

**DEKALB COUNTY GOVERNMENT  
COUNTY BOARD MEETING**

**November 16, 2016**

**7:30 p.m.**

**AGENDA**

1. Roll Call
2. Pledge to the Flag
3. Approval of Minutes
4. Approval of Agenda
5. Communications and Referrals:
  - a. Employee Service Awards
6. Persons to be Heard from the Floor – *On topics that were not subject to a Public Hearing*
7. Proclamations - None
8. Appointments for this Month:
  - a. **DeKalb County Sheriff's Merit Commission:** Gene Lane reappointed for a six year term beginning December 1, 2016 until November 30, 2022.
  - b. **DeKalb County Mental Health Board:** Richard Schluter reappointed for a four year term beginning January 1, 2017 and expiring December 31, 2020.
  - c. **Emergency Telephone Systems Board (E911):** Tracy Jones reappointed for a term beginning December 1, 2016 and expiring November 30, 2018.
  - d. **DeKalb County Nursing Home Foundation Board:** Joanne Fruit, Marjorie Hash and Margaret Vitkus all reappointed for terms beginning December 1, 2016 and expiring November 30, 2019.
  - e. **DeKalb County Rehab & Nursing Center Operating Board:** Jeff Whelan reappointed for a two year term beginning January 1, 2017 and expiring December 31, 2018.
  - f. **Supportive Living Facility Board:** Jeff Whelan reappointed for a two year term beginning January 1, 2017 and expiring December 31, 2018.
9. Reports from Standing Committees & Ad Hoc Committees

**PLANNING & ZONING COMMITTEE**

- a. **Ordinance O2016-13:** Granting a Variation in Kingston Township. *The DeKalb County Board hereby grants a variation from the 180-day restriction for the replacement of a nonconforming single-family dwelling on a 2.5-acre property located at 7723 Wolf Road in Kingston Township. Committee Action: Moved by Mr. Jones, seconded by Mr. Bunge and approved unanimously.*
- b. **Ordinance O2016-14:** Approving a Special Use Permit for an Agribusiness in Mayfield Township. *The DeKalb County Board hereby approves a Special Use Permit to Dibble Family, LLC, representing the property owner, Maplehurst Farms in order to allow an agribusiness in the form of a propane storage and distribution business on a 2.77-acre parcel located at 24330 Five Points Road in unincorporated Mayfield Township. Committee Action: Mr. Jones moved to recommend approval of the Special Use, with conditions, seconded by Mr. Faivre. The motion to approve with conditions was carried, five (5) yes (Bagby, Bunge, Emerson, Faivre and Jones) to two (2) no (Turner and Willis).*

## COUNTY HIGHWAY COMMITTEE

- a. **Resolution R2016-76:** Salary/Equipment & Maintenance Operations to Include Snow Removal Materials. *The DeKalb County Board hereby authorizes the expenditure of MFT funds for salaries, equipment rental, winter maintenance, seal coat operations and pavement markings in the total amount of \$1,736,000.*  
**Committee Action: Moved by Mr. Bunge, seconded by Mr. Frieders and approved unanimously.**

Maintenance Project	MFT Funds Programmed
Salaries	\$598,000.00
Equipment Rental	\$400,000.00
Winter Maintenance	\$500,000.00
Seal Coat Operations	\$128,000.00
Pavement Markings	\$110,000.00
<b>TOTAL</b>	<b>\$1,736,000.00</b>

## ECONOMIC DEVELOPMENT COMMITTEE

No Actionable Items

## HEALTH & HUMAN SERVICES COMMITTEE

- a. **Ordinance O2016-15:** Amendment to the DeKalb County Code, Chapter 10 – Animals. *The DeKalb County Board does concur in the recommendations of the DeKalb County Board of Health and the DeKalb County Health and Human Services Committee and hereby approves the revisions to Chapter 10 – Animals as set forth in Attachment A to this Ordinance, effective as of January 1, 2017.*  
**Committee Action: Moved by Ms. Askins, seconded by Mr. Whelan and approved unanimously.**
- b. **Resolution R2016-77:** Limiting Rate Referendum for Public Health Services. *The County Board hereby approves the attached resolution placing a referendum on the ballot for the April 4, 2017 election for voters to consider a measure to increase funding for the provision of Public Health services by \$500,000 as a one-time exemption to the current property tax limitation base, for 2017 taxes which are collected for the County's 2018 fiscal year.* **Committee Action: The Committee approved to forward the resolution to the full County Board recommending approval with one opposition from Chairperson Haji-Sheikh.**

## LAW & JUSTICE COMMITTEE

- a. **Resolution R2016-78:** State's Attorney Appellate Prosecutor. *The DeKalb County Board hereby agrees to participate in the service program of the Office of the State's Attorney Prosecutor for FY 2017, commencing December 1, 2016, and ending November 30, 2017 in the amount of \$24,000, as budgeted.* **Committee Action: Moved by Ms. Askins, seconded by Mr. Stoddard and approved unanimously.**

- b. **Ordinance O2016-16:** The Establishment of the DeKalb County Possession of Cannabis and Possession of Drug Paraphernalia Ordinance. *The DeKalb County Board hereby adopts the establishment of the DeKalb County Possession of Cannabis and Possession of Drug Paraphernalia Ordinance and hereby further approves for the mandatory fine of \$200 to any persons over the age of eighteen (18) who commits the offense of possession of cannabis within the County of DeKalb by knowingly possessing ten (10) grams or less of any substance containing cannabis unless permitted or authorized to do so pursuant to relevant state law. Said Ordinance shall be in full force and effective January 1, 2017. Committee Action: Moved by Ms. Askins, Mrs. Tobias seconded, approved unanimously.*
- c. **Ordinance O2016-17:** The Establishment of the DeKalb County Vehicle Seizure and Impound Ordinance. *The DeKalb County Board hereby adopts and establishes the Vehicle Seizure and Impound Ordinance within the County of DeKalb and further approves the Vehicle Seizure and Impound Ordinance Administrative Fee in the amount of three hundred (\$300) for a first offence, or five hundred dollars (\$500) for a second or subsequent offense on a registered owner or lessee of any motor vehicle impounded under this division. Said fees are to be collected by the DeKalb County Sheriff's Office and shall become effective January 1, 2017. Committee Action: Moved by Ms. Askins, seconded by Mrs. Tobias and approved unanimously.*

#### **FINANCE COMMITTEE**

- a. **Ordinance O2016-18:** Adoption of the FY 2017 Tax Levy. *The DeKalb County Board hereby approves to levy upon all the taxable property within DeKalb County, as assessed, for the calendar year beginning January 1, 2016 and ending December 31, 2016, and to be collected for fiscal year beginning January 1, 2017 and ending December 31, 2017, in the total amount of \$21,359,000. Committee Action: Moved by Mr. Luebke, seconded by Mr. Cribben and approved unanimously.*
- b. **Ordinance O2016-19:** Adoption of the Annual Appropriation and Budget Ordinance for Fiscal Year 2017. *The DeKalb County Board hereby approves that the monies received by the County Treasurer from taxes and other revenues, for the use of DeKalb County during the Fiscal Year starting January 1, 2017 and ending December 31, 2017 are hereby appropriated as set forth in the attached twenty-three (23) pages for the purposes necessary for DeKalb County to carry out its responsibilities in the total amount of \$137,013,000. Committee Action: Moved by Mr. Luebke, seconded by Mr. Cribben and approved unanimously.*
- c. **Resolution R2016-79:** County Clerk & Recorder's Office Fees. *The County Board of DeKalb County, Illinois, hereby approves that the DeKalb County Clerk & Recorder's Geographic Information System (GIS) fee will increase from \$13.00 to \$24.00 and that the County portion of the Micrographics Charge will increase from \$4.50 to \$8.50 and that both fee increases shall become effective January 1, 2017. Committee Action: Moved Mr. Luebke, seconded by Mr. Jones and approved unanimously.*
- d. **Resolution R2016-80:** Sheriff's Office Fees. *The County Board of DeKalb County, Illinois, hereby approves that the County Sheriff's Office fees will increase for Body Attachment from \$50.00 to \$124.00, Civil Process from \$37.00 to \$56.00, Evictions from \$175.00 to \$184.00, Replevin/Mechanic's Liens from \$350.00 to \$600.00 and Taking Bond from \$15.00 to \$30.00 and that all said fee increases shall become effective January 1, 2017. Committee Action: Moved by Mr. Luebke, seconded by Mr. Jones, and approved unanimously.*

- e. **Resolution R2016-81:** Court Security Fees. *The County Board of DeKalb County, Illinois, hereby approves that the Clerk of the Circuit Court of DeKalb County shall charge and collect a Court Services Fee (Court Security Fee) of \$64.00 (previously \$50.00) payable at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases, but no additional fee shall be required if more than one party is represented in a single pleading, paper, or other appearance, however, no fee shall be imposed or collected in traffic, conservation, and ordinance cases in which fines are paid without a court appearance and that said fee shall be effective January 1, 2017. Committee Action: Moved by Mr. Luebke, seconded by Mr. Jones, and approved unanimously.*
  
- e. **Claims to be Paid in November 2016:** Move to approve the payment of claims for this month, and the off cycle claims paid during the previous month, in the amount of \$7,975,889.38.
  
- f. **Reports of County Officials:** Move to accept and place on file the following Reports of County Officials:
  1. Cash & Investments in County Banks – October 2016
  2. Public Defender’s Report – October 2016
  3. Adult & Juvenile Monthly Reports – October 2016
  4. Pretrial Report – October 2016
  5. Sheriff’s Jail Report – October 2016
  6. Planning & Zoning Building Permits & Construction Reports - October 2016

**EXECUTIVE COMMITTEE**

No Actionable Items

- 10. Old Business
- 11. New Business

a. **Recognition of Retiring County Board Members**

<b><u>Board Member</u></b>	<b><u>Services Dates</u></b>
John Emerson	12/01/2008 – 11/30/2016
Jeff Metzger	11/16/2005 – 11/30/2016
Anita Turner	12/01/2005 – 11/30/2016
John Gudmunson	12/01/2002 – 11/30/2016
Ruth Anne Tobias	01/20/1999 – 11/30/2016

b. **Election of County Board Chairman Pro-Tem – Ruth Anne Tobias**

- 12. Adjournment

# EMPLOYEE SERVICE AWARDS

*November*

**2016**

SUN

MON

TUE

WED

THU

FRI

SAT

**30 YEARS OF SERVICE**

None

**25 YEARS OF SERVICE**

Joyce C. Sanford

11/05/1991

Rehab & Nursing

**20 YEARS OF SERVICE**

Kimberly A. Rayphole

11/07/1996

Rehab & Nursing

Lisa K. Sanderson

11/26/1996

Administration

**15 YEARS OF SERVICE**

Benjamin J. Hiatt

11/13/2001

Sheriff's Office

**10 YEARS OF SERVICE**

Kelly J. Doty

11/02/2006

Circuit Clerk

Annastacia Runge

11/03/2006

Health Department

William J. Grzywa

11/13/2006

Highway Department

Karen Cribben

11/21/2006

Assessor's Office

**5 YEARS OF SERVICE**

Carrie L. M. Thompson

11/14/2011

State's Attorney's

For questions or corrections, please contact Lisa in the Administration Office at (815) 895-1639

STATE OF ILLINOIS     )  
  )SS  
COUNTY OF DEKALB     )

**ORDINANCE 2016-13**

**AN ORDINANCE GRANTING A VARIATION FROM THE  
180-DAY RESTRICTION ON REPLACING NONCONFORMING BUILDINGS  
FOR PROPERTY LOCATED AT 7723 WOLF ROAD  
IN KINGSTON TOWNSHIP**

WHEREAS, Steven and Eileen Bacon, the property owners, have filed an application for a Variation to allow the issuance of a building permit for the replacement of a nonconforming single-family dwelling on a 2.5-acre property located on the north side of Wolf Road, approximately 130 feet west of Carson Road in Kingston Township, zoned A-1, Agricultural District and legally described as shown in Exhibit “A” attached hereto; and

WHEREAS, the Variation is requested from Section 8.03.C.3.a of the DeKalb County Zoning Ordinance to allow the waiver of the requirement that an application for a building permit to repair a damaged or destroyed nonconforming residential building be submitted within 180 days from the damage date; and

WHEREAS, following due and proper notice by publication in the Daily Chronicle not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least ten (10) days prior thereto, the DeKalb County Hearing Officer conducted a public hearing on October 13, 2016 at which the petitioner presented evidence, testimony, and exhibits in support of the requested Variation, and two (2) members of the public spoke in opposition to the request and one (1) member of the public spoke and a statement signed by various neighbors was received in favor thereto; and

WHEREAS, the Hearing Officer having considered the evidence, testimony and exhibits presented at the public hearing and has made findings of fact and recommended that the Variation be approved, as set forth in the Findings of Fact and Recommendation of the DeKalb County Hearing Officer, dated October 13, 2016, a copy of which is appended hereto as Exhibit “B”; and

WHEREAS, the Planning and Zoning Committee of the DeKalb County Board has considered the evidence and testimony from the public hearing and has considered the Findings of Fact and Recommendation of the Hearing Officer, and has forwarded a recommendation to the DeKalb County Board that the requested Variation be approved; and

WHEREAS, the DeKalb County Board has considered the Finding of Fact and Recommendation of the Hearing Officer and the recommendation of the Planning and Zoning Committee, and has determined that granting the Variation to allow the issuance of a building permit for the replacement of a single-family dwelling on the subject property would be consistent with the requirements established by Section 10.01.C of the DeKalb County Zoning Ordinance;

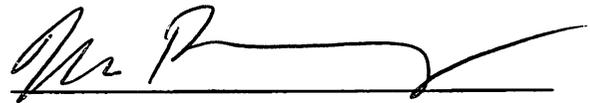
NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS, as follows:

SECTION ONE: The report and Findings of Fact and Recommendation of the DeKalb County Hearing Officer, Exhibit "B" attached hereto, are hereby adopted as the findings of fact and conclusions of the DeKalb County Board.

