMBER, 2013,
A.D.

Chairman, DeKalb County Board

ATTEST:

DeKalb County Clerk



October 18, 2013

DeKalb County Board
Attention: Mr. Paul R. Miller – Planning, Zoning & Building Director
DeKalb County Planning & Zoning Department
110 East Sycamore St.
Sycamore, IL 60178

Dear Ladies & Gentlemen:

This is to advise you that the undersigned held a public hearing on October 17, 2013 relative to a request from the DeKalb County Farm Bureau. The Farm Bureau requested changes to the definitions of "Agriculture" and "Agribusiness" as set forth in the DeKalb County Zoning Ordinance. The Farm Bureau is also proposing a change to the list of permitted uses in the A-1 Agricultural District. The proposed changes would increase the number of activities that are considered to be part of agriculture, and thus largely exempt from County zoning and building regulations.

Received into the record was a letter dated August 29, 2013 from the DeKalb County Farm Bureau; a letter dated October 17, 2012 from Mr. Mark Tuttle, President of the DeKalb County Farm Bureau; a memorandum of the DeKalb County Farm Bureau in support of petition for zoning text amendments prepared by Charles G. Brown, its attorney; a memorandum in response to the DeKalb County Planning/Zoning/Building Department Staff Report dated September 13, 2013; a letter from Mr. Stephen Faivre dated October 17, 2013 supporting the Farm Bureau position; and a Staff Report from Paul R. Miller, Planning Director, dated September 13, 2013.

The DeKalb County Farm Bureau was represented by Mr. Charles Brown, attorney, who attended the hearing.

Mr. Brown first called on Mr. Mark Tuttle, President of the Farm Bureau, who made a short statement setting forth the fact that agriculture had a long history in the County and pointing out a number of agricultural innovations such as the invention of barbed wire, hybrid seed corn, etc. that benefitted the County. He stated that there is a strong need to let "agriculture

be agriculture” because it adds value to the County. He pointed out that agriculture is changing and that we need to adapt to those changes.

Mr. Brown then submitted a lengthy statement on behalf of the Farm Bureau’s position. He stated that the County’s authority to regulate land used for agricultural purposes is very limited. He stated that in general state law prohibits non-home rule counties in the State of Illinois from exercising its zoning and regulatory powers as it relates to land used for agricultural purposes. He stated that non-home rule counties are specifically prohibited from exercising their zoning powers “so as to impose regulations, eliminate uses, buildings and structures, or require permits with respect to land used for agricultural purposes, which include the growing of farm crops, truck garden crops, animal and poultry husbandry, apiculture, aquaculture, dairying, floriculture, horticulture, nurseries, tree farms, sod farms, pasturage, viticulture, and wholesale greenhouses when such agricultural purposes constitute the principal activity on the land.” He went on to point out that a non-home rule county is further prohibited from imposing regulations “with respect to the erection, maintenance, repair, alteration, remodeling or extension of buildings or structures used or to be used for agricultural purposes.”

He pointed out that there are only two limited exceptions to this general prohibition against County zoning and building regulatory authority. The first exception deals with setback lines and minimum lot sizes, and the second exception relates to counties with certain populations or to counties that are contiguous to counties with certain populations.

He stated that the definition of “agriculture” and “agricultural purposes” has been changed from time to time by the courts and generally the meaning has been expanded, and is not generally limited to the typical agricultural uses of growing crops or raising livestock. He cited a couple of examples, one involving a court ruling where the excavation and sale of land to create a pond to provide irrigation water to a sod farm was an agricultural purpose, and another where the use of a 60 acre tract to construct a lagoon and pumping station to hold digested sludge as liquid organic fertilizer to be applied to farm land was an agricultural use.

Mr. Brown argued that the current definition of agriculture as set forth in the County ordinance does not take into account how agriculture has changed in recent years. He pointed out that there are fewer and fewer owner/operators. Many operators do not own land. Many business sites are on less than 40 acres with the crops being grown on other land, frequently leased by the farmer. He pointed out that there are different legal entities involved. Mr. Brown argued that in DeKalb County it is possible to deed off a house built prior to 1979 on two acres which is an exception to the so-called 40 acre rule. Often this is the location of a farm business where grain bins, etc. are located. We have a long tradition of farmer to farmer services where farmers assist each other in various ways due in part because of the high cost of equipment, and the modern technology that has developed. Often they provide repair services to each other and have other sideline business. He pointed out that DeKalb Ag, for example, had dealerships throughout the County through different farmers. He also pointed out that there are cooperative buying groups that have developed that may be located on one farmer’s land but service other farmers. The same is true of trucking activities.

Mr. Brown stated that we have on farm processing of grain, livestock, etc. Many farmers sell vegetables ready to eat. He cited the example of the Hoka turkey farm which for many years has raised and processed turkeys. There are also local wineries, orchards, etc. He felt that these are trends that need to be dealt with in our zoning code. Mr. Brown stated that the proposed text amendment attempts to recognize the change that has occurred in the structure of agricultural industry. He states that their proposal recognizes that agriculture is more than the growing and harvesting of crops or the feeding of livestock and poultry. It recognizes that there are many activities that take place in the course of the modern farm operation which if viewed alone or in an isolated manner might not be considered the business of farming. He stated that the State Legislature has long recognized that the term agricultural purpose is more than the growing of crops or the raising of livestock. He argued that the proposed text amendment brings the Code's definition of agriculture into conformity with the State law. First, it adds that the "growing, developing, conditioning and selling of hybrid seed corn, seed beans, seed oats or other farm seeds," be added as a definition. He argues that including the language "but not limited to" recognizes that there may be additional changes in the future that should later be included. He stated that any activity that may add value to the product by additional on farm processing of locally grown crops, produce, or livestock should be included in the definition of agriculture. He also argued that the term "animal feed lots" should be used in place of the term "commercial feed lot." Finally, he argued that the proposed text amendment attempts to distinguish the type of activities that constitute an agribusiness from those types of activities when performed as an ancillary activity to a farming operation.

Finally Mr. Brown questioned the meaning of the words "secondary and subordinate" and asked what this means. At this point Mr. Paul Miller, the Planning Director, argued that using the term "a related farming operation" in place of the term "secondary and subordinate" was too broad. Mr. Miller argued that a "related farming operation" had no geographical boundaries, and the question would be related to what and where is the farming operation. In another county? In another state? In another nation? And for that reason he felt it was too broad.

