

## COUNTY BOARD PROCEEDINGS

March 18, 2009

The County Board met in regular session at the Legislative Center on Wednesday, March 18, 2009. Chairman Tobias called the meeting to order and the Clerk called the roll. Those Members present were Mrs. De Fauw, Mrs. Dubin, Mr. Emerson, Ms. Fauci, Mr. Gudmunson, Mr. Haines, Mr. Hulseberg, Ms. LaVigne, Mr. Metzger, Mr. Newport, Mr. Oncken, Mr. Osborne, Mr. Stoddard, Mr. Stuckert, Mr. Todd, Mrs. Turner, Ms. Vary, Mr. Walt, Mrs. Allen, Mr. Augsburger and Chairman Tobias. Those Members absent were Ken Andersen, Larry Anderson and Mr. Chambliss. Twenty-one Members were present and three Members were absent.

The Chair asked Ms. Fauci to lead the pledge to the flag.

### APPROVAL OF MINUTES

#### Motion

Mr. Walt moved to approve the Minutes of February 18, 2009. Ms. Vary seconded the motion.

#### Voice Vote

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

### APPROVAL OF AGENDA

#### Motion

Mrs. Turner moved to approve the Agenda and Ms. LaVigne seconded the motion.

#### Voice Vote

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

### COMMUNICATIONS AND REFERRALS

Save the Date , May 12, 2009, There is an Open House for the New County Outreach Building.

The March Service Awards were acknowledged by Chairman Tobias.

### APPOINTMENTS

Chairman Tobias recommended the following appointments: DeKalb Sanitary District - Timothy Struthers, reappointment for a three year term, until March 31, 2012; DeKalb County Nursing Home Foundation Board - Joan Watson-Protano appointment for a three year term, until March 31, 2012; Regional Planning Commission - Kenneth Andersen, Representative for DeKalb County, reappointment for a three year term, until March 31, 2012; Cheryl Aldis, Representative for Town of Cortland, reappointment for a three year term, until March 31, 2012;

Bill Nicklas, Representative for City of Sycamore; reappointment for a three year term, until march 31, 2012; Brian Gregory, Alternate for City of Sycamore, reappointment for a three year term, until march 31, 2012; Jerry Olson, Representative for Village of Lee, and Martha May, Alternate for Village of Lee, both reappointment for a three year term, until March 31, 2012; Donald Pardridge, Representative for Village of Shabbona, reappointment for a three year term, until March 31, 2012; Claudia Hicks, Alternate for Village of Shabbona, reappointment for a three year, until March 31, 2012; Bill Beverly, Representative for City of Sandwich, reappointment for a three year term, until March 31, 2012; Cortland Fire Protection District - Robert Jordal, reappointment for a three year term, until march 31, 2012; DeKalb Fire Protection District - Charles J. Faivre, reappointment for a three year term, until March 31, 2012; Genoa-Kingston Fire Protection District - Elmer T. Hughes, reappointment for a three year term, until March 31, 2012; Hinckley Fire Protection District - Gale A. Nehring, reappointment for a three year term, until March 31, 2012; Shabbona Fire Protection District - Gerald Hinkston, reappointment for a three year term, until March 31, 2012; Sycamore Fire Protection District - Tracy Jones, reappointment for a three year term, until March 31, 2012; Waterman Fire Protection District - Roger Thorpe, reappointment for a three year term, until March 31, 2012; Kirkland Fire Protection District - Kevin Aves, appointed for a three year term, until March 31, 2012; Maple Park & Countryside Protection District - Gerald A. Hartmann, reappointed for a three year term, until March 31, 2012; Malta Fire Protection District - Robert Gommel, reappointed for a three year term, until 31, 2012; and Lee Community Fire Protection District - Robert Gochee, reappointed for a three year term, until March 31, 2012.

#### Motion

Ms. LaVigne moved to approve the appointments as presented. Mr. Hulseberg seconded the motion.

