

**DEKALB COUNTY GOVERNMENT  
COUNTY BOARD MEETING  
AUGUST 20, 2014  
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
  - c. Sycamore Park District
6. Persons to be Heard from the Floor
7. Proclamations: None
8. Appointments for this Month:
  - a. **DeKalb County Board Member:** Dianne Leifheit appointed immediately to fill the unexpired term of Julia Fullerton to represent County Board District 8 until November 30, 2014. Sandra Polanco appointed immediately to fill the unexpired term of Derek Tyson to represent County Board District 5 until November 30, 2014.

*Oaths of Office - conducted by DeKalb County Clerk, Douglas J. Johnson*

- b. **Committee Assignment:** Dianne Leifheit to be appointed immediately to sit on the DeKalb County Board's Finance Committee and the Law & Justice Committee until November 30, 2014. Sandra Polanco to be appointed immediately to sit on the Health & Human Services Committee and the Law & Justice Committee until November 30, 2014.
- c. **Law & Justice Chairman:** Riley Oncken appointed immediately as the Chairman of the DeKalb County Board's Law & Justice Committee until November 30, 2014.
- d. **Law & Justice Vice Chairman:** Ruth Anne Tobias to be appointed immediately as the Vice Chairman of the DeKalb County Board's Law & Justice Committee until November 30, 2014.
- e. **Community Services Administrative Board:** Sylvia Ibarra appointed immediately to fill a vacancy for a Private Sector Board Member until June 30, 2015 and Dan Nolan appointed immediately to fill a vacancy for a Public Sector Board Member until June 30, 2017.
- f. **Stormwater Management Committee:** Norm Beeh, Joel Maurer, Tom Thomas, Paul Stoddard, Pat Vary, and Bill Lorence all appointed for terms beginning July 1, 2014 and expiring June 30, 2015. Joe Misurelli, Derek Hiland, John Laskowski, Donna Prain, Roger Steimel, and Paul Miller all appointed for terms beginning July 1, 2014 and expiring June 30, 2016.
- g. **Clinton-Shabbona Drainage District:** Wayne Overby to be reappointed for a term beginning September 1, 2014 and expiring August 31, 2017.
- h. **Coon Creek Drainage District:** Matt Klein to be reappointed for term beginning September 1, 2014 and expiring August 31, 2017.

- i. **Normal Drainage District:** Robert Twombly to be reappointed for a term beginning September 1, 2014 and expiring August 31, 2017.
  - j. **Shabbona Milan Union Drainage District:** Dennis L. Johnson to be reappointed for a term beginning September 1, 2014 and expiring August 31, 2017.
  - k. **Squaw Grove Drainage District:** Donald Willrett reappointed for a term beginning September 1, 2014 and expiring August 31, 2017.
  - l. **Victor Township Drainage District:** Dean Lundeen to be reappointed for a term beginning September 1, 2014 and expiring August 31, 2017.
9. Reports from Standing Committees & Ad Hoc Committees

### **PLANNING & ZONING COMMITTEE**

- a. **Ordinance O2014-07:** An Ordinance Amending a Special Use Permit Granted to The Sycamore Sportsmen Club on Property Located West of Motel Road in Mayfield Township. *The DeKalb County Board approves an Amendment to the Special Use Permit granted to the Sycamore Sportsmens and Conservation Club by DeKalb County Ordinance 90-38 and Amended by DeKalb County Ordinance 98-18 and hereby approves to allow certain improvements to the subject property legally described in Exhibit "A" attached to the Ordinance.* **Committee Action: Mr. Foster moved to approve the Amendment to the Special Use as proposed, seconded by Ms. Fauci, and the motion carried unanimously.**

### **COUNTY HIGHWAY COMMITTEE**

No Business

### **ECONOMIC DEVELOPMENT COMMITTEE**

No Business

### **HEALTH & HUMAN SERVICES COMMITTEE**

No Business

### **LAW & JUSTICE COMMITTEE**

- a. **Resolution R2014-49:** Authorizing the Execution of a Law Enforcement Mutual Aid Agreement and the Existence and Formation of the Illinois Law Enforcement Alarm System by Intergovernmental Cooperation. *The DeKalb County Board does authorize to enter into an Agreement and the DeKalb County Sheriff is hereby authorized to sign, executive and deliver the agreement known as the "Law Enforcement Mutual Aid Agreement" and thereby enter into an intergovernmental agreement with such other public agencies of the State of Illinois as are likewise willing to enter into said "Law Enforcement Mutual Aid Agreement" and recognize the existence and formation of the Illinois law Enforcement Alarm System as set forth in the said Agreement.* **Committee Action: It was moved by Mr. Cvek, seconded by Mr. Oncken and it was approved unanimously by voice vote to forward the resolution to the Full County Board for approval in August.**

## FINANCE COMMITTEE

- a. **Resolution R2014-50:** Updating the DeKalb County Equal Employment Opportunity and Affirmative Action Policy. *The DeKalb County Board hereby adopts the Equal Employment Opportunity and Affirmative Action Policy, as the official policy of DeKalb County, IL.* **Committee Action: Moved by Mr. Foster, seconded by Mr. Cvek and it was approved unanimously to forward the resolution to the Full County Board for approval.**
  
- b. **Resolution R2014-51:** IDOT Remediation Agreement. *The DeKalb County Board does authorize the execution of an Agreement with the Illinois Department of Transportation which will allow the County to close out the project for the underground storage tank remediation for the Legislative Center site.* **Committee Action: It was moved by Mrs. Tobias, seconded by Mr. Foster and it was approved unanimously to forward the resolution to the Full County Board for approval.**
  
- c. **Claims for July 2014:** Move to approve the claims for last month, and the off cycle claims paid during the previous month, in the amount of \$5,636,460.48.
  
- d. **Claims for August 2014:** Move to approve the claims for this month, and the off cycle claims paid during the previous month, in the amount of \$8,207,514.81.
  
- f. **Reports of County Officials:** Move to accept and place on file the following Reports of County Officials:
  - 1. Cash & Investments in County Banks – June & July 2014
  - 2. Public Defender’s Report – June & July 2014
  - 3. Adult & Juvenile Monthly Reports – June & July 2014
  - 4. Sheriff’s Jail Report – June & July 2014
  - 5. Planning & Zoning Building Permits & Construction Reports - June & July 2014
  - 6. Mental Health Board 2013 Annual Report
  - 7. Circuit Clerk’s Six-Month Report
  - 8. County Clerk & Recorder’s Six-Month Report

## EXECUTIVE COMMITTEE

- No Business
  
- 10. Old Business
- 11. New Business
  - a. **Appointments Scheduled to be made in the Month of September 2014**
    - 1. Workforce Investment Act Board – 3 positions
    - 2. Public Building Commission – 1 position
  
- 12. Adjournment

**DEKALB COUNTY  
FOREST PRESERVE DISTRICT  
August 20, 2014**

**AGENDA**

1. Roll Call
2. Approval of Minutes
3. Approval of Agenda
4. Persons to be Heard from the Floor
5. Standing Committee Report
  - a. **Claims for July 2014:** Move to approve the claims for last month, and the off cycle claims paid during the previous month, in the amount of \$76,311.77.
  - b. **Claims for August 2014:** Move to approve the claims for this month, and the off cycle claims paid during the previous month, in the amount of \$69,825.41.
6. Old Business
7. New Business
8. Adjournment

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DeKalb County Government  
Sycamore, Illinois

**COUNTY BOARD PROCEEDINGS**  
**June 18, 2014**

The County Board met in regular session at the Legislative Center Wednesday, June 18, 2014. The Chairman called the meeting to order and the Clerk called the roll. Those Members present were Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, and Mr. Reid. Those Members absent were Mr. Stoddard, Mr. Brown and Mr. Foster. Twenty Members were present and three were absent and one seat remained vacant due to a resignation in District 5.

Chairman Metzger asked Mrs. Tobias to lead to the pledge of allegiance.

**APPROVAL OF MINUTES**

Motion

Mr. Johnson moved to approve the Minutes of May 21, 2014. Mr. Reid 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**

Chairman Metzger announced that he would like amend the agenda by removing item a. R2014-38 from the Finance Committee and shared that the item will be brought back at the August County Board Meeting for consideration.

Motion

Mr. Whelan moved to approve the agenda as amended and Mrs. Haji-Sheikh seconded the motion.

Voice Vote

The motion was carried unanimously by voice vote.

**COMMUNICATIONS AND REFERRALS**

Veteran's Honor Roll

Chairman Metzger called upon Mr. Doug Johnson, DeKalb County Clerk & Recorder to induct the following Veterans into the DeKalb County Veteran's Honor Roll: Luz Gilkey: Army & Army Reserves 1990-2010, Jim Luebke: Navy 1978-1984, Michael Liszka: Army 1966-1968, Robert E. McDonald: Army 1965-1967, Gregory J. Tortorello: Army & Army Reserves 2001-2004 & 2008-Present.

### Employee Service Awards

Joan Hanson, Director of the Information Management Office, shared a few words and presented an Employee Service Award Plaque to Chris Halstead for her 25 years of service to the DeKalb County Government Campuses.

Chairman Metzger read the remaining Employee Service Awards for the month of June 2014 were: Five Years: – Donna Moulton: Community Action, Karilee Pratt: Rehab & Nursing, Racelle James Caldwell: Judiciary, Scott Catron: Facilities Management, and Ryan Harper: Sheriff's Department; Twenty Years: Lori Grubbs: Circuit Clerk, Hon Kim Nguyan: Rehab & Nursing, and Richard W. Robinson: Sheriff's Department; Twenty-Five Years: James Seldal: Highway Department.

Chairman Metzger announced that Mrs. Julia Fullerton (District 8) will be resigning from the DeKalb County Board and that she turned in her Declaration of Vacancy Letter which will become effective as of June 30, 2014. The Chairman presented Mrs. Fullerton with a plaque recognizing her years served to the DeKalb County Board and wished her well in her future endeavors.

### **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 held public hearing conducted by the Hearing Officer.

### **APPOINTMENTS**

Chairman Metzger recommended the following appointments: **Community Services Administrative Board**: Sally DeFauw, Melissa Garman, John Hulseberg, and Joslyn Turner all reappointments for a term beginning July 1, 2014 and expiring June 30, 2017. **General Assistance Appeal Board**: Janice Knudsen, Amy Mathey, and Jim Hanson all appointed immediately to fill unexpired terms until June 30, 2015.

#### Motion

Mr. O'Barski moved to approve the appointments as presented. Mr. Oncken seconded the motion.

#### Voice Vote

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

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## **REPORTS FROM STANDING COMMITTEES**

### **PLANNING & ZONING COMMITTEE**

Paul Miller, Director of the Planning & Zoning Department gave an update on the status of the Evergreen Village Mitigation Project to the County Board and audience. Mr. Miller shared that as of May 30, 2014 the County are now the owners of the Evergreen Village Mobile Home Park and he explained details on the two different components that make up the Mitigation Project, the relocation of the residents and the actual running of the park. The County has contracted with the Housing Authority of DeKalb County to manage the park until it is no longer occupied and Mr. Miller shared that they are doing a fantastic job of managing the park and working with the existing residents.

### **COUNTY HIGHWAY COMMITTEE**

#### **Resolution R2014-41: Award Resolution for New Compact Track Loader with Attachments and Trailer** Motion

Mr. Gudmunson moved The DeKalb County Board does approve an award in the low bid submitted meeting specifications by CSR Bobcat, Inc., of DeKalb, Illinois for the provision of a new Bobcat T650; one new 80" Bobcat Industrial Grapple; one new 18" Bobcat High Flow Planer; one new 80" Combination Bucket with Teeth; and one new Cronkhite 6400 Trailer as specified in the total amount of \$54,871.42. Mr. O'Barski seconded the motion.

#### Roll Call Vote

Chairman Metzger called for a roll call vote on the motion. Those Members voting yea were Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Mr. Fauci, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid and Chairman Metzger. All twenty Members present voted yea. Motion carried unanimously.

#### **Resolution R2014-42: Award Resolution for Box, Plow, Wing, Spreader for Two New Plow Trucks** Motion

Mr. Gudmunson moved The DeKalb County Board does approve an award in the low bid submitted meeting specifications by Monroe Truck Sales of Monroe, Wisconsin for the provision of furnishing and installing of a snow plow, frame, hydraulic system, dump body, wing, spreader and pre-wet tank system on two 2015 cab and chassis' in total amount of \$169,922.00. Mr. Frieders seconded the motion.

#### Roll Call Vote

Chairman Metzger called for a roll call vote on the motion. Those Members voting yea were Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Mr. Fauci, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid and Chairman Metzger. All twenty Members present voted yea. Motion carried unanimously.

