

COUNTY BOARD PROCEEDINGS

June 20, 2012

The County Board met in regular session at the Legislative Center Wednesday, June 20, 2012. The Chair called the meeting to order and the Clerk called the roll. Those Members present were Mrs. Turner, Ms. Vary, Mr. Whelan, Mrs. Allen, Ken Andersen, Mr. Augsburg, Mr. Brown, Mr. Cribben, Mrs. DeFauw, Mr. Emerson, Mr. Foster, Mrs. Fullerton, Mr. Gudmunson, Mr. Hulseberg, Mr. Metzger, Mr. Oncken, Mr. Stoddard, Mrs. Tobias and Chairman Anderson. Those Members absent were Mr. Tyson, Mr. Deverell, Ms. Fauci and Mr. Newport. Twenty Members were present and four were absent.

Chairman Anderson asked Mr. Metzger to lead the pledge to the flag.

APPROVAL OF MINUTES

Motion

Mr. Andersen moved to approve the Minutes of May 16, 2012. Mr. Whelan seconded the motion.

Voice Vote

Chairman Anderson 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 Mr. Stoddard seconded the motion.

Voice Vote

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

COMMUNICATIONS AND REFERRALS

A letter was read aloud from the State of Illinois Office of The Attorney General to Ms. Bridget Nodurft for her help with providing maps that were admitted as evidence in a case they were involved in.

Another letter was read from Tamara Shriver, Secretary of the Kishwaukee Valley Art League, that was addressed to Jim Scheffers and Mary Supple in regards on how happy the Kishwaukee Valley Art League was to be back on the courthouse lawn for the Northern Illinois Art Show on June 2 & 3rd.

Chairman Anderson introduced Ms. Joan Hanson who gave a brief presentation to the board on County Mailboxes for County Board Members.

Employee Service Awards

Employee Service Awards for the Month of June were: Five Years: Jacki Duval: Judiciary, Ellen Corr: Health Department, Kelly King: Sheriff's Department, Sue Breese: Joiner History Room, Alice Elliot: Court Services, Jean Fraase: Nursing Home, Susan Scheffler: Health Department; Ten Years: Wayne Davey: Highway Department; Fifteen Years: Karlene Dolder: Coroner's Office; Twenty Years: Maliheh Ardehali: Nursing Home.

Employee Service Awards for the Month of May were: Five Years: Regina Harris: Public Defender, Christina Askelson: Circuit Clerk, Jameson Black: Highway Department, Sean Conlon, Sheriff's Department; Ten Years: Athanasia Bahramis: Health Department, Jay Brendle: Highway Department, Krista Haberkamp: Sheriff's Department; Fifteen Years: Ryan Braden: Sheriff's Department; Twenty Years: Cheryl Johnson: Health Department; Twenty Years: Martha Byrd: Jury Commission.

APPOINTMENTS

Chairman Anderson recommended the following appointments: **911 Emergency Telephone Systems Board**: City of DeKalb Police Chief Gene Lowery, appointment for a term of three years, until December 31, 2015; **Somonauk Cemetery Association**: A.A. Burgin, Jerry M. Cronin, Reid W. McAllister, Robert H. Russell, all appointments for a term of six years, until June 1, 2018; **Regional Superintendent of Schools**: Mr. Derek Avery, to replace Mr. Gil Morrison effective from July 1, 2012 until the next available election, (which is November 6, 2012). The elected candidate will assume the duties of the office of regional superintendent of schools upon the certification of the Election in mid-November.

Motion

Mrs. Allen moved to approve the appointments as presented. Mr. Gudmunson seconded the motion.

Voice Vote

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

APPOINTMENTS EXPIRING FOR JULY AND AUGUST 2012

1. Workforce Investment Act Board: 1 position
2. Fairdale Light District – 1 position
3. All Drainage Districts

PERSONS TO BE HEARD FROM THE FLOOR

There were no individuals requesting time to speak at the appropriate time.