Mr. Tracy Jones of 6644 Old State Road, Kirkland, Illinois then spoke and outlined some of the history of the proposal from the Farm Bureau. He stated that they had had meetings between the Farm Bureau and the Zoning Department approximately six months ago, and the Farm Bureau board since had had numerous meetings, and he thanked Paul Miller and the Farm Bureau for their work and cooperation in the matter. He pointed out that he is a livestock farmer and that manure is a valuable asset. They use expensive equipment to process it and work with it, and frequently other farmers spread manure on adjoining farmer's land. He also pointed out that livestock is governed by various state and federal laws. He also pointed out that with regard to the term "value added" they were not talking about selling products to the public but talking about the production of products.

Mr. Jamie Walters of RFD DeKalb, Illinois identified himself as the Vice-President of the Farm Bureau. He stated that modern farming involved a variety of legal structures. He said he was a third generation farmer and operated from a ten acre parcel that they referred to as the

homestead and which he owns. The surrounding land, however, is owned by other family members. The ten acre parcel is in an LLC which also owns the equipment that he uses. He farms in his individual name, and much of the equipment is leased from the LLC. They also have a seed company which is a sideline and in a separate legal entity. He states that he works with many other farmers.

Findings

It is the opinion of the undersigned that agriculture has clearly changed in many ways the past several decades. Farming operations are larger, and in many cases farmers farm land over a large area with some of the farms farmed by an individual operator separated by as many as 25 or 30 miles. Large equipment is used that in many cases accomplishes more in an hour than farmers used to spend days accomplishing. New technology has been developed to accomplish various aspects of the farm operation. It does appear that many aspects of the current Zoning Code in DeKalb County as it relates to agriculture need to be modified to recognize these changes, but at the same time it is important to protect the rights of other individuals in the community providing oversight over certain activities that might be commenced in the name of agriculture. What should automatically be allowed as being part of the farm operation and when should a special use permit be required? This is a difficult question and one that led to argument at the hearing.

Recommendation

The undersigned recommends the following language amendment for Section 2.03 of Article 2 of Appendix A – Zoning and Section 4.02 of Article 4 of Appendix A – Zoning of the DeKalb County Code:

2.03. Definitions

Agriculture shall mean land, or land and structures, which is primarily used and intended for, but not limited to, one of the following: the growing of farm crops; truck garden crops; animal and poultry husbandry; animal feed lots, apiculture, dairying; floriculture; horticulture; nurseries, tree farms; sod farms; pasturage; viticulture; wholesale greenhouses; the growing, developing, processing, conditioning and selling of hybrid seed corn, seed beans, seed oats, or other farm seeds; and accessory uses customarily incidental to agricultural activities including, but not limited to, the production, processing, storage and sale of grain, animal feed and fodder; field scouting and soil sampling; precision agriculture; remote aerial imagery and data processing; field drain tile installation and repair; manure application; on-farm machine repair and used machine sales; and limited on-farm processing of locally grown crops, produce, livestock or poultry, when such accessory uses are located on or within 75 miles of a related farming operation. Any and all land or structures used in accordance with the above shall be considered to be used for agricultural purposes. For purposes of this section, a “related farming operation” shall mean a farming operation that has a significant legal or business relationship to the person or entity conducting or performing the accessory use that is more than a mere buyer/seller

relationship. Further accessory uses shall be secondary in scope and scale to the related farming operation.

Agribusiness shall mean agriculturally related businesses such as, but not limited to, commercial anhydrous ammonia facilities; commercial bulk fertilizer facilities; commercial grain elevators and grain storage; commercial sale, rental and repair of farm implements and equipment; liquid petroleum products; retail animal feed; commercial feed preparation, grinding, and mixing; and commercial livestock depots and buying or sale yards, where such business activity constitutes the principal activity on the land and where the portion of business activity being conducted with a related farming operation is insignificant and further provided sufficient evidence accompanies the application that adjoining or neighboring properties will not be adversely affected by the proposed business.

4.02 Permitted Land Uses and Developments: The following uses of land are permitted in this district:

1. Agriculture
2. Conservation area for fauna, flora including a caretaker's residence on a minimum lot size of 40 acres or more.
3. Farm
4. Farm buildings
5. Farm drainage and irrigation systems
6. Farm dwelling
7. Game breeding and hunting preserve
8. Game refuge
9. Grazing and forage
10. Historic sites and structures
11. Nursery, plant
12. Roadside stands and small-scale agritainment, such as "u pick" orchards and gardens, with not more than 600 square feet of gross floor area, including outdoor display, and set back from the right-of-way at least 50 square feet, and with off-street parking for a minimum of five cars, or one space for each 50 square feet of structure, whichever is greater. Sales shall be limited to products grown or produced on the farm. Sales shall only be permitted March 15

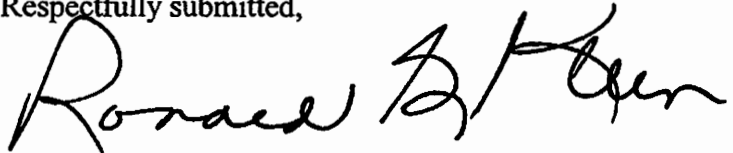
through November 15.

13. Stable, private

14. Transmission and distribution lines and pipelines of public utility companies within existing public rights-of-way.

15. Tree, sod farms.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald G. Klein". The signature is written in a cursive style with a large initial "R" and a stylized "K".

Ronald G. Klein
Hearing Officer

RGK/dla

Agriculture: shall mean land, or land and structures, which is primarily used and intended for agricultural purposes which includes the growing of farm crops; truck garden crops; animal and poultry husbandry; animal feed lots, apiculture, aquaculture, dairying; floriculture; horticulture; nurseries, tree farms; sod farms; pasturage; viticulture; wholesale greenhouses; the growing, developing, processing, conditioning and selling of hybrid seed corn, seed beans, seed oats, or other farm seeds, when such agricultural purposes constitute the principal activity on the land; and uses customarily incidental to agricultural purposes including the production, processing, storage and sale of grain, animal feed and fodder; field scouting and soil sampling; precision agriculture; remote aerial imagery and data processing; field drain tile installation and repair; manure application; on-farm machine repair and used machine sales; and limited on-farm processing of locally grown crops, produce, livestock or poultry, when such incidental uses take place on land used for agricultural purposes. Any and all land use in accordance with the above shall be considered to be used for agricultural purposes.