#### Voice Vote

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

### **APPOINTMENTS EXPIRING FOR APRIL 2009**

- a. Board of Review - 2 positions
- b. Farmland Assessment Review Committee - 1 position
- c. River Valley Workforce Investment Act Board - 1 position

### **PERSONS TO BE HEARD FROM THE FLOOR**

The Following individuals requested time to speak to Agenda Items at the appropriate time; Dale Hokstra and Lee Addleman from Waste Management were here to answer questions regarding item R2009 - 11 of the Ad Hoc Solid Waste Committee.

Sue Goralisch requested time to speak under Item R2009 -11 of the Ad Hoc Solid Waste Committee.

Cortland Mayor, Robert Seyller, requested time to speak under Item R2009-11 of the Ad Hoc solid Waste Committee.

Sherry Helmuth requested time to speak about how to communicate with the County Board Members.

Ron Flex requested time to have the previous question of how to communicate with County Board Members clarified.

Dave Yaeger, Roger Steimel and Bob Faivre requested time to speak about R2009-11 of the Ad Hoc Committee.

## **REPORTS FROM STANDING COMMITTEES**

### **PLANNING AND ZONING COMMITTEE**

#### **Ordinance 2009-02: Elite Mobile Services Special Use Permit Request**

##### Motion

Ms. Vary moved to accept an Ordinance to approve a Special Use Permit for a business including construction trailer repair and storage on property located at 10211 Keslinger Road in Afton Township. 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.

#### **Ordinance 2009-03: Aurora Sportsmen's Club Amendment to a Special Use**

##### Motion

Ms. Vary moved to approve an Ordinance to amend a Special Use Permit Granted by Ordinance 2005-07 on March 16, 2005 to the Aurora Sportsmen's Club for the construction and operation of a gun club and recreational camp on 753 acres generally located southwest of the Village of Waterman in Clinton Township, with most of the activities to take place on 108 acres located on the north and south side of Rueff Road, west of Waterman Road. The petitioner is now proposing to phase in other site improvements and structures over a period of years rather than build them all at once, and has reduced the property to 518 acres in total. Mrs. Turner 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 R2009-12: Local Agency Agreement for Federal Participation for Resurfacing of Perry Road**

##### Motion

Ms. LaVigne moved to approve a Resolution in anticipation of obtaining stimulus funding the County of DeKalb is preparing projects. One of those projects is the resurfacing of Perry Road from Lee County Line to Somonauk Road South. This project will be ready to go when the funding is available. This Local Agency Agreement with Federal Participation would accomplish this goal and would secure 80% funding from Federal/State funds should the project get selected. The cost of the Perry Road project is \$2,306,546.00 with the County's share being \$441,309.00.

Mr. Osborne seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Resolution. Those Members voting yea were Mrs. De Fauw, Mrs. Dubin, Mr. Emerson, Ms. Fauci, Mr. Gudmunson, Mr. Haines, Mr. Hulseberg, Ms. LaVigne, Mr. Metzger, Mr. Newport, Mr. Oncken, Mr. Osborne, Mr. Stoddard, Mr. Stuckert, Mr. Todd, Mrs. Turner, Ms. Vary, Mr. Walt, Mrs. Allen, Mr. Augsburger and Chairman Tobias. All Members present voted yea. Motion carried unanimously.

**Resolution R2009-13: Bid Award for DeKalb County's 2009 Seal Coat Projects**

Motion

Ms. LaVigne moved to approve a Resolution to award the 2009 DeKalb County Seal Coat Project to Road Oil Services from Granville, Illinois, who submitted the lowest bid of \$675,010.10. Mrs. Allen seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Resolution. Those Members voting yea were Mrs. De Fauw, Mrs. Dubin, Mr. Emerson, Ms. Fauci, Mr. Gudmunson, Mr. Haines, Mr. Hulseberg, Ms. LaVigne, Mr. Metzger, Mr. Newport, Mr. Oncken, Mr. Osborne, Mr. Stoddard, Mr. Stuckert, Mr. Todd, Mrs. Turner, Ms. Vary, Mr. Walt, Mrs. Allen, Mr. Augsburger and Chairman Tobias. All Members present voted yea. Motion carried unanimously.