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**Resolution R2014-43: Award Resolution for the 2014 Pavement Marking Project**

Motion

Mr. Gudmunson moved The DeKalb County Board does approve the award to America's Parking Remarketing, Inc. in the amount of \$238,157.20 for the center line and edge line markings on all County Roads and various Road District roads, under Section 2014 Pavement Marking. Mr. Johnson seconded the motion.

Roll Call Vote

Chairman Metzger called for a roll call vote on the motion. Those Members voting yea were Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Mr. Fauci, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid and Chairman Metzger. All twenty Members present voted yea. Motion carried unanimously.

**Resolution R2014-44: Anticipation Resolution for Section 08-18121-00-BR and 13-07119-00-BR**

Motion

Mr. Gudmunson moved The DeKalb County Board does agree that the additional sum of \$7,154.02 shall be paid from county funds, township funds, or other available funds, thereby creating an additional indebtedness in the Township Bridge Fund for Sycamore and Kingston Road District. Mr. O'Barski seconded the motion.

Roll Call Vote

Chairman Metzger called for a roll call vote on the motion. Those Members voting yea were Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Mr. Fauci, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid and Chairman Metzger. All twenty Members present voted yea. Motion carried unanimously.

**Resolution R2014-45: Award Resolution for the Replacement of Perry Road Bridge and West County Line Road Bridge**

Motion

Mr. Gudmunson moved The DeKalb County Board does approve awards to Martin & Company Excavating of Oregon, Illinois for the removal and replacement of the existing double barrel reinforced concrete box culvert with a double barrel reinforced concrete box culvert and approach work on West County Line Road under section 13-00240-00-BR in the total amount of \$294,981.65 and Sjostrom & Sons, Inc. of Rockford, Illinois for the replacement of the existing single span concrete slab bridge over Battle Creek with new single span concrete deck on steel beams with integral abutments bridge on Perry Road under section 13-00239-00-BR in the total amount of \$526,951.26. Mr. Frieders seconded the motion.

Roll Call Vote

Chairman Metzger called for a roll call vote on the motion. Those Members voting yea were Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Mr. Fauci, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid and Chairman Metzger. All twenty Members present voted yea. Motion carried unanimously.

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## LAW & JUSTICE COMMITTEE

### Resolution R2014-46: Support of the Drug Court's Sober Living Home

#### Motion

Mrs. Fullerton moved The DeKalb County Board does hereby endorse and support the DeKalb County Drug Court's Sober Living Home proposal as a component of the 23rd Judicial Circuit's Drug Court C.L.E.A.N. Program and approve the general concept of utilizing an appropriation from the Opportunity Fund for the purpose of acquiring real estate for a Sober Living Facility, to be owned by the County and operated by the 23rd Judicial Circuit and any property acquisitions pursuant to this resolution must be approved by the County Board. Ms. Fauci seconded the motion.

#### Motion to Amend

Mr. Cvek moved to amend the last paragraph of the resolution to read: that the DeKalb County Board does approve the general concept of utilizing an appropriation not to exceed \$100,000 from the Opportunity Fund for the purpose of acquiring real estate for a Sober Living Facility, ~~to be owned by the County~~ the County's interest to be secured by a lien against the property which will be operated by the 23<sup>rd</sup> Judicial Circuit and any property acquisitions pursuant to this resolution must be approved by the County Board. Mr. Cribben seconded the motion.

*Mrs. Fullerton, Chairman Metzger, Mr. Reid, Ms. Fauci, Mrs. Tobias, and Mr. Whelan all spoke out against Mr. Cvek's amendment to the resolution. Mr. Frieders announced he was in favor of the amendment.*

#### Roll Call Vote on Amendment

Chairman Metzger called for a roll call vote on Mr. Cvek's motion to amend the resolution. Those members voting yea were Mr. Cribben, Mr. Cvek, Mr. Deverell, Mr. Emerson, Mr. Frieders, and Mr. Gudmunson. Those voting nay were Mr. Tobias, Mrs. Turner, Mr. Whelan, Mrs. DeFauw, Ms. Fauci, Mrs. Fullerton, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, and Mr. Reid. Six Members voted yea and fourteen voted nay. Motion failed.

#### Voice Vote

Chairman Metzger asked for a voice vote for the original motion to approve the resolution. A majority of the members voted yea. Motion carried.

## FINANCE COMMITTEE

### Claims for June 2014

#### Motion

Mr. Reid moved to approve the claims for this month, and the off cycle claims paid during the previous month, in the amount of \$7,209,751.75. 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. Tobias, Mrs. Turner, Mr. Whelan, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Mr. Fauci, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid and Chairman Metzger. All twenty Members present voted yea. Motion carried unanimously.

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**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 – May 2014; Public Defender’s Report – May 2014; Adult & Juvenile Monthly Reports – May 2014; Sheriff’s Jail Report – May 2014; Planning & Zoning Building Permits & Construction Reports - May 2014; FY 2013 Audit Report. Mr. Oncken 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.

**EXECUTIVE COMMITTEE**

**Resolution R2014-47: Approval of the Election Judge List**

Motion

Chairman Metzger moved The DeKalb County Board does appoint those persons names in the Certified Lists of Candidates for Election Judges (attached to the resolution) submitted by the Chairmen of the Democratic and Republican County Central Committees. Mrs. Haji-Sheikh seconded the motion.

Voice Vote

The motion was carried unanimously by voice vote.

**OLD BUSINESS / NEW BUSINESS**

Mr. Gudmunson announced that during the Special Highway Committee Meeting that took place prior to the Full Board Meeting that evening, it was shard that the Keslinger Road Bridge has been approved for bid through the State of Illinois and that construction of the bridge should start this Fall.

**APPOINTMENTS SCHEDULED TO BE MADE IN THE MONTH OF AUGUST 2014**

Drainage Districts – 8 positions (1 position for each District)  
East Pierce Cemetery Association – 3 positions

**ADJOURNMENT**

Motion

Mr. Oncken moved to adjourn the meeting and Mr. Whelan seconded the motion.

Voice Vote

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

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DeKalb County Board Chairman

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DeKalb County Clerk

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# EMPLOYEE SERVICE AWARDS

*July*

**2014**

SUN

MON

TUE

WED

THU

FRI

SAT

Michael Keef

***35 YEARS OF SERVICE***

07/07/1979

Highway Department

***30 YEARS OF SERVICE***

None

Gene Lane

***25 YEARS OF SERVICE***

07/19/1989

Sheriff's Merit Commission

***20 YEARS OF SERVICE***

None

***15 YEARS OF SERVICE***

None

***10 YEARS OF SERVICE***

None

Colleen McConaughy

***5 YEARS OF SERVICE***

07/31/2009

Circuit Clerk

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

# EMPLOYEE SERVICE AWARDS

*August*

**2014**

SUN

MON

TUE

WED

THU

FRI

SAT

Susan Racine

***35 YEARS OF SERVICE***

08/20/1979

Sheriff's Department

***30 YEARS OF SERVICE***

None

Lori Ireton

***25 YEARS OF SERVICE***

08/07/1989

Rehab & Nursing

***20 YEARS OF SERVICE***

None

Jo Herrmann

***15 YEARS OF SERVICE***

08/10/1999

Rehab & Nursing

***10 YEARS OF SERVICE***

Peggy Mowers

08/03/2004

Rehab & Nursing

Charles Criswell, Jr.

08/30/2004

Public Defender

Peggy Mowers

08/31/2004

Rehab & Nursing

***5 YEARS OF SERVICE***

Michelle Jurezek

08/03/2009

State's Attorney

Jocelyn Hernandez

08/17/2009

Circuit Clerk

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

STATE OF ILLINOIS     )  
  )SS  
COUNTY OF DEKALB    )

**ORDINANCE 2014-07**

**AN ORDINANCE AMENDING A SPECIAL USE PERMIT  
GRANTED TO THE SYCAMORE SPORTSMEN CLUB  
ON PROPERTY LOCATED WEST OF MOTEL ROAD  
IN MAYFIELD TOWNSHIP**

WHEREAS, the Sycamore Sportsmens and Conservation Club, Inc. has filed an application for an Amendment to a Special Use Permit granted by DeKalb County Ordinance 90-38 and amended by Ordinance 98-18 to permit certain improvements to the gun club property in the form of new structures, said property being located along the east side of the South Branch of the Kishwaukee River, west of Motel Road and across from Sunflower Drive, in unincorporated Mayfield Township and legally described in Exhibit "A," attached hereto; and

WHEREAS, following due and proper notice by publication in the Daily Chronicle not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least ten (10) days prior thereto, the DeKalb County Hearing Officer conducted a public hearing on May 22, 2014, at which the petitioners presented evidence, testimony, and exhibits in support of the requested Amendment to the Special Use Permit, and no members of the public testified in favor of the petition and none in opposition thereto; and

WHEREAS, based on the evidence, testimony and exhibits, the Hearing Officer has made his findings of fact and recommended that the amendment to the Special Use Permit be granted, as set forth in the Findings of Fact and Recommendation of the DeKalb County Hearing Officer, dated May 22, 2014, a copy of which is appended hereto as Exhibit "B"; and

WHEREAS, the Planning and Zoning Committee of the DeKalb County Board has reviewed the exhibits presented at the aforestated public hearing and has considered the findings of fact and recommendations of the Hearing Officer, and has forwarded to the DeKalb County Board a recommendation of approval of an ordinance to approve the Amendment to the Special Use Permit; and

WHEREAS, the DeKalb County Board has considered the recommendation of the Planning and Zoning Committee and the findings of fact and recommendation of the Hearing Officer, and the DeKalb County Board has determined that granting the Amendment to the Special Use Permit to allow improvements to the subject property is consistent with the requirements established by Section 9.02.B.3. of the DeKalb County Zoning Ordinance;

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

**SECTION ONE:** The Findings of Fact and Recommendation of the DeKalb County Hearing Officer, Exhibit "B" attached hereto, is hereby accepted, and the findings of fact set forth therein are hereby adopted as the findings of fact and conclusions of the DeKalb County Board.

**SECTION TWO:** Based on the findings of fact of the Hearing Officer, an Amendment to the Special Use Permit granted to the Sycamore Sportsmens and Conservation Club by DeKalb County Ordinance 90-38 and Amended by DeKalb County Ordinance 98-18 is hereby approved to allow certain improvements to the subject property, said property being legally described in Exhibit "A" attached hereto.

**SECTION THREE:** Approval of this Amendment to a Special Use Permit is subject to the condition that improvements to the subject property be constructed and operated in substantial accordance with the plans and documents submitted as part of the application for the Amendment, and with the testimony and exhibits presented at the public hearing conducted for the same.

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

**PASSED BY THE COUNTY BOARD THIS 20TH DAY OF AUGUST, 2014, A.D.**

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Chairman, DeKalb County Board

ATTEST:

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County Clerk

**Legal Description of Subject Property**

**Parcel 1**

That part of Section 24, Township 41 North, Range 4 East, of the 3<sup>rd</sup> principal meridian, described as follows: Commencing at the Southeast corner of Section 24 aforesaid; Thence North along the east line thereof 1328.30 feet to an iron stake marking the Northeast corner of the Southeast quarter of the Southeast quarter of said Section 24; Thence West along the North line thereof, at an angle of 90 degrees 45 minutes turned clockwise from the last described course 1331.10 feet along an old fence line to an iron stake set at a fence corner marking the Southeast corner of the Northwest quarter of the Southeast Quarter of said Section 24 for a place of beginning; Thence continuing West along the South line thereof 1227.0 feet to a point on the West side of the Kishwaukee River and being 106.1 feet East of the Southwest corner of said Northwest quarter of the Southeast quarter of Section 24; Thence Northerly at an angle of 103 degrees 12 minutes turned clockwise from a prolongation of the last described course 167.0 feet to a point; Thence Northerly at an angle of 166 degrees 30 minutes, turned clockwise from the last described course 1829.2 feet to a point; Thence Northwesterly at an angle of 143 degrees 11 seconds, turned clockwise from the last described course 156.4 feet to a point; Thence Northwesterly at an angle of 173 degrees 28 seconds, turned clockwise from the last described course 778.20 feet to a point on the North line of the South half of the North half of Section 24 aforesaid, which point is 846.6 feet East of the Northwest corner of the Southeast quarter of the Northwest quarter of Section 24; Thence East along the said North line at an angle of 46 degrees 43 minutes, turned counterclockwise from the last described course, 1808.75 feet to an iron stake marking the Northeast corner of the Southwest quarter of the Northeast quarter of said Section 24, thence South along the East line of the West half of the East half of said Section 24, a distance of 2665.2 feet to the place of beginning. All lying and and being situated in the County of DeKalb and State of Illinois.