SECTION TWO: Based on the Findings of Fact set forth above, a Variation from Section 8.03.C.3.a of the DeKalb County Zoning Ordinance is hereby granted for property located at 7723 Wolf Road to allow the issuance of a Building Permit to replace a single-family dwelling on a nonconforming property, said property being legally described in Exhibit "A" attached hereto.

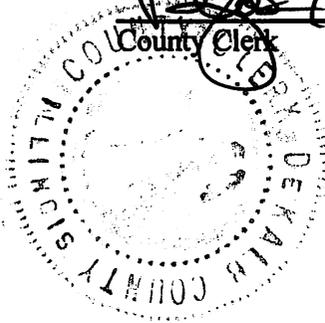
SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of DeKalb County, Illinois.

PASSED BY THE COUNTY BOARD THIS 16TH DAY OF NOVEMBER, 2016, A.D.



Chairman, DeKalb County Board

ATTEST:



**Legal Description of the Subject Property**

THAT PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 4 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE EASTERLY, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, 1169.10 FEET TO THE POINT OF BEGINNING; THENCE NORTHERLY, AT AN ANGLE OF 88°30', MEASURED CLOCKWISE FROM SAID SOUTH LINE, 396.0 FEET; THENCE WESTERLY, PARALLEL WITH SAID SOUTH LINE, 184.16 FEET; THENCE NORTHERLY, AT AN ANGLE OF 91°30', MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, 334.52 FEET; THENCE EASTERLY, PARALLEL WITH SAID SOUTH LINE, 286.58 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 91°30', MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, 334.52 FEET; THENCE WESTERLY, PARALLEL WITH SAID SOUTH LINE, 89.42 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 88°30', MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 396.0 FEET TO SAID SOUTH LINE; THENCE WESTERLY, ALONG SAID SOUTH LINE, 33.0 FEET TO THE POINT OF BEGINNING, ALL IN KINGSTON TOWNSHIP, DEKALB COUNTY, ILLINOIS.

P.I.N. 02-17-100-005

RECEIVED

OCT 18 2016

Petition: KI-16-10  
Date: October 13, 2016

### FINDINGS OF FACT

This matter comes before the DeKalb County Zoning Hearing Officer on October 13, 2016 for consideration of petition requesting a Variation to allow the Petitioner to build a house on property located at 7723 Wolf Road, Kingston Township. The 2.50 acre property previously included a house that was destroyed by fire. The property is zoned A-1, Agricultural District which normally requires 40 acres for a house. The zoning ordinance allows a building permit to replace a house on a lot of less than 40 acres and may be granted provided an application is made within six months of the date of the fire. The original house was destroyed years ago, and in order to build a new house on the property, a variation must be granted from the six month requirement.

The application of the Petitioner was duly filed in accord with the DeKalb County Code. The Petition and its attachments are incorporated into the record of proceedings herein by reference.

#### Publication of Notice

The notice of public hearing has been duly published in accord with the DeKalb County Code. A certificate of publication has been received into the record and reflects publication in the Daily Chronicle on September 24-25, 2016. Correspondence has been sent to all adjacent property owners.

#### Location of Subject Property

The subject property is located at 7723 Wolf Road in the Northwest Quarter of Section 17, Township 42 North, Range 4 East of the Third Principal Meridian being Kingston Township, DeKalb County, Illinois.

#### Site Characteristics

##### A. Location – Access

The subject parcel totals approximately 2.50 acres and is presently zoned A-1, Agricultural and is the location of a set of abandoned farm buildings including the

foundation of a house that burned down and is covered with trees, brush and debris. All surrounding land is A-1, Agricultural. Access is to Wolf Road with a 33 foot wide access road 396 feet back to the property. The parcel is designated on the Unified Future Land Use Plan of the DeKalb County Unified Comprehensive Plan as Agricultural. The plans call for the removal of the debris and junk from the property so that a single family home can be constructed on the property.

B. Correspondence

Correspondence was received from Greg Maurice, DeKalb County Director of Health Protection, indicating no issue with the requested variation.

C. Persons appearing on behalf of the Petitioner.

The Petitioner was represented by Eileen Bacon, one of the Petitioners, of 33251 Kingston Road, Kingston, Illinois. Mrs. Bacon stated that she and her husband have owned the property since August, 2016. They bought the property at an auction held by the County because of the prior owner's failure to pay taxes. The auction notice provided that "we hope this sale will return the property to productive use and insure that the taxes are paid in the future." The Bacons purchased the property at this auction for \$6,157.00.

Mrs. Bacon testified that there had been a residence on the property for over 100 years. In 1986 the property was sold by Rex A. Nelson and Bonnie E. Nelson, the owners of the surrounding farmland, to Charles Ballow. Apparently Mr. Ballow died in 1996 and thereafter they continued to maintain the address at that property staying out there periodically, but basically the property was abandoned.

Mrs. Bacon submitted 50 pages of police reports showing constant police activity on the property in the last four years, because of various trespass, dumping, stripping buildings of the siding, etc. In 2012 the house on the property burned and the taxes had been in arrears for many years.

Mrs. Bacon stated that they were aware when they purchased the property that in its present condition it was non-buildable. She stated that she and her husband have been residents of that neighborhood for more than 40 years and they want to downsize and be close to their grandchildren who live in the area, and therefore, want to build a house on this property.

Mrs. Bacon submitted a statement from various neighbors approving and supporting the variance requested by the Bacons. She also submitted a series of pictures showing that the property is covered with debris, broken concrete, old structures which are falling down and numerous trees and brush.

Mr. Randy Nelson of 31015 Daniel Street, Genoa, Illinois testified that he is the son of Rex A. Nelson, the owner of the farm that surrounds the subject property. He stated he was against the granting of the variation, although he had no objection to a

house being placed on the property. He questioned whether or not the Bacons could show a hardship supporting the granting of this variation. He stated that he had tried to purchase the property numerous times, but because of liens that had been filed against the property and the back taxes he never was able to accomplish that. He did not bid at the auction, because he thought there was still a lien on the property filed by the nursing home where the owner had been residing and he did not know that he could file for a variation. He stated that if he owned it, he would probably clear the property and return it to farming. The property was originally part of his father's farm and in fact, his parents are the ones that sold the property off years ago.

Mr. Al Wlodlaski of 33184 Carson Road, Kingston, Illinois, stated that he lived 1/8<sup>th</sup> of a mile away from the property and thinks it is a great idea that someone can move in there and improve the property. He stated that he has known the petitioners for 25 years and he knows that they would do the right thing with the property. He wants it improved to put an end to the constant problems on the property.

Mr. Jacob Nelson of 31021 Pleasant Hill Road, Kingston, Illinois stated that he had tried to buy the property for many years and had wanted to put a house on it, but thought he would have to buy another 37.5 acres to do that and he could not afford to do that.

Mrs. Bacon responded to the comments that had been made by the above individuals, and stated that she felt that there was a hardship because of the effect the property had on the neighborhood and the costs to the county of constantly sending police to the property. She also pointed out that the county had not been collecting taxes for years and that the property would now support significant additional taxes.

Mr. Kevin Hickey, the acting Director, stated that all times people inquiring about the property were told it was not buildable in its present condition.

Mr. Marcellus Anderson, the Assistant Planner, stated the property was not conforming and that it did not conform to the requirements of filing a request to build within six months after the house burnt down. No effort had been made to build a new house until the present time.

The undersigned viewed the property on September 30, 2016. At that time, it was in a deplorable condition, covered with junk, concrete, broken down buildings, rotting lumber and was overgrown with trees and brush.

### DECISION AND RECOMMENDATION

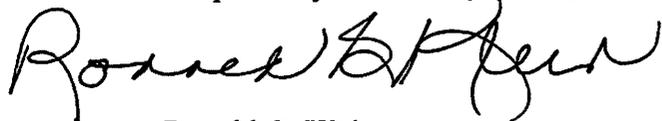
The Petitioners bought the property knowing that it was not buildable without a variation. It is interesting to note that the county in advertising the tax sale, stressed that it was hoped that the sale would return the property to productive use and insure that the taxes are paid in the future. There is also an issue as to whether a hardship was created for the Petitioners in view of

the fact that they bought the property knowing that it was not buildable. They make a valid point, however, in showing that it has certainly been a hardship for the county and for the neighbors because of all the criminal activity that has taken place on the property (approximately 50 complaints to the police in 4 years) and the failure of the owners to pay real estate taxes. It does not appear to the undersigned that the property could be completely cleared so as to farm it without spending far more money than they would realize by trying to farm this 2.50 acre parcel. The objection from Mr. Nelson is weakened somewhat by the fact that the Nelsons sold the property in the first place and did not go to the sale and bid on it when it was offered for auction when the Petitioner purchased it. It also appears to the undersigned that if the debris could be removed from the property and it could be cleaned up, it would be an ideal building site and it does not appear to the undersigned that it would be feasible to anyone to clear the property so that it could be farmed.

The undersigned finds that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located. A variation, if granted, will not alter the essential character of the locality and in fact will improve it. Conditions upon which the petition for a variation is based would not be applicable generally to other property within the same zoning classification. The current owners indicate they wish to build a home on the property and reside there for the foreseeable future, and therefore, it does not appear that the purpose for the variation is based exclusively upon a desire to make more money out of the property. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located, but in fact will be a positive factor beneficial to the public welfare.

Accordingly the undersigned hereby recommends that the variation be granted.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ronald G. Klein". The signature is fluid and cursive, written over a white background.

Ronald G. Klein  
Hearing Officer

RGK/vjm

STATE OF ILLINOIS     )  
  )SS  
COUNTY OF DEKALB    )

**ORDINANCE 2016-14**

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT  
FOR AN AGRIBUSINESS  
ON PROPERTY LOCATED AT 25330 FIVE POINTS ROAD  
IN MAYFIELD TOWNSHIP**

WHEREAS, Dibble Family, LLC, representing the property owner, Maplehurst Farms, has filed an application for a Special Use Permit, in accordance with the requirements of Section 9.02.B.3 of the DeKalb County Zoning Ordinance, to allow an agribusiness in the form of a propane storage and distribution business on a 2.77-acre parcel located at 24330 Five Points Road in unincorporated Mayfield Township, said property being zoned A-1, Agricultural District and legally described as shown in Exhibit "A" attached hereto; and

WHEREAS, following due and proper notice by publication in the Daily Chronicle not less than fifteen (15) nor more than thirty (30) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least ten (10) days prior thereto, the DeKalb County Hearing Officer conducted a public hearing on August 4, 2016, said hearing being re-opened and concluded on October 25, 2016, at which the petitioners presented evidence, testimony, and exhibits in support of the requested Special Use Permit, and members of the public testified both in favor and in opposition to the proposal; and

WHEREAS, the Hearing Officer, having considered the evidence, testimony and exhibits presented has made his report and findings of fact, and recommended that the requested Special Use Permit be denied, as set forth in the Reports of the DeKalb County Hearing Officer, dated August 4, 2016 and October 25, 2016, copies of which are appended hereto as Exhibits "B" and "C"

WHEREAS, however, the Planning and Zoning Committee of the DeKalb County Board has reviewed the testimony and exhibits presented at the aforesated public hearings and has considered the findings of fact and recommendations of the Hearing Officer, and has forwarded a recommendation to the DeKalb County Board that the Special Use Permit be approved, based on the following findings:

1. The proposed agribusiness will comply with all applicable provisions of the A-1, Agricultural District regulations;
2. The proposed agribusiness will not be unreasonably detrimental to the value of other property in the neighborhood or the public welfare at large;
3. The location and size of the proposed agribusiness, and the nature and intensity of the propane storage and distribution business, and the location of the site with respect to streets

giving access to it, are such that the special use will not dominate the immediate area so as to prevent use of neighboring property in accordance with the applicable A-1, Agricultural District regulations;

4. Off-street parking and loading areas will be provided in accordance with the standards set forth in the DeKalb County Zoning Ordinance;
5. Adequate utility, drainage, and other such necessary facilities will be provided;
6. The proposed propane storage and distribution business is consistent with good planning practice; can be operated in a manner that is not detrimental to the permitted developments and uses in the A-1 District; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and will in other respects conform to the applicable regulations of the A-1 District; and is deemed desirable to promote the general welfare of DeKalb County; and

WHEREAS, the DeKalb County Board, having considered the report and findings of fact and recommendation of the Hearing Officer and the recommendation of the Planning and Zoning Committee, and has determined that granting the Special Use Permit to allow the propane storage and distribution business on the subject property would be consistent with the requirements established by Section 9.02.B.3. of the DeKalb County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS, as follows:

SECTION ONE: The Report of the DeKalb County Hearing Officer, Exhibits "B" and "C", are hereby accepted, and the findings of fact set forth above are hereby adopted as the findings of fact and conclusions of the DeKalb County Board.

SECTION TWO: Based on the findings of fact set forth above and the recommendation of the Planning and Zoning Committee of the DeKalb County Board, the request of Dibble Family, LLC for a Special Use Permit for an agribusiness in the form of a propane storage and distribution business on property located at 24330 Five Points Road in Mayfield Township, legally described in Exhibit "A" attached hereto, is hereby approved.