**Resolution R2009-14: Bid Award for the DeKalb County's 2009 Aggregate Projects**

Motion

Ms. LaVigne moved to approve a Resolution to award the 2009 DeKalb County Aggregate Projects to Macklin, Inc., from Rochelle, Illinois who submitted the low bid meeting specifications for Section 09-11000-00-GM Paw Paw Road District, in the amount of \$29,790.00 for 3,000 tons of aggregate spread on Road; Section 09-11000-010GM Paw Paw Road District, in the amount of \$18,666.00 for 1,700 tons of washed 3" rock to be stockpiled; and Section 09-19000-00-GM Victor Road District in the amount of \$47,160.00 for 4,500 tons of aggregate tons of aggregate spread on road. Also to award Wagner Aggregate, Inc., who submitted the low bid meeting specifications for Section 09-12000-01-GM Pierce Road District, in the amount of \$42,458.00 for 4,600 tons of aggregate spread on road. Mrs. Turner seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Resolution. Those Members voting yea

were Mrs. De Fauw, Mrs. Dubin, Mr. Emerson, Ms. Fauci, Mr. Gudmunson, Mr. Haines, Mr. Hulseberg, Ms. LaVigne, Mr. Metzger, Mr. Newport, Mr. Oncken, Mr. Osborne, Mr. Stoddard, Mr. Stuckert, Mr. Todd, Mrs. Turner, Ms. Vary, Mr. Walt, Mrs. Allen, Mr. Augsburger and Chairman Tobias. All Members present voted yea. Motion carried unanimously.

**Resolution R2009-15: Bid Award for the purchase of One Box, Plow, Wing and Spreader for 2009 Tandem**

Motion

Ms. LaVigne moved to approve a Resolution to award the purchased of one box, plow, wing and spreader on one new 7400 SBA 6x4 International Cab and Chassis as specified, to Monroe Truck Equipment from Monroe, Wisconsin, who submitted the low bid meeting specifications in the amount of \$75,482.00. Mr. Hulseberg seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Resolution. Those Members voting yea were Mrs. De Fauw, Mrs. Dubin, Mr. Emerson, Ms. Fauci, Mr. Gudmunson, Mr. Haines, Mr. Hulseberg, Ms. LaVigne, Mr. Metzger, Mr. Newport, Mr. Oncken, Mr. Osborne, Mr. Stoddard, Mr. Stuckert, Mr. Todd, Mrs. Turner, Ms. Vary, Mr. Walt, Mrs. Allen, Mr. Augsburger and Chairman Tobias. All Members present voted yea. Motion carried unanimously.

**FINANCE**

**Resolution R2009-16: FY2009 Bank Depositories**

Motion

Mr. Haines moved to approve a Resolution authorizing an updated list of banks and credit unions as depositories of public funds in custody of the DeKalb County Treasurer. Ms. LaVigne seconded the motion.

Voice Vote

The Chair asked for a voice vote on the Resolution. 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 \$1,146,461.65; Emergency Claims in the amount of \$434,490,46; Payroll Charges in the amount of 4,541,618.99 and Rehab & Nursing Center in the amount of \$297,035.83 which represents current claims and monies paid during the previous month totaling \$4,419,461.65. Mr. Emerson seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the Claims as presented. Those Members voting yea were Mrs. De Fauw, Mrs. Dubin, Mr. Emerson, Ms. Fauci, Mr. Gudmunson, Mr. Haines, Mr. Hulseberg, Ms. LaVigne, Mr. Metzger, Mr. Newport, Mr. Oncken, Mr. Osborne, Mr. Stoddard, Mr. Stuckert, Mr. Todd, Mrs. Turner, Ms. Vary, Mr. Walt, Mrs. Allen, Mr. Augsburger 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 - February, 2009; Planning and Regulations Building and Permits Reports - February, 2009; Public Defender's Report - for month of January, 2009; Adult Court Services & Juvenile Report - for the month of January, 2009; Jail Population Report - for the month of January, 2009; 2008 Annual Coroner's Report; 2008 Annual Emergency Services & Disaster Agency (E.S.D.A.) Report and 2008 Annual Sheriff's Report

Mr. Hulseberg 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.

