

**DRAFT**  
**EXECUTIVE COMMITTEE**  
**MINUTES**  
**March 13, 2007**

The Executive Committee of the DeKalb County Board met on Tuesday, March 13, 2007 at 6:00p.m. at the Legislative Center's Gathertorium. Chairman Ruth Anne Tobias called the meeting to order. Members present were Eileen Dubin, Julia Fauci, Pat LaVigne, Bob Rosemier, Roger Steimel, Michael Haines and Richard Osborne. Ms. Vary was absent. Others present were Ray Bockman, Gary Hanson, Jerry Augsburger, Ken Andersen, John Hulseberg, Anita Turner, Larry Anderson, Vince Faivre, Steve Walt, Julia Fullerton, Margaret Whitwell, Christine Johnson, Jim Johnson, Elliott Milhollin, Dennis Whittlesey, Michael Rosetti of the Department of the Interior, Tracy Stanhoff, Tribal Chair of the Prairie Band Potawatomi Indian Nation, Jackie Mitchell, Rey Kitchkumme, and Jim Potter also of the Prairie Band Potawatomi Indian Nation.

**APPROVAL OF THE MINUTES**

**Moved by Mr. Haines, seconded by Ms. Dubin, and it was carried unanimously to approve the minutes from February 2007.**

**APPROVAL OF THE AGENDA**

**Moved by Mr. Steimel, seconded by Mr. Rosemier, and it was carried unanimously to approve the amended agenda.**

**APPOINTMENTS:**

**DeKalb Sanitary District :**

Mr. Patrick Conboy, appointment for a term of 3 years, until 03/01/2010.

**DeKalb County Board**

Mr. Paul Stoddard, appointment to fill the unexpired term of Jeff Whelan, until 12/1/2008.

**Mental Health 708 Board:**

Ms. Karen Wilkerson, appointment for the unexpired term of Norm Gilbert, until 12/31/2007.

**DeKalb County Farmland Assessment Review Committee :**

Mr. Kent Wesson, reappointment for a term of 3 years, until March 31, 2010.

Cortland Community Fire  
Protection District:

Mr. Bill Abbott

DeKalb Community Fire  
Protection District:

Mr. Gerald G. Latimer

Genoa-Kingston Community  
Fire Protection District:

Mr. Rex Nelson

Hinckley Community Fire  
Protection District:

Mr. Allen Bark

Kirkland Community Fire  
Protection District:

Mr. Ed Peterson

Malta Community Fire  
Protection District:

Mr. Bobbie Kyler

Shabbona Fire Protection  
District:

Mr. Robert Frazier

Somonauk Community Fire  
Protection District:

Mr. Mark Tuttle

Sycamore Community Fire  
Protection District:

Mr. Allen Roush

Waterman Community Fire  
Protection District:

Mr. Mark Rueff

All appointments are for terms of 3-  
years, until April 30, 2010.

Mr. Steimel said that the DeKalb Sanitary District has drawn a lot of interest by the community. Therefore, Mr. Steimel moved to have a separate vote from the rest of the appointments for the DeKalb Sanitary District.

Ms. LaVigne agreed with Mr. Steimel that she would also like to have it separated from the rest of the appointments.

Chairman Tobias asked, at this meeting or the County Board meeting?

Mr. Steimel said at this meeting so it is carried forth to the full board meeting.

Chairman Tobias called for any discussion on the issue.

Ms. Dubin said that she feels that it should not be done one way for years and years and then changed for one person to hold office. The vote should be either up or down.

Ms. Fauci agreed with Ms. Dubin.

Mr. Steimel said that it gives this committee to a full opportunity to address the different appointments. This one has drawn so much interest, we haven't even separated it from the others. He feels that it is the reasonable thing to do.

Chairman Tobias asked if it was a motion?

Moved by Mr. Steimel, and seconded by Mr. Rosemier to separate the appointment this appointment on the Sanitary District from the rest of the appointments. There were 3 yes votes and 5 no votes, motion failed. The five no votes were Mr. Haines, Ms. Fauci, Mr. Osborne, Ms. Dubin and Chairman Tobias. The three yes votes were Mr. Steimel, Mr. Rosemier and Ms. LaVigne.

Chairman Tobias asked if there was a motion to move these appointments to the full board for approval? **Moved by Ms. Fauci, seconded by Mr. Dubin to forward all of these appointment recommendations to the full board for approval.**

Mr. Steimel said that all of these emails that we have been receiving as board members and with some of the half truths in these letters, he just wanted to let people know that Cavel is not involved in this decision. Under the Sanitary District, it has been a blue ribbon outfit, they've had an excellent record. They have kept the taxes down, they've done their job, and if something is working well he doesn't feel that it needs to be changed. He will be voting no on the motion.

Mr. LaVigne said that she echoes those sentiments totally. Dr. Collins has done a fine job and she would like to see him stay in that position.

Ms. Dubin said that she understands all the comments, but she received a letter today from 54 voters who are very dissatisfied with the way in which they have been treated by the Sanitary District.