SECTION THREE: This grant of Special Use Permit is subject to the following conditions:

1. The design and operation of the propane storage and distribution business shall be in substantial conformance with the petitioner's application for Special Use Permit;
2. Two, 30,000 gallon propane tanks shall be permitted on the subject property. Any additional proposed storage tanks shall require an Amendment to the Special Use Permit, in accordance with the procedures set forth in Article 9 of the DeKalb County Zoning Ordinance;
3. The petitioner shall seek approval and, if approved by the Illinois Department of Transportation, construct a new access to the subject property from State Route 64, which shall thereafter serve as the primary access for vehicle trips associated with the propane

- business;
4. Prior to commencement of operations, the plans for the propane business shall be finalized to address the requirements and recommendations from staff set forth in the Staff Report dated July 25, 2016, including parking, landscaping, lighting, site drainage, signage, well and septic, and building improvements, such finalized plans being subject to review and approval by County staff;

SECTION FOUR: This Ordinance shall be in full force and effect upon its adoption by the County Board of DeKalb County, Illinois.

PASSED BY THE COUNTY BOARD THIS 16TH DAY OF NOVEMBER, 2016, A.D.

\_\_\_\_\_  
Chairman, DeKalb County Board

ATTEST:

\_\_\_\_\_  
County Clerk

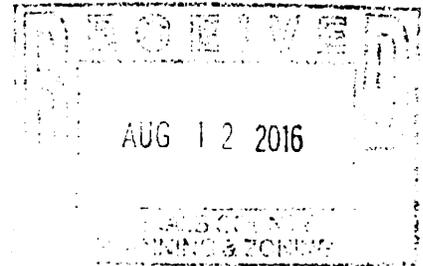
**FAILED**

**Exhibit "A"**

That part of the North Half of the Southeast Quarter of Section 26, Township 41 North, Range 4 East of the Third Principal Meridian, DeKalb County, Illinois, bounded and described as follows: Commencing at a point on the centerline of a public road known as Five Points Road, or North First Street, distant 50.0 feet Northeasterly measured at right angle from the centerline of the main track of the Minnesota and Northwestern Railway Company (later the Chicago Great Western Railway Company, now the Chicago and Northwestern Transportation Company), as said main track centerline was originally located and established across said Section 26; thence Southeasterly parallel with said original main track centerline, 991.2 feet to the point of beginning of the parcel of land herein described, said point also known as Original (1910) Chaining Station 3084 +38; thence Northeasterly at right angle to the last described course, 21.9 feet; thence Northwesterly parallel with said original main track centerline, 997.60 feet to a point on the centerline of said Five Points Road; thence Southerly along said centerline of Five Points Road, 52.05 feet to a point distance 21.9 feet, Northeasterly measured at right angle from the centerline of the main track of the Chicago and Northwestern Transportation Company (formerly the Chicago Great Western Railway Company), as said main track is now located; thence Southeasterly parallel with said last described main tract centerline, 982.99 feet to a point on a line drawn at right angle to said original main track centerline through the point of beginning; thence Northeasterly along said last described right angle line, 28.10 feet to the point of beginning, also that part of the North Half of the Southeast Quarter of Section 26, Township 41 North, Range 4 East of the Third Principal Meridian, DeKalb County, Illinois, bounded and described as follows: Commencing at a point on the centerline of a public road, known as Five Points Road or North First Street, distant 50 feet Northeasterly measured at right angles from the centerline of the main tract of the Minnesota and Northwestern Transportation Railway Company (later the Chicago Great Western Railway Company, now the Chicago and Northwestern Company), as said main track centerline was originally located and established across said Sections 26; thence Southeasterly parallel with the original main track centerline, a distance of 991.2 feet to a point of beginning, also known as Original (1910) Chaining Station 3084 +38; thence Southwesterly at right angles to the last described course, to a point 21.9 feet North of said railroad centerline to the point of beginning; thence continuing Southwesterly on the same course to the Southerly line of the said railroad (now abandoned); thence Northwesterly along Southerly line of said railroad right of way (now abandoned) to the centerline of Five Points Road; thence Northwesterly along the centerline of said road to a point 21.9 feet measured at right angles to said railroad centerline, Northerly of said centerline; thence Southeasterly to the point of beginning.

P.I.N.s: 05-26-451-002

# EXHIBIT "B"



Petition: MY-16-08  
Date: August 4, 2016

## FINDINGS OF FACT

This matter comes before the DeKalb County Zoning Hearing Officer on August 4, 2016 for consideration of petition requesting a Special Use Permit to operate a propane storage distribution business on property zoned for agriculture.

The application of the Petitioner was duly filed in accord with the DeKalb County Code. The Petition and its attachments are incorporated into the record of proceedings herein by reference.

### Publication of Notice

The notice of public hearing has been duly published in accord with the DeKalb County Code. A certificate of publication has been received into the record and reflects publication in the Daily Chronicle on July 16-17, 2016. Correspondence has been sent to all adjacent property owners.

### Location of Subject Property

The subject property is located at 25330 Five Points Road in the Northeast corner of State Route 64 and Five Points Road in Mayfield Township, DeKalb County, Illinois.

### Site Characteristics

#### A. Location – Access

The subject parcel totals approximately 2.77 acres and is presently zoned A-1, Agriculture. The property has been the site of a variety of commercial services over the years. The most recent being a roofing company. The parcel lies approximately 1 mile west of the City of Sycamore, Illinois and approximately 2 miles north of the City of DeKalb, Illinois. The United Future Land Use Plan of the DeKalb County Unified Comprehensive Plan designates agricultural use for the subject property.

B. Proposed Use.

Dibble Family LLC is proposing to use the site for propane storage and loading for its existing propane business. Dibble provides propane to farmers who apparently account for 90% of its business and appears to qualify as an agribusiness.

C. Correspondence

Correspondence was received from Vincent Leonforte, DeKalb County Health Department indicating that the sewage disposal system is not functioning properly and they recommend that the well pump be serviced.

Correspondence was also received from Nathan Schwartz, County Engineer who recommended getting access on to Route 64 because of weight limits on Five Points Road. He also stated that he needs to review the storm water runoff when the information is available.

A Staff Report was received into the record from Paul Miller, Planning Director.

Mr. Miller opened the meeting with some comments pointing out that this is an Agri-business planned by requesting the Special Use Permit. Although the property is zoned Agricultural, certain uses such as this need to be reviewed by the DeKalb County Board and submitted to the County Board for decision.

D. Persons appearing on behalf of the Petitioner.

Ronald Dibble, the principal in Dibble Family LLC was present together with Attorney David J. Bzdill, both of Morris, Illinois.

Attorney Bzdill stated that they had been working with the County to take care of all of the issues relative to their proposal. He stated that this is a 2.78 acre parcel which is not presently being farmed and had once been the location of a grain elevator as well as other businesses. He stated that his client desires to keep the existing building on the property which would be remodeled and updated. He stated that the current owner of the property, namely Maplehurst Farms, Inc. had taken care of all the issues that had been raised with regard to the sewage system, the well and other health issues. He also stated that IDOT had been contacted with regarding to having an access directly on to Route 64. They will address all storm water issues as well.

He stated that Dibble Family LLC desires to place two 30,000 gallon tanks on the east end of the property for the storage of propane. They would erect a fence to enclose the tanks and office areas. They expect there would be 2 to 3 small trucks per day coming out of the property to load propane gas from the large tanks so that it could be delivered to local customers. The 2- 3 trucks per day initially would only appear approximately 3 days and only during daylight hours. In the peak season there may be 6-8 trucks per day. The site would only be used by employees of Dibble Family LLC.

He stated that 90% of their customers are agriculture and he showed pictures of proposed use of the property to the people present. He pointed out that the Dibble Family LLC keeps their properties well maintained and fenced. He does not expect to add any lights to the property except possibly some security lights. He again stated the property would only be used during the day and they would install some trees for landscaping along Route 64.

E. Persons Speaking in Opposition or Requesting the Proposal:

Mr. Frank Riccardi of 10555 Illinois Route 64 spoke of his concerns regarding the safety of the tanks. He felt that with the number of homes located across the road from the proposed site, that there is a possibility of explosion which could be dangerous for the people in the neighborhood and he opposed granting this petition. He also questioned if the value of his home would be adversely affected by the location of these tanks in this location.

In response, Mr. Dibble stated that there are many safety factors built in to the tank and in the country there have been very few incidents regarding propane tanks. They are constructed so that if a valve was sheared off, it would still not be an incident since the bulk of the value is located inside the tank. He stated that he had been in the business for many years and has never had an incident. He stated that this facility in effect would be a storage place for smaller tanks which would be filled with product into larger tanks. He would not be doing any retailing to small operators at this location. He stated that at least one police department had converted all their cars to propane tanks and the tanks were such that they would stand up to even a gunshot. The industry has a good safety record and that there are many small tanks located in the neighborhood, of which none had created a problem.

Mrs. Lorri Thrower of 10861 Old State Road testified that she is also concerned about the safety element and objected to this petition. She is not so concerned about the appearance but very concerned about the possibility of an explosion that would impact all of the homes in the neighborhood. She submitted an article where there had been a very substantial explosion in Gurnee which resulted in a 7-alarm propane fire closing Route 41. She submitted a copy of the article, which is made a part of this record. It is not subject to State inspections and she felt that the location should be in an industrial park and that there were several such locations in DeKalb County.

Mr. Julius W. Sandy of 10480 State Route 64 testified that he is located about 300 yards from this facility. He is opposed to this project because of the safety aspect and submitted a petition signed by over 30 local residents objecting to the proposal. He stated that he is also concerned about the market value of his home if this petition is granted. He suggested that there are other locations that would be better and safer than this one which would be located farther away from residences.

Mr. Joe Mikan who resides on Five Points Road stated that they just bought their home and he felt that this was a big issue because of the adverse effect of the market value of his home and that this would be an eyesore. He moved out to the country and was very concerned about the granting of this petition and opposed it.

Mr. Tracy Jones of 6644 Old State Road, Kirkland, Illinois stated that he is a local farmer and is familiar with the company. He has a large tank on his own farm located close to his home and does not feel that it is a problem. He stated that the Dibble company had an excellent safety record and felt that this would be an improvement to what is presently located on the property. He wants the company located in the County to service his own tanks and he also pointed out that this would help the increase the tax base and increase tax revenues.

Mr. John Broerman of 309 Greenwood Acres, DeKalb, Illinois questioned what constitutes agriculture. He felt that if this was allowed on agricultural zoning, it would create less tax than if it was commercial. He felt that the sales tax would go to Grundy County which is the home base of Dibble Family LLC.

Mr. Paul Miller, Planning Director, pointed out that the zoning does not affect the taxes. That is established by the tax assessor.

Ms. Julie Brons of 10601 Illinois Route 64 questioned whether there would be more trucks in the future than at the present time. She felt that Mr. Dibble answered that there possibly would be more traffic in the future as the business grew. Mrs. Brons pointed out that this was only 2 miles from the high school and she felt it was a major safety issue. Mr. Dibble responded that there are annual inspections of all of their equipment and that there would be fences around the tank. Ms. Brons felt that her homeowner's insurance would go up in cost and wondered if there could be more tanks. She was advised that the Special Use Permit could limit the property to the two 30,000 gallon tanks and that if they wanted more they would have to come back for another hearing.

Mr. Michael Scott of 10519 Route 64 stated that in his job he works with propane every day and that there is definitely a safety issue.

Mr. Shawn Thrower of 10861 Old State Road also stated that he was concerned about the safety issue. He pointed out that a lot of people have fires in their yards where they are burning such things as cardboard and other debris and that would add to the safety hazard.

#### FINDINGS OF FACT AND RECOMMENDATIONS

The undersigned finds that the Petitioner has presented evidence that the issues regarding the septic system and the well have been adequately resolved. They do not plan to have exterior lighting which would be disturbing to local property owners and they do plan to do the recommend landscaping. Evidence indicates that Dibble Family LLC has run other operations similar to this in a safe and proper manner and that their properties appear to be well maintained. Mr. Dibble pointed out in his testimony that they do not have any other of the operations located close to residence, as in this case. The Petitioner has the burden of showing that the Special Use will not be unreasonably detrimental to the value of other property in the neighborhood in which

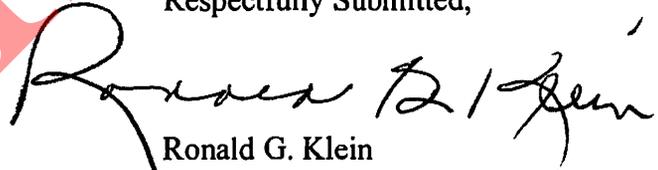
it is to be located and the public welfare at large. They further have the burden of showing that the Special Use will not dominate the immediate neighborhood so that it will prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

The undersigned finds that there is a safety issue involved with this operation. Although Mr. Dibble has pointed out that they have an excellent safety record and that this rarely happens, the 7-alarm fire at the propane storage facility in Gurnee indicates that such things are possible. The neighbors have all opposed the proposal as shown not only by the petition but by the fact that a number of neighbors spoke against it all citing the possibility of a safety issue. Several of the homes are very close, being directly across the street from this proposed location for two 30,000 gallon propane tanks. No evidence was provided showing that the location of this facility would lower property values, however, it seems reasonable to believe that it certainly may deter many people from attempting to buy property in this area because of the two tanks located there.

Accordingly the undersigned finds that the proposed Special Use will be unreasonably detrimental to the value of the other property in the neighborhood in which it is located and that the location and the size of the Special Use and the nature and intensity of the operation involved with it, and the location of the site with respect to local homes could dominate the neighborhood so as to prevent development and use of neighboring property for residential uses.

The undersigned recommends that the petition be denied.

