

COUNTY BOARD PROCEEDINGS

April 18, 2007

The DeKalb County Board met in regular session at the Legislative Center on Wednesday, April 18, 2007. Chairman Tobias called the meeting to order and the Clerk called the roll. Those Members present were Mr. Walt, Ms. Vary, Mrs. Turner, Mr. Stuckert, Mr. Stoddard, Mr. Steimel, Mr. Rosemier, Mr. Metzger, Mr. Lyle, Ms. LaVigne, Mr. Hulseberg, Mr. Haines, Mr. Gudmunson, Ms. Fullerton, Ms. Fauci, Mr. Faivre, Mrs. Dubin, Ms. De Fauw, Mr. Augsburg, Larry Anderson, Ken Andersen, Mrs. Allen, Chairman Tobias. One Member, Mr. Osborne was absent. Twenty-three Members were present and one Member was absent.

The Chair asked Mr. Haines to lead the pledge to the flag.

APPROVAL OF MINUTES

Motion

Mr. Faivre moved to approve the Minutes of March 21, 2007 meeting. Mrs. Turner seconded the motion.

Voice Vote

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

APPROVAL OF AGENDA

Motion

Mr. Stuckert moved to approve the Agenda and Ms. Vary seconded the motion.

Motion to Omit

Mr. Rosemier asked to omit R2007-24.

Voice Vote

The Chair asked for a voice vote on the approval as amended. All Members present voted yea. Motion carried unanimously.

COMMUNICATIONS AND REFERRALS

Chairman Tobias congratulated Joan Berkes Hanson on her election to the DeKalb Park District Board. She then acknowledged the Service Awards for April.

Chairman Tobias gave a 15 Minute presentation on the "State of the County".

APPOINTMENTS

Chairman Tobias recommended the following appointments: Board of Review - Gerald Wahlstrom and Marlin Chaplin, both reappointments for a two year term, until April 30, 2009; Workforce Investment Board - Jeff Whelan, appointment for a two year term, until April 30, 2009; Ad Hoc Solid Waste Committee - Kenneth Andersen, to fill the unexpired term of Steve Slack, until July 1, 2007;

Regional Planning Commission - Frank Altmaier, primary representative for the Village of Kingston, reappointment for a three year term, until April 1, 2010 and Jerry Thompson, primary representative for the Village of Malta, reappointment for a two year term, until April 1, 2009.

Motion

Larry Anderson moved to approve the appointments as presented. Ms. LaVigne seconded the motion.

Voice Vote

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

PERSONS TO BE HEARD FROM THE FLOOR

The following individuals requested time to speak to Agenda Items at the appropriate time:
Mr. James Sheridan - spoke in support for the Health Workers Union in their contract negotiations.

Robert Skabo - spoke to help clarify issues regarding negotiations with the Potawatomi Tribe.

Mac MacIntyre - addressed the "Shabbona Issues", on behalf of the land in question to be returned to the Prairie Band Potawatomi Nation.

Sue Jacobson - "Residents of Shabbona would like to have an opportunity to have input in issues". She presented 182 signatures opposing gambling in Shabbona.

Michael Rosetti - (attorney for the Potawatomi Nation) - re: "Agreement of Purpose the Potawatomi Nation" had no input in drafting the document, they want a frame work to move forward.

Tracy Stanhoff -(representing the Potawatomi Nation) - they have been working to re establish their presence on land they call home. They have invested a lot of time and money in this endeavor.

Robert Purdy - is asking the Board to faithfully follow established law.

James Johnson - (Shabbona Township Supervisor) - clarifying the location of property in question on Township Roads. Village and Township cover most of the services to the property. Public input has not been asked for or provided.

Joe Wiegand - Addressed gambling issues in Shabbona - strongly urges County Board to proceed with caution and allow public input - perhaps through a question on the ballot.

Jordan Gallagher - The Potawatomi Tribe has been open and has invited all to attend open meetings. The Tribe wants to talk if County Board agrees.

REPORTS FROM STANDING COMMITTEES

PROCLAMATION

Protecting the Environment P2007-01

Chairman Tobias read a Proclamation in support of protecting the environment and announced a poster contest for area sixth graders.

PLANNING & ZONING COMMITTEE

Resolution R2007 - 25: Approval of a License for Landfill Annual Renewal

Motion

Mr. Steimel moved to approve a Resolution recommending the renewal of a county permit to operate the DeKalb County Sanitary Landfill to Waste Management of Illinois for the period of May 1, 2007 to April 30, 2008. Mr. Haines seconded the motion.