**Parcel 2**

That part of assessor's lot 21 in Section 24, Township 41 North, Range 4, East of the 3<sup>rd</sup> principal meridian described as follows: Beginning at the Northeast corner of said assessor's lot 21 in the South East quarter of section, township and range aforesaid in DeKalb County, Illinois, thence South along the East line thereof 33.0 feet to a stake; Thence West parallel to the north line of said assessor's lot 21 a distance of 1333.1 feet (Record distance 1338.15 feet) to a concrete monument set at a point on the West line of said Assessor's Lot 21, which point is 33.0 feet South of the Northwest corner of said assessor's lot 21; Thence North along said West line 33.0 feet to an iron stake set in an old fence corner, marking the Northwest corner of said assessor's lot 21; Thence East along the North line thereof 1333.1 feet to the place of beginning, containing 1.009 acres more or less;

**Parcel 3**

That part of the Northeast quarter of the Southeast quarter of Section 24, Township 41 North, range 4 East of th 3<sup>rd</sup> principal meridian, in DeKalb County, Illinois, described as follow: Beginning at the Northwest corner of assessor's lot 21, in the Southeast quarter of said Section 24: Thence South along the West line of said assessor's lot 21 a distance of 33 feet to a concrete monument; Thence West at right angles to the last described course a distance of 49.5 feet to a point; Thence North at right angles to the last described course a distance of 33 feet to a point; Thence East at Right angles to the last described course a distance of 49.5 feet to the place of beginning.

**Parcel 4**

That part of the South half of Section 24, Township 41 north , Range 4 East , of the 3<sup>rd</sup> principal meridian, described as follow; Commencing at the Southwest corner of said section 24, thence Easterly, along the South line of said section, 2130.0 feet; Thence Northerly, at right angle to said South line, 600.00 feet; Thence Easterly, at an angle of 90 degrees, 10 minutes, 51 seconds measured counterclockwise from the last described course, 329.13 feet for a point of beginning; Thence continuing Easterly, along an extension of the last described course, 1553.58 feet to the West line of Lot 1 of Arrowhead Acres, as recorded in Book "Z" of plats, page 71, as document No. 95008327; Thence Northerly at an angle of 90 degrees, 01 minutes, 02 seconds measured clockwise from the last described course, along the east line of assessor's lot 24, 720.46 feet; Thence Westerly, at an angle of 90 degrees, 06 minutes, 05 seconds measured clockwise from the last described course, along the North line of assessor's lot 24 and 26 of said section, 1540.37 feet; Thence Southerly, at an angle of 90 degrees, 56 minutes, 24 seconds measured clockwise from the last described course, 726.82 feet to the point of beginning; Excepting therefrom the following: Beginning at the Northwest corner of assessor's lot 21; Thence South, along the West line of said assessor's lot 21, a distance of 33.0 feet; Thence West at right angle to the last described course 49.5 feet; Thence North at right angle to the last described course, 33.0 feet; Thence East at right angle to the last described course, 49.5 feet to the point of beginning containing 25.66 acres, all in Mayfield Township, DeKalb County, Illinois

P.I.N.s: 05-24-200-020 and 05-24-400-022 and -010



Petition: MY-14-03  
Date: May 22, 2014

FINDINGS OF FACT

This matter comes before the DeKalb County Zoning Hearing Officer on May 22, 2014 for consideration of petition requesting an amendment of a Special Use Permit for a gun club, in accordance with the requirements of Section 9.02.B of the DeKalb County Zoning Ordinance. The proposed amendment would include additional structures, the total square footage of which would exceed ten percent of the combined area of the existing structures which requires an amendment to the Special Use Permit.

The application of the Petitioner was duly filed in accord with the DeKalb County Code. The Petition and its attachments are incorporated into the record of proceedings herein by reference.

Publication of Notice

The notice of public hearing has been duly published in accord with the DeKalb County Code. A certificate of publication has been received into the record and reflects publication in the Daily Chronicle. Correspondence has been sent to all adjacent property owners.

Location of Subject Property

The subject property is located on the east side of the Kishwaukee River, west of Motel Road and across from Sunflower Drive, in unincorporated Mayfield Township.

Site Characteristics

A. Location – Access

The subject parcel totals 104 acres and is presently zoned A-1, Agricultural, with a special use for a gun club. The property is currently used as a gun club and has been used in that manner since 1960 when the club moved to that location. The parcel lies within one mile of Sycamore, the nearest incorporated community, in the Sycamore school and fire district.

## B. Proposed Use

Plans call for the construction of certain additions to the property, including extending a canopy for the rifle/pistol range, adding fencing, expanding the skeet/target sheds, and placing windmills for pond aeration.

### **Persons appearing on behalf of the Petitioner**

The Petitioner was represented by Attorney Scott Larson of Vanek, Larson & Kolb, LLC of 200 West Main Street, St. Charles, IL 60174. Also present representing the Petitioner were William Penrod, President of the Club; William Malms, Treasurer of the Club; Chad Zimmerlein, a Director; John Whitehouse, a Director; and Richard Carlson, a Director.

Mr. Larson summarized the proposal listing the items to be added to the property as set forth above. Mr. Malms then testified. He described the layout of the property pointing out on a large map, which has been admitted into the record, the two shotgun ranges (for trap and skeet) which are located adjacent to the north boundary of the property; however, the shooting is toward the opposite side and downward into a berm that is located on the property. He pointed out the locations of campgrounds to the rear which are sometimes used by the Boy and Girl Scouts as well as a fishing area in a pond. He stated that all shooting is aimed away from the boundary lines, and in fact the shooting tends to be from slightly higher ground, and so it is aimed lower toward the large berm constructed from soil which is approximately 18 feet high. He stated that all shooting is closely monitored by range safety officers (a minimum of four at any given time). They go through a certification process which includes approximately ten hours of training. Furthermore all shooters are to be sure that their weapons are not loaded and that the safety is on the weapons when the range is closed.

He further stated that the club has been in existence since 1949 and in 1960 moved to the present location. Mr. Malms stated that he has been a member since 1974 and has been on the Board for seven years. When asked if there had been any accidents on the property he pointed out there had been two accidental discharges in 40 years, however, there had been no injuries as a result. He stated there had never been an injury by being shot, although there was one incident after hours which apparently was intentional. No one was hurt and that person was barred from the membership thereafter.

He stated that the canopy would be an open ended wooden structure covered to shield the shooter from sun and rain. Furthermore, it would enhance and make easier the job of the range safety officer, and he also felt that when it has been completed it will help deaden the sound.

They also wish to increase the cement area, again to make it easier for the range safety officer to do his job.

There is a special event area that is used for monthly sporting events, and in the past has been used for cowboy action shooting. It is separated by a chain link fence to control access.

Mr. Malms went on to say that they wish to replace the old structures from which the clay pigeons are launched in order to enlarge them and make more room for the operator. The old structures need maintenance and that was another reason for replacing them.

He stated that the pond is stocked with fish, and the aerators will allow the ponds to be used longer.

Mr. Steven Steinbis of 26442 Five Points Road, Sycamore, Illinois, asked a number of questions asking if any of the additions would help control sound. He was told that there was a group that experimented with different things in order to reduce the noise and that they felt that the lattice work which will be added as part of the canopy would help reduce the sound. He also asked if they would have a back up berm, that is a higher berm, behind the 18 foot berm that they have, and the answer was that it would be impossible to place another berm there. The existing berms are 18 feet high, and the shooters are shooting down, and that there is a wooded area behind them.

Mr. Richard Carlson stated at this point that if somebody intentionally wanted to shoot over the berm it would obviously be possible to do so, but they have never had that problem, and a higher berm would not provide any more protection than the current 18 foot berm. Mr. Carlson is a member of the club and resides at 205 Knollwood Drive, DeKalb, Illinois.

Also in answer to another question by Mr. Steinbis Mr. Malms pointed out that they had hired a firm to come in and remove all lead from the soil. He also said that there had been no change to the lighting and that no trees had been cut down or removed. Mr. Steinbis said that the light shines into his house a half a mile away, however, Mr. Carlson pointed out that the lights are on only on Wednesday evenings and on one Saturday a month.

Mr. Larson pointed out that the organization is a not-for-profit group, and that all of the members are part-time volunteers.

Mr. John Whitehouse of 52 Wheeler Road, Sugar Grove, Illinois, then testified. He is also a member of the Board of Directors and stated that the access to the property, which is 33 feet wide, is owned by the organization, and that the size of the property is 104 acres.

Mr. Paul R. Miller, the Planning Director, asked if the group had received any complaints from residents.

Mr. Larson said that they had received a complaint about drainage at one time where the neighbor wanted the culvert enlarged, however, they were concerned that if they did enlarge it, it would cause flooding to other properties. Mr. Larson stated that the noise is regulated by the State and that the Gun Club is excluded from the requirements. He pointed out that the Club was there before any of the adjoining houses.

Also in answer to a question from Mr. Miller, it was stated that alcohol is prohibited during shooting hours. There are two social events held annually at which the members may have alcohol. There would be no shooting at that time.

Also in answer to a question from Mr. Miller, it was stated that rarely are non-members allowed at the property. They have 309 regular members and 140 associate members.

No one appeared to object to the proposal.

As pointed out in the Staff Evaluation, the Land Use Plan of the DeKalb County Unified Comprehensive Plan recommends low density residential use on the subject property, with an overlay for protection of the regulatory flood plain. Because no additional land is proposed to be added to the Gun Club, and no change proposed to the use of the land, the proposal would not compromise the recommendations of the plan.

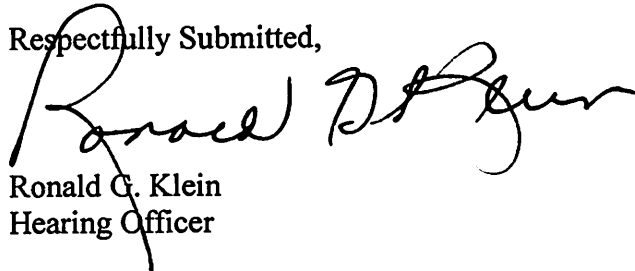
#### FINDINGS OF FACT AND RECOMMENDATION

The undersigned finds that Petitioner has sustained the burden of proof required to establish that the proposed special use shall meet the following criteria: The proposed special use complies with all applicable provisions of the applicable district regulations. The proposed special use will not be unreasonably detrimental to the value of other property in the neighborhood in which it is to be located or of the public welfare at large. It should be noted again that the Gun Club was located in this location many years ago before the adjoining homes were built.

The Club will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with applicable Zoning District regulations, and this is borne out by the fact that a number of homes have been built in the vicinity since the Gun Club was located there.

There appears to be adequate parking on the property, and in fact, the property consists of over 100 acres of land. There also appears to be adequate utility, drainage and other necessary facilities on the property. The Club has been operated in a safe and proper manner for more than fifty years. Accordingly, the undersigned hereby recommends that the amendment to the Special Use Permit be granted as requested.

Respectfully Submitted,



Ronald G. Klein  
Hearing Officer

RGK/dla



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

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

**MEMORANDUM**

**TO:** Planning and Zoning Committee

**FROM:** Paul R. Miller, AICP *PRM*  
Planning Director

**DATE:** June 9, 2014

**SUBJECT:** Sycamore Sportsmen's Club Amendment to a Special Use Permit  
Petition MY-14-03

The Sycamore Sportsmen's and Conservation Club, Inc. has filed an application for an Amendment to a Special Use Permit for a gun club, in accordance with the requirements of Section 9.02.B. of the DeKalb County Zoning Ordinance, in order to allow improvements to the subject properties. The parcels are located along the east side of the Kishwaukee River, west of Motel Road and across from Sunflower Drive, in unincorporated Mayfield Township and are zoned A-1, Agricultural with a Special Use for a gun club. The proposed improvements would include additional structures, the total square-footage of which would exceed 10% of the combined area of the existing structures, which requires an Amendment to the Special Use Permit.

The required public hearing was conducted on May 22, 2014 by DeKalb County Hearing Officer Ron Klein. The petitioners provided testimony and exhibits in support of the requested Amendment to the existing Special Use, including that proposed improvements include extending a canopy for a rifle/pistol range, adding fencing, expanding the skeet-target sheds, and placing windmills for pond aeration. However, the total square-footage of these improvements would exceed 10% of the combined square-footage of existing structures on the subject properties, which necessitates and Amendment to the Special Use Permit. One member of the public raised questions regarding noise associated with the gun club. No members of the public spoke in favor of or in opposition to the request.