Agribusiness -- no change.



**DeKalb County
Planning/Zoning/Building Department**

110 East Sycamore Street
Sycamore, IL 60178
(815) 895-7188
Fax: (815) 895-1669

STAFF REPORT

TO: Planning and Zoning Committee

FROM: Paul R. Miller, AICP
PRM
DeKalb County Planning Director

DATE: November 25, 2013

SUBJECT: DeKalb County Farm Bureau Zoning Text Amendment File, Petition DC-13-08
Hearing Officer's Recommendation

The DeKalb County Farm Bureau has filed a petition for Amendments to Article 2, Definitions, and Section 4.02.B, A-1 Agricultural District, Permitted Land Uses and Developments, of the DeKalb County Zoning Ordinance. The proposed Amendments are to amend the definitions of "agriculture", "Agribusiness" and "Ancillary Use", and to amend the list of permitted uses in the A-1 District. The Zoning Text Amendments have been filed in accordance with the requirements of Section 10.04.C of the Zoning Ordinance.

The required public hearing was held on October 18, 2013 by Hearing Officer Ron Klein. The petitioner presented testimony in support of the requested changes to the definitions of "agriculture" and "agribusiness." It was explained that the purpose of the proposed Amendments is to recognize that the nature of agriculture has changed over the years, and farmers engage in a wide variety of activities in support of their farm operations. The changes to the definitions are intended to recognize this wider range of agriculturally-related activities and to assure that these are treated in the same way as other agricultural purposes with respect to zoning and building regulation. Two persons spoke in favor of the changes, and none in opposition. Staff raised a number of concerns related to the proposed changes, including the likelihood that the changes would allow certain activities by right that in the past have been subject to approval by the County Board.

The Hearing Officer has submitted his Findings of Fact and Recommendation, and has recommended that Amendments be approved by the County Board as set forth in that Recommendation (attached). The Hearing Officer's recommendation is to approve Amendments, but the definitions vary from those in the request from the Farm Bureau and from the recommendation of staff as set forth in the September 13, 2013 Staff Report. The following evaluates the recommendation of the Hearing Officer.

Hearing Officer's Recommendation -- The following minor changes are recommended to the Hearing Officer's recommended Text Amendments:

Agriculture shall mean land, or land and structures, which is primarily used and intended for, ~~but not limited to, one of the following:~~ agricultural purposes including the growing of farm crops; truck garden crops; animal and poultry husbandry; animal feed lots, apiculture, aquaculture; dairying; floriculture; horticulture; nurseries, tree farms; sod farms; pasturage; viticulture; wholesale greenhouses; the growing, developing, processing, conditioning and selling of hybrid seed corn, seed beans, seed oats, or other farm seeds, where such agricultural purposes constitute the principal activity on the land; and ~~accessory~~ uses customarily incidental to agricultural activities purposes including, but not limited to, the production, processing, storage and sale of grain, animal feed and fodder; field scouting and soil sampling; precision agriculture; remote aerial imagery and data processing; field drain tile installation and repair; manure application; on-farm machine repair and used machine sales; and limited on-farm processing of locally grown crops, produce, livestock or poultry, when such accessory incidental uses are ~~located on or within 75 miles of associated with~~ a related farming operation. Any and all land or structures used in accordance with the above shall be considered to be used for agricultural purposes. For purposes of this section, a “related farming operation” shall mean a farming operation that has a significant legal or business relationship to the person or entity conducting or performing the accessory customarily incidental use that is more than a mere buyer/seller relationship. Further accessory customarily incidental uses shall be secondary in scope and scale to the related farming operation.

Agribusiness shall mean agriculturally related businesses such as, but not limited to, commercial anhydrous ammonia facilities; commercial bulk fertilizer facilities; commercial grain elevators and grain storage; commercial sale, rental and repair of farm implements and equipment; storage, distribution and sales of liquid petroleum products; retail animal feed; commercial feed preparation, grinding, and mixing; and commercial livestock depots and buying or sale yards, where such business activity constitutes the principal activity on the land and where the portion of business activity being conducted with a related farming operation is insignificant and further provided sufficient evidence accompanies the application that adjoining or neighboring properties will not be adversely affected by the proposed business.

The changes suggested above bring the first part of the definition of “agriculture” in line with the definition contained in State Statutes. The suggestion to delete the “75 miles” standard is to avoid the imposition of an arbitrary and difficult-to-administer regulation which was not part of the Farm Bureau’s application. And references to “accessory uses” are replaced with “customarily incidental” uses in all cases to avoid conflict with the existing definition of “accessory use” in the Zoning Ordinance. Staff has discussed these minor changes with the Hearing Officer, who indicated he did not object to the revisions.

Staff Evaluation -- Staff understands and agrees with the intent of the Farm Bureau that the definition of agriculture should allow a diversity of related activities to take place on farms without undue government interference. However, as contained in Hearing Officer's Recommendation, the definitions would create two problems:

1. They would put the County in the position of treating two identical uses differently. An agriculturally-related activity could take place as the principal activity on a parcel and, by virtue of a significant legal or business relationship to a farm operation, be exempt from most County zoning and all County Building regulations. But an identical use which has no such tie to a farming operation would be subject to the Special Use procedures and Building Codes. This would make the County vulnerable to law suits on the grounds of unfair treatment; and
2. The proposed language will also create difficulties if an agriculturally-related use that constitutes the principal activity on piece of land is sold to an outside entity. For example, under the proposal a farming operation could establish on a separate parcel of land an office and storage building from which it does drain tile investigation, installation and repair, not only for the fields the family farms but for others as well. This incidental use would be permitted by right, with no zoning approval and no building inspections. If, however, the family decided to sell that business in the future to an outside owner who has no such significant legal/business relationship, the use would suddenly become an agribusiness. The County cannot be expected to be aware of such sales, and the new owner is unlikely to know that there is a change in the zoning status of the business. Any proposal to add new buildings, structures or land to the use in the future would put the new owner in the position of needing a Special Use Permit and of bringing the existing buildings up to current codes.