Voice Vote

The Chair asked for a voice vote on the Resolution. All Members present voted yea. Motion carried unanimously.

Ordinance 2007 - 11: Heyob Use Variation Request

Motion

Mr. Steimel moved to approve a Resolution allowing the petitioners to construct one single-family detached dwelling on an agriculturally-zoned parcel of less than 40 acres in size. Mr. Hulseberg seconded the motion.

Voice Vote

The Chair asked for a voice vote on the Ordinance. All Members present voted yea. Motion carried unanimously.

COUNTY HIGHWAY COMMITTEE

Resolution R2007 - 28: Reappointment of the County Engineer

Motion to Reappoint

Ms. LaVigne moved to approve a Resolution to reappoint Mr. William Lorence, the current County Engineer, for an additional six-year term effective June 23, 2007. Mr. Stoddard seconded the motion.

Voice Vote

The Chair asked for a voice vote on the reappointment. All Members present voted yea. Motion carried unanimously.

Resolution R2007 - 29: To Award the 2007 Road District Hot Mix Projects

Motion

Ms. LaVigne moved to approve a Resolution to award the 2007 Road District Hot mix projects to various companies. Larry Anderson seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Resolution. Those Members voting yea were Mr. Walt, Ms. Vary, Mrs. Turner, Mr. Stuckert, Mr. Stoddard, Mr. Steimel, Mr. Rosemier, Mr. Metzger, Mr. Lyle, Ms. LaVigne, Mr. Hulseberg, Mr. Haines, Mr. Gudmunson, Ms. Fullerton, Ms. Fauci, Mr. Faivre, Mrs. Dubin, Ms. De Fauw, Mr. Augsburger, Larry Anderson, Ken Andersen, Mrs. Allen and Chairman Tobias. All Members present voted yea. Motion carried unanimously.

Resolution R2007 - 30: Eminent Domain on Glidden Road

Motion

Ms. LaVigne moved to approve a Resolution recommending the authorization of eminent domain proceedings for one piece of property, parcel #20, currently owned by A. Anderson along Glidden Road. Mr. Augsburger seconded the motion.

Voice Vote

The Chair asked for a voice vote on the Resolution. A majority of the Members voted yea and four Members voted nay by a show of hands. Motion carried.

FINANCE COMMITTEE

Claims

Mr. Haines moved to approve the Claims presented for the current month in the amount of \$1,267,405.70 and Payroll & Emergency Claims from prior month in the amount of \$2,827,513.78. Mr. Metzger seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Claims. Those Members voting yea were Mr. Walt, Ms. Vary, Mrs. Turner, Mr. Stuckert, Mr. Stoddard, Mr. Steimel, Mr. Rosemier, Mr. Metzger, Mr. Lyle, Ms. LaVigne, Mr. Hulseberg, Mr. Haines, Mr. Gudmunson, Ms. Fullerton, Ms. Fauci, Mr. Faivre, Mrs. Dubin, Ms. De Fauw, Mr. Augsburger, Larry Anderson, Ken Andersen, Mrs. Allen, Chairman Tobias. All Members present voted yea. Motion carried unanimously.

Reports of County Officials

Mr. Haines moved to place on file the following reports of County Officials; Cash and Investments in County Banks - March 31, 2007; Planning and Zoning Building and Permits Reports - March, 2007; Public Defender's Report - March, 2007; Adult Court Services & Juvenile Report - March, 2007 and Jail Population Monthly Report - March, 2007. Ms. Fullerton seconded the motion.

Voice Vote

The Chair asked for a voice vote to place the Reports on file. All Members present voted yea. Motion carried unanimously.

EXECUTIVE COMMITTEE

Resolution R2007-26: Lease Agreement Between the County of DeKalb and the DeKalb County Supportive Living Facility

Motion

Ms. Vary moved to approve a Resolution to lease the county land in question for the DeKalb County Supportive Living Facility for \$1 per year and that it will be leased for 99 years.

Further the County Board approves the actions of the DeKalb County Supportive Living Facility Not-for Profit in adopting Amendments to the Articles of Incorporation; approving Bylaws for the regulation of the affairs of the Corporation and electing Veronica Casella, George Daugherty, Eileen Dubin, Nate Kloster, Ruth Ann Tobias and Richard Ubl as

Directors of the Corporation. The DeKalb County Board further directs its Chairman to perfect, and execute, pursuant to favorable legal review, any and all documents necessary to implement this project. Mr. Rosemier seconded the motion.

