

RESOLUTION NUMBER R2006-41

RESOLUTION providing for and requiring the submission to the voters of The County of DeKalb, Illinois, at the general election to be held on the 7th day of November, 2006, of the proposition to impose a public safety sales tax.

\* \* \*

WHEREAS, The County of DeKalb, Illinois (the "*County*"), currently owns and operates the DeKalb County Jail (the "*Jail*") in order to provide secure detention space for those deemed to be a flight risk or those who pose a danger to the community; and

WHEREAS, the Jail is full; and

WHEREAS, numerous studies have been conducted in the past to ascertain what, if anything, can be done to alleviate overcrowding in the Jail; and

WHEREAS, those efforts have identified a number of alternatives to incarceration that have the potential to reduce the number of Jail beds that will be needed in future years; and

WHEREAS, most of those alternatives have been implemented; and

WHEREAS, full implementation of the remaining alternatives to incarceration, including the DeKalb County Drug Court, will have a substantial annual cost; and

WHEREAS, notwithstanding full implementation of said alternatives, the Jail is projected to fall 146 beds short of the 235 beds that will be needed by 2025; and

WHEREAS, in August of 2003 the County Board of the County (the "*County Board*") received a series of recommendations from the Ad Hoc Jail Study Committee of DeKalb County, including recommendations to implement all of the alternatives to incarceration; to build more beds; to expand the Jail; and to explore funding options; and

WHEREAS, upon further study it was determined that only two funding options exist in Illinois for counties to meet their obligations to construct and operate secure

detention facilities, those being property taxes or sales taxes or some combination of the two; and

WHEREAS, the estimated capital cost of adding 146 beds to the Jail is approximately \$40 million; and

WHEREAS, without seeking additional authority from the citizens of the County the County Board lacks the financial capacity to build and operate an expanded Jail facility; and

WHEREAS, in March of 2004 citizens of the County failed to approve a referendum to impose a one-half of one percent public safety sales tax to support the expansion and operation of the Jail and fund the alternatives to incarceration recommended by the Ad Hoc Jail Study Committee; and

WHEREAS, the County Board is once again faced with the question of how to pay the costs of expanding and operating the Jail and to fund alternatives to incarceration; and

WHEREAS, it is hereby found and determined by the County Board that the need exists to impose a public safety sales tax to pay such costs; and

WHEREAS, in accordance with Section 5-1006.5 of the Counties Code of the State of Illinois, as amended, before the County Board is authorized to impose a public safety sales tax, the proposition of imposing said tax must be submitted to the voters of the County at an election held and conducted in accordance with the Election Code of the State of Illinois, as amended (the "*Election Code*"), and such proposition must be approved by a majority of those voting on such proposition, and it is hereby deemed advisable, necessary and in the best interests of the County that the proposition of imposing said tax be submitted to the voters of the County at an election to be held and conducted in accordance with the general election law:

NOW, THEREFORE, Be It and It Is Hereby Resolved by the County Board of The County of DeKalb, Illinois, as follows:

*Section 1. Incorporation of Preambles.* The County Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

*Section 2. Need for Public Safety Sales Tax.* It is necessary and in the best interests of the County that a public safety sales tax be imposed at the rate of one-half of one percent upon all persons engaged in the business of selling tangible personal property at retail in the County on gross receipts from the sales made in the course of their business to be used for crime prevention, detention and other public safety purposes.

*Section 3. Submission to Voters.* The proposition hereinabove referred to be submitted to the voters of the County in accordance with the general election law at the general election to be held on Tuesday, the 7th day of November, 2006, between the hours of 6:00 o'clock A.M. and 7:00 o'clock P.M. on said day (the "*Election*").

*Section 4. Voting Precincts and Polling Places.* The Election shall be held in the voting precincts and at the polling places established by the County Board, for voters of the County at the Election.

*Section 5. Election Notice.* The County Clerk of the County (the "*County Clerk*") shall give notice of the Election (the "*Notice*") in accordance with the general election law by (i) publishing the Notice once not more than 30 nor less than 10 days prior to the date of the Election in a local, community newspaper having general circulation in the County, and (ii) posting a copy of the Notice at least 10 days before the date of the Election at the principal office of the County Clerk.

*Section 6. Newspaper of General Circulation.* It is hereby found and determined that the *Daily Chronicle* is a local, community newspaper having general circulation in the County as required by Section 12-5 of the Election Code.

*Section 7. Form of Notice.* The notice shall appear over the name or title of the County Clerk and shall be substantially in the following form:

NOTICE IS HEREBY GIVEN that at the election to be held on Tuesday, the 7th day of November, 2006, the following proposition will be submitted to the voters of The County of DeKalb, Illinois:

Shall The County of DeKalb, Illinois, be authorized to impose a public safety tax at the rate of one-half of one percent upon all persons engaged in the business of selling tangible personal property at retail in the County on gross receipts from the sales made in the course of their business to be used for crime prevention, detention and other public safety purposes?