## **AD HOC SOLID WASTE COMMITTEE**

### **Resolution R2009 - 11: Host Community Agreement**

#### **Motion**

Chairman Tobias moved to approve a Resolution for the DeKalb County Board to enter into a Host Community Agreement with Waste Management, Inc., to provide both future disposal capacity for the citizens of DeKalb County and certain environmental and financial assurances. Ms. Vary seconded the motion.

#### **Motion to Amend**

Mr. Newport moved to strike sections 19B and 19C from Resolution R2009-11. Ms. LaVigne seconded the motion.

#### **Roll Call Vote**

The Chair called for a roll call on the motion to amend. Those Members voting yea were Mr. Emerson, Mr. Gudmunson Ms. LaVigne, Mr. Newport, Mr. Oncken, Mr. Stuckert and Mr. Todd and Mrs. Allen. Those Members voting nay were Mrs. De Fauw, Mrs. Dubin, Ms. Fauci, Mr. Haines, Mr. Hulseberg, Mr. Metzger, Mr. Osborne, Mr. Stoddard, Mrs. Turner, Ms. Vary, Mr. Walt, Mr. Augsburg, and Chairman Tobias. Eight Members voted yea and thirteen Members voted nay. Motion to strike these sections failed.

#### **Motion to Amend**

Mrs. Turner moved to amend (and additional language) to section #13: "provided, however, that this Agreement will continue in full force and effect for 25 years after any termination of disposal operations at the DeKalb Expansion as a result fo (i) an order, judgement or decree issued by a court of competent jurisdiction due to Guarantor's failure to comply with applicable regulatory requirements or (ii) the revocation of (or refusal to grant) any license, permit or approval needed to operate due to Guarantor's failure to comply with applicable regulatory requirements." Amendment will be added to Section 13 of the "Host Agreement" on page 10. Ms. Vary seconded the motion.

#### **Roll Call Vote**

The Chair called for a roll call vote on the motion to amend. Those Members voting yea were Mrs. De Fauw, Mrs. Dubin, Mr. Emerson, Ms. Fauci, Mr. Gudmunson, Mr. Haines, Mr. Hulseberg, Ms. LaVigne, Mr. Metzger, Mr. Newport, Mr. Oncken, Mr. Osborne, Mr. Stoddard, Mr. Stuckert, Mr. Todd, Ms. Vary, Mr. Walt, Mrs. Allen, Mr. Augsburg and Chairman Tobias. All Members present voted yea. Motion carried unanimously.

Roll Call Vote on the Resolution as amended in the Host Community Agreement

The Chair called for a roll call vote on the Resolution as amended. Those Members voting yea were Mrs. De Fauw, Mrs. Dubin, Mr. Emerson, Ms. Fauci, Mr. Haines, Mr. Hulseberg, Mr. Metzger, Mr. Newport, Mr. Osborne, Mr. Stoddard, Mrs. Turner, Ms. Vary, Mr. Walt, Mrs. Allen, Mr. Augsburg and Chairman Tobias. Those Members voting nay were Mr. Gudmunson, Ms. LaVigne, Mr. Oncken, Mr. Stuckert and Mr. Todd. Sixteen Members voted yea and five Members voted nay. Motion carried and passed as amended.

**OLD BUSINESS / NEW BUSINESS**

There were no items for old business / new business at this meeting.

**ADJOURNMENT**

Motion

Mr. Augsburg moved to adjourn the meeting. Mr. Todd 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.

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DeKalb County Board Chairman

ATTEST:

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DeKalb County Clerk