Respectfully Submitted,

  
Ronald G. Klein  
Hearing Officer

RGK/vjm

Petition: MY-16-08  
Date: October 25, 2016

### ADDENDUM TO FINDINGS OF FACT

This matter comes before the DeKalb County Zoning Hearing Officer on October 25, 2016 for a rehearing on a petition requesting a Special Use Permit to operate a propane storage distribution business on property zoned for agriculture.

#### Publication of Notice

The notice of public hearing has been duly published in accord with the DeKalb County Code. A certificate of publication has been received into the record and reflects publication in the Daily Chronicle on October 8-9, 2016.

A hearing was previously held on August 4, 2016. The undersigned recommended that the Special Use Permit be denied. The Planning & Zoning Committee of the DeKalb County Board considered the findings and recommended approval with a number of conditions. The DeKalb County Board considered the Committee's recommendation and returned the application to the Hearing Officer to reopen the hearing and take additional testimony from the public and the Petitioners.

The hearing was reopened by the undersigned on Tuesday, October 25, 2016 at 6:30 p.m. at which time a two and one-half (2½) hour hearing was conducted.

The Petitioner provided a very detailed presentation. The first witness called by the Petitioner was Mr. Jay M. Heap of Jay M. Heap and Associates, Ltd. of Morris, Illinois. Mr. Heap indicated that he has years of experience as an appraiser and broker and has taken extensive appraisal courses provided by the Society of Real Estate Appraisers, University of Illinois, Illinois Department of Revenue, Illinois Property Assessment Institute, Illinois Coalition of Appraisers and Appraisal Institute. Included with this report is a detailed summary of his experience and qualifications as presented by Mr. Heap. The Petitioner presented a video which was narrated by Mr. Heap. The video included pictures of the subject property showing the location of residences in the vicinity of the subject property. Also included in the video were pictures of various locations where there are propane gas facilities. This included a Dibble location in Gardner, Illinois, as well as locations of other propane gas companies and gas facilities in other areas such as at or near Seymour Paint in Sycamore, Illinois, Schwan's Home

Service in Sycamore, Illinois, Suburban Propane in Wasco, Illinois, Grainco FS Propane facility at Morris, Illinois, Hicks Gas Propane plant at Braidwood, Illinois, and Hick's Gas Propane plant in Watseka, Illinois. In each of these cases, he showed pictures of residential housing or schools located in the vicinity of these facilities. Wasco for example, has large propane tanks in the downtown area adjacent to residential, commercial and business. A complete printed copy of the video is included with this report. He also presented evidence he indicated showed that the homeowners in those areas had not been damaged because the houses continued to sell at the same price that they had been selling for and there seemed to be no problem with resale of these homes. Many of them had been built after the gas facility was installed.

Mr. Heap testified that this facility would not dominate the neighborhood and would not create a safety issue. He stated that commercial and residential development continues after the installation of the tanks. He also pointed out that if the location of the propane gas tanks was a problem, the State would have put out forms requiring disclosure, as they do for underground tanks, radon, and other issues that are considered damaging to residences.

Attorney David J. Bzdill who was present and representing Ronald Dibble who was also in attendance, presented a lengthy statement from Suzanne Willis, a retired Northern Illinois Physics professor, who stated that it is "actually hard to make them (meaning the large tanks) explode. What you have to do is set a very hot fire next to it for a very long time and it is difficult, but other than that there are a lot of safety valves and whatnot on them. I did find one historical explosion back in 1998 on a farm in Iowa where some teenagers driving an ATV had run into some piping and broken it and that it had caught on fire and blown back into the tank and blown it up." A complete copy of her statement is included with this report. She also argued that the State Fire Marshall must approve everything. Attorney Bzdill stated that Mr. Dibble had been in the business since 1981 and had never had an accident. He also argued that the granting of the petition would benefit the local farm economy as Mr. Dibble's business was approximately ninety percent (90%) related to agriculture.

A number of individuals present at the hearing then testified. The individuals who did testify, some of whom merely asked questions, were as follows:

Mr. Frank Riccardi, 10555 Illinois Route 64, Sycamore, Illinois  
Ms. Mary Haddad, 25220 Shannon Lane, Sycamore, Illinois  
Mr. Kevin Brons, 10601 Route 64, Sycamore, Illinois  
Mr. DeWayne Brown, DeKalb, Illinois  
Mr. Joe Mikan, 25345 Five Points Road, Sycamore, Illinois  
Mr. Colby Reichling, 8789 Illinois Route 64, Sycamore, Illinois  
Mr. Bruce Bickner, 11702 Deerpath Road, Sycamore, Illinois  
Ms. Sue Riccardi, 10555 Illinois Route 64, Sycamore, Illinois  
Ms. Marilyn Yamber, 401 Mary Ann Circle, Sycamore, Illinois  
Mr. Rob Crowe, 335 Dublin Lane, South Elgin, IL  
Ms. Jenny Thornton, 10327 Illinois Route 64, Sycamore, Illinois  
Mr. Brian Bickner, 10827 West Old State Road, Sycamore, Illinois  
Ms. Beverly Finn, 25241 Shannon Lane, Sycamore, Illinois  
Ms. Julie Brons, 10601 Illinois Route 64, Sycamore, Illinois

Ms. Diane Finn, 25273 Shannon Lane, Sycamore, Illinois  
Ms. Donna Prain, 25179 Shannon Lane, Sycamore, Illinois  
Mr. Mike Scott, 10519 State Route 64, Sycamore Illinois  
Mr. JW Sandy, 10480 State Route 64, Sycamore, Illinois  
Mr. Thomas Rhoads, 29439 Pleasant Hill Road, Kingston, Illinois

Ms. Mary Haddad presented an extensive statement, which is included with this report, objecting to the proposal. She stated that she is a retired DeKalb School District Principal and has always put safety first for students, staff and the entire school community. She stated that the challenge to not just evaluating the science of propane as a stand alone, but to factor in other considerations. One major factor to consider should be the risk of human error regarding the transfer of propane between tanks and trucks. Equipment and mechanical malfunctions should also be considered as a risk factor. She pointed out that there have been numerous explosions worldwide of propane facilities. She said most recently on July 28, 2016, there was a major explosion at Pinnacle Propane Express in Gurnee, Illinois. This was a seven alarm which involved thirty surrounding fire departments. The bulk of the damage occurred in a large stack of mostly empty twenty gallon tanks, which contained residual amounts of propane. Firefighters were fighting a fire which outpaced the amount of water that they could get on the fire. They used more than 600,000 gallons of water as well as foam to control the blaze and prevent it from spreading.

She mentioned another major explosion that took place at Sunrise Propane in Toronto, Canada, which was caused by drivers not following proper procedure for propane transfer. She raised the question as to whether this community was equipped to handle an explosion with its limited resources. She thinks not. Her complete statement is included with this report.

Mr. David Brown stated that the transfer from the tank to the truck could cause a problem. He felt other locations farther away from this subdivision, as well as Sycamore, would be in order. He asked what would come after the facility is there and could additional tanks be added.

Mr. DeWayne Brown stated that his background was in the Army with explosives and commented on the power of the explosives. He said if these tanks were to explode, there could be damage as far as a mile away.

Two individuals, namely Joe Mikan and Mike Scott, both stated that they recently bought homes in the area and would not have bought them had they known that there was a possibility that these tanks would be located there.

Mr. Colby Reichling, whose family owns a farm equipment company a short distance away, stated that he is 100% in favor of this petition. He pointed out that grain dryers use huge amounts of propane gas and he also felt that bringing in this business would help lower property taxes and bring in more job opportunities.

Mr. Bruce Bickner, a resident of Mayfield Township, whose children live near the subject property, stated that he had learned that the State of Illinois has no regular inspection program for these facilities. He said no one checks on the company and there is no ongoing state inspection or supervision. He also checked with the Sycamore Fire Department and they do not have the ability to inspect the property. He raised the question "is the Dibble facility so important that damage is over looked."

Ms. Sue Riccardi presented a petition containing the names of 74 people opposed to these tanks being placed in that location.

Ms. Marilyn Yamber, a local property management owner and realtor, of Sycamore, Illinois, presented a lengthy report where she had interviewed approximately 250 homebuyers that she was acquainted with. The gist of the survey was that most of the people she talked to would not consider the purchase of a piece of property if there was a propane distribution facility nearby or across the street. They also felt that it would decrease the current and future value of their property as it would be unsightly and cause the zoning of the area to go toward industrial and commercial and possibly even pose health hazards. Most of the people she interviewed indicated they would want to live several blocks away from the facility. They all apparently felt that it would harm property values of existing homes. She submitted a lengthy summary of her interview which is included with the report.

Mr. Rob Crowe, who represents propane gas companies already operating in DeKalb County, felt that this did not qualify as an agri-business, in that he felt it did not have at least fifty percent (50%) from agriculture and that it should be located on commercial property.

Ms. Jenny Thornton is concerned that the tanks are too close to her property.

Mr. Brian Bickner submitted a statement that indicated he was concerned about a traffic issue raised by the Dibble proposal which placed a propane storage facility on the corner of Route 64 and Five Points. This intersection already has numerous accidents and that the intersection is prone to flooding when they receive heavy rains causing the intersection to be partially blocked due to standing water.

Ms. Beverly Finn testified that she and her late husband had lived on their property near this development since 1967 and she was opposed to this Special Use Permit feeling that it could escalate into something even more undesirable than the two 30,000 gallon tanks.

Ms. Donna Prain said she was very sensitive to the water issue and was told by the Petitioner that much of the surface would be gravel and would not increase the water flow. She submitted a map showing that within a 2,000 foot radius there are 29 residential buildings. Her report is included as part of this report.

Mr. J.W. Sandy indicated that their organization consisted of 36 homeowners who were opposed to this. He pointed out that Mr. Dibble wants to expand his business at their expense and that they are opposed to it. He pointed that this is a very narrow piece of property and thinks that the tanks will be too close to highway and that there is a large transmission line overhead.

He felt that this was a bad location. He said that they were very much opposed because it caused market depression and they believe that it will decrease the value of their homes significantly.

Mr. Thomas Rhoads stated that he had a house fire with a propane grill and thinks that there are more problems caused by home propane tanks than with large tanks. He is a customer of Mr. Dibble and spoke very highly of the Dibble company and that they were very helpful to him.

Mr. Dibble, in answer to a question, stated that they test all of their equipment every five (5) years under pressure. Trailers are regulated by the Department of Transportation. He stated he has a 101 LP trailers and believes that they are all in very good condition and the score they have received is among the top in the country. They regularly test the safety equipment. He said that even if a large tank was hit by a car, the valves are automatically protected because they are inside the tank and would not be damaged in such an accident.

As shown in the pictures submitted by the Petitioner in their video, many of the homes have individual propane tanks sitting outside their homes and in fact the house directly near the subject property across the street from the proposed location of the Dibble property has a propane tank shown in the picture, as do several other houses in the development.

#### FINDINGS OF FACT AND RECOMMENDATIONS

This case presents a good example of the issues that arise in zoning and rezoning of property. Obviously, most people who own property would like to be able to do whatever they want to do on their own property. On the other hand, the adjoining owners sometimes do not agree with that philosophy with regard to their neighbor's property because they do not want their own property damaged or the values lowered due to something that occurs on the adjoining property. In this case we have what appears to be a very responsible Petitioner who operates a gas business in a generally safe and appropriate manner and wants to expand his business and locate it on a parcel located directly across the street from a large number of homes. The homeowners are of course concerned about the possibility of an explosion which could be very damaging given the fact that the proposal calls for two 30,000 gallon tanks. The Petitioner has presented substantial testimony showing that it is unlikely there would ever be an explosion, however, some of the objectors have presented evidence that from time to time there are explosions connected with these types of facilities. Sometimes it is caused by a faulty line between the delivery trucks and large tanks, or sometimes caused by a vehicle colliding with the tank or some of the related apparatus. Sometimes accidents are caused by human error, on the part of individuals working with the equipment. The undersigned finds that Petitioner's business is more than fifty percent (50%) agricultural and would be a desirable business to locate in our County. The issue is whether the location that the Petitioner has selected is the right location. The undersigned feels that it is not the right location. The undersigned finds that the proposed Special Use Permit will be unreasonably detrimental to the value of other property in the neighborhood in which it is located and that the location and size of the Special Use and the

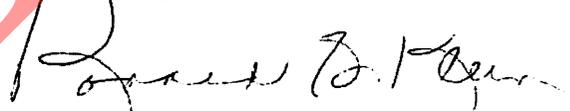
nature and intensity of the operation involved with it and the location of the site with respect to the local residences could dominate the neighborhood so as to prevent development and use of neighboring property for residential uses.

The Petitioner argues that property values for the homeowners would not be adversely affected. That may be true. A more likely affect, however, is the issue raised by a number of witnesses, and that is that many people simply would not buy or build a home across the street from two 30,000 gallon propane tanks. I am one of those people. Consequently, it may be much harder, in the future, for homeowners to sell their homes if this petition is granted.

Zoning is designed generally to protect property owners on the value of the property. The fact that virtually every member of the adjacent residential development, are opposed to this request is significant. Petitioner argues that a number of neighboring farmers and other businesses have their own tanks, some large, some small, but I think it is an important distinction that they have those tanks because it was their choice and they are assuming any risk that might be involved. In this case, the homeowners have not indicated a desire to have these tanks and are not willing to assume the risks associated with the tanks.

Accordingly, the undersigned hereby recommends that the petition be denied and that the Petitioner be encouraged to locate in another more remote area of the County.

Respectfully Submitted,



Ronald G. Klein  
Hearing Officer

RGK/vjm



**Illinois Department  
of Transportation**

**Resolution #2016-76  
County Maintenance Resolution  
Section 17-00000-00-GM**

RESOLVED, by the County board of DeKalb County, that \$1,736,000.00 is appropriated from the Motor Fuel Tax allotment for the maintenance on county or State highways and meeting the requirements of the Illinois Highway Code, and be it further

RESOLVED, that maintenance sections or patrols be maintained under the provision of said Illinois Highway Code beginning January 1, 2017 and ending December 31, 2017, and be it further

RESOLVED, that the County Engineer/County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

STATE OF ILLINOIS

DeKalb County, } ss.