The Hearing Officer has submitted his findings, and recommends approval of the Special Use Permit with conditions (see attached Findings of Fact). The Planning and Zoning Committee is requested to make a recommendation to the full County Board on the requested Amendment to a Special Use Permit in the form of an ordinance. The Committee may recommend approval, approval with conditions, or denial of the request.

cc: Scott P. Larson, attorney for petitioner

PRM:prm

P:\Zoning\Special Uses\P&Z\Memos\2014\SycSports.MY-14-03.wpd

Municipality/County of DeKalb  
State of Illinois

Resolution No. R2014-49

**A Resolution Authorizing the Execution of a Law Enforcement Mutual Aid Agreement and the Existence and Formation of the Illinois Law Enforcement Alarm System by Intergovernmental Cooperation.**

Whereas the Municipality/County of DeKalb, of the State of Illinois (hereinafter "Municipality/County") is a County of the State of Illinois and duly constituted public agency of the State of Illinois, and;

Whereas the Municipality/County, as a public agency of the State of Illinois, is authorized and empowered by the Constitution of the State of Illinois (Ill. Const. Art. VII, § 10) and the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*) to enter into intergovernmental agreements with other public agencies on matters of mutual concern and interest such as the provision of adequate law enforcement personnel and resources for the protection of residents and property falling within the jurisdiction of the Municipality/County, and;

Whereas the Municipality/County recognizes that certain natural or man-made occurrences may result in emergencies or disasters that exceed the resources, equipment and/or law enforcement personnel of a single given public agency, and;

Whereas, a given public agency can, by entering into a mutual aid agreement for law enforcement services and resources, effectively provide a broader range and more plentiful amount of law enforcement capability for the citizenry which it serves, and;

Whereas, in order to have an effective mutual aid agreement for law enforcement resources and services, this Municipality/County recognizes it must be prepared to come to the aid of other public agencies in their respective times of need due to emergencies or disasters, and;

Whereas, this Municipality/County recognizes the need for our specific Municipality/County to develop an effective mutual aid agreement for law enforcement services and resources upon which it may call upon in its time of need and is prepared to enter into a mutual aid agreement for law enforcement services and resources with other like-minded public agencies, and;

Whereas, this Municipality/County also recognizes the need for the existence of a public agency, formed by an intergovernmental agreement between two or more public agencies, which can serve to coordinate and facilitate the provision of law enforcement mutual aid between signatory public agencies to a mutual aid agreement for law enforcement services and resources, and;

Whereas, this Municipality/County has been provided with a certain "Law Enforcement Mutual Aid Agreement" which has been reviewed by the elected officials of this Municipality/County and which other public agencies in the State of Illinois are prepared to execute, in conjunction with this Municipality/County, in order to provide and receive law enforcement mutual aid services as set forth in the "Law Enforcement Mutual Aid Agreement," and;

Whereas, it is the anticipation and intention of this Municipality/County that this "Law Enforcement Mutual Aid Agreement" will be executed in counterparts as other public agencies choose to enter into the "Law Enforcement Mutual Aid Agreement" and strengthen the number of signatory public agencies and resources available from those public agencies, and;

Whereas, it is the anticipation and intent of this Municipality/County that the "Law Enforcement Mutual Aid Agreement" will continue to garner support and acceptance from other currently

unidentified public agencies who will enter into the "Law Enforcement Mutual Aid Agreement" over time and be considered as if all signatory public agencies to the "Law Enforcement Mutual Aid Agreement" had executed the "Law Enforcement Mutual Aid Agreement" at the same time,

Now, therefore, be it resolved by this Municipality/County as follows:

1. This Resolution shall be known as, and may hereafter be referred to as, the Resolution Authorizing the Execution of a Law Enforcement Mutual Aid Agreement and the Existence and Formation of the Illinois Law Enforcement Alarm System by Intergovernmental Cooperation.

2. The Resolution Authorizing the Execution of a Law Enforcement Mutual Aid Agreement and the Existence and Formation of the Illinois Law Enforcement Alarm System by Intergovernmental Cooperation shall be, and hereby is, enacted as follows:

- a. Authorization to enter into a Certain Agreement. The Sheriff of this Municipality/County is hereby authorized to sign, execute and deliver the agreement known as the "Law Enforcement Mutual Aid Agreement" and thereby enter into an intergovernmental agreement with such other public agencies of the State of Illinois as are likewise willing to enter into said "Law Enforcement Mutual Aid Agreement" and recognize the existence and formation of the Illinois Law Enforcement Alarm System as set forth in the said "Law Enforcement Mutual Aid Agreement."
- b. Savings Clause. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any of the provisions of this Resolution.
- c. Effective Date. This Resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Ayes:

Nays:

Absent:

Abstain:

Approved this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
President/Mayor/County Board Chairman, etc.

Attest:

\_\_\_\_\_  
Municipality/County Clerk etc

STATE OF ILLINOIS     )  
  )SS  
COUNTY OF DEKALB    )

**RESOLUTION 2014-50**

**UPDATING THE DEKALB COUNTY EQUAL EMPLOYMENT OPPORTUNITY  
AND AFFIRMATIVE ACTION POLICY**

WHEREAS, DeKalb County, IL is an equal employment opportunity employer and considers only job-related criteria in making decisions concerning applicants and employees, and further DeKalb County has an on-going Affirmative Action program to take the necessary steps to eliminate the effects of past and/or present legally protected discrimination in the area of program benefits and program employment, intended or unintended, which is evident from an analysis of practices and policies regarding program benefits and employment; and

WHEREAS, the County last updated the content of its Equal Employment Opportunity and Affirmative Action policy in 1988, and there have been amendments to related State and Federal laws, policies, programs and requirements since that time; and

WHEREAS, the Finance Committee of the DeKalb County Board has reviewed and recommended that the Equal Employment Opportunity and Affirmative Action Policy be updated by being replaced in its entirety with the Equal Employment Opportunity and Affirmative Action Policy Statement attached hereto as Exhibit "A", to be adopted as the policy of DeKalb County, IL;

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

The DeKalb County Board hereby adopts the Equal Employment Opportunity and Affirmative Action Policy, Exhibit "A" attached hereto, as the official policy of DeKalb County, IL, effective as of the date of this Resolution.

ADOPTED BY THE COUNTY BOARD THIS 20TH DAY OF AUGUST, 2014, A.D.

\_\_\_\_\_  
Chairman, DeKalb County Board

ATTEST:

\_\_\_\_\_  
County Clerk



**CHAPTER XIII**  
**Equal Employment Opportunity and Affirmative Action Policy Statement**

**13.1.0. General**

13.1.1. DeKalb County is an equal employment opportunity employer. It is the policy of the County to utilize only job-related criteria in making decisions concerning applicants and employees. Criterion such as age, sex, national origin, race, marital status, or religious, sexual, or political preference, or mental or physical disabilities shall not be a consideration in personnel decisions for a particular position except where such a consideration constitutes a bona fide occupational qualification.

13.1.2. DeKalb County shall have an on-going Affirmative Action (EEO/AA) Program. Affirmative Action is a Management responsibility to take the necessary steps to eliminate the effects of past and/or present legally protected discrimination in the area of program benefits and program employment, intended or unintended, which is evident from an analysis of practices and policies regarding program benefits and employment.

This Equal Opportunity/Affirmative Action Policy is in effect for all complaints of alleged discrimination. In other cases of employee complaint or grievance, in which there is no complaint of discrimination, the employee grievance procedure, as outlined in DeKalb County Personnel Policy, will be followed.

The policies set forth in this Policy represent the unequivocal support and commitment of the DeKalb County Board for equal opportunity and further commits all County personnel to actively work for the promotion and achievement of equal opportunity.

13.1.3. The County is committed to uphold all laws related to Equal Opportunity including, but not limited to, the following:

Title VI of the Civil Rights Act of 1964 which prohibits discrimination in the participation in or benefits of programs or activities receiving Federal financial assistance on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964 which prohibits discrimination because of race, color, religion, sex or national origin in all employment practices including hiring, firing, promotions, compensation, and other terms, privileges and conditions of employment.

Title IX of the Education Amendments of 1972, which prohibits discrimination in Federal assisted education programs.

The Equal Pay Act of 1963 (amended 1972 and 1978), which covers all employees who are covered by the Fair Labor Standards Act. The act forbids pay differentials on the basis of sex.

The Age Discrimination Act of 1975, which prohibits discrimination because of age against employees or job applicants over 40 years of age.

Federal Executive Order 11246, which requires every federal contractor or subcontractor to develop an affirmative action program.

Article I, Sections 17, 18 & 19 of the Illinois Constitution which prohibits discrimination based on race, color, creed, national ancestry, handicap and sex in the hiring and promotion practices of any employer.

Administration of Aging Program Instruction AoA-PI-75-II, which requires all grantees to develop affirmative action plans. Agencies, which are part of an "umbrella" agency, shall develop and implement an affirmative action plan for the single organizational unit on aging. Preference for hiring shall be given to qualified older persons (subject to requirements of merit employment systems).

Omnibus Budget Reconciliation Act of 1981 (Block Grants), which authorized a series of health and social services block grants to states to carry out programs that were previously authorized separately. The final version was signed into law on August 13, 1981, amending the PHS Act to create the PHHS Block Grant. The PHHS Block Grant is a mandatory grant given to 61 grantees (50 states, the District of Columbia, 2 American Indian Tribes, and the eight U.S. Territories) by Congress annually.

Family and Medical Leave Act of 1993, which entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

Uniformed Services Employment and RE-employment Rights Act (USERRA), which protects service members' re-employment rights when returning from a period of service in the uniformed services, including those called up from the reserves or National Guard, and prohibits discrimination based on military service or obligation.

Genetic Information Nondiscrimination Act of 2008, also referred to as GINA, which is a Federal law that protects Americans from being treated unfairly because of differences in their DNA that may affect their health. The law prevents discrimination from health insurers and employers.

Titles VII and VIII of the Public Health Service Act, of which Title VII programs are designed to encourage health care workers to practice in under-served areas, increase the number of primary care providers, increase the number of minority and disadvantaged students enrolling in health care programs and increase the number of faculty in health care education and training programs, and Title VIII programs focus on training advanced practice nurses, increasing the number of minority and disadvantaged students enrolling in nursing programs, and improving nurse retention through career development and improved patient care systems.

Illinois Human Rights Act of 1980 which prohibits employers from terminating or otherwise discriminating against employees or job applicants on the basis of their race, color, citizenship status, national origin, ancestry, age, handicap, marital status, gender, religion, sexual orientation, military service or unfavorable military discharge status. The Act also prohibits sexual harassment and retaliation against any employee who opposes an action made unlawful by the Human Rights Act, or participates in a proceeding under the Act.

Illinois Executive Order 15, which allows individual providers in the Home-Based Support Services Program to join/form unions. Current unions are able to contact Home-Based Support Services Programs with information.

Americans with Disabilities Act Amendments Act of 2008, which emphasizes that the definition of disability should be construed in favor of broad coverage of individuals to the maximum extent permitted by the terms of the ADA and generally shall not require extensive analysis. The Act makes important changes to the definition of the term “disability” by rejecting the holdings in several Supreme Court decisions and portion of the EEOC’s ADA regulations. The effect of these changes is to make it easier for an individual seeking protection under the ADA to establish that he or she has disability within the meaning of the ADA.

### **13.2.0. Responsibilities for EEO/AA Program Implementation**

13.2.1. The DeKalb County Board has instructed the Director of the Finance Department to act in its behalf as the Equal Opportunity (EO) Officer and Americans with Disabilities Act (ADA) Coordinator in assuming and discharging any and all responsibilities associated with the implementation and maintenance of this Equal Employment Opportunity and Affirmative Action Program.

13.2.2. The County is committed to undertaking affirmative action to correct the underutilization as necessary. In an effort to fulfill this commitment, the County annually reviews its EEO/AA Program through the establishment of positive objectives with specific targets and timetables to achieve the goals of EEO/AA and the intent of the law.

### **13.3.0. Recruitment, Selection and Retention**

13.3.1. The paramount objective relative to recruitment and selection has been, and will continue to be, to employ and/or promote persons deemed to be well qualified for the job in question; and at the same time, insure that all candidates are evaluated without regard to any category protected by law.

13.3.2. The County is committed to nondiscrimination and full equality of opportunity in decisions regarding recruitment, hiring, training, promotion, lay off and awarding of benefits without regard to race, creed, color, disability, national origin, gender, sexual orientation, age or political affiliation or beliefs, or any other basis protected by law.