These problems are created because the idea of "significant legal or business relationship" is not a land use standard, yet is suggested as a criteria for evaluating land use. Currently, land use is evaluated in terms of what is the principal activity taking place on a specific piece of property. This is consistent with the language of county zoning authority as set forth in State law. Identification of the principal activity allows a determination as to whether a use is permitted, Special, or not permitted. Who is proposing to carry out the activity is not an important consideration in this determination.

The proposed definitions would substitute the assessment of principal activity on the land with consideration of the legal/business relationship of the users. But zoning is conferred on land, not on a person or entity, because who is conducting a land use should not matter. This avoids claims of discrimination by the zoning authority against individuals or entities. Adopting regulations that depend on who is carrying out the use can be construed as unequal treatment, because in effect it creates two classes of citizens, rather than two classes of land use.

Staff Recommendation -- In order to accommodate the intent of the Farm Bureau without creating a situation in which the County can be accused of unfair treatment, staff offers the following alternative definitions. Underlined and struck-out language represent changes from the Hearing Officer's recommendations:

Agriculture: shall mean land, or land and structures, which is primarily used and intended for agricultural purposes including the growing of farm crops; truck garden crops; animal and poultry husbandry; animal feed lots, apiculture, aquaculture, dairying; floriculture; horticulture; nurseries, tree farms; sod farms; pasturage; viticulture; wholesale greenhouses; the growing, developing, processing, conditioning and selling of hybrid seed corn, seed beans, seed oats, or other farm seeds, where such agricultural purposes constitute the principal activity on the land; and uses customarily incidental to agricultural purposes including the production, processing, storage and sale of grain, animal feed and fodder; field scouting and soil sampling; precision agriculture; remote aerial imagery and data processing; field drain tile installation and repair; manure application; on-farm machine repair and used machine sales; and limited on-farm processing of locally grown crops, produce, livestock or poultry, when provided such incidental uses are located on or within 75 miles of related farming operation. do not constitute the principal activity on the land on which they are located (see Agribusiness). Any and all land or structures used in accordance with the above shall be considered to be used for agricultural purposes. ~~For purposes of this section, a "related farming operation" shall mean a farming operation that has a significant legal or business relationship to the person or entity conducting or performing the customarily incidental use that is more than a mere buyer/seller relationship. Further customarily incidental uses shall be secondary in scope and scale to the related farming operation.~~

Agribusiness shall mean agriculturally related businesses such as, but not limited to, commercial anhydrous ammonia facilities; commercial bulk fertilizer facilities; commercial grain elevators and grain storage; commercial sale, rental and repair of farm implements and equipment; storage, distribution and sales of liquid petroleum products; retail animal feed; commercial feed preparation, grinding, and mixing; and commercial livestock depots and buying or sale yards, where such business activity constitutes the principal activity on the land ~~and where the portion of business activity being conducted with a related farming operation is insignificant and further provided sufficient evidence accompanies the application that adjoining or neighboring properties will not be adversely affected by the proposed business.~~

Under these revised definitions, farmers can diversify activities on their farms without special zoning approval. If an operator develops a customarily incidental service that takes place on the farm, it can be offered to other farmers as well and would not require a Special Use Permit because the principal

activity on that farm would still be agriculture. Even if an entire building is devoted to that customarily incidental use, provided it is part of a farm, it would be exempt from Building Code regulations. Further, isolated, smaller parcels that are put to agricultural purposes would continue to be permitted by right. For example, a five-acre parcel could contain a farm office, barns, grain bins, etc., and serve as the base from which a farmer who farms hundreds of acres in the general area operates. Because the parcel is devoted directly to that agricultural purpose, it's principal activity would be an agricultural purpose, and so it would be exempt.

However, a parcel of land that is principally devoted to an agriculturally-related activity, such that the related activity is the dominant land use rather than an agricultural purpose of the types listed in the State law, a Special Use Permit would be required. This would be the case whether the activity has a legal, business relationship with a farm operation or not, which is a more fair and equitable application of County zoning authority.

Finally, in determining whether or not a given activity is an "agricultural purpose," Staff is to liberally interpret the term so as to meet the intent of State law that agriculture be excluded from County zoning. In determining what is the "principal activity", Staff is to consider such things as how much land area is devoted to each use, how many buildings or structures and how much activity is associated with each use, how similar is the use to the kinds of agricultural activities listed in the State law, how much traffic is generated by each use, which use visually dominates the property, what impact (if any) do the uses have on surrounding properties, how compatible with surrounding uses are the activities on the parcel, and even whether or not a use has a significant legal or business relationship to a farming operation. Such interpretations can be provided in writing to assure that there is a rationale to support the decision. In the event that any property owner disagrees with the interpretation of the Zoning Administrator, the Appeals process of the Zoning Ordinance is available, as well as the court system, for those seeking relief.

The Planning and Zoning Committee is requested to review the Farm Bureau's application, the Hearing Officer's Recommendation, and this Staff Report, and forward an Ordinance to the full County Board to approve or deny any Zoning Text Amendments.

PRM:prm

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STATE OF ILLINOIS)
)SS
COUNTY OF DEKALB)

RESOLUTION 2013-93

**REGARDING REIMBURSEMENT FOR
DEKALB COUNTY HEARING OFFICERS**

WHEREAS, the DeKalb County Board, on May 17, 1989, adopted a Resolution appointing a Hearing Officer to conduct public hearings for zoning applications, appeals, and other matters as required, and on June 21, 1989 passed Ordinance 89-8 establishing the position of Hearing Officer of DeKalb County in accordance with 55 ILCS 5/5-12015 of the Illinois Revised Statutes; and

WHEREAS, compensation to Hearing Officers was set by the Planning and Zoning Committee of the DeKalb County Board in 1989, and revised upward in 1998, but has not been reviewed or changed since that time; and

WHEREAS, the Planning and Zoning Committee has reviewed the compensation schedule for Hearing Officers and determined it is appropriate to increase said compensation to reflect the length of time since the last review and to acknowledge the value of the services, evaluations and recommendations provided by County Hearing Officers to the DeKalb County Board;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS, as follows:

The DeKalb County Board does hereby adopt the following schedule of compensation for services provided by the County Hearing Officers:

1. Hearing Officers shall be reimbursed in the amount of \$350 for the first hour of a public hearing conducted for Variations;
2. Hearing Officers shall be reimbursed in the amount of \$450 for the first hour of a public hearing conducted for Appeals, Zoning Map and Zoning Text Amendments, Special Uses, Planned Developments, and other public hearings as assigned by the DeKalb County Board; and
3. Hearing Officers shall be reimbursed at a rate of \$50 for each half hour beyond the first hour of any public hearing.