I, Douglas J. Johnson County Clerk, in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the County Board of

DeKalb County, at its November 16, 2016

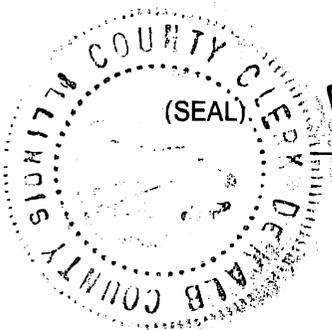
meeting held at Sycamore, Illinois

on November 16, 2016  
Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and

affixed the seal of said County at my office in Sycamore, Illinois

in said County, this 16th day of November A.D. 2016



*Douglas J. Johnson*  
County Clerk

<b>Approved</b>
_____ Regional Engineer Department of Transportation
_____ Date

**ORDINANCE  
O2016-15**

WHEREAS, the DeKalb County Board of Health has studied the need to amend portions of Chapter 10 (Animals) of the DeKalb County Code, and

WHEREAS, the DeKalb County Board of Health did find that amendments of various sections are in the best interest of the citizens of DeKalb County and recommended that the DeKalb County Board adopt those amendments that are attached to this Ordinance and hereby incorporated by reference, and

WHEREAS, the DeKalb County Health and Human Services Committee did review the proposed amendments and did concur in the recommendations of the DeKalb County Board of Health and did also recommend that the DeKalb County Board adopt the revisions as proposed.

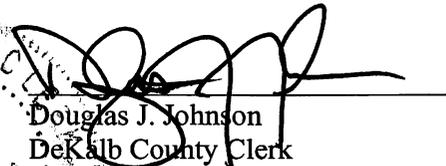
NOW, THEREFORE, BE IT ORDAINED that the DeKalb County Board does concur in the recommendations of the DeKalb County Board of Health and the DeKalb County Health and Human Services Committee and does hereby approve the revisions to Chapter 10 – Animals as set forth in Attachment A to this Ordinance, effective as of January 1, 2017.

ADOPTED BY THE COUNTY BOARD THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2016 A.D.

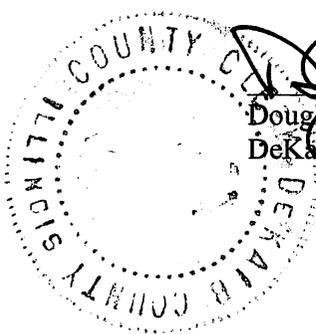


Mark Pietrowski Jr., Chairman  
DeKalb County Board

ATTEST:



Douglas J. Johnson  
DeKalb County Clerk



Chapter 10 - ANIMALS

FOOTNOTE(S):

--- (1) ---

**Cross reference**— Health and sanitation, ch. 38.

**State Law reference**— Illinois Animal Control Act, 510 ILCS 5/1 et seq. & Illinois Humane Care for Animals Act, 510 ILCS 70/1 et seq.

ARTICLE I. - IN GENERAL

Secs. 10-1—10-20 **18**. - Reserved.

ARTICLE II. - DOGS

Sec. 10-21 **19**. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Administrator" means a veterinarian licensed by the state and appointed pursuant to the Illinois Animal Control Act, or in the event a veterinarian cannot be found and appointed pursuant to the Act, a non-veterinarian may serve as administrator under this Act. In the event the administrator is not a veterinarian, the administrator shall defer to the veterinarian regarding all medical decisions.

Animal control act means the Illinois Animal Control Act (510 ILCS 5/1 et seq.).

Animal control warden means any person appointed by the administrator to perform duties as assigned by the administrator to effectuate this article.

**"Continuous" means that the noise continues with no interruptions or only unreasonably brief interruptions;**

Dog means all members of the family Canidae.

**Kennel shall mean any lot or premises, or portion thereof, whether public or private, on which more than five dogs, five cats, or five other household domestic animals over six months of age are kept or on which more than two such animals are maintained, boarded, bred, or cared for in return for remunerations or are kept for the purpose of sale.**

Leash means a cord, rope, strap or chain which shall be securely fastened to the collar or harness of a dog and shall be of sufficient strength to keep the dog under control.

**Nuisance Dog means a dog which growls, snaps at, runs after, or chases any person or persons not on the premises of the owner or keeper. A dog that runs after or chases bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled, or pushed on the streets, highways or public ways. A dog which runs on a roadway causing a traffic hazard, or is involved in a traffic accident. A dog which digs, scratches, excretes, or causes waste/garbage to be scattered on property other than its owner's. If whether alone or in a pack with other dogs, it threatens, bites, attacks, or preys on human beings, game animals, domestic animals, or fowl.**

Owner means any person having a right of property in an animal, or who keeps or harbors an animal, or who has it in his care, or acts as its custodian, or who knowingly permits a dog to remain on any premises occupied by him or her. "Owner" does not include a feral cat caretaker participating in a trap, spay/neuter, return or release program.

Person means any person, firm, corporation, partnership, society, association or other legal entity, any public or private institution, the state, municipal corporation or political subdivision of the state, or any other business unit.

Pound means any facility approved by the administrator for the purpose of enforcing this article and used as a shelter for seized, stray homeless, abandoned or unwanted dogs.

Stray dog means a dog not on the premises of the owner and not under the control of the owner by leash or other recognized control methods.

(Code 1979, § 4-11; Ord. No. 2007-22, 11-21-07)

**Cross reference**— Definitions generally, § 1-2.

**Sec. 10-20. – Owner’s duties.**

Each owner shall provide for each of his animals:

(a) sufficient quantity of good quality, wholesome food and water;

(b) adequate shelter and protection from the weather;

(c) veterinary care when needed to prevent suffering; and

(d) humane care and treatment.

(Ord. No. 2016-???)

**Sec. 10-21. – Barking dogs.**

(a) It shall be unlawful for any person in the unincorporated areas of the County of DeKalb that are subdivided for residential purposes, or within 500 feet of such areas of unincorporated county, to own, keep, have in his possession, or harbor any dog which, by frequent or habitual howling, yelping, barking, or otherwise, shall cause annoyance or disturbance to any person, provided that the provisions of this section shall not apply to any animal shelter, veterinary hospital or clinic.

(b) A person shall not be found to be in violation of this ordinance unless sufficient evidence is presented, which evidence shall include at least one of the following:

1. A complaint made by one person, which is accompanied by audio or video recordings depicting 10 or more minutes of continuous howling, yelping, barking or otherwise.
2. Complaints made by two or more persons, residing in different households, regarding the same dog(s) and owner(s), keeper(s) or harbinger(s); or
3. A complaint made by one neighbor, but which is corroborated by a responding officer who observes at least 10 minutes of continuous howling, yelping, barking or otherwise.

## Sec. 10-22. - Enforcement.

- (a) The administrator may appoint as many deputy administrators and animal control wardens to aid him in enforcing this article as the county board shall authorize.
- (b) Except for rabies inoculation for dogs the compensation of the administrator, deputy administrator or animal control wardens shall be as fixed by the board of health.
- (c) The county board may utilize monies from the general fund to effectuate the provisions of this article.
- (d) The administrator, deputy administrator and animal control wardens in enforcing this article, are clothed with the police powers set forth in section 5 of the Illinois Animal Control Act (510 ILCS 5/5).

(Code 1979, § 4-12; Ord. No. 2007-22, 11-21-07)

## Sec. 10-23. - Dogs running at large; apprehension.

- (a) Any dog in the county found running at large contrary to the provisions of the animal control act, **or a nuisance dog as defined in this ordinance** shall **may** be apprehended. For this purpose, the administrator shall use any existing or available pound, per 510 ILCS 5/9.
- (b) When a dog has been impounded, the administrator shall cause notice of this event to be given to the owner of the dog, if that person is known. Such notice may be given by telephone, by personal service or by mail to the last known address of the owner. The notice shall advise the owner that redemption of the animal must occur no later than seven business days from the receipt of notice of impoundment of the animal. Testimony of the administrator or his/her authorized agent who mails such notice shall be evidence of the receipt of such notice by the owner of the animal.
- (c) If the owner of any dog which was impounded pursuant to this section desires to redeem the animal, redemption may be completed by doing all of the following:
  - (1) Paying all applicable fees including pickup fees charged by the county and board fees charged by the holding pound and any fees for the treatment of injuries or illness to the animal.
  - (2) Providing satisfactory proof to the administrator that the dog has been inoculated and purchased a rabies inoculation tag. If either inoculation or tag purchase has not been currently accomplished at such time, the dog shall be brought into full compliance with the inoculation and inoculation tag before the dog shall be released.
- (d) Prior to the fulfillment of the seven day holding period, at the discretion of the administrator, animals severely injured, **aggressive**, or ill may be humanely dispatched.
- (e) Dogs not redeemed by the owner in accordance with the provisions of this article shall be humanely dispatched or offered for adoption as defined under the animal control act.
- (f) A person commits a violation of this section when he owns, possesses or harbors a dog which is at large, **or is a nuisance as defined in this ordinance**. For the purposes of this paragraph, a dog is at large when it is off its custodian's premises and not under his/her control.

(Code 1979, § 4-13; Ord. No. 2002-03, 12-19-01; Ord. No. 2007-22, 11-21-07)

## Sec. 10-24. - Disposition of unclaimed dogs.

Dogs apprehended and impounded without rabies tag, collar or other identification shall be humanely dispatched or offered for adoption if not claimed within three working days and in the manner set forth in this article. Prior to the fulfillment of the three day holding period, at the discretion of the administrator, animals severely injured, aggressive, or ill may be humanely dispatched.

(Code 1979, § 4-14)

## Sec. 10-25. - Inoculation against rabies; rabies inoculation tags.

- (a) Every owner of a dog four months or more of age, who is a resident of the county, is required to have the animal inoculated against rabies as denoted in the Animal Control Act.
- (b) Every dog shall have a second rabies vaccination within one year of the first vaccination and every year thereafter. However, if the vaccine used is one recognized by the state department of agriculture for a three-year period of immunity, and the dog is over 12 months of age at the time of inoculation, the interval between inoculations may be extended to three years.
- (c) Evidence of such rabies inoculation shall be entered on a certificate, the form provided by the animal control division. The inoculation certificate shall be signed by a licensed veterinarian administering the vaccine and a copy provided to the animal control division.
- (d) Veterinarians who inoculate a dog shall procure from the animal control division serially numbered rabies inoculations tags, one to be issued with each inoculation certificate.
- (e) County dog owners who inoculate their dogs at out-of-county veterinarians shall have ten days from the date of inoculation to purchase a rabies inoculation tag.
- (f) Failure to obtain and maintain a current rabies inoculation tag shall be a violation of this article.
- (g) Fees chargeable in connection with this article shall be set by the county board. A fee schedule shall be maintained in the office of the county clerk and the county health department. The fee schedule shall be available for review and copying by the public.

(Ord. No. 2007-22, 11-21-07)

**Editor's note**— Ord. No. 2007-22, adopted November 21, 2007, amended the Code by repealing former § 10-25, and adding a new § 10-25. Former § 10-25 pertained to registration and fees, and derived from the Code of 1979, § 4-15.

## Sec. 10-26. - Violations and penalties.

Any person violating or aiding in or abetting the violation of any provisions of this article, except section 10-22, or counterfeiting or foregoing any registration certificate, permit or tag, or making any misrepresentation in regard to any matter prescribed by this article, or resisting, obstructing or impeding the administrator or any authorized officer in enforcing this article, or refusing to produce for inoculation any dog in his possession not confined at all times to an enclosed area, or who removes a tag from a dog for purposes of destroying or concealing its identity, is guilty of an offense and is subject to punishment as provided in section 1-13 of this Code.

(Code 1979, § 4-16)

Sec. 10-27. - Reimbursement of owner of domestic animals killed or injured by dogs.

Any owner having sheep, goats, cattle, horses, mules, swine or poultry killed or injured by a dog shall be reimbursed for such losses in accordance within the animal control act, pursuant to 510 ILCS 5/19.

(Code 1979, § 4-17)

Sec. 10-28. Reimbursement Schedule

The following is the schedule of maximum damages to be paid to owners of animals which are destroyed or injured by dogs within the county:

- (a) For goats killed or injured, \$30 per head.
- (b) For cattle killed or injured, \$300 per head.
- (c) For horses or mules killed or injured, \$200 per head.
- (d) For swine killed or injured, \$50 per head.
- (e) For turkeys killed or injured, \$5 per head.
- (f) For sheep killed or injured, \$30 per head.
- (g) For all poultry, other than turkeys, \$1 per head.