- 13.3.3. The County will ensure those individuals with limited English proficiency or who are hearing impaired will receive an equal opportunity to access County services and benefits. When there is not a staff member able and/or available to communicate with these individuals, provisions will be made to secure foreign language and/or sign-language interpreters.
- 13.3.4. Members of the eligible population shall be provided maximum feasible opportunities for employment in the administration of programs, including staff positions in which they will have opportunities for occupational training and career advancement. The County will make special efforts to recruit and hire staff who reflect the make-up of the population of the area by age, race, gender and national origin, and shall take corrective action if the makeup of staff varies significantly from the goal.
- 13.3.5. Whenever positions are advertised in local newspapers or professional journals, the advertisement shall indicate that the County is an equal opportunity employer.

#### **13.4.0. Promotion**

- 13.4.1. It is the policy of DeKalb County to promote persons deemed to be well qualified for the job in question, regardless of their age, race, marital status, sex, sexual orientation, religious affiliation, handicap, or any other category protected by law.

#### **13.5.0. County Programs and Services**

- 13.5.1. The County will ensure that it provides equal opportunity within the management of the County and all of its sponsored programs. All managers, supervisors, and all County personnel are committed to work actively to promote and achieve equal employment opportunity within their Departments and to emphasize equal opportunity for employment by all persons with whom the County does business. Further, the County shall endeavor to promote EEO/AA in the community through all contractual and vendor transactions. This EEO/AA Program includes the policy that failure of subcontractors, sub-grantees or vendors to comply with nondiscrimination laws will jeopardize initial funding or continued affiliation with the County.
- 13.5.2. The County will assure that its EEO/AA Program will be implemented to ensure equitable service delivery and compliance with the established policy in this Program, according to the intent of law.
- 13.5.3. Concentrated efforts will take place to improve the delivery of County services to significant segments, sensitizing staff, program participants, and subcontractors within the established policy of the EEO/AA Program. The County will assure appointment of minority and special service group representatives on the various citizen advisory committees in proportion to their numbers in the County service area.

13.5.4. The County will make continued efforts to eliminate architectural barriers to people with disabilities. No person shall be denied training or employment in any program because of artificial barriers to employment. The County will analyze and re-evaluate job descriptions and qualification requirements at all levels of employment with a view toward removing artificial barriers to employment. The County will comply with the Americans with Disabilities Act including amendments thereto and applicable EEOC regulations.

**RESOLUTION  
R2014-51**

WHEREAS, DeKalb County is the owner or operator of one or more leaking underground storage tanks presently or formerly located at 200 North Main Street in Sycamore of DeKalb County, Illinois (“the Site”), and

WHEREAS, as a result of one or more releases of contaminants from the above referenced underground storage tanks the “Release(s)”, soil and/or groundwater contamination at the Site exceeds the Tier 1 residential remediation objectives of 35 Ill. Adm. Code 742, and

WHEREAS, the soil and/or groundwater contamination exceeding Tier 1 residential remediation objects extends or may extend into the Highway Authority’s right-of-way, and

WHEREAS, the Owner/Operator is conducting corrective action in response to the Release(s), and

WHEREAS, the Parties desire to prevent groundwater beneath the Highway Authority’s right-of-way that exceeds Tier 1 remediation objectives from use as a supply of portable or domestic water and to limit access to soil within the right-of-way that exceeds Tier 1 residential remediation objects so that human health and environment are protected during and after any access, and

WHEREAS, the Finance Committee has reviewed the attached agreement that is required for the County to be able to close-out the remediation project for this Site and has recommended that it be approved by the County Board;

NOW, THEREFORE, BE IT RESOLVED by the DeKalb County Board that the attached “Highway Authority Agreement”, which was reviewed by the State’s Attorney and is a required document in satisfying the remediation requirements for cleaning up this Site, is hereby approved and the County Administrator is hereby authorized to sign the Agreement on behalf of DeKalb County Government.

PASSED AT SYCAMORE, ILLINOIS THIS 20<sup>TH</sup> DAY OF AUGUST, 2014 A.D.

ATTEST:

SIGNED:

\_\_\_\_\_  
Douglas J. Johnson  
DeKalb County Clerk

\_\_\_\_\_  
Jeffery L. Metzger  
County Board Chairman

**HIGHWAY AUTHORITY AGREEMENT**

This Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2014 pursuant to 35 Ill. Adm. Code 742.1020 by and between the DeKalb County "Owner/Operator" and Illinois Department of Transportation "Highway Authority," collectively known as the "Parties."

**WHEREAS**, DeKalb County is the owner or operator of one or more leaking underground storage tanks presently or formerly located at *200 North Main Street in Sycamore of DeKalb County, Illinois* ("the Site");

**WHEREAS**, as a result of one or more releases of contaminants from the above referenced underground storage tanks "the Release(s)", soil and/or groundwater contamination at the Site exceeds the Tier 1 residential remediation objectives of 35 Ill. Adm. Code 742;

**WHEREAS**, the soil and/or groundwater contamination exceeding Tier 1 residential remediation objectives extends or may extend into the Highway Authority's right-of-way;

**WHEREAS**, the Owner/Operator is conducting corrective action in response to the Release(s);

**WHEREAS**, the Parties desire to prevent groundwater beneath the Highway Authority's right-of-way that exceeds Tier 1 remediation objectives from use as a supply of potable or domestic water and to limit access to soil within the right-of-way that exceeds Tier 1 residential remediation objectives so that human health and the environment are protected during and after any access;

**NOW, THEREFORE**, the Parties agree as follows:

1. The recitals set forth above are incorporated by reference as if fully set forth herein.
2. The Illinois Emergency Management Agency has assigned incident number(s) **920741** to the Release(s).
3. Attached as Exhibit A is a scaled map(s) prepared by the Owner/Operator that shows the Site and surrounding area and delineates the current and estimated future extent of soil and groundwater contamination above the applicable Tier 1 residential remediation objectives as a result of the Release(s).
4. Attached as Exhibit B is a table(s) prepared by the Owner/Operator that lists each contaminant of concern that exceeds its Tier 1 residential remediation objective, its Tier 1 residential remediation objective and its concentrations within the zone where Tier 1 residential remediation objectives are exceeded. The locations of the concentrations listed in Exhibit B are identified on the map(s) in Exhibit A.
5. Attached as Exhibit C is a scaled map prepared by the Owner/Operator showing the area of the Highway Authority's right-of-way that is governed by this agreement ("Right-of-Way"). Because Exhibit C is not a surveyed plat, the Right-of-Way boundary may be an approximation of the actual Right-of-Way lines.
6. The Highway Authority stipulates it has jurisdiction over the Right-of-Way that gives it sole control over the use of the groundwater and access to the soil located within or beneath the Right-of-Way.
7. The Highway Authority agrees to prohibit within the Right-of-Way all potable and domestic uses of groundwater exceeding Tier 1 residential remediation objectives.

8. The Highway Authority further agrees to limit access by itself and others to soil within the Right-of-Way exceeding Tier 1 residential remediation objectives. Access shall be allowed only if human health (including worker safety) and the environment are protected during and after any access. The Highway Authority may construct, reconstruct, improve, repair, maintain and operate a highway upon the Right-of-Way, or allow others to do the same by permit. In addition, the Highway Authority and others using or working in the Right-of-Way under permit have the right to remove soil or groundwater from the Right-of-Way and dispose of the same in accordance with applicable environmental laws and regulations. The Highway Authority agrees to issue all permits for work in the Right-of-Way, and make all existing permits for work in the Right-of-Way, subject to the following or a substantially similar condition:

As a condition of this permit the permittee shall request the office issuing this permit to identify sites in the Right-of-Way where a Highway Authority Agreement governs access to soil that exceeds the Tier 1 residential remediation objectives of 35 Ill. Adm. Code 742. The permittee shall take all measures necessary to protect human health (including worker safety) and the environment during and after any access to such soil.

9. This agreement shall be referenced in the Agency's no further remediation determination issued for the Release(s).
10. The Agency shall be notified of any transfer of jurisdiction over the Right-of-Way at least 30 days prior to the date the transfer takes effect. This agreement shall be null and void upon the transfer unless the transferee agrees to be bound by this agreement as if the transferee were an original party to this agreement. The transferee's agreement to be bound by the terms of this agreement shall be memorialized at the time of transfer in a writing ("Rider") that references this Highway Authority Agreement and is signed by the Highway Authority, or subsequent transferor, and the transferee.
11. This agreement shall become effective as a Highway Authority Agreement on the date the Agency issues a no further remediation determination for the Release(s). It shall remain effective as a Highway Authority Agreement until the Right-of-Way is demonstrated to be suitable for unrestricted use and the Agency issues a new no further remediation determination to reflect there is no longer a need for this agreement, or until the agreement is otherwise terminated or voided.
12. In addition to any other remedies that may be available, the Agency may bring suit to enforce the terms of this agreement or may, in its sole discretion, declare this agreement null and void if any of the Parties or any transferee violates any term of this agreement. The Parties or transferee shall be notified in writing of any such declaration.
13. This agreement shall be null and void as a Highway Authority Agreement if a court of competent jurisdiction strikes down any part or provision of the agreement.
14. This agreement supersedes any prior written or oral agreements or understandings between the Parties on the subject matter addressed herein. It may be altered, modified or amended only upon the written consent and agreement of the Parties.
15. Any notices or other correspondence regarding this agreement shall be sent to the Parties at following addresses:

Manager, Division of Remediation Management  
Bureau of Land  
Illinois Environmental Protection Agency  
P.O. Box 19276  
Springfield, IL 62974-9276



If to Owner/Operator:

DeKalb County  
Gary H. Hanson  
County Administrator  
200 North Main Street  
Sycamore, IL 60178

And to:

Superior Environmental Corp  
Thomas Dishno  
4799 Colt Road  
Rockford, Illinois 61109

If to Department:

Illinois Department of Transportation  
Region One Engineer  
Attn: District One Environmental Studies Unit  
201 West Center Court  
Schaumburg, Illinois 60196

And to:

Illinois Department of Transportation  
Attn: Assistant Chief Counsel  
2300 S. Dirksen Parkway, Room 313  
Springfield, Illinois 62764

16. This Agreement is not binding upon the Department until it is executed by the undersigned representative of the Department. Prior to execution by the undersigned representative of the Department this Agreement constitutes an offer by Owner/Operator. The duly authorized representatives of Owner/Operator have signed this Agreement and this Agreement is binding upon them, their successors and assigns.
17. The IEPA and Illinois Attorney General "AG" must review and approve this Agreement, and this Agreement shall be referenced in the IEPA's "No Further Remediation" determination in the chain of title for the Site in the county where the Site is located. This Agreement shall be null and void as a Highway Authority Agreement should the IEPA or AG not approve it or should it not be referenced in the "No Further Remediation" determination, provided, however, that this Agreement shall be effective between the Owner/Operator and the Department immediately upon signature by their representatives.
18. The Owner/Operator agrees to defend, indemnify and hold harmless the Department, and other highway authorities, if any, maintaining the highway Right-of-Way by an agreement with the Department, and the Department's agents, contractors or employees for all obligations asserted against or costs incurred by them, including reasonable attorney's fees and court costs, associated with the release of Contaminants from the Site, regardless whether said obligations or costs were caused by the negligence, but not the gross negligence, of them.
19. As an additional consideration, Owner/Operator agrees to reimburse the Department for reasonable costs to protect human health and the environment, including, but not limited to, identifying, investigating, handling, storing and disposing of contaminated soil and/or groundwater in the Right-of-Way as a result of the release of contaminants at this Site. It has been determined that the Department has not incurred any reimbursable costs at the time this Agreement is executed by the undersigned representative of the Department. If future costs are incurred, a cashier's check made payable to "Treasurer, State of Illinois" shall be tendered to the Department of Transportation upon demand by the Department.
20. Violation of the terms of this Agreement by Owner/Operator, or their successors in interest, may be grounds for avoidance of this Agreement as a Highway Authority Agreement. Violation of the terms of this Agreement by the Department will not void this Agreement, unless the IEPA has determined that the violation is grounds for voiding this Agreement as a Highway Authority Agreement and the Department has not cured the violation within such time as IEPA has granted to cure the violation.
21. This Agreement is in settlement of claims the Department may have arising from the release of Contaminants into the Right-of-Way associated with IEMA incident numbers 920741.

22. Prior to accessing or granting access to the soil as provided in Paragraph 8 herein, the Department will first give Owner/Operator written notice, unless there is an immediate threat to the health or safety to any individual or to the public, that it intends to perform a site investigation in the Right-of-Way and remove or dispose of contaminated soil or groundwater to the extent necessary for its work. Failure to give notice is not a violation of this Agreement. The removal or disposal shall be based upon the site investigation (which may be modified by field conditions during excavation). A copy of the site investigation report will be provided to Owner/Operator. If practicable, as reasonably determined by the Department, the Department may provide Owner/Operator with an opportunity to perform the Site investigation and to remove and dispose of the contaminated soil and/or groundwater necessary for the Department's work in advance of that work.