This schedule of compensation shall become effective as of the date of this Resolution.

ADOPTED BY THE DEKALB COUNTY BOARD THIS 18TH DAY OF DECEMBER,

2013, A.D.

Chairman, DeKalb County Board

ATTEST:

County Clerk

RESOLUTION
#R2013-88

WHEREAS, the Highway Committee of the DeKalb County Board deems it appropriate to enter into an Engineering Agreement with Wendler Engineering Services, Inc. of Dixon, Illinois for the provision of preliminary engineering services incident to the repair or replacement of a bridge on Keslinger Road over the south branch of the Kishwaukee River located in the Road District of Afton; and

WHEREAS, compensation for said services had been established as set forth herein below:

WENDLER ENGINEERING SERVICES, INC: In the amount not to exceed Fifty-Six Thousand Five Hundred Dollars and no cents (\$56,500.00) for preliminary engineering services for the repair or replacement of above described bridge located in Afton Road District and designated as Section 10-01109-01-BR.

NOW, THEREFORE, BE IT RESOLVED, by the DeKalb County Board that it does approve entering into the aforesaid Preliminary Engineering Agreement and does hereby authorize its Chairperson to execute the pertinent documents.

PASSED AT SYCAMORE, ILLINOIS THIS 18TH DAY OF DECEMBER, 2013 A.D.

Chairman, DeKalb County Board

ATTEST:

County Clerk

Municipality	L O C A L A G E N C Y	 Illinois Department of Transportation Preliminary Engineering Services Agreement For Motor Fuel Tax Funds	C O N S U L T A N T	Name Wendler Eng. Services, Inc.
Township Afton				Address 698 Timber Creek Rd. PO Box 486
County DeKalb				City Dixon
Section 10-0109-01-BR				State IL

THIS AGREEMENT is made and entered into this _____ day of _____, _____ between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above SECTION. Motor Fuel Tax Funds, allotted to the LA by the State of Illinois under the general supervision of the State Department of Transportation, hereinafter called the "DEPARTMENT", will be used entirely or in part to finance ENGINEERING services as described under AGREEMENT PROVISIONS.

Section Description

Name Keslinger Road over the south branch of the Kishwaukee River

Route TR159A Length _____ Mi. _____ FT (Structure No. 019-5010)

Termini +/- 1000' East of the Southwest corner of Section 5, Township 39N., Range 4 E., DeKalb County

Description: Preparation plans, estimates and specifications for the replacement of the existing bridge (019-5010) with a new P.P.C. deck beam structure and necessary roadway approaches.

Agreement Provisions

The Engineer Agrees,

1. To perform or be responsible for the performance of the following engineering services for the LA, in connection with the proposed improvements herein before described, and checked below:
 - a. Make such detailed surveys as are necessary for the preparation of detailed roadway plans
 - b. Make stream and flood plain hydraulic surveys and gather high water data, and flood histories for the preparation of detailed bridge plans.
 - c. Make or cause to be made such soil surveys or subsurface investigations including borings and soil profiles and analyses thereof as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations are to be made in accordance with the current requirements of the DEPARTMENT.
 - d. Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.
 - e. Prepare Army Corps of Engineers Permit, Department of Natural Resources-Office of Water Resources Permit, Bridge waterway sketch, and/or Channel Change sketch, Utility plan and locations, and Railroad Crossing work agreements.
 - f. Prepare Preliminary Bridge design and Hydraulic Report, (including economic analysis of bridge or culvert types) and high water effects on roadway overflows and bridge approaches.
 - g. Make complete general and detailed plans, special provisions, proposals and estimates of cost and furnish the LA with five (5) copies of the plans, special provisions, proposals and estimates. Additional copies of any or all documents, if required, shall be furnished to the LA by the ENGINEER at his actual cost for reproduction.
 - h. Furnish the LA with survey and drafts in quadruplicate of all necessary right-of-way dedications, construction easement and borrow pit and channel change agreements including prints of the corresponding plats and staking as required.

Note: Four copies to be submitted to the Regional Engineer

- i. Assist the LA in the tabulation and interpretation of the contractors' proposals
 - j. Prepare the necessary environmental submittal documents in accordance with the procedures adopted by the DEPARTMENT's Bureau of Local Roads & Streets.
 - k. Prepare the Project Development Report when required by the DEPARTMENT.
- (2) That all reports, plans, plats and special provisions to be furnished by the ENGINEER pursuant to the AGREEMENT, will be in accordance with current standard specifications and policies of the DEPARTMENT. It is being understood that all such reports, plats, plans and drafts shall, before being finally accepted, be subject to approval by the LA and the DEPARTMENT.
- (3) To attend conferences at any reasonable time when requested to do so by representatives of the LA or the Department.
- (4) In the event plans or surveys are found to be in error during construction of the SECTION and revisions of the plans or survey corrections are necessary, the ENGINEER agrees that he will perform such work without expense to the LA, even though final payment has been received by him. He shall give immediate attention to these changes so there will be a minimum delay to the Contractor.
- (5) That basic survey notes and sketches, charts, computations and other data prepared or obtained by the Engineer pursuant to this AGREEMENT will be made available, upon request, to the LA or the DEPARTMENT without cost and without restriction or limitations as to their use.
- (6) That all plans and other documents furnished by the ENGINEER pursuant to this AGREEMENT will be endorsed by him and will show his professional seal where such is required by law.

The LA Agrees,

1. To pay the ENGINEER as compensation for all services performed as stipulated in paragraphs 1a, 1b, 1c, 1e, 1f, 1g, 1j, 2, 3, 5 and 6 in accordance with one of the following methods indicated by a check mark:
 - a. A sum of money equal to _____ percent of the awarded contract cost of the proposed improvement as approved by the DEPARTMENT.
 - b. A sum of money equal to the percent of the awarded contract cost for the proposed improvement as approved by the DEPARTMENT based on the following schedule:

HOURLY BASIS: MAXIMUM NOT TO EXCEED \$56,500.00
 Schedule for Percentages Based on Awarded Contract Cost

Awarded Cost	Percentage Fees	
Under \$50,000	_____	(see note)
	_____	%
	_____	%
	_____	%
	_____	%
	_____	%

Note: Not necessarily a percentage. Could use per diem, cost-plus or lump sum.