Mr. Rosemier talked with Mayor Van Buer , City Manager Biernacki, attended the Sanitary Board Executive Trustee meetings, and has spoken with Herb Rubin. He asked the Mayor if there was any evidence that the current Board of Trustees were not doing an adequate job. He did not get an answer from the Mayor, so he asked him if he could put him in touch with somebody who could answer that. He recommended Mr. Biernacki and then he met later Mr. Herb Rubin, who was speaking on behalf of the Mayor, and came up with some common ground. The full county board, with 24 people, which represent the full county was being asked to vote by law on something that pertains essentially to the City of DeKalb. Herb and he personally don't like it, but it is the law. They came to the agreement to pass on to the chairman that perhaps only the county board members whose districts reside within the City of DeKalb

could interview and do whatever else is necessary to come up with a recommendation to the county chair. He passed it on to the chair and it was her prerogative to accept it and she did not.

Chairman Tobias said for reasons of timing.

He tried to keep the people out of it. It isn't Mr. Collins, it isn't Mr. Conboy and it isn't Mayor Van Buer. He finds no evidence that they are not doing a good job. The city gave up its rights to the Sanitary District in 1987 and suddenly this past year and last year there has been a renewed interest by the City, that he wants to call controlling, and he questions the motives of this renewed interest. The Sanitary District is sitting on millions of dollars of money, which looks very appealing. They are required to do so by the EPA for technological advances, for repair, renewal and extension to new areas of the city.

He said okay, if it isn't that pot of money what else could it be? Is it incentives for development? He spoke with Dr. Collins about it and Dr. Collins said that they give the same incentives that the school district gives, which are property taxes. Not much money, unfortunately, that goes to the Sanitary District comes from property taxes, it's user fees.

As he looks at the bios of Mr. Collins and Mr. Conboy he sees a great disparity of. The current person on the Sanitary District seems highly qualified where the other resume seems rather sparse. Just because someone has been in a place for twelve years doesn't mean they should be replaced. If he had a well functioning company, he would not fire the CEO because he had been there for twelve years. He said that he plans on voting no on this motion.

Ms. Fauci said that she supports Mr. Conboy not because of the Cavel issue, which she feels is a separate issue. The problem that she has is with the culture of the Sanitary Board that has been on there too long. Five hundred dollars a month for compensation is way too much.

Mr. Rosemier asked how much do we get, \$400 a month?

Ms. Fauci said that she feels it is a little too high. She also said it is the time in which they meet at too, which is at noon, where an average person could not attend those meetings. She can't go because she works. There are projects coming along in the near future that the average person will not be able to attend.

Mr. Osborne said that he feels that our basic practices as a board is that we have agreed to have this decision handled at the discretion of the county board chair. We could change the way we handle appointments if the board wants to. He feels that the people being recommended by the chair in these appointments are competent individuals.

Mr. Haines said that he supports Mr. Conboy's appointment. Mr. Haines said that he feels that Mr. Conboy's qualifications are competent. He has been an alderman for the City of DeKalb for many years and he is an attorney.

**After a brief discussion the Chair called for a roll call vote on the motion made be Ms. Fauci and seconded by Ms. Dubin. There were 5 yes votes and 3 no votes, with the no votes being Mr. Steimel, Mr. Rosemier and Ms. LaVigne. Motion carried.**

**Appointments expiring for April 2007 are:**

Workforce Investment Act Board – 2 positions

Board of Review – 1 position

Regional Planning Commission – 4 positions (Kingston, Malta, and 2 from the City of DeKalb)

**COMMUNITY OUTREACH BUILDING**

Mr. Hanson said that at last month's meeting we discussed the possibility of building a second floor over a portion of the Community Outreach Building that is being built on the Health Facility campus. At that time this committee decided to wait a month to see what issues or questions might surface. We had some at the Finance Committee's meeting last week and they did not make a recommendation either way to this committee. They tried to listen to people and you have a recommended motion, which is to go forward with a second floor somewhere between 8,000 to 10,000 square feet and to build it as a shell, not to finish it off. It is not to designate any occupants at this time or when they might go, we will reserve that right to the county board at a future date. And to provide the funding from the General Fund Balance and the Opportunity Fund.

**Moved by Mr. Rosemier, seconded by Ms. Fauci, to forward this recommendation to the full board for approval.**

Mr. Steimel said that this item came before us a month ago and it was originally going to cost us \$2 million. We haven't really determined who is going to move there and that we are really crowded here on the Sycamore campus. The Sycamore Campus is supposed to be the head of county government and he feels strongly that if we get \$1.2 million that we can scrape up, then we should spend it here on the Sycamore campus. We don't have a building in progress to build it on, but that's a challenge for us to find. He can't see where we have issues here with space and we have kind of determined that we need to start to build a jail. He can't see building a shell on Annie Glidden Road and ship some of our people out there. He feels that it is a misdirection of funds and we don't have a long-term plan that we are working on. He is against this.

Mr. Haines said that he agrees with Mr. Steimel. He further stated that when we discussed this at the Finance Meeting one of the issues that we have dealt with is setting aside money we may have in the future in order to build a fund to deal with our overcrowded jail. It may require, in putting that money aside, that we have to in the near term deal with staffing issues, where we will

have to cut staff or provide staff without raises. To spend \$1.2 million dollars to add on a building with occupants yet to be decided is inappropriate. Where that money could be set aside to protect some of those positions temporarily, he further stated.