The Owner/Operator shall reimburse the reasonable costs incurred by the Department to perform the site investigation and to dispose of any contaminated soil or groundwater, provided, however, that if notice to Owner/Operator has not been given and there was no immediate threat to health or safety, reimbursement for those costs shall be limited to \$10,000.00. There is a rebuttable presumption that the Contaminants found in the highway Right-of-Way arose from the release of Contaminants from the Site. Should Owner/Operator not reimburse the reasonable costs under the conditions set forth herein, this Agreement shall be null and void, at the Department's option, upon written notice to Owner/Operator by the Department that those costs have not been reimbursed. Owner/Operator may cure that problem within twenty working days by making payment, or may seek to enjoin that result.

23. The Department's sole responsibility under this Agreement with respect to others using the highway Right-of-Way under permit from the Department is to include the following, or similar language, in the future standard permit provisions and to make an effort to notify its current permit holders of the following:

As a condition of this permit the permittee shall request the office issuing this permit to identify sites in the Right-of-Way where a Highway Authority Agreement governs access to soil that exceeds the Tier 1 residential remediation objectives of 35 Ill. Adm. Code 742. The permittee shall take all measures necessary to protect human health (including worker safety) and the environment during and after any access to such soil.

Owner/Operator hereby releases the Department from liability for breach of this Agreement by others under permit and agrees to defend and indemnify the Department against claims that may arise from others under permit causing a breach of this Agreement. Owner/ Operator agrees that its personnel, if any, at the Site who are aware of this Agreement will notify anyone they know is excavating in the Right-of-Way about this Agreement.

24. Should the Department breach this Agreement, Owner/Operator's sole remedy is for an action for damages in the Illinois Court of Claims. Any and all claims for damages against the Department, its agents, contractors, employees or its successors in interest arising at any time for a breach of paragraphs 7 and 8 of this Agreement are limited to an aggregate maximum of \$20,000.00. No other breach by the Department, its agents, contractors, employees and its successors in interest of a provision of this Agreement is actionable in either law or equity by Owner/Operator against the Department or them and Owner/Operator hereby releases the Department, its agents, contractors, employees and its successors in interest for any cause of action it may have against them, other than as allowed in this paragraph, arising under this Agreement or environmental laws, regulations or common law governing the contaminated soil or groundwater in the highway Right-of-Way. Should the Department convey, vacate or transfer jurisdiction of that highway Right-of-Way, Owner/Operator may pursue an action under this Agreement against the successors in interest, other than a State agency, in a court of law.

25. This Agreement is entered into by the Department in recognition of laws passed by the General Assembly and regulations adopted by the Pollution Control Board which encourage a tiered-approach to remediating environmental contamination. This Agreement is entered into by the Department in the spirit of those laws and under its right and obligations as a highway authority.

Should any provisions of this Agreement be struck down as beyond the authority of the Department, however, this Agreement shall be null and void.

**IN WITNESS WHEREOF**, Owner/Operator, DeKalb County, has caused this Agreement to be signed by its duly authorized representative.

BY: \_\_\_\_\_  
Gary H. Hanson  
County Administrator

DATE: \_\_\_\_\_

**IN WITNESS WHEREOF**, the Department has caused this Agreement to be signed by its Secretary.

Illinois Department of Transportation

BY: \_\_\_\_\_  
Erica J. Borggren  
Acting Secretary

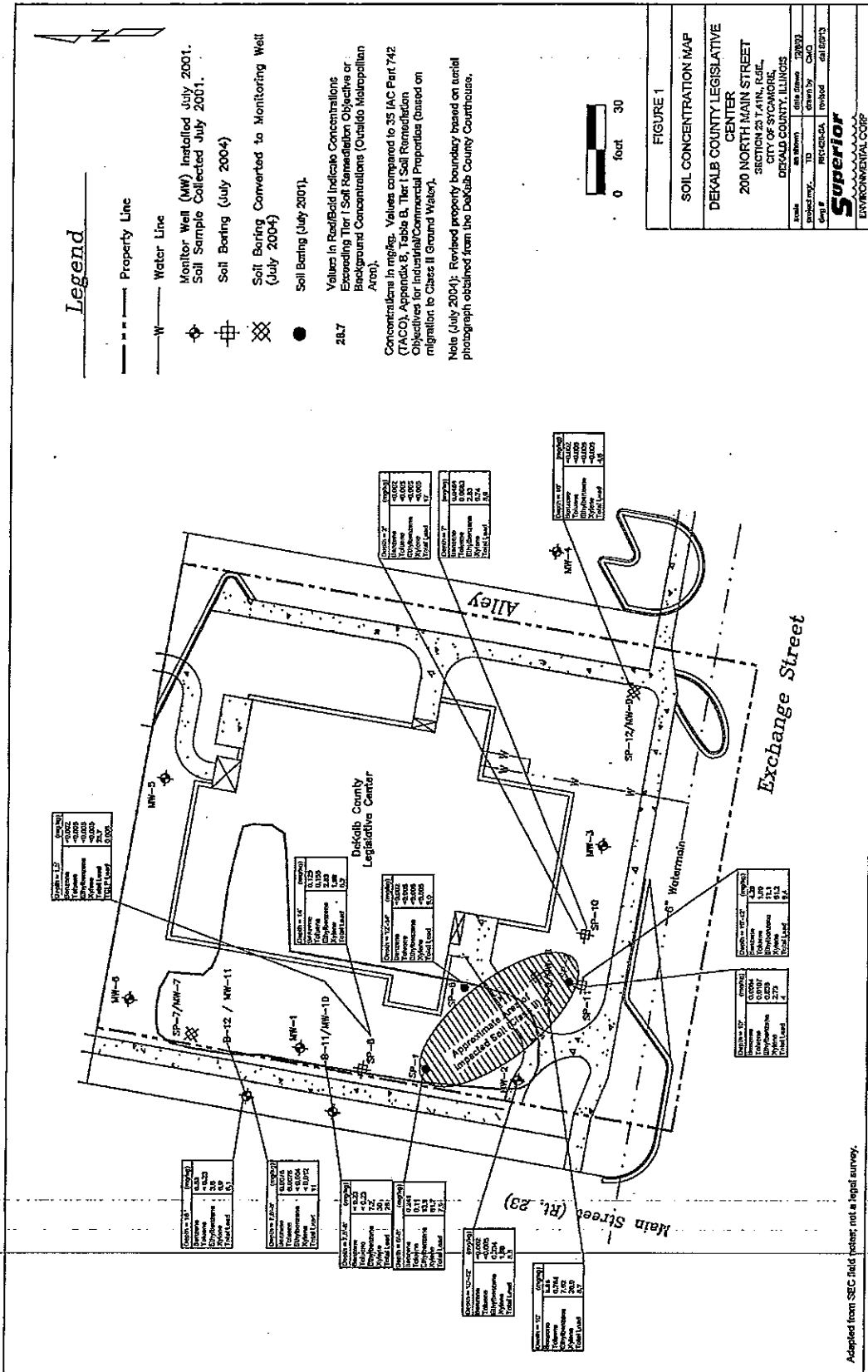
DATE: \_\_\_\_\_

This Agreement is approved on behalf of the Office of the Illinois Attorney General.

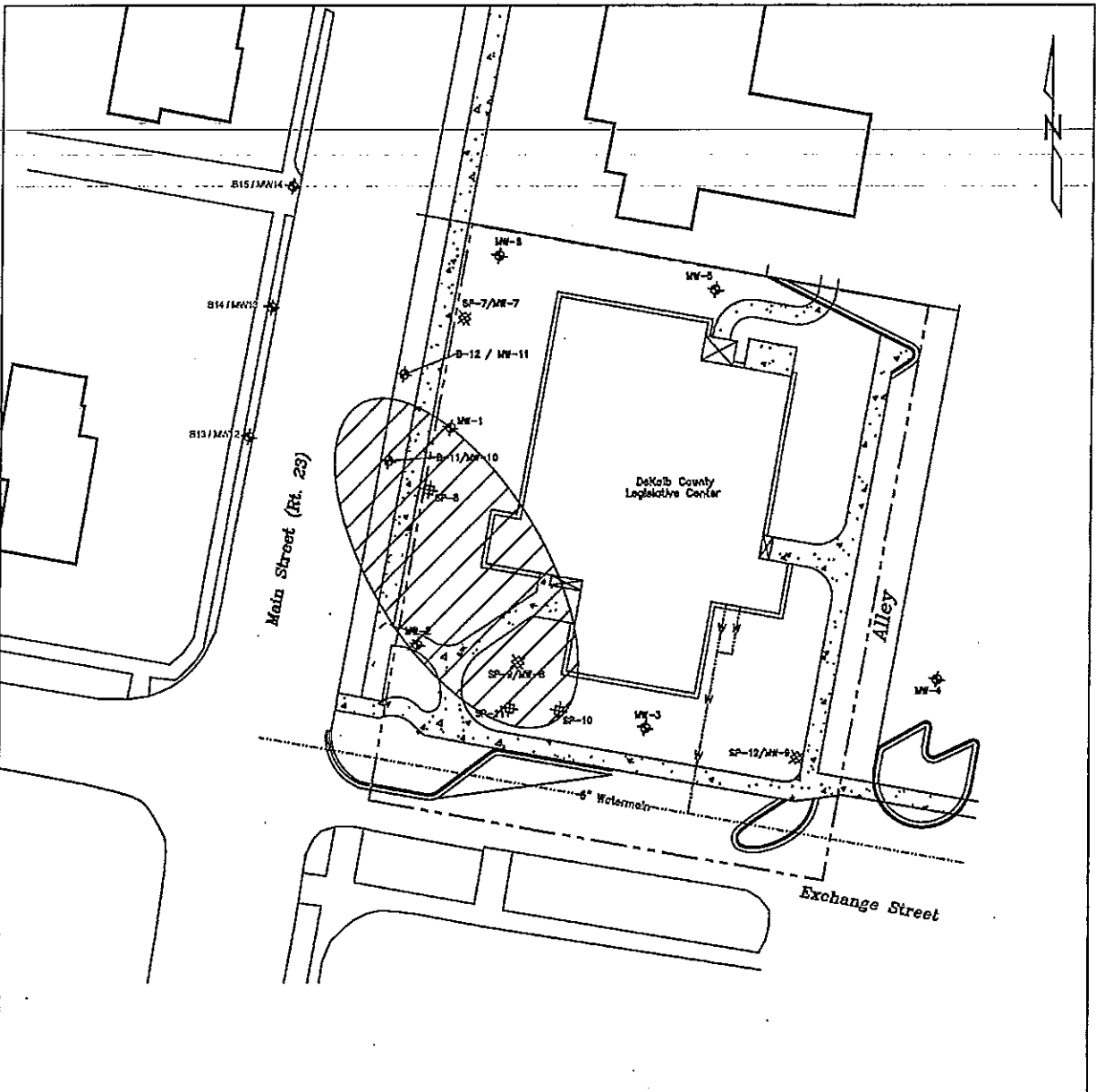
BY: \_\_\_\_\_  
Matthew J. Dunn  
Assistant Attorney General  
Chief, Division of Environmental/Asbestos Litigation

DATE: \_\_\_\_\_

**Exhibit: A**



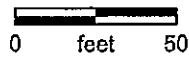
Adapted from SEC field notes; not a legal survey.



**Legend**

- Property Line
- W- Water Line
- ⊕ Monitor Well (MW) Installed July 2001
- ⊕ Soil Boring (July 2004)
- ⊗ Soil Boring Converted to Monitoring Well (July 2004)
- ⊕ Soil Boring Converted to Monitoring Well (August 2006)

Note: Revised property boundary based on aerial photograph obtained from the DeKalb County Courthouse.



Adapted from SEC field notes; not a legal survey.