Voice Vote

The Chair asked for a voice vote on the Resolution. All members present voted yea. Motion carried unanimously.

Resolution R2007-27: Prairie Band of the Potawatomi Nation Agreement with the County of DeKalb, IL

Motion

Ms. Vary moved to approve a Resolution for the County of DeKalb and the Prairie Band of the Potawatomi Nation to enter into negotiations for an agreement for future services to facilitate the operation of a gaming facility on tribal owned lands within DeKalb County. Ms. Fauci seconded the motion.

Motion to Send Issue to Committee

Mr. Steimel moved to sent this issue to Planning and Zoning Committee and conduct public hearings on a county level. Larry Anderson seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the motion. Those Members voting yea were Mr. Stuckert, Mr. Steimel, Mr. Metzger, Mr. Lyle, Ms. LaVigne, Mr. Gudmunson, Ms. Fullerton, Mr. Faivre, Larry Anderson, Ken Andersen and Mrs. Allen. Those Members voting nay were Mr. Walt, Ms. Vary, Mrs. Turner, Mr. Stoddard, Mr. Rosemier, Mr. Hulseberg, Mr. Haines, Ms. Fauci, Mrs. Dubin, Ms. De Fauw, Mr. Augsburgur and Chairman Tobias. Eleven Members voted yea and twelve Members voted nay. Motion failed.

Motion to Amend

Mr. Walt moved to amend R2007-27 to include a public hearing in 45 days with written invitations to local citizens and legislators. Mr. Haines seconded the motion.

Motion to Table

Ms. Fullerton moved to table to next meeting. Ms. LaVigne seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the motion to table. Those Members voting yea were Mr. Stuckert, Mr. Steimel, Mr. Metzger, Mr. Lyle, Ms. LaVigne, Mr. Gudmunson, Ms. Fullerton, Mr. Faivre, Larry Anderson, Ken Andersen and Mrs. Allen. Those Members voting nay were Mr. Walt, Ms. Vary, Mrs. Turner, Mr. Stoddard, Mr. Rosemier, Mr. Hulseberg, Mr. Haines, Ms. Fauci, Mrs. Dubin, Ms. De Fauw, Mr. Augsburgur and Chairman Tobias. Eleven Members voted yea and twelve Members voted nay. Motion failed.

Roll Call Vote on Motion to Amend and Add a Public Hearing

The Chair called for a roll call vote on the motion to amend and include a public hearing within 45 days. Those Members voting yea were Mr. Walt, Ms. Vary, Mrs. Turner, Mr. Stoddard, Mr. Rosemier, Mr. Hulseberg, Mr. Haines, Mr. Gudmunson, Ms. Fullerton, Ms.

Fauci, Mr. Faivre, Mrs. Dubin, Ms. De Fauw, Mr. Augsburger, Larry Anderson, Ken Andersen, Mrs. Allen and Chairman Tobias. Those Members voting nay were Mr. Stuckert, Mr. Steimel, Mr. Metzger, Mr. Lyle and Ms. LaVigne. Eighteen Members voted yea and five Members voted nay. Motion carried.

Roll Call Vote on R2007-27 (as amended)

The Chair called for a roll call vote on the Resolution as amended. Those Members voting yea were Mr. Walt, Ms. Vary, Mrs. Turner, Mr. Stoddard, Mr. Rosemier, Mr. Hulseberg, Mr. Haines, Ms. Fauci, Mrs. Dubin, Ms. De Fauw, Mr. Augsburger, and Chairman Tobias. Those Members voting nay were Mr. Stuckert, Mr. Steimel, Mr. Metzger, Mr. Lyle, Ms. LaVigne, Mr. Gudmunson, Ms. Fullerton, Mr. Faivre, Larry Anderson, Ken Andersen and Mrs. Allen. Twelve Members voted yea and eleven Members voted nay. Motion carried.

OLD BUSINESS / NEW BUSINESS

There were no items for new or old business for this meeting.

ADJOURNMENT

Motion

Mr. Augsburger moved to adjourn the meeting. Ms. De Fauw seconded the motion.

Voice Vote

The Chair asked for a voice vote on the motion to adjourn. All Members present voted yea. Motion carried unanimously.

DeKalb County Board Chairman

ATTEST:

DeKalb County Clerk