## RESOLUTION R2016-77

### **A RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF THE PROPOSITION FOR INCREASING THE LIMITING RATE FOR PUBLIC HEALTH PURPOSES FOR DEKALB COUNTY, ILLINOIS, TO THE VOTERS OF DEKALB COUNTY AT THE CONSOLIDATED ELECTION ON APRIL 4, 2017**

WHEREAS, DeKalb County, Illinois ("*County*") is subject to the Property Tax Extension Limitation Law of the State of Illinois, as amended ("*PTELL*"); and

WHEREAS, the County Board of the County ("*Board*") does hereby find and determine that the limiting rate for the County is not sufficient to provide funds to pay the cost of providing public health services; and

WHEREAS, it is hereby found and determined by the Board that the need exists for increasing the limiting rate for the County by an additional amount equal to 0.02871% above the limiting rate for levy year 2015 and establishing the same at 1.22740% of the equalized assessed value of the taxable property therein for levy year 2017; and

WHEREAS, the most recent levy year for which the limiting rate of the County is known is 2015; and

WHEREAS, before the County is authorized to increase its limiting rate to 1.22740%, a proposition therefor ("*Proposition*") must be submitted to the voters of the County as provided by PTELL, and be approved by a majority of the voters of the County voting on the Proposition at an election to be held in and for the County; and

WHEREAS, it is deemed advisable, necessary and in the best interests of the County that the Proposition be submitted to the voters of the County at an election to be held and conducted in accordance with the General Election Law; and

WHEREAS, PTELL requires that the ballot for the Proposition shall have printed thereon, but not as a part of the Proposition, certain supplemental information as set forth and described in PTELL; and

WHEREAS, such supplemental information shall be supplied by the County to the election authority; and

WHEREAS, the Board has reviewed and approved the supplemental information appearing on the form of ballot for the Proposition hereinafter set forth in this Resolution and finds any error, miscalculation, or inaccuracy in computing any amount set forth on the ballot and in the notice is not deliberate.

NOW, THEREFORE, BE IT RESOLVED by the County Board of the DeKalb County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

Section 2. Need to Submit to Voters. It is necessary and in the best interests of the County that the limiting rate for the County be increased to 1.22740% of the equalized assessed valuation of the taxable property therein for levy year 2017.

Section 3. Submission to Voters. The Proposition shall be submitted to the voters of the County in accordance with the General Election Law at the Consolidated Election to be held on Tuesday, the 4<sup>th</sup> Day of April, 2017, between the hours of 6:00 o'clock A.M. and 7:00 o'clock P.M. on said day ("*Election*"), and at all times that early voting is conducted in accordance with the Election Code of the State of Illinois, as amended ("*Election Code*"), and the Proposition as approved shall be presented in the form set forth below in Section 9 of this Resolution.

Section 4. Voting Precincts and Polling Places. The Election shall be held in the voting precincts and at the polling places established by the County Board for voters of the County at the Election.

Section 5. Election Notice. The County Clerk of DeKalb County ("*County Clerk*") shall give notice of the Election ("*Notice*") in accordance with Section 12-5 of the General Election Law by (i) publishing the Notice at least once not more than 30 nor less than 10 days prior to the date of the Election in a local, community newspaper having general circulation in

the County, and (ii) posting a copy of the Notice at least 10 days before the date of the Election at the principal office of the County Clerk.

Section 6. Local Notice. The County Clerk shall post a copy of the Notice at the principal office of the County immediately after adoption of this Resolution.

Section 7. Newspaper of General Circulation. It is hereby found and determined that the \_\_\_\_\_ is a local, community newspaper having general circulation in the County as required by Section 12-5 of the Election Code.

Section 8. Form of Notice. The Notice shall appear over the name or title of the County Clerk and shall be substantially in the following form:

NOTICE IS HEREBY GIVEN that at the Consolidated Election to be held on Tuesday, the 4<sup>th</sup> Day of April, 2017, the following proposition will be submitted to the voters of the DeKalb County, Illinois:

Shall the limiting rate under the Property Tax Extension Limitation Law for DeKalb County, Illinois, be increased by an additional amount equal to 0.02871% above the limiting rate for the purpose of providing public health services for levy year 2015 and be equal to 1.22740% of the equalized assessed value of the taxable property therein for levy year 2017?

(1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$21,530,492.77, and the approximate amount of taxes extendable if the proposition is approved is \$22,030,444.60.

(2) For the 2017 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$9.57.

The polls at the election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2017.

County Clerk, DeKalb County

Section 9. Form of Ballot. The ballot to be used at the Election shall be in substantially the following form, with such necessary alterations, changes, deletions and insertions as may be required by Articles 24A, 24B or 24C of the Election Code if an electronic, mechanical or electric voting system is used at the Election:

(Face of Ballot)

OFFICIAL BALLOT

PROPOSITION TO INCREASE THE LIMITING RATE

(INSTRUCTIONS TO VOTERS: Mark a cross (X) in the space opposite the word indicating the way you desire to vote.)

Shall the limiting rate under the Property Tax Extension Limitation Law for DeKalb County, Illinois, be increased by an additional amount equal to 0.02871% above the limiting rate for the purpose of providing public health services for levy year 2015 and be equal to 1.22740% of the equalized assessed value of the taxable property therein for levy year 2017?	YES	
	NO	

(1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$21,530,492.77, and the approximate amount of taxes extendable if the proposition is approved is \$22,030,444.60.

(2) For the 2017 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$9.57.

(Back of Paper Ballot)

OFFICIAL BALLOT

Official ballot for voting on the proposition to increase the limiting rate for the DeKalb County, Illinois, at the Consolidated Election held on April 4, 2017.

Precinct Number: \_\_\_\_\_

Polling Place: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
County Clerk, DeKalb County

Section 10. Election Judges. The Election shall be conducted by the election judges appointed by the County Board to act in the precincts at which the Proposition will be submitted to the voters of the County.

Section 11. Filing of Resolution. After the adoption hereof and not less than 68 days prior to the date of the Election, the County Clerk shall certify a copy hereof to the County Clerk in order that the Proposition may be submitted to the voters of the County at the Election.

Section 12. Canvass of Election. The Election shall be held and conducted and the returns thereof duly canvassed, all in the manner and time as provided by the Election Code.

Section 13. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

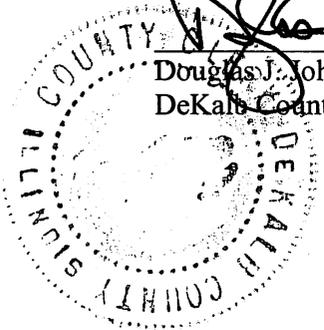
Section 14. Repealer and Effective Date. All orders and resolutions and parts thereof in conflict herewith be and the same are hereby repealed, and this Resolution be in full force and effect forthwith upon its adoption.

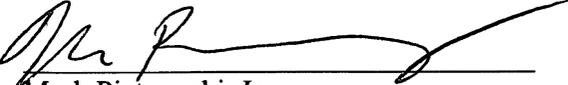
PASSED AT SYCAMORE, ILLINOIS THIS 16TH DAY OF NOVEMBER, 2016.

ATTEST:

SIGNED:

  
\_\_\_\_\_  
Douglas J. Johnson  
DeKalb County Clerk



  
\_\_\_\_\_  
Mark Pietrowski, Jr.  
DeKalb County Board Chairman

**MINUTES OF A REGULAR PUBLIC MEETING OF THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS, HELD IN THE LEGISLATIVE CENTER'S GATHERTORIUM, 200 N. MAIN STREET, SYCAMORE, ILLINOIS, IN SAID COUNTY AT 7:30 P.M., ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

The meeting was called to order by the Chairperson and upon the roll being called, \_\_\_\_\_, the Chairperson, and the following Board Members were physically present at said location:

\_\_\_\_\_ .

The following Board Members were absent and did not participate in the meeting:

\_\_\_\_\_ .

The Chairperson announced that the County Board would next consider the adoption of a Resolution providing for and requiring the submission of the proposition to increase the limiting rate for the County to the voters of the County at the Consolidated Election to be held on April 4, 2017.

Whereupon the County Clerk read by title a Resolution as follows, a copy of which was provided to each Board Member prior to said meeting and to everyone in attendance at said meeting who requested a copy.

Board Member \_\_\_\_\_ moved and Board Member \_\_\_\_\_ seconded the motion that said Resolution as presented and read by title be adopted.

After a full discussion thereof, the Chairperson directed that the roll be called for a vote upon the motion to adopt said Resolution.

Upon the roll being called, the following Board Members voted AYE: \_\_\_\_\_

and the following Board Members voted NAY: \_\_\_\_\_

Whereupon the Chairperson declared the motion carried and the Resolution adopted and did sign and approve the same in open meeting and did direct the County Clerk to record the same in the records of the County Board of the DeKalb County, Illinois, which was done.

Other business not pertinent to the adoption of said Resolution was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

\_\_\_\_\_  
County Clerk, County Board

STATE OF ILLINOIS    )  
  ) SS  
COUNTY OF DEKALB    )

**CERTIFICATION OF RESOLUTION AND MINUTES**

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of the County Board (“*Board*”) of DeKalb County, Illinois (“*County*”), and that I am the keeper of the records and files of the Board.

I do further certify that the foregoing is a full, true and complete transcript of that portion of the minutes of the meeting of the Board held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, insofar as the same relates to the adoption of a Resolution entitled:

**A RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION  
OF THE PROPOSITION FOR INCREASING THE LIMITING RATE FOR PUBLIC  
HEALTH PURPOSES FOR DEKALB COUNTY, ILLINOIS,  
TO THE VOTERS OF DEKALB COUNTY AT THE  
CONSOLIDATED ELECTION ON APRIL 4, 2017**

A true, correct and complete copy of the Resolution that was adopted at the Board meeting appears in the foregoing transcript of the minutes of the Board meeting.

I do further certify that the deliberations of the Board on the adoption of the Resolution were conducted openly, that the vote on the adoption of the Resolution was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of the meeting was duly given to all of the news media requesting notice, that an agenda for the meeting was posted at the location where the meeting was held and at the principal office of the Board at least 48 hours in advance of the holding of the meeting, that a true, correct and complete copy of the agenda as so posted is attached hereto as **Exhibit A**, that the meeting was called and held in strict compliance with the provisions of the Illinois Open Meetings Act, the County Code of the State of Illinois, and the Election Code, and that the Board has complied with all of the provisions of the Act and the Codes and with all of the procedural rules of the Board.

There is hereby certified to the County Clerk of The County of DeKalb, Illinois, for submitting to the voters of the County at the Consolidated Election to be held on the 4th Day of April, 2017, the proposition set forth in the Resolution, which the Resolution was duly adopted by the Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the County, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
County Clerk, DeKalb County

(SEAL)

Exhibit A

Agenda of Board Meeting

[ATTACH]

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF DEKALB )

**FILING CERTIFICATE**

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of DeKalb, Illinois (“County”), and as such official I do further certify as follows:

1. That on the \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, there was filed in my office a duly certified copy of a Resolution entitled:

**A RESOLUTION PROVIDING FOR AND REQUIRING THE SUBMISSION OF THE PROPOSITION FOR INCREASING THE LIMITING RATE FOR PUBLIC HEALTH PURPOSES FOR DEKALB COUNTY, ILLINOIS, TO THE VOTERS OF DEKALB COUNTY AT THE CONSOLIDATED ELECTION ON APRIL 4, 2017**

duly adopted by the County Board of the DeKalb County, Illinois (the “County”), on the \_\_\_\_ day of \_\_\_\_\_, 2016, and that the Resolution has been deposited in the official files and records of my office.

2. That included in the certification were the form of the public question (“Question”) to be placed on the ballot at the Consolidated Election to be held on the 4th Day of April, 2017 (“Election”), and the date on which the Question was initiated by the adoption of said Resolution.

3. That the Question will be submitted to the voters of the County at the Election.

4. That notice that the Question will be submitted to the voters of the County at the Election (“Notice”) will be given as required by Section 12-5 of the Election Code of the State of Illinois, as amended, by (a) publishing the Notice once not more than 30 nor less than 10 days prior to the date of the Election in the \_\_\_\_\_, the same being a local, community newspaper having general circulation in the County, and (b) posting a copy of the Notice at my principal office at least 10 days before the date of the Election, as set forth in Section 5 of said Resolution, and that the Notice will be substantially in the form set forth in Section 8 of the Resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the County, this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

(Seal)

\_\_\_\_\_  
County Clerk, DeKalb County

**[FORM OF NOTICE TO BE PUBLISHED AND POSTED BY THE COUNTY CLERK  
AND POSTED AT THE COUNTY'S PRINCIPAL OFFICE]**

**NOTICE OF ELECTION**

NOTICE IS HEREBY GIVEN that at the Consolidated Election to be held on Tuesday, the 4th Day of April, 2017, the following proposition will be submitted to the voters of the DeKalb County, Illinois:

Shall the limiting rate under the Property Tax Extension Limitation Law for DeKalb County, Illinois, be increased by an additional amount equal to 0.02871% above the limiting rate for the purpose of providing public health services for levy year 2015 and be equal to 1.22740% of the equalized assessed value of the taxable property therein for levy year 2017?

(1) The approximate amount of taxes extendable at the most recently extended limiting rate is \$21,530,492.77, and the approximate amount of taxes extendable if the proposition is approved is \$22,030,444.60.

(2) For the 2017 levy year the approximate amount of the additional tax extendable against property containing a single family residence and having a fair market value at the time of the referendum of \$100,000 is estimated to be \$9.57.

The polls at the election will be open at 6:00 o'clock A.M. and will continue to be open until 7:00 o'clock P.M. of that day.