<b>FIGURE 2</b>			
<b>GROUNDWATER PLUME LOCATION MAP</b>			
<b>DEKALB COUNTY LEGISLATIVE CENTER</b>			
<b>200 NORTH MAIN STREET</b>			
SECTION 23 T.41N., R.5E.,			
CITY OF SYCAMORE,			
DEKALB COUNTY, ILLINOIS			
scale	as shown	data drawn	8/27/10
project mgr.	TD	drawn by	JRP
dwg #	RK1429-EB	revised	dal 8/8/13
<b>Superior</b>			
ENVIRONMENTAL CORP			

**Exhibit: B**

TABLE 1  
 Superior Excavation Grab Samples  
 DeKalb County Legislative Center  
 200 North Main Street  
 Sycamore, Illinois  
 Superior Project Number RK 1429.03

Remediation Objective (mg/kg)*			Benzene	Toluene	Ethylbenzene	Total Xylenes	Total Lead	TCLP Lead	pH
			0.17	29	19	150	**20.8	0.1	
Sample No.	Date Sampled	Sample Depth (ft)							
WS-1	5/2/2001	7	<0.002	<0.005	<0.005	<0.005	6.6	<0.002	NA
Sluff	5/2/2001	6	<0.002	<0.005	<0.005	<0.005	21.2	<0.002	NA
FS-2	5/2/2001	11	<0.002	<0.005	<0.005	<0.005	5.9	<0.002	NA
FS-3	5/2/2001	11	<0.002	<0.005	<0.005	<0.005	16	<0.002	NA
FS-5	5/2/2001	11	<0.002	<0.005	<0.005	<0.005	4.2	<0.002	NA
WS-7	5/2/2001	6	<0.002	<0.005	<0.005	<0.005	12.4	<0.002	NA
WS-8	5/2/2001	5	<0.002	<0.005	<0.005	<0.005	NA	NA	NA
FS-6	5/2/2001	11	<0.002	<0.005	<0.005	<0.005	NA	NA	NA
WS-10	6/14/2001	6	<0.002	<0.005	<0.005	<0.005	4.7	<0.002	NA
WS-11	6/14/2001	6	<0.002	<0.005	<0.005	<0.005	4.8	<0.002	NA
WS-12	6/14/2001	6	<0.002	<0.005	<0.005	<0.005	4.6	<0.002	NA
WS-13	6/14/2001	6	<0.002	<0.005	<0.005	<0.005	8.4	<0.002	NA
FS-9	6/14/2001	11	<0.002	<0.005	<0.005	<0.005	7.5	<0.002	NA
FS-10	6/14/2001	11	<0.002	<0.005	<0.005	<0.005	5	<0.002	NA
SP-1	7/16/2001	6 - 8	0.24	0.11	13.9	61.7	7.5	0.004	NA
SP-2	7/16/2001	10 - 12	4.29	1.99	11.1	61.2	8.4	<0.002	NA
SP-3	7/16/2001	12 - 14	<0.002	<0.005	<0.005	<0.005	4.8	<0.002	NA
SP-4	7/16/2001	14 - 16	<0.002	<0.005	<0.005	<0.005	4.8	<0.002	NA
SP-5	7/16/2001	10 - 12	<0.002	<0.005	<0.005	<0.005	4.8	<0.002	NA
SP-6	7/16/2001	12 - 14	<0.002	<0.005	<0.005	<0.005	5	<0.002	NA

\* 35 IAC Part 742, Tiered Approach to Corrective Action Objectives, Appendix B, Table B, Tier I Soil Remediation Objectives for Industrial/Commercial Properties (based on migration to Class II Ground Water).

\*\* Total lead values compared to 35 IAC Part 742, Tiered Approach to Corrective Action Objectives, Appendix B, Table B, Concentrations of Inorganic Chemicals in Background Soils (Outside of Metropolitan Area).

NA - not analyzed.

Results reported as mg/kg (ppm). TCLP lead results reported in mg/L (ppm).

Bold indicates concentration above Method Detection Limits.

Shaded area indicates concentration above Remediation Objectives.



**TABLE 2**  
 Soil Analytical Results (July 2004, October 2006, and September 2011)  
 DeKalb County Legislative Center  
 200 North Main Street  
 Sycamore, Illinois  
 Superior Project Number RK 1429.03

Remediation Objective (mg/kg)*			Benzene	Toluene	Ethylbenzene	Total Xylenes	Total Lead	TCLP Lead	pH
			0.17	29	19	150	**20.9	0.1	
Sample No.	Date Sampled	Sample Depth (ft)							
SP-7	Jul-04	10	<0.002	<0.005	0.159	0.475	5.8	NA	8.97
SP-8	Jul-04	1.5	<0.002	<0.005	<0.005	<0.005	26.7	0.005	9.37
SP-8	Jul-04	14	0.125	0.155	2.83	1.99	5.2	NA	8.67
SP-9	Jul-04	10	0.86	0.764	7.62	26.9	5.7	NA	8.57
SP-10	Jul-04	2	<0.002	<0.005	<0.005	<0.005	17	NA	8.66
SP-10	Jul-04	7	0.0484	0.0683	2.83	9.74	5.9	NA	8.6
SP-11	Jul-04	10	0.0084	0.0107	0.638	2.73	4	NA	8.64
SP-12	Jul-04	10	<0.002	<0.005	<0.005	<0.005	4.6	NA	9.02
B-11-1	Oct-06	8	0.23	< 0.23	7.2	30	25	NA	NA
B-12-1	Oct-06	7.5	0.0078	0.0076	< 0.004	<0.012	11	NA	NA
B-12-2	Oct-06	15	0.53	< 0.23	3.6	5.9	6.1	NA	NA
B-13-1	Sep-11	5	< 0.0054	< 0.0054	< 0.0054	<0.016	NA	NA	NA
B-13-2	Sep-11	10	< 0.0041	< 0.0041	< 0.0041	<0.012	NA	NA	NA
B-13-2	Sep-11	15	< 0.0041	< 0.0041	< 0.0041	<0.013	NA	NA	NA
B-14-1	Sep-11	5	< 0.0058	< 0.0058	< 0.0058	<0.017	NA	NA	NA
B-14-2	Sep-11	10	< 0.004	< 0.004	< 0.004	<0.012	NA	NA	NA
B-14-3	Sep-11	15	< 0.0039	< 0.0039	< 0.0039	<0.012	NA	NA	NA
B-15-1	Sep-11	5	< 0.0052	< 0.0052	< 0.0052	<0.016	NA	NA	NA
B-15-2	Sep-11	10	< 0.0047	< 0.0047	< 0.0047	<0.014	NA	NA	NA
B-15-3	Sep-11	15	< 0.0046	< 0.0046	< 0.0046	<0.014	NA	NA	NA

\* 35 IAC Part 742, Tiered Approach to Corrective Action Objectives, Appendix B, Table B, Tier I Soil Remediation Objectives for Industrial/Commercial Properties (based on migration to Class II Ground Water).

\*\* Total lead values compared to 35 IAC Part 742, Tiered Approach to Corrective Action Objectives, Appendix B, Table B, Concentrations of Inorganic Chemicals in Background Soils (Outside of Metropolitan Area).

NA - not analyzed.

Results reported as mg/kg (ppm). TCLP lead results reported in mg/L (ppm).

Bold indicates concentration above Method Detection Limits.

Shaded area indicates concentration above Remediation Objectives.

**TABLE 3**  
**Historical Ground Water Analytical Results**  
 DeKalb County Legislative Center  
 200 North Main Street  
 Sycamore, Illinois

Well No.	Sample Date	Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylene (mg/L)
Remediation Objective*		0.025	2.5	1	10
MW-1	7/23/2001	0.143	0.0064	0.18	0.186
	8/16/2001	0.012	<0.005	0.0166	0.0157
	10/16/2001	0.0742	<0.005	0.0571	0.0196
	12/5/2001	0.0964	<0.005	0.0576	0.0152
	1/17/2002	0.493	<0.005	0.171	0.0752
	6/25/03	0.565	0.155	0.2	0.0716
	12/3/2003	0.0641	<0.005	0.0209	<0.005
	3/18/04	0.153	0.0074	0.0474	0.0371
	7/23/04	0.0777	<0.005	0.0374	0.0112
	12/20/06	0.27	0.0077	0.021	0.022
9/22/11	0.4	0.03	0.28	0.42	
MW-2	7/23/01	0.0352	<0.005	0.091	0.464
	8/16/01	0.025	<0.005	0.0366	0.0923
	10/16/01	0.016	<0.005	0.0286	0.0455
	12/5/01	0.0296	<0.005	0.0214	0.0265
	1/17/02	0.0159	<0.005	<0.005	<0.005
	6/25/03	0.0133	<0.005	0.0083	0.012
	12/3/03	0.0052	<0.005	<0.005	0.0065
	3/18/04	0.0093	<0.005	0.0058	0.0157
	7/23/04	<0.005	<0.005	<0.005	0.0154
	12/20/06	<0.005	<0.005	<0.005	<0.015
MW-3	7/23/01	<0.005	<0.005	0.0073	0.0082
	8/16/01	0.0062	<0.005	0.0546	0.0368
	10/16/01	<0.005	<0.005	0.0198	0.0054
	12/5/01	0.0172	<0.005	0.0593	0.0264
	6/25/03	0.015	<0.005	0.0812	0.0229
	12/3/03	0.0095	<0.005	0.0607	0.0167
	3/18/04	0.0327	0.0055	0.0664	0.0342
	7/23/04	0.0076	<0.005	0.0162	0.0201
	12/20/06	0.028	<0.005	0.1	0.058
	9/22/11	0.038	0.007	0.19	0.11
MW-4	7/23/01	<0.005	<0.005	<0.005	<0.005
	8/16/01	<0.005	<0.005	<0.005	<0.005
	6/25/03	<0.005	<0.005	<0.005	<0.005
	12/3/03	<0.005	<0.005	<0.005	<0.005
	3/18/04	<0.005	<0.005	<0.005	<0.005
	7/23/04	<0.005	<0.005	<0.005	<0.005
	12/20/06	<0.005	<0.005	<0.005	<0.015
	9/22/11	<0.005	<0.005	<0.005	<0.015
MW-5	7/23/01	<0.005	<0.005	<0.005	<0.005
	8/16/01	<0.005	<0.005	<0.005	<0.005
	10/16/01	<0.005	<0.005	<0.005	<0.005
	12/5/01	<0.005	<0.005	<0.005	<0.005
	6/25/03	<0.005	<0.005	<0.005	<0.005
	12/3/03	<0.005	<0.005	<0.005	<0.005
	3/18/04	<0.005	<0.005	<0.005	<0.005
	7/23/04	<0.005	<0.005	<0.005	<0.005
	12/20/06	<0.005	<0.005	<0.005	<0.015
	9/22/11	<0.005	<0.005	<0.005	<0.015

**TABLE 3 (Continued)**  
**Historical Ground Water Analytical Results**  
**DeKalb County Legislative Center**  
**200 North Main Street**  
**Sycamore, Illinois**

Well No.	Sample Date	Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene (mg/L)	Total Xylenes (mg/L)
Remediation Objective*		0.025	2.5	1	10
MW-6	7/23/01	0.364	0.0458	0.109	0.123
	8/16/01	0.185	0.0157	0.0667	0.063
	10/16/01	<0.005	<0.005	<0.005	<0.005
	12/5/01	<0.005	<0.005	<0.005	<0.005
	1/17/04	0.0083	<0.005	0.0144	0.0148
	6/25/03	<0.005	<0.005	<0.005	<0.005
	12/3/03	<0.005	<0.005	<0.005	<0.005
	3/18/04	<0.005	<0.005	<0.005	<0.005
	7/23/04	<0.005	<0.005	<0.005	<0.005
	12/20/06	<0.005	<0.005	<0.005	<0.015
9/22/11	<0.005	<0.005	<0.005	<0.015	
MW-7	7/23/04	<0.005	<0.005	0.0069	0.0197
	12/20/06	<0.005	<0.005	<0.005	<0.015
	9/22/11	<0.005	<0.005	<0.005	<0.015
MW-8	7/23/04	3.86	1.39	2.56	11.8
	12/20/06	2.3	0.32	0.33	5.1
	9/22/11	2.2	0.23	1.3	5.3
MW-9	7/23/04	<0.005	<0.005	<0.005	<0.005
	12/20/06	<0.005	<0.005	<0.005	<0.015
MW-10	12/20/06	0.15	0.046	1.51	5
	9/22/11	0.133	<0.1	1.31	3.5
MW-11	12/20/06	0.25	0.035	<0.005	0.082
	9/22/11	<0.005	<0.005	<0.005	<0.015
MW-12	9/22/11	<0.005	<0.005	<0.005	<0.015
MW-13	9/22/11	<0.005	<0.005	<0.005	<0.015
MW-14	9/22/11	<0.005	<0.005	<0.005	<0.015

NA - Not Applicable

\* - 35 IAC Part 742 Tiered Approach to Corrective Action Objectives (TACO)

Appendix B, Table E, Tier I Groundwater Remediation Objective (Class II)

Shaded areas indicates concentration above Remediation Objectives.

Bold areas indicates concentrations above Method Detection Limits.

MW-4 was not sampled on 10/16/01 or 12/5/01 because of a well obstruction.

MW-2 and MW-9 were not sampled on 9/22/2011.