2. To pay for services stipulated in paragraphs 1h of the ENGINEER AGREES at actual cost of performing such work plus 50 percent to cover profit, overhead and readiness to serve - "actual cost" being defined as material cost plus payrolls, insurance, social security and retirement deductions. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost. Subject to the approval of the LA, the ENGINEER may sublet all or part of the services provided under the paragraph 1c. If the ENGINEER sublets all or part of this work, the LA will pay the cost to the ENGINEER plus a five (5) percent service charge.

"Cost to Engineer" to be verified by furnishing the LA and the DEPARTMENT copies of invoices from the party doing the work. The classifications of the employees used in the work should be consistent with the employee classifications for the services performed. If the personnel of the firm, including the Principal Engineer, perform routine services that should normally be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the work performed.

3. That payments due the ENGINEER for services rendered in accordance with this AGREEMENT will be made as soon as practicable after the services have been performed in accordance with the following schedule:
 - a. Upon completion of detailed plans, special provisions, proposals and estimate of cost - being the work required by paragraphs 1a through 1g under THE ENGINEER AGREES - to the satisfaction of the LA and their approval by the DEPARTMENT, 90 percent of the total fee due under this AGREEMENT based on the approved estimate of cost.
 - b. Upon award of the contract for the improvement by the LA and its approval by the DEPARTMENT, 100 percent of the total fee due under the AGREEMENT based on the awarded contract cost, less any amounts paid under "a" above.

By Mutual agreement, partial payments, not to exceed 90 percent of the amount earned, may be made from time to time as the work progresses.

4. That, should the improvement be abandoned at any time after the ENGINEER has performed any part of the services provided for in paragraphs 1a, through 1h and prior to the completion of such services, the LA shall reimburse the ENGINEER for his actual costs plus 50 percent incurred up to the time he is notified in writing of such abandonment -"actual cost" being defined as in paragraph 2 of THE LA AGREES.
5. That, should the LA require changes in any of the detailed plans, specifications or estimates except for those required pursuant to paragraph 4 of THE ENGINEER AGREES, after they have been approved by the DEPARTMENT, the LA will pay the ENGINEER for such changes on the basis of actual cost plus 50 percent to cover profit, overhead and readiness to serve -"actual cost" being defined as in paragraph 2 of THE LA AGREES. It is understood that "changes" as used in this paragraph shall in no way relieve the ENGINEER of his responsibility to prepare a complete and adequate set of plans and specifications.

It is Mutually Agreed,

1. That any difference between the ENGINEER and the LA concerning their interpretation of the provisions of this Agreement shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LA and a third member appointed by the two other members for disposition and that the committee's decision shall be final.
2. This AGREEMENT may be terminated by the LA upon giving notice in writing to the ENGINEER at his last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LA all surveys, permits, agreements, preliminary bridge design & hydraulic report, drawings, specifications, partial and completed estimates and data, if any from traffic studies and soil survey and subsurface investigations with the understanding that all such material becomes the property of the LA. The ENGINEER shall be paid for any services completed and any services partially completed in accordance with Section 4 of THE LA AGREES.
3. That if the contract for construction has not been awarded one year after the acceptance of the plans by the LA and their approval by the DEPARTMENT, the LA will pay the ENGINEER the balance of the engineering fee due to make 100 percent of the total fees due under this AGREEMENT, based on the estimate of cost as prepared by the ENGINEER and approved by the LA and the DEPARTMENT.
4. That the ENGINEER warrants that he/she has not employed or retained any company or person, other than a bona fide employee working solely for the ENGINEER, to solicit or secure this contract, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the ENGINEER, any fee, commission, percentage, brokerage fee, gifts or any other consideration, contingent upon or resulting from the award or making of this contract. For Breach or violation of this warranty the LA shall have the right to annul this contract without liability.

IN WITNESS WHEREOF, the parties have caused the AGREEMENT to be executed in quadruplicate counterparts, each of which shall be considered as an original by their duly authorized officers.

Executed by the LA:

DeKalb County of the
(Municipality/Township/County)

ATTEST:

State of Illinois, acting by and through its
County Board

By _____

By _____

County Clerk
(Seal)

Title Chairman

Executed by the ENGINEER:

Wendler Engineering Services, Inc.

698 Timber Creek Road, P.O. Box 486

ATTEST:

Dixon, IL 61021

By *David A. Weber*
David A. Weber
Treasurer

By *Richard A. Baumann*
Richard A. Baumann
Title President

Approved

Date
Department of Transportation

Regional Engineer

WENDLER ENGINEERING SERVICES, INC.

Listed below are the personnel classifications and hourly rates of pay for the various personnel that may be employed on this project, the reimbursements for which is in accordance with the provisions of the Contract.

CLASSIFICATIONS	REGULAR HOURLY BILLING RATE
STRUCTURAL ENGINEER	95.00 - 135.00
PROFESSIONAL ENGINEER	90.00 - 130.00
ENGINEER	75.00 - 95.00
RESIDENT ENGINEER	75.00 - 95.00
PROFESSIONAL LAND SURVEYOR	80.00 - 110.00
SURVEY PARTY CHIEF	115.00 - 160.00
RODMAN	115.00 - 160.00
AUTOCADD OPERATOR	60.00 - 90.00
TECHNICIAN	50.00 - 90.00
INSPECTOR	50.00 - 90.00
STENOGRAPHER	35.00 - 55.00

All other outside expenses - Actual Cost + 12%

All services included in this contract, which are to be paid for at the actual cost of performing such work plus the percentage set forth in the contract to cover profit, overhead and readiness to serve, shall be based on the above schedule.