Dated this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

---

County Clerk, DeKalb County

# Health Department Fund Balance Projections

AMOUNTS ARE in THOUSANDS

11/16/2016

YEAR	STATUS	YEAR ENDING	STATUS QUO		CONSERVATIVE SCENARIO								OPTIMISTIC SCENARIO																							
					Revenue -3.0% & Expenses +1.0% per Year																Revenue +0.5% & Expenses +2.0% per Year															
					No Additional Tax		Additional Tax: \$500,000		Additional Tax: \$550,000		Additional Tax: \$650,000		No Additional Tax		Additional Tax: \$500,000		Additional Tax: \$550,000		Additional Tax: \$650,000																	
					Rev-Exp	Ending Balance	Rev-Exp	Ending Balance	Rev-Exp	Ending Balance	Rev-Exp	Ending Balance	Rev-Exp	Ending Balance	Rev-Exp	Ending Balance	Rev-Exp	Ending Balance	Rev-Exp	Ending Balance																
-3	A	12/31/2014	17.8	2,386.9	17.8	2,386.9	17.8	2,386.9	17.8	2,386.9	17.8	2,386.9	17.8	2,386.9	17.8	2,386.9	17.8	2,386.9	17.8	2,386.9																
-2	A	12/31/2015	(133.7)	2,253.2	(133.7)	2,253.2	(133.7)	2,253.2	(133.7)	2,253.2	(133.7)	2,253.2	(133.7)	2,253.2	(133.7)	2,253.2	(133.7)	2,253.2	(133.7)	2,253.2																
-1	E	12/31/2016	(249.1)	2,004.1	(249.1)	2,004.1	(249.1)	2,004.1	(249.1)	2,004.1	(249.1)	2,004.1	(249.1)	2,004.1	(249.1)	2,004.1	(249.1)	2,004.1	(249.1)	2,004.1																
0	B	12/31/2017	(288.7)	1,715.4	(288.7)	1,715.4	(288.7)	1,715.4	(288.7)	1,715.4	(288.7)	1,715.4	(288.7)	1,715.4	(288.7)	1,715.4	(288.7)	1,715.4	(288.7)	1,715.4																
1	P	12/31/2018	(288.7)	1,426.7	(426.1)	1,289.3	73.9	1,789.3	123.9	1,839.3	223.9	1,939.3	(344.9)	1,370.5	155.1	1,870.5	205.1	1,920.5	305.1	2,020.5																
2	P	12/31/2019	(288.7)	1,138.1	(560.9)	728.4	(60.9)	1,728.4	(10.9)	1,828.4	89.1	2,028.4	(402.5)	968.0	97.5	1,968.0	147.5	2,068.0	247.5	2,268.0																
3	P	12/31/2020	(288.7)	849.4	(693.1)	35.3	(193.1)	1,535.3	(143.1)	1,685.3	(43.1)	1,985.3	(461.5)	506.5	38.5	2,006.5	88.5	2,156.5	188.5	2,456.5																
4	P	12/31/2021	(288.7)	560.7	(822.9)	(787.6)	(322.9)	1,212.4	(272.9)	1,412.4	(172.9)	1,812.4	(522.0)	(15.5)	(22.0)	1,984.5	28.0	2,184.5	128.0	2,584.5																
5	P	12/31/2022	(288.7)	272.1	(950.2)	(1,737.8)	(450.2)	762.2	(400.2)	1,012.2	(300.2)	1,512.2	(583.9)	(599.4)	(83.9)	1,900.6	(33.9)	2,150.6	66.1	2,650.6																
6	P	12/31/2023	(288.7)	(16.6)	(1,075.3)	(2,813.1)	(575.3)	186.9	(525.3)	486.9	(425.3)	1,086.9	(647.3)	(1,246.7)	(147.3)	1,753.3	(97.3)	2,053.3	2.7	2,653.3																
7	P	12/31/2024	(288.7)	(305.3)	(1,198.1)	(4,011.2)	(698.1)	(511.2)	(648.1)	(161.2)	(548.1)	538.8	(712.2)	(1,959.0)	(212.2)	1,541.0	(162.2)	1,891.0	(62.2)	2,591.0																
8	P	12/31/2025	(288.7)	(593.9)	(1,318.8)	(5,330.0)	(818.8)	(1,330.0)	(768.8)	(930.0)	(668.8)	(130.0)	(778.7)	(2,737.7)	(278.7)	1,262.3	(228.7)	1,662.3	(128.7)	2,462.3																
9	P	12/31/2026	(288.7)	(882.6)	(1,437.5)	(6,767.5)	(937.5)	(2,267.5)	(887.5)	(1,817.5)	(787.5)	(917.5)	(846.8)	(3,584.6)	(346.8)	915.4	(296.8)	1,365.4	(196.8)	2,265.4																
10	P	12/31/2027	(288.7)	(1,171.3)	(1,554.1)	(8,321.6)	(1,054.1)	(3,321.6)	(1,004.1)	(2,821.6)	(904.1)	(1,821.6)	(916.6)	(4,501.1)	(416.6)	498.9	(366.6)	998.9	(266.6)	1,998.9																
11	P	12/31/2028	(288.7)	(1,459.9)	(1,668.9)	(9,990.5)	(1,168.9)	(4,490.5)	(1,118.9)	(3,940.5)	(1,018.9)	(2,840.5)	(987.9)	(5,489.0)	(487.9)	11.0	(437.9)	561.0	(337.9)	1,661.0																
12	P	12/31/2029	(288.7)	(1,748.6)	(1,781.8)	(11,772.3)	(1,281.8)	(5,772.3)	(1,231.8)	(5,172.3)	(1,131.8)	(3,972.3)	(1,061.0)	(6,550.0)	(561.0)	(550.0)	(511.0)	50.0	(411.0)	1,250.0																
13	P	12/31/2030	(288.7)	(2,037.3)	(1,893.0)	(13,665.4)	(1,393.0)	(7,165.4)	(1,343.0)	(6,515.4)	(1,243.0)	(5,215.4)	(1,135.8)	(7,685.8)	(635.8)	(1,185.8)	(585.8)	(535.8)	(485.8)	764.2																
14	P	12/31/2031	(288.7)	(2,325.9)	(2,002.5)	(15,667.9)	(1,502.5)	(8,667.9)	(1,452.5)	(7,967.9)	(1,352.5)	(6,567.9)	(1,212.3)	(8,898.1)	(712.3)	(1,898.1)	(662.3)	(1,198.1)	(562.3)	201.9																
15	P	12/31/2032	(288.7)	(2,614.6)	(2,110.4)	(17,778.3)	(1,610.4)	(10,278.3)	(1,560.4)	(9,528.3)	(1,460.4)	(8,028.3)	(1,290.7)	(10,188.8)	(790.7)	(2,688.8)	(740.7)	(1,938.8)	(640.7)	(438.8)																

Status: A=Audited, E=Estimated, B=Budgeted, P=Projected



Target Minimum Fund Balance: 959.6  
 Balance goes below Target:    
 Balance goes below Zero:

**RESOLUTION  
R2016-78**

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor was created to provide services to State's Attorneys in Counties containing less than 3,000,000 inhabitants, and

WHEREAS, the powers and duties of the Office of the State's Attorneys Appellate Prosecutor are defined and enumerated in the "State's Attorneys Appellate Prosecutor's Act", 725 ILCS 210/1 et seq., as amended, and

WHEREAS, the Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives approval and support from the respective Counties eligible to apply, and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor shall administer the operation of the appellate offices so as to Insure that all participating State's Attorneys continue to have final authority in preparation, filing, and arguing of all appellate briefs and any trial assistance, and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor and the Illinois General Assembly have reviewed and approved a budget for Fiscal Year 2017, which funds will provide for continued operation of Office of the State's Attorney Appellate Prosecutor.

NOW, THEREFORE, BE IT RESOLVED that the DeKalb County Board, in regular session, this 16<sup>th</sup> day of November, 2016 does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorney of this County in the appeal of all cases, when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney prepare, fil, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the State's Attorney's duties under the Illinois Public Labor Relations Act, including negotiations thereunder, as well as in the trial and appeal of tax objections.

BE IT FURTHER RESOLVED that the Office of the State's Attorneys Appellate Prosecutor will offer Continuing Leal Education training programs to the State's Attorneys and Assistance State's Attorneys.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist the State's Attorney of this County in the discharge of the State's Attorney's duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

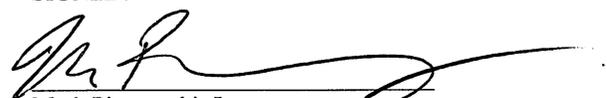
BE IT FURTHER RESOLVED that the DeKalb County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2017, commencing December 1, 2016, and ending November 30, 2017, by hereby appropriating the sum of \$24,000.00 as consideration for the express purpose of providing a portion of the funds required for financing the operation of the Office of the State's Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the Fiscal Year 2017.

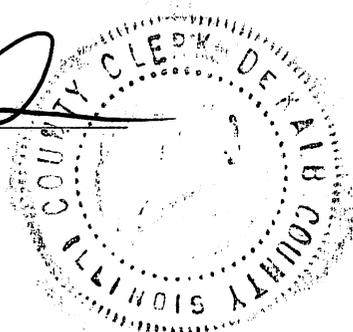
PASSED THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2016 AT SYCAMORE, ILLINOIS

ATTEST:

  
Douglas J. Johnson  
DeKalb County Clerk

SIGNED:

  
Mark Pietrowski, Jr.  
County Board Chairman



**ORDINANCE  
O 2016-16**

**POSSESSION OF CANNABIS AND POSSESSION OF DRUG PARAPHERNALIA**

**WHEREAS**, on July 29, 2016, Illinois Governor Bruce Rauner signed into law SB 2228 which removed the criminal penalties for those found in possession of 10 grams or less of cannabis;

**WHEREAS**, The DeKalb County Board believes prohibiting the possession of cannabis should closely comport with current Illinois State laws and to include a prohibition against the possession of drug paraphernalia;

**THEREFORE, BE IT ORDAINED** by the County Board of DeKalb County, Illinois as follows:

**SECTION I:- POSSESSION OF CANNABIS.**

A. Definitions. All terms and phrases used herein shall have the same meaning as ascribed to them in the Cannabis Control Act (720 ILCS 550/1 et seq.); except the term "person" is limited to natural persons who have attained the age of eighteen (18) years or more.

B. Offense of possession of cannabis. A person commits the offense of possession of cannabis within the County of DeKalb by knowingly possessing ten (10) grams or less of any substance containing cannabis unless permitted or authorized to do so pursuant to relevant state law.

C. Violations, penalties:

1. Any person violating Subsection B shall be subject to a mandatory fine of two hundred dollars (\$200.00). In addition to any fine herein all court costs authorized by ordinance or statute for ordinance violations from time to time shall be imposed. These costs include, but are not limited to, Circuit Clerk Automation, State's Attorney Automation, Document Storage, Clerk fee, Court fee, Judicial Security, Youth Diversion, Drug Court, State's Attorney fee and E-Citation fee.

2. Any motor vehicle which is used in any manner to facilitate the possession of cannabis in violation of Subsection B shall be subject to seizure and impoundment pursuant to the Vehicle Seizure and Impoundment Ordinance of DeKalb County (Ord. No. O2016-17).

**SECTION II:- POSSESSION OF DRUG PARAPHERNALIA.**

A. Definitions: Drug paraphernalia means all items, equipment, products and materials of any kind which may be used unlawfully in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body cannabis or a controlled substance as defined by relevant Illinois state laws. It includes, but is not limited to, pipes, bongs, rolling papers and any other item converted for the uses set forth above.

B. Offense of possession of Drug Paraphernalia: A person commits the offense of possession of Drug Paraphernalia with the County of DeKalb by knowingly possessing an item of drug paraphernalia unless permitted or authorized to do so pursuant to relevant Illinois state law.

C. Violation Penalties:

1. Any person violating Subsection B. shall be subject to a mandatory fine of two hundred dollars (\$200.00). In addition to any fine herein all court costs authorized by ordinance or statute for ordinance violations from time to time shall be imposed. These costs include, but are not limited to, Circuit Clerk Automation, State's Attorney Automation, Document Storage, Clerk fee, Court fee, Judicial Security, Youth Diversion, Drug Court, State's Attorney fee and E-Citation fee.

2. Any motor vehicle which is used in any manner to facilitate the possession of drug paraphernalia in violation of Subsection B shall be subject to seizure and impoundment pursuant to the Vehicle Seizure and Impoundment Ordinance of DeKalb County (Ord. No. O2016-17).

**BE IT FURTHER ORDAINED** that this Ordinance shall be in full force and effective January 1, 2017.

ADOPTED BY THE COUNTY BOARD THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2016 A.D.

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Mark Pietrowski Jr., Chairman  
DeKalb County Board

ATTEST:

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Douglas J. Johnson  
DeKalb County Clerk

**ORDINANCE  
O2016-17**

**DEKALB COUNTY VEHICLE SEIZURE AND IMPOUND ORDINANCE**

WHEREAS, the Illinois State Statutes allow for the creation of a Vehicle Seizure and Impound Ordinance, and

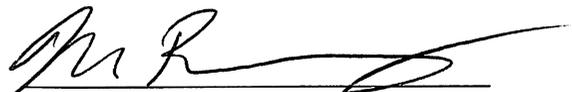
WHEREAS, the purpose of this Ordinance is to offset the costs incurred in the preparing, prosecuting, hearing, and disposing of criminal and traffic cases, and recover the costs associated with the towing, impounding, or seizing of motor vehicles used during the commission of criminal, traffic, or other offenses within the County of DeKalb, and

WHEREAS, under the Vehicle Seizure and Impound Ordinance an administrative fee in the amount of three hundred (\$300.00) for a first offence, or five hundred dollars (\$500.00) for a second or subsequent offense, shall be imposed on a registered owner or lessee of any motor vehicle impounded under this division, and

WHEREAS, the Law and Justice Committee of the DeKalb County Board concurs with the DeKalb County Sheriff's recommendation to implement a Vehicle Seizure and Impound Ordinance within the County of DeKalb, Illinois.

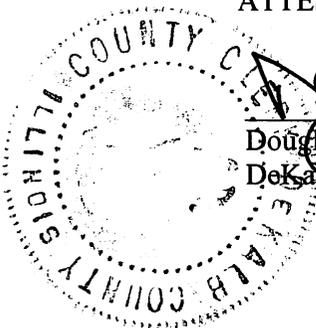
NOW, THEREFORE, BE IT ORDAINED, the DeKalb County Board hereby establishes the attached Vehicle Seizure and Impound Ordinance of DeKalb County, effective January 1, 2017, and said fee shall be reflected in the DeKalb County Code.