TABLE 4  
 Soil Analytical Results (July 2004, October 2006, and September 2011)  
 DeKalb County Legislative Center  
 200 North Main Street  
 Sycamore, Illinois  
 Superior Project Number RK 1429.03

Remediation Objective (mg/kg)*			Benzene	Toluene	Ethylbenzene	Total Xylenes	Total Lead	TCLP Lead	pH
			0.17	29	19	150	**20.9	0.1	
Sample No.	Date Sampled	Sample Depth (ft)	Shaded area indicates concentration above Remediation Objectives.						
SP-7	Jul-04	10	<0.002	<0.005	0.159	0.476	5.8	NA	8.97
SP-8	Jul-04	1.5	<0.002	<0.005	<0.005	<0.005	<del>28.7</del>	0.005	9.37
SP-8	Jul-04	14	0.125	0.155	2.83	1.99	5.2	NA	8.67
SP-9	Jul-04	10	<del>0.88</del>	0.764	7.62	26.9	5.7	NA	8.57
SP-10	Jul-04	2	<0.002	<0.005	<0.005	<0.005	17	NA	8.66
SP-10	Jul-04	7	0.0484	0.0683	2.83	9.74	5.9	NA	8.6
SP-11	Jul-04	10	0.0084	0.0107	0.638	2.73	4	NA	8.84
SP-12	Jul-04	10	<0.002	<0.005	<0.005	<0.005	4.6	NA	9.02
B-11-1	Oct-06	8	<del>0.23</del>	< 0.23	7.2	30	<del>25</del>	NA	NA
B-12-1	Oct-06	7.5	0.0078	0.0076	< 0.004	< 0.012	11	NA	NA
B-12-2	Oct-06	15	<del>0.63</del>	< 0.23	3.6	5.9	6.1	NA	NA
B-13-1	Sep-11	5	< 0.0054	< 0.0054	< 0.0054	<0.016	NA	NA	NA
B-13-2	Sep-11	10	< 0.0041	< 0.0041	< 0.0041	<0.012	NA	NA	NA
B-13-2	Sep-11	15	< 0.0041	< 0.0041	< 0.0041	<0.013	NA	NA	NA
B-14-1	Sep-11	5	< 0.0058	< 0.0058	< 0.0058	<0.017	NA	NA	NA
B-14-2	Sep-11	10	< 0.004	< 0.004	< 0.004	<0.012	NA	NA	NA
B-14-3	Sep-11	15	< 0.0039	< 0.0039	< 0.0039	<0.012	NA	NA	NA
B-15-1	Sep-11	5	< 0.0052	< 0.0052	< 0.0052	<0.016	NA	NA	NA
B-15-2	Sep-11	10	< 0.0047	< 0.0047	< 0.0047	<0.014	NA	NA	NA
B-15-3	Sep-11	15	< 0.0046	< 0.0046	< 0.0046	<0.014	NA	NA	NA

\* 35 IAC Part 742, Tiered Approach to Corrective Action Objectives, Appendix B, Table B, Tier I Soil Remediation Objectives for Industrial/Commercial Properties (based on migration to Class II Ground Water).

\*\* Total lead values compared to 35 IAC Part 742, Tiered Approach to Corrective Action Objectives, Appendix B, Table B, Concentrations of Inorganic Chemicals in Background Soils (Outside of Metropolitan Area).

NA - not analyzed.

Results reported as mg/kg (ppm). TCLP lead results reported in mg/L (ppm).

Bold indicates concentration above Method Detection Limits.

Shaded area indicates concentration above Remediation Objectives.

**TABLE 5**  
**Ground Water Sample Analysis 2011**  
**DeKalb County Legislative Center**  
**200 North Main Street**  
**Sycamore, Illinois**

Well No.	Sample Date	Benzene (mg/L)	Toluene (mg/L)	Ethylbenzene	Total Xylenes	Free Product Thickness	Depth to Water (ft)
Remediation Objective*		0.025	2.5	1	10		
MW-1	9/22/11	<b>0.45</b>	<b>0.03</b>	<b>0.28</b>	<b>0.42</b>	NA	7.67
MW-3	9/22/11	<b>0.088</b>	<b>0.007</b>	<b>0.19</b>	<b>0.11</b>	NA	6.21
MW-4	9/22/11	< 0.005	< 0.005	< 0.005	< 0.015	NA	7.04
MW-5	9/22/11	< 0.005	< 0.005	< 0.005	< 0.015	NA	9.36
MW-6	9/22/11	< 0.005	< 0.005	< 0.005	< 0.015	NA	9.15
MW-7	9/22/11	< 0.005	< 0.005	< 0.005	< 0.015	NA	7.38
MW-8	9/22/11	<b>2.27</b>	<b>0.23</b>	<b>1.3</b>	<b>5.3</b>	NA	5.89
MW-10	9/22/11	<b>0.13</b>	< 0.005	<b>1.3</b>	<b>3.5</b>	NA	7.27
MW-11	9/22/11	< 0.005	< 0.005	< 0.005	< 0.015	NA	6.57
MW-12	9/22/11	< 0.005	< 0.005	< 0.005	< 0.015	NA	7.84
MW-13	9/22/11	< 0.005	< 0.005	< 0.005	< 0.015	NA	7.89
MW-14	9/22/11	< 0.005	< 0.005	< 0.005	< 0.015	NA	7.25

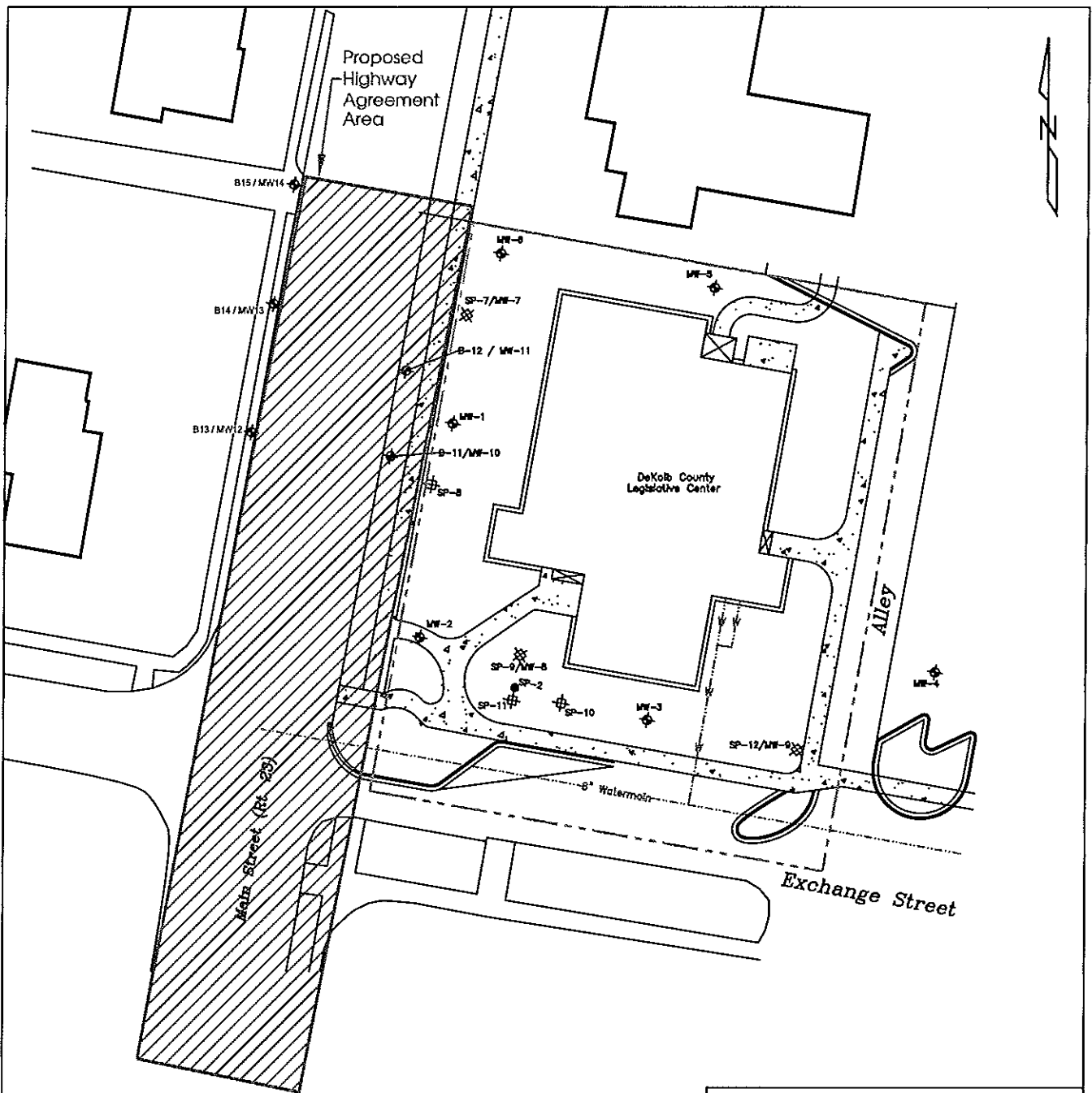
NA - Not Applicable

\* - 35 IAC Part 742 Tiered Approach to Corrective Action Objectives (TACO)  
Appendix B, Table E, Tier I Groundwater Remediation Objective (Class II)

Shaded indicates concentration above Remediation Objectives

Bold areas indicates concentrations above Method Detection Limits

**Exhibit: C**



**Legend**

- Property Line
- W- Water Line
- ⊕ Monitor Well (MW) Installed July 2001
- ⊕ Soil Boring (July 2004)
- ⊗ Soil Boring Converted to Monitoring Well (July 2004)
- ⊕ Soil Boring Converted to Monitoring Well (August 2008)

Note: Revised property boundary based on aerial photograph obtained from the DeKalb County Courthouse.



FIGURE 3			
PROPOSED HIGHWAY AGREEMENT AREA MAP			
DEKALB COUNTY LEGISLATIVE CENTER			
200 NORTH MAIN STREET			
SECTION 23 T.41N., R.5E.,			
CITY OF SYCAMORE,			
DEKALB COUNTY, ILLINOIS			
scale	as shown	date drawn	9/27/10
project mgr.	TD	drawn by	JRP
dwg #	RK1428-EA	revised	dal 6/20/14
<b>Superior</b>			
ENVIRONMENTAL CORP			

Adapted from SEC field notes; not a legal survey.

*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**  
**June 18, 2014**

The DeKalb County Forest Preserve District Commissioners met in regular session at the Legislative Center Wednesday, June 18, 2014. President Metzger called the meeting to order and the Secretary called the roll. Those Commissioners present were Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, and Mr. Reid. Those absent were Mr. Stoddard, Mr. Brown and Mr. Foster. Twenty Commissioners were present and three were absent and one seat remained vacant due to a resignation in District 5.

**APPROVAL OF MINUTES**

Motion

Mr. Johnson moved to approve the Minutes of May 21, 2014. Mrs. DeFauw 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 Mrs. Tobias seconded the motion.

Voice Vote

President Metzger asked for a voice vote on the Agenda. Motion carried unanimously.

**STANDING COMMITTEE REPORT**

**Claims for June 2014**

Motion

Ms. Fauci moved to approve the claims for this month, and the off cycle claims paid during the previous month, in the amount of \$69,903.71. Mrs. Haji-Sheikh 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. Tobias, Mrs. Turner, Mr. Whelan, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski, Mr. Oncken, Mr. Pietrowski, Mr. Reid, and Present Metzger. All Commissioners present voted yea. Motion carried unanimously.



## **OLD BUSINESS / NEW BUSINESS**

Mrs. Haji-Sheikh shared The DeKalb County Forest Preserve, KishHealth System, the Kishwaukee Family YMCA, Live Healthy DeKalb, the Illinois League of Cyclists, and the DeKalb County Convention and Visitor's Bureau have been participating in the "PEDAL PAL" program. She reiterated that PEDAL PAL is a way for local businesses, park districts, forest preserves, municipalities and others in DeKalb County to promote cycling by placing a decal on their establishment which signifies that they are bicycle friendly. Each location that displays the decal agrees to allow passing cyclists to come in and get a drink of water, use the bathroom and/or use the phone in case of emergency. Businesses that display the PEDALPAL decal will be included on the PEDALPAL.org website as locations that are bicycle friendly.

Mrs. Haji-Sheikh also shared that she recently was part of a roundtable discussion at the Regional Planning Commission Meeting to help build on to the bicycle initiatives throughout the County.

Ms. Fauci announced that it has come to the Forest Preserve Districts attention that the agenda does not have a place for persons to be heard from the floor on Forest Preserve District matter so she asked that the item be added to the agenda from now on. All of the Commissioners agreed.

## **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.

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President, DeKalb County Forest  
Preserve District Commissioners

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Secretary, DeKalb County Forest  
Preserve District Commissioners

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