REPORTS FROM STANDING COMMITTEES

COUNTY HIGHWAY COMMITTEE

Resolution R2012-38: Amendment to the Engineering Agreement for Five Points Road Bride, Hutchison Engineering, Inc. (Sec. 05-00044-01-BR)

Motion

Mr. Gudmunson moved to amend the Engineering Agreement made with Hutchison Engineering, Inc. of Shorewood, Illinois, on December 19, 2007 for preliminary engineering services incident to the replacement of a bridge on Five Points Road, located in Kingston Road District for an amount not to exceed \$233,000. The modification to said agreement is to allow for plan revisions and modification to Phase 1 documentation for the elimination of the proposed retaining walls. Said changes will require an additional 615 man-hours and will be paid at actual costs plus 125% for a re-calculated, not to exceed price of \$307,000. This resolution also authorizes the Chairman of the DeKalb County Board to execute the modified Engineering Services Agreement for this project under Section #05-00044-01-BR. Mr. Metzger seconded the motion.

Roll Call Vote

Chairman Anderson called for a roll call vote on the Resolution. Those Members voting yea were Mrs. Turner, Ms. Vary, Mr. Whelan, Mrs. Allen, Ken Andersen, Mr. Augsburger, Mr. Brown, Mr. Cribben, Mrs. DeFauw, Mr. Emerson, Mr. Foster, Mrs. Fullerton, Mr. Gudmunson, Mr. Hulseberg, Mr. Metzger, Mr. Oncken, Mr. Reid, Mr. Stoddard, Mrs. Tobias and Chairman Anderson. All Members present voted yea motion carried unanimously.

Resolution R2012-41: Authorizing Application for Public Transportation Financial Assistance

Motion

Mr. Gudmunson moved to approve Resolution #R2011-30: To Apply for FY-13 5311 Operating Assistance Grant. The FY-13 5311 Grant is a grant for operating funding for TransVac. This is required to be submitted through a Government agency and is a pass through grant. That means that all funds are passed through the County to TransVac. Mr. Hulseberg seconded the motion.

Voice Vote

The Chairman called for a voice vote. All Members voted yea. Motion carried.

Resolution R2012-42: Acceptance of Special Warranty for Public Transportation Financial Assistance for the Section 5311 Grant

Motion

Mr. Gudmunson moved to approve that the Warranty is required of the county and it simply states that public funds will not be used to provide TransVac with an unfair advantage in operating in this area with other agencies providing the same type of service to the public on a private basis. Mr. Foster seconded the motion.

Voice Vote

Chairman Anderson called for a voice vote on the Resolution. All Members voted yea. Motion carried unanimously.

Resolution R2012-46: Collective Bargaining Agreement

Motion

Mr. Gudmunson moved to ratify a collective bargaining agreement between the International Union of Operating Engineers, Local 150, Public Employees Division and DeKalb County, Illinois, for the period covering January 1, 2012 through December 31, 2012. Mr. Augsburger seconded the motion.

Voice Vote

Chairman Anderson asked for a voice vote. All Members present voted yea. Motion carried unanimously.

LAW AND JUSTICE COMMITTEE

Resolution R2012-44: In Support of the DeKalb County Drug Court C.L.E.A.N. Program

Motion

Mrs. Allen moved that the DeKalb County Board does express its full support for the continued operation of the DeKalb County Drug Court C.L.E.A.N. Program and does hereby admonish the DeKalb County State's Attorney, Clay Campbell, to comply with the statutory mandate to continue to participate in the Drug Court Program. Mrs. Turner seconded the motion.

Motion to Table

Mrs. Fullerton moved to table the Resolution. Mr. Ken Anderson seconded the motion.

Roll Call Vote to Table

Chairman Anderson called for a roll call vote on tabling the Resolution. Those Members voting yea were Mr. Whelan, Mr. Andersen, Mr. Brown, Mr. Cribben, Mr. Foster, Mrs. Fullerton, Mr. Gudmunson, Mr. Metzger and Chairman Anderson. Those Members voting nay were Mrs. Turner, Ms. Vary, Mrs. Allen, Mr. Augsburger, Mrs. DeFauw, Mr. Emerson, Mr. Hulseberg, Mr. Oncken, Mr. Reid, Mr. Stoddard and Mrs. Tobias. Nine Members voted yea and eleven Members voting nay. Motion failed.

