

COUNTY BOARD PROCEEDINGS

February 20, 2008

The DeKalb County Board met in regular session at the Legislative Center on Wednesday, February 20, 2008. Chairman Tobias called the meeting to order and the Clerk called the roll. Those members present were Mr. Walt, Mrs. Turner, Mr. Stuckert, Mr. Stoddard, Mr. Steimel, Mr. Rosemier, Mr. Osborne, 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 and Chairman Tobias. One Member, Ms. Vary was absent. Twenty-three Members were present and one Member was absent.

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

APPROVAL OF MINUTES

Motion

Mr. Stuckert moved to approve the Minutes of January 16, 2008. Ms. Fauci 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. Rosemier moved to approve the Agenda and Mrs. Turner seconded the motion.

Voice Vote

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

COMMUNICATIONS AND REFERRALS

The Chairman asked Mr. Stoddard to read a Proclamation regarding the tragedy at NIU. This Proclamation was approved by acclamation.

Service awards were acknowledged. Mary Ramp was recognized for her twenty years of service for Director of Community Services.

APPOINTMENTS

Chairman Tobias recommended the following appointment: Metropolitan Planning Organization - Patricia LaVigne, reappointment for a one year term, until February 1, 2009.

Motion

Mrs. Turner moved to approve the appointment as presented. Mrs. Allen seconded the motion.

Voice Vote

Chairman Tobias asked for a voice vote on the appointment. All Members present voted yea. Motion carried unanimously.

PERSONS TO BE HEARD FROM THE FLOOR

The following individuals requested time to speak. Wayne Fesler of DeKalb spoke about the meeting at the Nursing Home last week and spoke against the agreement with the Prairie Band of the Potawatomi Nation.

Dr. Purdy of Shabbona spoke against the agreement with the Prairie Band of the Potawatomi Nation and asked the Board to have another attorney look at the agreement document.

REPORTS FROM STANDING COMMITTEES

PLANNING AND ZONING COMMITTEE

Ordinance R2008 - 01 Underdog Trucking Special Use Permit Request

Motion

Mr. Steimel moved to approve an Ordinance allowing for a petition for a Special Use Permit as an agribusiness in order to allow for the continued operation of a trucking business on property located at 17936 Jerico Road in Squaw Grove Township. Mr. Lyle seconded the motion.

Voice Vote

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

PLANNING AND ZONING COMMITTEE

Ordinance R2008 - 02: Flink Brothers Special Use Permit Request

Motion

Mr. Steimel moved to approve an Ordinance to allow a home occupation business, in the form of lawn mower repair and maintenance, on property located at 16738 Brickville Road in Sycamore Township. Mrs. Allen Seconded the motion.

Voice Vote

The Chair asked for a voice vote on the Ordinance. A majority of the Members voted yea and one Member voted nay. Motion carried.

Resolution R2008 - 05: Intergovernmental Agreement Regarding the City of DeKalb Well

Site 15

Motion

Mr. Steimel moved to approve a Resolution to allow the City of DeKalb's proposal to transfer zoning and building authority from the County of DeKalb to the City of DeKalb. The City of DeKalb owns and operates a City well on property located on the east side of Nelson Road, approximately 970 feet north of State Route 38, in DeKalb Township. The property is zoned A-1, Agricultural District. Because of the 0.2-acre parcel is a City Facility, The City of DeKalb has proposed the Intergovernmental Agreement. Mrs. Turner seconded the motion.

Voice Vote

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

COUNTY HIGHWAY COMMITTEE

Resolution R2008 - 09: Bid Award for the 2008 County/Road Districts Seal Coat

Motion

Ms. LaVigne moved to approve a Resolution to award the seal coat bid to the lowest bidder meeting specification, Road Oil, Inc., of Granville, Illinois, in the amount of \$1,307,144.00. 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, Mrs. Turner, Mr. Stuckert, Mr. Stoddard, Mr. Steimel, Mr. Rosemier, Mr. Osborne, 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 R2008 - 10: Bid Award For 2008 Road District Aggregate Spread on Road (SOR)