The polls at the election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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County Clerk, The County of  
DeKalb, Illinois

*Section 8. Form of Ballot.* The ballot to be used at the Election shall be in substantially the following form, with such alterations, changes, deletions and insertions as may be required by Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical or electric voting system is used at the Election:

(Face of Ballot)

OFFICIAL BALLOT

PROPOSITION TO ESTABLISH A PUBLIC SAFETY SALES TAX

(INSTRUCTIONS TO VOTERS: Mark a cross (x) in  
the space opposite the word indicating  
the way you desire to vote.)

Shall The County of DeKalb, Illinois, be authorized to impose a public safety tax at the rate of one-half of one percent upon all persons engaged in the business of selling tangible personal property at retail in the County on gross receipts from the sales made in the course of their business to be used for crime prevention, detention and other public safety purposes?	YES	
	NO	

(Back of Paper Ballot)

OFFICIAL BALLOT

Official ballot for voting on the proposition to establish a public safety sales tax for The County of DeKalb, Illinois, at the general election held on November 7, 2006.

Precinct Number: \_\_\_\_\_

Polling Place: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Facsimile Signature)

\_\_\_\_\_  
County Clerk,  
The County of DeKalb, Illinois

*Section 9. Election Judges.* The Election shall be conducted by the election judges appointed by the County Board to act in the precincts at which said proposition will be submitted to the voters of the County.

*Section 10. Filing of Resolution.* After the adoption hereof and not less than 61 days prior to the date of the Election, the County Clerk shall certify that the proposition set forth herein may be submitted to the voters of the County at the Election.

*Section 11. Canvass of Election.* The Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and time as provided by the general election law.

*Section 12. Intergovernmental Cooperation.* The County's staff is hereby directed to work with the municipal officials of the City of Sycamore, Illinois, to assure the continuing presence of the airline fuel purchasing operations in that City by drafting an agreement between the County and said City negating any effects of a public safety sale tax on entities purchasing such fuel and the County Board Chairman is hereby directed and empowered to execute said agreement following successful legal review by the DeKalb County States Attorney.

*Section 13. Severability.* If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

*Section 14. Repealer and Effective Date.* All resolutions and parts of resolutions in conflict herewith be and the same are hereby repealed, and that this Resolution be in full force and effect forthwith upon its adoption.

AYES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ADOPTED: July 19, 2006

APPROVED: July 19, 2006

\_\_\_\_\_  
Chairman of the County  
Board  
The County of DeKalb,  
Illinois

Recorded In County Records: July 19, 2006.

ATTEST:

\_\_\_\_\_  
County Clerk, The County of DeKalb, Illinois

*Resolution #R2006-42*





# Illinois Department of Transportation

## Resolution for Improvement by County Under the Illinois Highway Code

BE IT RESOLVED, by the County Board of DeKalb County, Illinois, that the following described County Highway(s) be improved under the Illinois Highway Code:

County Highway(s) CH-5 and CH-33, beginning at a point near the intersection of  
Glidden Road and Rich Road

and extending along said route(s) in a(n) N, S, & E direction to a point near 950 feet  
from the intersection and at the intersection

, a distance of approximately NA; and,

BE IT FURTHER RESOLVED, that the type of improvement shall be installation of three solar-powered 24/7 Amber  
Flashers - 12" Diameter and installation of two solar-powered 24/7 Red Flasher-12" Diameter to be placed on stop signs  
(Describe in general terms)  
on Rich Road (east and west bound) and amber flasher to be placed on stop ahead sign west bound on Rich Road  
and the advance cross roads signs on north and south bound Glidden Road.

and shall be designated as Section 06-00219-00-TL and,

BE IT FURTHER RESOLVED, that the improvement shall be constructed by contract

; and  
(Insert either "contract" or "the County through its officers, agents and employees")

BE IT FURTHER RESOLVED, that there is hereby appropriated the sum of \_\_\_\_\_  
seven thousand four hundred seventy-five dollars, ( \$7,475.00 )  
from the County's allotment of Motor Fuel Tax Funds for the construction of this improvement and,

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

<p>Authorized MFT Expenditure</p>	<p>I, <u>Sharon Holmes</u> County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the County Board of</p>
<p>Date</p> <p>Department of Transportation</p> <p>Regional Engineer</p>	<p><u>DeKalb</u> County, at its <u>regular</u> meeting held at <u>Sycamore, Illinois</u> on <u>July 19, 2006</u> Date</p> <p>IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in <u>Sycamore, Illinois</u> in said County, this <u>19th</u> day of <u>July</u> A.D. <u>2006</u></p> <p>(SEAL) _____ County Clerk</p>