Motion to Amend

Mr. Ken Anderson moved to Amend the Resolution by removing the last portion of the Resolution that states: Program and does hereby admonish the DeKalb County State's Attorney, Clay Campbell, to comply with the statutory mandate to continue to participate in the Drug Court Program. Mr. Foster seconded the motion to remove the admonish component of the Resolution.

Roll Call Vote on Amendment

Chairman Anderson asked for a roll call vote for Mr. Ken Andersen's Amendment. Those Members voting yea were Mr. Whelan, Mr. Andersen, Mr. Brown, Mr. Cribben, Mr. Foster, Mrs. Fullerton, Mr. Gudmunson, Mr. Metzger and Chairman Anderson. Those Members voting nay were Mrs. Turner, Ms. Vary, Mrs. Allen, Mr. Augsburger, Mrs. DeFauw, Mr. Emerson, Mr. Hulseberg, Mr. Oncken, Mr. Reid, Mr. Stoddard and Mrs. Tobias. Nine Members voted yea and eleven Members voted nay. Motion failed.

Roll Call Vote on Resolution R2012-44

Chairman Anderson called for a roll call vote for the originally presented Resolution. Those Members voting yea were Mrs. Turner, Ms. Vary, Mr. Whelan, Mrs. Allen, Mr.

Augsburger, Mr. Brown, Mrs. DeFauw, Mr. Emerson, Mr. Hulseberg, Mr. Oncken, Mr. Reid, Mr. Stoddard and Mrs. Tobias. Those Members voting nay were Ken Andersen, Mr. Cribben, Mr. Foster, Mrs. Fullerton, Mr. Gudmunson, Mr. Metzger and Chairman Anderson. Thirteen Members voted yea and seven Members voted nay. Motion carried.

ECONOMIC DEVELOPMENT COMMITTEE

Resolution R2012-45: Tax Abatement Request

Motion

Ms. Vary moved that The DeKalb County Board does hereby approve the partial abatement of taxes for Right Pointe Company, DeKalb, Illinois, associated with the building to be constructed at 2754 Wagner Court, DeKalb, Illinois, PIN#08-34-401-014 as follows: In the first full year of taxation 90%; in the second full year of taxation 80%; in the third full year of taxation 50%; in the fourth full year 50%; and in the fifth full year of taxation 50%. Beginning in the 6th year of taxation there shall be no partial abatement of property taxes for this property. The Treasurer is directed to implement the aforesated abatements in each of appropriate tax years only following notice from the City of DeKalb that the company has fulfilled its requirements and that the other taxing bodies have approved these abatements. Mrs. Tobias seconded the motion.

Motion to Amend

Ms. Vary moved to add the following call back to the Resolution: Whereas, if the Company leaves the County of DeKalb, at any time prior to the natural conclusion of the tax abatement, or 3 years subsequent to the end of the tax abatement, then Right Pointe Company shall repay the County of DeKalb the abated taxes. Mr. Whelan seconded the motion.

Voice Vote for Amendment

Chairman Anderson called for a voice vote on the Amendment. All Members present voted yea. Motion carried unanimously.

Roll Call Vote on Resolution R2012-45

Chairman Anderson asked for a roll call vote on the Resolution as Amended. Those Members voting yea were Mrs. Turner, Ms. Vary, Mr. Whelan, Mrs. Allen, Mr. Andersen, Mr. Augsburger, Mr. Brown, Mr. Cribben, Mrs. DeFauw, Mr. Emerson, Mr. Foster, Mrs. Fullerton, Mr. Gudmunson, Mr. Hulseberg, Mr. Metzger, Mr. Oncken, Mr. Reid, Mr. Stoddard, Mrs. Tobias and Chairman Anderson. All Members present voted yea. Motion carried unanimously.