OCTOBER 2013

RESOLUTION

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Counties containing less than 3,000,000 inhabitants; and

WHEREAS, the powers and duties of the Office of the State's Attorneys Appellate Prosecutor are defined and enumerated in the "State's Attorneys Appellate Prosecutor's Act", 725 ILCS 210/1 et seq., as amended; and

WHEREAS, the Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives approval and support from the respective Counties eligible to apply; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor shall administer the operation of the appellate offices so as to insure that all participating State's Attorneys continue to have final authority in preparation, filing, and arguing of all appellate briefs and any trial assistance; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor and the Illinois General Assembly have reviewed and approved a budget for Fiscal Year 2014, which funds will provide for the continued operation of the Office of the State's Attorneys Appellate Prosecutor.

NOW, THEREFORE, BE IT RESOLVED that the DeKalb County Board, in regular session, this _____ day of _____, 20____ does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorney of this County in the appeal of all cases, when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney prepare, file, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the State's Attorney's duties under the Illinois Public Labor Relations Act, including negotiations thereunder, as well as in the trial and appeal of tax objections.

BE IT FURTHER RESOLVED that the Office of the State's Attorneys Appellate Prosecutor will offer Continuing Legal Education training programs to the State's Attorneys and Assistant State's Attorneys.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist the State's Attorney of this County in the discharge of the State's Attorney's duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

BE IT FURTHER RESOLVED that the DeKalb County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2014, commencing January 1, 2014, and ending December 31, 2014, by hereby appropriating the sum of \$20,000.00 as consideration for the express purpose of providing a portion of the funds required for financing the operation of the Office of the State's Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the Fiscal Year 2014.

Passed and adopted by the County Board of DeKalb County, Illinois, this _____ day of _____, 20____.

Chairman _____

**ATTEST: _____
County Clerk**

**RESOLUTION
R-2013-90**

WHEREAS, The County of De Kalb, as Trustee for the Taxing Districts, 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 De Kalb, as Trustee for the Taxing Districts, has acquired an interest in the following described real estate:

CORTLAND TOWNSHIP

PERMANENT PARCEL NUMBER: 09-17-400-010

As described in certificate(s) : 2009-00455 sold October 2010

and it appearing to the County Board that it would be to the best interest of the County to dispose of its interest in said property.

WHEREAS, Tad Simpson, has bid \$10,000.00 for the County's interest, such bid having been presented to the County Board at the same time it having been determined by the County Board and the Agent for the County, Joseph E. Meyer, that the County shall receive from such bid \$7,426.06 as a return for its certificate(s) of purchase. The County Clerk shall receive \$0.00 for cancellation of Certificate(s), the General Fund shall receive \$36.44 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 \$50.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is \$10,000.00.

THEREFORE, your County Board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF DE KALB COUNTY, ILLINOIS, that the Chairman of the Board of De Kalb County, Illinois, be 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 \$7,426.06 to be paid to the Treasurer of De Kalb 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.

ADOPTED by roll call vote this _____ day of _____, _____

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

RESOLUTION
R-2013-91

WHEREAS, DeKalb County Government has created an electronic database for tracking the appointments that the County Board makes to various boards and commissions throughout DeKalb County, and

WHEREAS, reports of this database will be published on the County's website so that the public will have access to the appointments that are made by the County Board, and

WHEREAS, during the process of verifying the data that was to be a part of that database it was discovered that over the years some of the terms of several appointments had not been consistent with parameters defined in State Statutes or in various By-Laws, and

WHEREAS, the Executive Committee of the DeKalb County Board has reviewed these inconsistencies and has now recommended that the terms of those appointments with inconsistencies should be corrected so that going forth both current and future appointees will be serving time periods in accordance with governing documents;

NOW, THEREFORE, BE IT RESOLVED that the DeKalb County Board does hereby approve the correction of the position term dates for the appointment of various officials as outlined on the attached schedule with said adjustments to be effective immediately.

PASSED AT SYCAMORE, ILLINOIS THIS 18TH DAY OF DECEMBER, 2013, A.D.

County Board Chairman

ATTEST:

County Clerk

DeKalb County Board Appointment Corrections

December 18, 2013

Entity	Appointment	Original Term		Corrected Term	
		Position Starts	Position Ends	Position Starts	Position Ends
Building Board of Appeals	Tom Taylor	6/1/2009	5/31/2014	6/1/2009	5/31/2015
	Steve Bollinger	5/1/2013	4/30/2017	6/1/2013	5/31/2016
	Ralph Tomkins	5/1/2013	4/30/2017	6/1/2013	5/31/2017
Community Services Administrative Board	Ken Mundy	7/21/2010	Indefinite	7/1/2010	6/30/2015
	Eric Johnson	4/20/2011	Indefinite	7/1/2011	6/30/2014
	Gary Chapman	1/1/2011	12/31/2013	1/1/2014	6/30/2016
	Regina Harris	1/1/2011	12/31/2013	1/1/2014	6/30/2016
	Vacant	9/1/2011	8/31/2014	7/1/2011	6/30/2014
	Sally DeFauw	12/1/2011	11/30/2014	7/1/2011	6/30/2014
	Dawn Littlefield	12/1/2012	11/30/2015	7/1/2012	6/30/2015
	Monica O'Leary	12/1/2012	11/30/2015	7/1/2012	6/30/2015
	Kimberly Wright	12/1/2012	11/30/2015	7/1/2012	6/30/2015
	Carol Harrington	9/1/2013	8/31/2016	7/1/2013	6/30/2016
	Vanessa Howell	9/1/2013	8/31/2016	7/1/2013	6/30/2016
	John Rey	9/1/2013	8/31/2016	7/1/2013	6/30/2016
	Coon Creek Drainage District	Frank Engel	9/1/2011	8/31/2014	9/1/2011
DeKalb County Sheriff's Merit Commission	Todd Walker	12/1/2010	11/30/2016	12/1/2010	11/30/2018
East Pierce Cemetery Association	John Engstrom	9/1/2008	8/31/2014	9/1/2008	8/31/2017
	Stan Schumacher	9/1/2008	8/31/2014	9/1/2008	8/31/2017
	Roger Klein	9/1/2010	8/31/2016	9/1/2010	8/31/2017
Fairdale Light District	Ryan Lawrence	11/1/2012	10/31/2015	5/1/2012	4/30/2014
	Edward Silvers	7/1/2013	6/30/2015	5/1/2013	4/30/2015
	Shannon Bellah-Lees	7/1/2013	6/30/2016	5/1/2013	4/30/2016
South Grove Cemetery Association	Henry Burgweger	11/1/2011	10/31/2014	9/1/2011	8/31/2015
	Eleanor Tindall	11/1/2011	10/31/2014	9/1/2011	8/31/2015
	Vacant	11/1/2011	10/31/2014	9/1/2011	8/31/2015
	Larry Driscoll	11/1/2012	10/31/2018	9/1/2012	8/31/2018
	David Yakey	11/1/2012	10/31/2018	9/1/2012	8/31/2018
	Vacant	11/1/2012	10/31/2018	9/1/2012	8/31/2018
Victor-Adams #1 Drainage District	Bill Coultrip	9/1/2012	8/31/2015	9/1/2012	8/31/2014
	Leeson Gord	9/1/2012	8/31/2015	9/1/2013	8/31/2016
Victor-Clinton Drainage District #14	Richard Erickson	9/1/2011	8/31/2014	9/1/2012	8/31/2015
	Kent Huff	9/1/2011	8/31/2014	9/1/2013	8/31/2016
Victor Township Drainage District	Alan Wiesbrook	9/1/2011	8/31/2014	9/1/2012	8/31/2015
	Michael Rosenwinkle	9/1/2011	8/31/2014	9/1/2013	8/31/2016