MFT Projects

Motion

Ms. LaVigne moved to approve a Resolution to award the aggregate bids to Macklin, Inc., of Rochelle, IL., in the amount of \$42,066.00 for 5,400 tons of aggregate surface course spread on road on Twombly Road in Malta Road District, and to Fisher Excavating, Inc., of Freeport, IL., in the amount of \$18,725.00 for 2,500 tons of aggregate surface course spread on road on Bend and Sleepy Hollow Roads in Paw Paw Road District. Mr. Augsburger seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Resolution. Those Members voting yea were Mr. Walt, Mrs. Turner, Mr. Stuckert, Mr. Stoddard, Mr. Steimel, Mr. Rosemier, Mr. Osborne, 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 R2008 - 11: Jurisdictional Transfer of South First Street from Afton Road District to DeKalb County

Motion

Ms. LaVigne moved to approve a Resolution to allow South First Street from Gurler Road and proceeding Southwesterly to Perry Road, a distance of 17,476 feet or 3.31 miles located in T.39N.R.4E of the Third Principal Meridian, and with the Department of Transportation approval, be transferred to DeKalb County and removed from the Afton Road District Road System. Mr. Stoddard seconded the motion.

Voice Vote

The Chair called for a roll call vote on the Resolution. All Members present voted yea. Motion carried unanimously.

Resolution R2008: 12: Jurisdictional Transfer of South First Street From DeKalb Road District to DeKalb County

Motion

Ms. LaVigne moved to approve a Resolution allowing South First Street from Gurler Road District and proceeding northeasterly for a distance of 1142.9 feet or 0.216 miles located in T.40N.R.4E of the Third Principal Meridian. And with the Department of Transportation approval, be transferred to DeKalb County and removed from the DeKalb Road District Road System. Mr. Walt seconded the motion.

Voice Vote

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

Resolution R2008 - 13: Bid Award for the Purchase of One New Plow, Wing and Box and Two Spreaders

Motion

Ms. LaVigne moved to approve a Resolution to award the bid to the lowest bidder meeting specifications, Monroe Truck Equipment of Monroe, Wisconsin, in the amount of \$82,792.00 for the purchase of one new snow plow, frame, Hydraulic system, dump body, wing and two spreaders. Mrs. Turner seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Resolution. Those Members voting yea were Mr. Walt, Mrs. Turner, Mr. Stuckert, Mr. Stoddard, Mr. Steimel, Mr. Rosemier, Mr. Osborne, 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 and Chairman Tobias. All Members present voted yea. Motion carried unanimously.

LAW AND JUSTICE COMMITTEE

Resolution R2008 - 04: Juvenile Detention Agreement

Motion

Mr. Osborne moved to approve a Resolution to enter into an Intergovernmental Agreement with the County of Kane to use their Juvenile Detention Center Facility for the detention of juvenile offenders. Mrs. Allen seconded the motion.

Voice Vote

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

FINANCE COMMITTEE

Resolution R2008 - 06: Property Tax Abatement Related to 2005 Bonds

Motion

Mr. Haines moved to approve a Resolution that a portion of the \$977,385 property tax levy for the 2007 Tax Year, which was levied for the lease agreement for the retirement of the debt on the 2005 Health Facility Re-Financing Bond Issue, is hereby abated in the amount of \$527,385 and that a certified copy of this Resolution should be filed with the DeKalb County Clerk within fifteen days. Ms. Fullerton seconded the motion.

Voice Vote

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

Resolution R2008 - 07: Expansion of Credit for IMRF Service Related to Military Service

Time

Motion

Mr. Haines moved to approve a Resolution that the County Board elects to allow up to four years of IMRF service credit to members who served in the armed forces of the United States based on like years of military service that was either prior to their participation in the Illinois Municipal Retirement Fund or where their IMRF service was interrupted by military leave and the member did not return to IMRF participation within 90 days of discharge. This Resolution is not limited to a specific military operation and that the County Clerk shall file a certified copy of this Resolution with the Board of Trustees of the Illinois Municipal Retirement Fund and that this Resolution shall remain in full force and effect until modified or rescinded and notice of such modification or rescission has been filed with the Board of Trustees of the Illinois Municipal Retirement Fund. Ms. Fauci seconded the motion.