FINANCE COMMITTEE

Resolution R2012-47: Vehicle Operation Policy

Motion

Mr. Reid moved that The DeKalb County Board does adopt a Vehicle Operation Policy that includes details on responsibilities, procedures and coverage of county employees and departments when using county vehicles, including a training program. Mr. Stoddard seconded the motion.

Voice Vote

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

Claims

Motion

Mr. Reid moved to approve the Claims presented for the Current Month in the amount of \$2,474,196.38; Emergency Claims in the amount of \$526,195.38; Payroll Charges in the amount of \$2,691,781.08 and Rehab & Nursing Center in the amount \$598,827.46 of which represents current claims and monies paid during the previous month totaling \$6,291,000.30. Mrs. Tobias seconded the motion.

Roll Call Vote

The Chairman asked for a roll call vote on the approval of the claims. Those Members voting yea were Mrs. Turner, Ms. Vary, Mr. Whelan, Mrs. Allen, Mr. Andersen, Mr. Augsburger, Mr. Brown, Mr. Cribben, Mrs. DeFauw, Mr. Emerson, Mr. Foster, Mrs. Fullerton, Mr. Gudmunson, Mr. Hulseberg, Mr. Metzger, Mr. Oncken, Mr. Reid, Mr. Stoddard, Mrs. Tobias and Chairman Anderson.

Reports of County Officials

Motion

Mr. Newport moved to place on file the following reports of County officials; Cash and Investments in County Banks for – May 31, 2012; Planning and Regulations Building and Permits Reports – May 2012; Public Defenders Report – April 2012; Jail Report – April 2012; Court Service Adult and Juvenile Report – April 2012. Mr. Stoddard seconded the motion.

Voice Vote

The Chairman called for a voice vote on the reports of county officials. All Members present voted yea. Motion carried unanimously.

EXECUTIVE COMMITTEE

Resolution R2012-48: Filing a Class Action Lawsuit Regarding Unpaid Transfer Taxes

Motion

Mrs. Tobias moved that The DeKalb County Board does authorize the filing of a class action lawsuit by DeKalb County through John Acardo, DeKalb County Clerk and Recorder, to pursue the recoupment of the unpaid Transfer Taxes by Freddie Mac and Fannie Mae and to prospectively establish their obligation to pay such Transfer Taxes and that Foote, Meyers, Mielke & Flowers LLC, of St. Charles, Illinois, shall prosecute such cause on a contingent basis as set forth in the Retainer Agreement attached hereto. Ms. Vary seconded the motion.

Roll Call Vote

The Chairman called for a roll call vote on the Resolution. Those Members voting yea were Ms. Vary, Mr. Whelan, Mrs. Allen, Mr. Andersen, Mr. Augsburger, Mr. Brown, Mr. Cribben, Mrs. DeFauw, Mr. Emerson, Mr. Foster, Mrs. Fullerton, Mr. Gudmunson, Mr. Metzger, Mr. Oncken, Mr. Reid, Mrs. Tobias and Chairman Anderson. Those Members voting nay were Mr. Hulseberg and Mr. Stoddard. Mrs. Turner abstained from voting. Seventeen Members voted yea, two voted nay and there was one abstention. Motion carried.

STORMWATER MANAGEMENT COMMITTEE

Resolution R2012-43: Authorizing the County Board Chairman to Sign a Grant Application for a Water Shed Study

Motion

Mr. Andersen moved to authorize the DeKalb County Board Chairman to sign a grant application for planning funds for a Water Shed Study under section 319 of the grant, for the Union/Virgil Ditch Watersheds. Ms. Vary seconded the motion.

Voice Vote

The Chair called for a voice vote. All Members voted yea. Motion carried unanimously.

OLD BUSINESS / NEW BUSINESS

There were no items under old business or new business.

ADJOURNMENT

Motion

Mrs. Turner moved to adjourn the meeting and Mr. Andersen seconded the motion.

Voice Vote

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

DeKalb County Board Chairman

DeKalb County Clerk