Mr. Bockman said that if you don't have space, or don't continue to acquire additional land and buildings, he expect that we will end up in rental spaces. He said that the best information that he has received on rental spaces is that there is a 40% up charge to occupy the rental spaces. If you feel that you can make it to 10 years without adding a probation officer, an attorney, a public defender or anyone in the Circuit Clerk's office, he feels that it probably will not work out. If you do add them you will need to add them somewhere, either in your building or someone else's building.

Mr. Haines said that the building is going to be built with money from multiple sources. The building will still be built. We are not talking about renting as a long-term solution, either. What we are talking about is determining whether or not the County's savings plan for the jail is something that is going to cause us to have to lose staff, which means services, which is what you told us it would do. So, if it is going to cost us to lose staff and services then he would rather not lose staff and not put this second floor on.

Mr. Bockman said that he told the committee that you will not have the money now nor will you have it in the future to solve the jail building and staffing problem.

Mr. Haines said that even if we put the money aside, which we have decided to do....

Mr. Bockman said that it will take off \$1.2 million today off the table.

Ms. Dubin said that she feels that we would be short-sighted if we do not look ahead. She does not want to take the money away from the staff. She feels that it would be a wise thing to put a shell up. Ms. Dubin further stated, we know that we are growing, this County is growing by leaps and bounds.

Mr. Hanson said that it is hard to spend money now for tomorrow. In addition to population increases you have to remember that we see this as being used by the health services area eventually.

**After further discussion, it was carried to forward this motion to the full board for approval. There was a roll call vote, with 3 no votes and 5 yes votes. The three no votes were Mr. Steimel, Mr. Haines and Ms. LaVigne.**

#### **DISCUSSION WITH THE PRAIRIE BAND POTAWATOMI INDIAN TRIBE**

Chairman Tobias turned the meeting over to State's Attorney Ron Matekaitis. Mr. Matekaitis briefly summarized what this committee has done in the recent past with regards to certain directions that were given for negotiation

purposes with the Potawatomi Indian tribe. The direction was that negotiations could only begin with the Tribe agreeing to send a letter to the appropriate representative of the Federal government seeking a clarification of the status of their claim. A few weeks ago the Tribe contacted the County and asked if they could make a presentation to the Executive Committee and explain why they felt they do not have to present a letter.

The committee heard comments and views by the representatives of the Tribe and their lawyers, a historian for the tribe, and the County's lawyers regarding a variety of related topics and documents.

The attorneys representing the Indians stated that if the County was to begin negotiations with the Indians and move forward on them and then there is a lawsuit, the tribe will bear the costs.

Chairman Tobias said that since our attorney, Mr. Dennis Whittlesey, has just received more papers from the Tribe's lawyers this evening, that he will need time to review them and get back to us. There will be no action taken tonight. She thanked everyone involved in the presentation this evening, especially the Potawatomi Indian Tribe.

#### **APPROVAL OF THE COUNTY BOARD AGENDA**

Mr. Ray Bockman, County Administrator, reviewed the county board agenda for the board meeting to be held on March 21, 2007. Mr. Haines asked to have the second sentence under the Planning and Zoning item regarding the Water Authority removed from the agenda. Ms. Fauci asked to have an Executive Session for Land Acquisition be added to the Forest Preserve section of the agenda.

**Moved by Mr. Rosemier, seconded by Mr. Haines, and it was carried unanimously to forward the amended county board agenda to the full county board for approval.**

#### **GENERAL DISCUSSION**

Mr. Steimel, Chairman of the Planning and Zoning Committee, said that that his committee has one item coming to the board, which is the Water Authority issue.

Mr. Haines, Chairman of the Finance Committee, said that they heard from Mr. Hanson with regards to the 1<sup>st</sup> Financial Quarterly Report and information on discretionary funds that the county can and cannot control.

Ms. LaVigne said that her committee is sending four items to the county board this month. She also said that the highway department has surpassed their salt budget and they don't have anymore because the barge carrying it up the Mississippi River was stuck. She believes currently it is moving up river again.

Mr. Fauci, Chairman of the Forest Preserve Committee, said that they are holding an Executive Session at the county board meeting this month regarding Land Acquisition.

Mr. Rosemier, Chairman of the Health and Human Services Committee, said that they heard from Mr. Dan Templin regarding the needs assessment initiative.

Mr. Osborne, Chairman of the Law and Justice Committee, said that his committee is forwarding the Public Defender's Compensation Resolution.

Ms. Dubin, Chairman of the Economic Development Committee, said that they have spent a couple of meetings recently discussing the tax abatement issue and questions. They are trying to get a better understanding on what Tax Abatements mean. They will be discussing questions on tax abatements at their next meeting.

**ADJOURNMENT**

**Moved by Mr. Rosemier, seconded by Ms. LaVigne, and it was carried unanimously to adjourn the meeting.**

Respectfully submitted,

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Chairman Ruth Anne Tobias

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Mary C. Supple, Secretary

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