**RESOLUTION
R-2013-92**

WHEREAS, the DeKalb County Board re-defined the position of Deputy County Administrator through a change to Section 2-67 of the DeKalb County Code on October 16, 2013, and

WHEREAS, the Code allows for the appointment of multiple Deputy County Administrators and the County Administrator has recommended the appointments of a “Deputy County Administrator for Outreach” and a “Deputy County Administrator for Operations” for an initial term of three years, and

WHEREAS, the salary stipend for each of these positions, which does not add to any existing salary base, which was incorporated into the FY 2014 Budget, is \$7,800 for 2014, \$8,580 for 2015, and \$9,360 for 2016, and

WHEREAS, the County Administrator has solicited applicants for these positions and has reviewed the applicants with the Board’s Executive Committee and said Executive Committee has now forwarded its appointment recommendation for the Deputy County Administrator for Operations to the County Board for action while deferring action on the Deputy County Administrator for Outreach until a later date;

NOW, THEREFORE, BE IT RESOLVED by the DeKalb County Board that the following person is appointed as of January 6, 2014 and will be compensated as stated above:

1. Paul Miller as Deputy County Administrator for Operations, with responsibilities as outlined in the Section 2-67 of the County Code and the primary focus areas being Labor Contracts, Compliance with Federal & State Regulations, Development and Presentation of Orientation & Training Sessions, Policy Development & Codification, and being a member of the Management Advisory Team.
2. The above individual will serve at the pleasure of the County Board and said appointment may be terminated at any time by the County Board, but the appointment does automatically sunset on December 31, 2016 with further County Board action needed to either appoint a new Deputy County Administrator or to renew the current appointment.

PASSED AT SYCAMORE, ILLINOIS THIS 18TH DAY OF DECEMBER, 2013, A.D.

County Board Chairman

ATTEST:

County Clerk

Note: These minutes are not official until approved by the Forest Preserve District Commissioners at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.

DeKalb County Government
Sycamore, Illinois

COUNTY FOREST PRESERVE PROCEEDINGS
November 20, 2013

The DeKalb County Forest Preserve District Commissioners met in regular session at the Legislative Center Wednesday, November 20, 2013. President Metzger called the meeting to order and the Secretary called the roll. Those Commissioners present were Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan, Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson and President Metzger. All County twenty-four County Forest Preserve District Commissioners were present.

APPROVAL OF MINUTES

Motion

Mr. Whelan moved to approve the Minutes of October 16, 2013. Mr. Stoddard seconded the motion.

Voice Vote

President Metzger asked for a voice vote on the approval of the Minutes. All Commissioners present voted yea. Motion carried unanimously.

APPROVAL OF AGENDA

Motion

Mrs. Turner moved to approve the Agenda and Mr. Oncken seconded the motion.

Voice Vote

President Metzger asked for a voice vote on the Agenda. All Commissioners voted yea. Motion carried unanimously.

STANDING COMMITTEE REPORT

Ordinance 2013-10: Annual Appropriation for FY2014

Motion

Ms. Fauci moved The DeKalb County Forest Preserve District does hereby adopt the 2014 Annual Appropriation for January 1, 2014 through December 31, 2014 in the amount of \$2,127,000. Mr. Jones seconded the motion.

Roll Call Vote

President Metzger called for a roll call vote on the adoption of the FY2014 Annual Appropriation. Those Commissioners voting yea were Mrs. Haji- Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan, Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr.

Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson and President Metzger. All Commissioners voted yea. Motion carried unanimously.

Ordinance O2013-11: Adoption of the Property Tax Levy for FY2014

Motion

Ms. Fauci moved The DeKalb County Forest Preserve District does hereby adopt the Property Tax Levy for the 2014 Fiscal Year in the amount of \$1,485,000. Mr. Johnson seconded the motion.

Roll Call Vote

President Metzger called for a roll call vote on the adoption of the Property Tax Levy for FY2014. Those Commissioners voting yea were Mrs. Haji- Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan. Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson and President Metzger. All Commissioners voted yea. Motion carried unanimously.

Claims for November 2013

Motion

Ms. Fauci moved to approve the claims for October 2013, and the off cycle claims paid during the previous month, in the amount of \$51,023,66. Mr. Tyson seconded the motion.

Roll Call Vote

President Metzger asked for a roll call vote on the approval of the claims. Those Commissioners voting yea were Mrs. Haji- Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Tyson, Mr. Whelan. Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson and President Metzger. All Commissioners voted yea. Motion carried unanimously.

OLD BUSINESS / NEW BUSINESS

There were no items for discussion under old business / new business.

ADJOURNMENT

Motion

Mrs. Fullerton moved to adjourn the meeting and Mr. Oncken seconded the motion.

Voice Vote

President Metzger called for a voice vote on the adjournment. All Commissioners voted yea. Motion carried unanimously.

President, DeKalb County Forest
Preserve District Commissioners

Secretary, DeKalb County Forest
Preserve District Commissioners

Note: These minutes are not official until approved by the Forest Preserve District Commissioners at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.