Voice Vote

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

Resolution R2008 - 08: Amendment to the Flexible Benefits (Cafeteria) Plan for Employees

Motion

Mr. Haines moved to approve a Resolution that the DeKalb County jF13xible Benefit (Cafeteria) Plan is amended, as documented in the attached Exhibit A, beginning with the 2008 Flexible Benefit Year which began January 1, 2008 and that the proper officers shall act as soon as possible to notify employees of the adoption of this Amendment by delivering to each employee a copy of the summary description of the changes to the Plan in the form of the Summary Plan Description - Material Modification as attached to this Resolution as Exhibit B. Ms. Fullerton seconded the motion.

Voice Vote

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

Resolution R2008 - 14: FY2007 Year-End Budget Transfers

Motion

Mr. Haines moved to approve a Resolution that the County's Fiscal Year was changed to January 1st from December 1st during the 2007 Fiscal Year and that the Fiscal Year 2007 Budget Adjustments, with the increases being as outlined on the attached two sheets, are approved and that the funds necessary to cover the additional expenses that exceed the originally adopted budget will come from unanticipated revenues and from monies available in the various fund balances.

Voice Vote

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

Resolution R2008 - 15: Approval of Participation in a Fiber Optic Cable Project

Motion

Mr. Haines moved to accept a Resolution approving the County's participation in the DeKalb Fiber Optic's cabling project at the total projected initial cost to the County of \$125,000 which is appropriated from the County's Opportunity Fund and the Chair of the County Board is authorized to sign the applicable contract documents after review by the State's Attorney's Office. Mr. Metzger seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Resolution. Those Members voting yea were Mr. Walt, Mrs. Turner, Mr. Stuckert, Mr. Stoddard, Mr. Steimel, Mr. Rosemier, Mr. Osborne, 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 and Chairman Tobias. All Members present voted yea. Motion carried unanimously.

Claims

Mr. Haines moved to approve the Claims presented for the Current Month in the amount of \$2,589,610.56; Emergency Claims in the amount of \$736,035.48; Payroll Charges in the amount of \$2,472,181.84 and Rehap & Nursing Center in the amount of \$515,876.46 which represents current claims and monies paid during the previous month totaling \$6,313,704.34. Mrs. Dubin seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Claims. Those Members voting yea were Mr. Walt, Mrs. Turner, Mr. Stuckert, Mr. Stoddard, Mr. Steimel, Mr. Rosemier, Mr. Osborne, 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 and 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 - January, 2008; Planning and Regulations Building and Permits Reports - January, 2008; Public Defender's Report - for the month of January, 2008; Adult Court Services & Juvenile Report - for the month of December, 2007 and Jail Population Report - for the month of December, 2007. Mr. Hulseberg seconded the motion.

Voice Vote

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

EXECUTIVE COMMITTEE

Ordinance 2008 - 03: Public Approval Ordinance

Motion

Mr. Haines moved to approve an Ordinance authorizing the public approval of the issuance of certain collateralized Single Family Mortgage Revenue Bonds and certain documents in connection therewith; and related matters. 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 R2008 - 01: Intergovernmental Agreement with the Prairie Band of the Potawatomi Nation and the County of DeKalb, Illinois

Motion

Mr. Haines moved to accept a Resolution approving the intergovernmental Agreement with the Prairie Band of the Potawatomi Nation and the County of DeKalb, IL., and the County Board directs its Chairman to execute copies of the Agreement and the County Clerk to provide executed copies to the Tribal Council of the Prairie Band of the Potawatomi Nation. Mrs. Allen seconded the motion.

Motion to Amend

Mr. Steimel moved to amend the agreement that DeKalb County would have zoning authority over this land until Washington DC makes their decision regarding the Reservation. Mr. Faivre seconded the motion.

Roll Call Vote

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

Roll Call Vote

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

Resolution R2008 - 16: Support the Soil and Water Conservation District Fund

Motion

Mr. Haines moved to approve a Resolution to support the full funding and immediate release of the Soil and Water Conservation District allocation through the State of Illinois. Mr. Hulseberg seconded the motion.

Voice Vote

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

OLD BUSINESS / NEW BUSINESS

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

ADJOURNMENT

Motion

Mr. Walt moved to adjourn the meeting. Mrs. Turner 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