

RESOLUTION

R2006-34

Whereas, the State of Illinois General Assembly at 705ILCS 105/27.3a has empowered the County Board of DeKalb County to establish and maintain a Court Automation Fund, and

Whereas, Public Act 94-0595 increased the maximum allowable Court Automation Fee from \$5.00 to \$15.00, and

Whereas, the Clerk of the Circuit Court maintains all case types by means of an automated recordkeeping system.

NOW, THEREFORE BE IT RESOLVED by the County Board of DeKalb County, Illinois that the Clerk of the Circuit Court of DeKalb County shall charge and collect a Court Automation Fee of \$15.00 payable at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases or by the defendant in any felony, traffic, misdemeanor, municipal ordinance or conservation case upon a judgment of guilty or grant of supervision when a court appearance is made, and

BE IT FURTHER RESOLVED that the Clerk of the Circuit Court shall charge and collect a Court Automation Fee of \$5.00 on any traffic, municipal ordinance or conservation case satisfied without a court appearance pursuant to Supreme Court Rule 529, and

BE IT FURTHER RESOLVED that said Court Automation Fee shall be effective July 1, 2006, and

BE IT FURTHER RESOLVED that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Clerk of the Circuit Court; the Treasurer; the County Administrator and the Deputy County Administrator.

PASSED THIS 21ST DAY OF JUNE, 2006 AT SYCAMORE, ILLINOIS

ATTEST:

SIGNED:

Sharon Holmes
County Clerk

Ruth Anne Tobias
County Board Chairman

RESOLUTION
R2006-35

Whereas, the DeKalb County Board has determined that it is in the best interests of the citizens of DeKalb County to develop and operate a Drug Court as part of the Criminal Justice System, and

Whereas, in the interests of ultimately reducing the jail population and providing for a safer and more productive community the County Board did appropriate \$100,000 per year for two years commencing with the FY 2006 budget in support of a Drug Court Pilot Project, and

Whereas, at the same time that the County Board continues to seek start-up funding from the federal government for its ongoing operation of a Drug Court in DeKalb County considerable time and resources have been, and will continue to be devoted to training and development in preparation for that start-up, and

Whereas, Illinois State Statutes at 55ILCS 5/5-1101 (d-5) provides for a \$10.00 fee to be paid by defendants on a judgment of guilty or a grant of supervision under Section 5-9-1 of the Unified Code of Corrections. Said funds are to be deposited in the County General Fund and used to finance the County Drug Court, and

Whereas, it was the finding and recommendation of the DeKalb County Law and Justice Committee that the collection of such a fee would further the cause of implementing a Drug Court in DeKalb County and thus be in the best interests of this community.

NOW, THEREFORE, BE IT RESOLVED that the DeKalb County Board does concur in the recommendation of the Law and Justice Committee and does direct the DeKalb County Clerk of the Circuit Court to begin collecting the fee provided for by 55ILCS 5-1101 (d-5) effective July 1, 2006 and remit the proceeds to the DeKalb County Treasurer for deposit in the DeKalb County General Fund said funds to be used exclusively for the operation and administration of the DeKalb County Drug Court as directed by the DeKalb County Board.

PASSED AT SYCAMORE, ILLINOIS THIS 21ST DAY OF JUNE, 2006 A.D.

ATTEST:

SIGNED:

Sharon Holmes
County Clerk

Ruth Anne Tobias
County Board Chairman

RESOLUTION

R2006-36

Whereas, the State of Illinois General Assembly at 705ILCS 105/27.3c has empowered the County Board of DeKalb County to establish and maintain a Document Storage Fund, and

Whereas, Public Act 94-0596 increased the maximum allowable Document Storage Fund Fee from \$5.00 to \$15.00, and

Whereas, the Clerk of the Circuit Court maintains all case types by means of an electronic document storage system.

NOW, THEREFORE BE IT RESOLVED by the County Board of DeKalb County, Illinois that the Clerk of the Circuit Court of DeKalb County shall charge and collect a Court Document Storage Fee of \$15.00 payable at the time of filing the first pleading, paper or other appearance filed by each party in all civil cases or by the defendant in any felony, traffic, misdemeanor, municipal ordinance or conservation case upon a judgment of guilty or grant of supervision when a court appearance is made, and

BE IT FURTHER RESOLVED that the Clerk of the Circuit Court shall charge and collect a Court Document Storage Fee of \$5.00 on any traffic, municipal ordinance or conservation case satisfied without a court appearance pursuant to Supreme Court Rule 529, and

BE IT FURTHER RESOLVED that said Court Automation Fee shall be effective July 1, 2006, and

BE IT FURTHER RESOLVED that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Clerk of the Circuit Court; the Treasurer; the County Administrator and the Deputy County Administrator.

PASSED THIS 21ST DAY OF JUNE, 2006 AT SYCAMORE, ILLINOIS

ATTEST:

SIGNED:

Sharon Holmes
County Clerk

Ruth Anne Tobias
County Board Chairman

RESOLUTION R2006-37

**TO EXTEND THE FILING DEADLINE TO DECEMBER 31, 2006
FOR THE SENIOR CITIZEN ASSESSMENT FREEZE HOMESTEAD EXEMPTION**

WHEREAS, the Senior Citizen Assessment Freeze Homestead Exemption total household income limit has been increased from \$45,000 to \$50,000 by Public Act 94-794 signed into law by Governor Blagojevich on May 21, 2006,

WHEREAS, the deadline to file for the original exemption was July 7, 2006 and this revision of the legislation had created the need for an extension of the filing deadline and,

WHEREAS, allowing an extension of the filing deadline will provide the Chief County Assessment Officer sufficient time to communicate the revised income limitation via local newspapers and radio stations to assure that eligible senior citizens are provided sufficient notification and opportunity to avail themselves of this beneficial program, and

WHEREAS, the Chief County Assessment Officer therefore recommends that the County Board support, by acceptance of this resolution, an extension of the filing deadline until December 31, 2006.

NOW THEREFORE BE IT RESOLVED that the DeKalb County Board does hereby concur with the recommendation set forth by the Chief County Assessment Officer and does approve and direct the Chief County Assessment Officer to provide timely notification to the senior citizens of the County that the filing deadline has been extended to provide those citizens of the County who may now be eligible a fair and sufficient opportunity to apply.

PASSED AT SYCAMORE, ILLINOIS THIS 21st DAY OF June 2006 A.D.

Chairman, DeKalb County Board

ATTEST:

County Clerk

R E S O L U T I O N
R2006-38

WHEREAS, bids have been invited for improvements on a bridge project located on Chicago Road, West of Sleepy Hollow Road, in DeKalb County, and

WHEREAS, D. R. Gilbert & Son, from Rochelle, Illinois has submitted the low bid meeting specifications,

NOW, THEREFORE, BE IT RESOLVED, by the DeKalb County Board that it does approve the award as set forth herein below:

D. R. GILBERT & SON:

(a) in the amount of one hundred sixty-five thousand seven hundred ninety-two dollars and no cents (\$165,792.00) for the replacement of a box culvert on Chicago Road over a branch of Indian Creek, identified as section number 05-00209-CF-BR.

PASSED AT SYCAMORE, ILLINOIS THIS 21ST DAY OF JUNE, 2006 A.D.

Chairman, DeKalb County Board

ATTEST:

County Clerk

RESOLUTION R2006-39

Whereas, the Governor has signed PA – 94-0798 providing reimbursement to counties for the salary cost of Public Defenders, and

Whereas, the County of DeKalb has previously treated the Office of Public Defender as a part-time position allowing those occupying that office to maintain a private practice if they wished to, and

Whereas, the compensation for a full-time Public Defender must be equal to 90% of the current States Attorneys salary, and

Whereas, the Law and Justice Committee of DeKalb County having studied the issue recommends that the County of DeKalb convert the office of the Public Defender to a full-time position and apply for reimbursement from the State of Illinois Department of Revenue, and

Whereas, it was further recommended that the participation of the County in the future be contingent upon the continuation of the State of Illinois reimbursement program that provides for the State to pay 2/3 and the County 1/3 of the Public Defenders salary, and

It was further recommended that the Public Defender relinquish any claim to compensable time off as a departing member of upper management.

NOW, THEREFORE, BE IT RESOLVED THAT the DeKalb County Board does concur in the recommendations of the Law and Justice Committee and does approve the participation of DeKalb County in the Public Defenders reimbursement program and the declaration of the Public Defenders Office as full-time. The County agrees to maintain the Public Defenders salary at 90% of that of the DeKalb County States Attorney provided that the State of Illinois continues to reimburse the County of DeKalb for 2/3 of the cost of that salary and the Public Defender relinquishes any claim to compensable time off. Effective July 1, 2006.

PASSED AT SYCAMORE, ILLINOIS THIS 21ST DAY OF JUNE 2006 A.D.

ATTEST:

SIGNED:

Sharon Holmes
County Clerk

Ruth Anne Tobias
County Board Chairman

RESOLUTION
R2006-40

Establishing Uniform Real Estate Transfer Tax

WHEREAS, pursuant to 55 ILCS 5/5-1031, the County Board has previously imposed a tax on the privilege of transferring title to real estate situated in DeKalb County for all transfers on which the County also collects a transfer tax for the State of Illinois pursuant to 35 ILCS 200/31-10; and

WHEREAS, Public Act 93-657 became effective June 1, 2004 and made certain changes in the Real Estate Transfer Tax authorized under the Illinois Revenue Code (35 ILCS 200/31-10) to impose such a tax on the privilege of transferring a controlling interest in a real estate entity owning property located in Illinois, including a lessee's interest in certain ground leases, and

WHEREAS, said Public Act 93-657 failed to authorize counties to collect the transfer tax on such transfers of controlling interests, thereby inadvertently creating an inconsistency in the manner in which transfer taxes may be imposed by the state and the county respectively; and

WHEREAS, in order to rectify this inconsistency, Public Act 93-1099 will become effective June 1, 2005, authorizing counties to also impose a tax on the transfer of a controlling interest in a real estate entity owning property located in Illinois, including a lessee's interest in certain ground leases; and

WHEREAS, the County Board has determined it is appropriate and beneficial for the effective administration of the transfer tax that there be a uniform application of such tax imposed by the county and the state respectively.

NOW, THEREFORE, BE IT RESOLVED by the County Board of DeKalb County that effective July 1, 2006 and pursuant to Public Act 93-1099 and 55 ILCS 5/5-1031, there is hereby imposed a tax on the privilege of transferring a controlling interest in a real estate entity owning property located in DeKalb County, including a lessee's interest in certain ground leases, in the amount of \$.25 per \$500 consideration or fraction of \$500 value declared in the real estate transfer declaration required by 35 ILCS 200/31-25, such tax to be in addition to any and all transfer tax currently authorized for collection by the county.

PASSED THIS 21ST DAY OF JUNE, 2006 AT SYCAMORE, ILLINOIS, A.D.

ATTEST:

SIGNED:

Sharon Holmes, County Clerk

Ruth Anne Tobias, Chairman