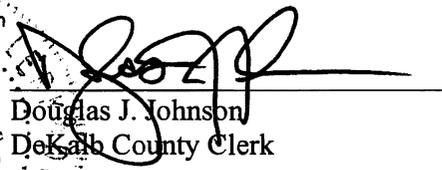
ADOPTED BY THE COUNTY BOARD THIS 16<sup>TH</sup> DAY OF NOVEMBER, 2016 A.D.



Mark Pietrowski, Jr., Chairman  
DeKalb County Board

ATTEST:



  
Douglas J. Johnson  
DeKalb County Clerk

# DEKALB COUNTY GOVERNMENT

## VEHICLE IMPOUND ORDINANCE of DEKALB COUNTY

- 1-1 : Title
- 1-2 : Purpose
- 1-3 : Construction
- 1-4 : Definitions
- 1-5 : Vehicles Subject to Impound
- 1-6 : Administrative Fee
- 1-7 : Commencement of Impound
- 1-8 : Notice of Seizure and Impoundment
- 1-9 : Cash/Credit Bond
- 1-10 : Admission of Liability
- 1-11 : Administrative Hearing
- 1-12 : Defenses
- 1-13 : Administrative Review Law
- 1-14 : Enforcement
- 1-15 : Abandoned Vehicles

### 1-1: TITLE:

This division shall be known, cited and referred to as the *VEHICLE IMPOUND ORDINANCE OF DEKALB COUNTY*

### 1-2: PURPOSE:

The purpose of this division is to offset the costs incurred in the preparing, prosecuting, hearing, and disposing of criminal and traffic cases, and recover the costs associated with the towing, impounding, or seizing of motor vehicles used during the commission of criminal, traffic, or other offenses within the county of DeKalb.

### 1-3: CONSTRUCTION:

In the construction of this division, the definitions hereunder shall be observed and applied, except when the context clearly indicates otherwise:

A. Words used in the present tense shall include the future tense; words used in the singular number shall include the plural number; words used in the masculine gender shall include the female gender; and such inclusive words shall be reciprocal.

B. The word "may" is permissive or discretionary.

C. The word "shall" is mandatory and not discretionary

### 1-4: DEFINITIONS:

For the purposes of this division, the words and phrases listed hereunder have the meanings designated herein, except when a particular context clearly requires a different meaning:

COUNTY: The County of DeKalb, Illinois.

LAW ENFORCEMENT OFFICER: Every officer authorized to make arrests and issue citations for criminal and traffic offenses occurring within the county.

**LESSEE:** The person authorized by a written lease agreement to possess the vehicle and as properly registered with the Illinois secretary of state, or if registered in a state other than Illinois, as properly registered with the administrative agency responsible for registration in that state.

**PERSON:** An individual, firm, organization, public or private corporation, government, partnership or unincorporated association.

**REGISTERED OWNER:** The record titleholder(s) of the vehicle as properly registered with the Illinois secretary of state, or if registered in a state other than Illinois, record titleholder as properly registered with the administrative agency responsible for registration in that state.

## **1-5: VEHICLES SUBJECT TO IMPOUNDMENT:**

Any motor vehicle, regardless of whether the registered owner or lessee is operating said vehicle, within the county of DeKalb, State of Illinois, shall be subject to seizure and impoundment under this section, anytime said vehicle is used in connection with one or more of the following offenses:

- A. Operation or use of a motor vehicle in connection with the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to section 36-1 of the Criminal Code of 1961 (Seizure), as now enacted and as amended from time to time; or
- B. Driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of 625 Illinois Compiled Statutes 5/11-501, as now enacted and as amended from time to time; or
- C. Operation or use of a motor vehicle in connection with the commission of, or in the attempt to commit, a felony or in violation of the Cannabis Control Act, 720 Illinois Compiled Statutes 550 et seq., as now enacted and as amended from time to time; or
- D. Operation or use of a motor vehicle in connection with the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act, 720 Illinois Compiled Statutes 570 et seq., as now enacted and as amended from time to time; or
- E. Operation or use of a motor vehicle in connection with the commission of, or in the attempt to commit, an offense in violation of section 24-1, 24-1.5, or 24-3.1 of the Criminal Code of 1961 (Unlawful Use of Weapons), as now enacted and as amended from time to time; or
- F. Driving while a driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to 625 Illinois Compiled Statutes 5/6-303, as now enacted and as amended from time to time; except that vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing; or
- G. Operation or use of a motor vehicle in connection with soliciting, or attempting to solicit cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act, as now enacted and as amended from time to time; or
- H. Operation or use of a motor vehicle with an expired driver's license, in violation of 625 Illinois Compiled Statutes 5/6-101 (Expired DL over 1 year), as now enacted and as amended from time to time, if the period of expiration is greater than one year; or
- I. Operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of 625 Illinois Compiled Statutes 5/6-101, as now enacted and as amended from time to time, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or

- J. Operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated 625 Illinois Compiled Statutes 5/6-101, 5/6-303, or 5/11-501 (Expired DL over 1 year, DWS/DWR, DUI), as now enacted and as amended from time to time; or
- K. Operation or use of a motor vehicle in connection with the commission of, or in the attempt to commit, an offense in violation of article 16 or 16A of the Criminal Code of 1961(Theft and Related Offenses, Retail Theft), as now enacted and as amended from time to time; or
- L. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, the offense of fleeing to elude a police officer, in violation of 625 Illinois Compiled Statutes 5/11-204.1, as now enacted and as amended from time to time; or
- M. Any other offense now codified or subsequently enacted, that directs or authorizes a law enforcement officer to seize, impound, or tow the motor vehicle in question. (Other Arrestable Misdemeanor Offenses)

### **1-6: ADMINISTRATIVE FEE:**

An administrative fee in the amount of three hundred (\$300.00) for a first offense, or five hundred dollars (\$500.00) for a second or subsequent offense, shall be imposed on the registered owner or lessee of any motor vehicle impounded under this division.

- A. Said fee is to serve as a proxy for the actual administrative costs incurred by the county and county agencies as the result of towing and impounding of vehicles, and the preparing, prosecuting, hearing, and disposing of criminal or traffic cases involving the use of motor vehicles.
- B. The administrative fee shall be in addition to: 1) any other penalties that may be assessed by a court of law for the underlying violations; 2) any towing or storage fees, or both, charged by the towing company.
- C. If there exists more than one registered owner or lessee of the vehicle in question, each registered owner or lessee shall be jointly and severally liable to the county for the administrative fee.

### **1-7: COMMENCEMENT OF IMPOUNDMENT:**

Whenever a law enforcement officer has probable cause to believe that a motor vehicle is subject to impoundment, under section 1-5 of this division, the officer shall provide for the towing of the vehicle to a facility authorized by the county. Said vehicle shall be impounded and held until such time the administrative fee is paid or the vehicle is subject to release under the provisions of this division.

### **1-8: NOTICE OF SEIZURE AND IMPOUNDMENT:**

Upon seizure and impoundment, the law enforcement officer shall provide notice as directed under this section.

- A. Initial Notice: At the time the vehicle is towed, the deputy shall notify, or make a reasonable attempt to notify, the registered owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the impoundment, and of the registered owner's or lessee's right to an administrative hearing.
1. Any notice under this section shall be in writing, and said notice shall indicate that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the registered

owner, lessee, or a lienholder of record posts, with the sheriff, a bond equal to the administrative fee and pays for all towing and storage charges.

2. Said notice shall inform the recipient of the right to an administrative hearing, and shall provide instructions on the exercise of that right.

B. Owner Is Passenger or Driver: If a registered owner or lessee is found to be a passenger or driver of any vehicle seized under this division, then he or she shall be personally served with written notice under this section.

C. Owner Is Not Passenger or Driver: If no registered owner or lessee is found to be a passenger or driver of any vehicle seized under this division, then the written notice shall be served on the registered owner or lessee, either by personal service or by certified mail, to the address as registered with the Secretary of State.

1. All notices shall be served upon the registered owner or lessee within ten (10) business day after a vehicle is seized and impounded; and

2. Said notice shall indicate that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the registered owner, lessee, or a lienholder of record posts, with the sheriff, a bond equal to the administrative fee as provided by section 1-9 of this division, and pays for all towing and storage charges.

### **1-9: CASH/CREDIT BOND:**

The registered owner, lessee, or a lienholder of record of any vehicle seized pursuant to this division may retrieve the vehicle seized prior to the evidentiary hearing by posting a cash/credit bond at the DeKalb County Sheriff's Office, in addition to the payment of applicable towing and storage fees.

A. The bond shall be an amount totaling the administrative fee established in sections 1-6 of this division.

B. Upon posting of bond, the vehicle shall be released to the registered owner, lessee, or the lienholder of record who posted said bond.

### **1-10: Preliminary Hearing:**

Preliminary Hearing: If the owner of record of a vehicle impounded pursuant to this section desires to appeal the impoundment, the owner must make a request for a preliminary hearing within twenty-four (24) hours of the impoundment (if served immediately) or within five (5) business days of the receipt of the notice provided. The request shall be in writing and filed with the Sheriff or designee who shall conduct the preliminary hearing within twenty-four (24) hours of the receipt of the request, excluding Saturdays, Sundays, or county holidays. All interested persons shall be given a reasonable opportunity to be heard at the preliminary hearing. The formal rules of evidence shall not apply at the preliminary hearing and hearsay evidence shall be admissible if it is of the type commonly relied upon by a reasonably prudent person. If after the hearing, the Sheriff or designee, determines that there is cause to believe that the vehicle is subject to impoundment pursuant to this article unless the owner of record posts, with the county, a cash/credit bond in the amount of \$300.00 for a first offense, or five hundred dollars (\$500.00) for a second or subsequent offense, plus any costs of prosecution, and pays the tow and storage companies any applicable towing and storage fees. If the Sheriff, or his designee, determines that the continued impoundment of the vehicle is without cause, the vehicle shall be returned to the registered owner without penalty of other fees.

## **1-11: ADMINISTRATIVE HEARING:**

Subject to the provisions of 625 Illinois Compiled Statutes 5/11-208.3, and in a manner consistent with other statutes or ordinances regulating administrative hearings, a registered owner or lessee may request an administrative hearing to review the imposition of the administrative fee under this division.

A. Request for Hearing: A registered owner or lessee of any vehicle seized pursuant to this division may request a hearing within five (5) business days of the Preliminary Hearing. The hearing will be held no later than 45 days after the date of the mailing of the notice of the hearing.

1. All requests for hearing shall be in writing and must include the following:

- a. The name of the registered owner or lessee making the request for hearing;
- b. The name of any registered owner or lessee having an interest in the seized vehicle;
- c. The make, model, and registration number of the vehicle seized;
- d. The date and location of the seizure; and
- e. The identity of the driver who was operating or in control of the vehicle at the time of seizure.

B. Waiver of Hearing: Unless the registered owner or lessee properly delivers a request for hearing within the time allowed under this section, said hearing shall be deemed waived, and any right to an administrative hearing shall be forfeited.

C. Administrative Hearing Officer: The administrative hearing shall be conducted by a hearing officer designated by the county, who is an attorney licensed to practice law in this state for a minimum of three (3) years.

D. Appearance: The party challenging the hearing must appear personally or through a licensed attorney. A failure of the challenging party to appear shall result in a default ruling sustaining the vehicle impoundment.

E. Reasonable Opportunity: All interested persons shall be given a reasonable opportunity to be heard at the hearing.

F. Rules: The formal rules of evidence shall not apply and hearsay evidence shall be admissible.

G. Burden: The burden shall be on the party challenging the administrative fee to prove one of the available defenses by preponderance of the evidence.

H. Written Decision: At the conclusion of the administrative hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment.

I. Bond Forfeited: If the basis for the vehicle impoundment is sustained by the administrative hearing officer, any administrative fee, or bond posted to secure the release of the vehicle shall be forfeited to the county.

- J. Fees to Be Paid: Unless the administrative hearing officer overturns the basis for the vehicle impoundment, no vehicle shall be released to the registered owner, lessee, or lienholder of record until all administrative fees and towing and storage charges are paid.
- K. Vehicle Release: If the administrative hearing officer overturns the basis for the vehicle impound, the vehicle shall be released to the registered owner, lessee, or lienholder of record challenging such fee, provided all towing and storage charges are paid. The administrative hearing officer does not have the authority to waive towing and storage charges.

## **1-12: DEFENSES:**

At any hearing reviewing the imposition of the administrative fee, the administrative hearing officer shall only consider defenses recognized by this section.

- A. There shall only be three (3) recognized defenses to the imposition of the administrative fee:
1. The vehicle was stolen at the time the illegal item was found in the vehicle, and the theft was reported within twenty-four (24) hours after the theft was discovered or reasonably should have been discovered;
  2. The vehicle was operating as a common carrier and the violation occurred without the knowledge of the person in control of the vehicle; or
  3. The vehicle was not used in connection with an offense described in section 1-5 of this division.
- B. Notwithstanding the limitations set forth in paragraph A of this section, the following circumstances shall not constitute a defense to the imposition of the administrative fee:
1. The registered owner, lessee, or lienholder of record was not the driver of the vehicle during the commission of the offense in question;
  2. Any criminal charge related to the incident giving rise to the impoundment has been adjudicated not guilty;
  3. Any criminal charge related to the incident giving rise to the impoundment has been dismissed or otherwise disposed of; or
  4. Any other circumstance not specified in paragraph A of this section.

## **1-13: ADMINISTRATIVE REVIEW LAW:**

All administrative hearing rulings shall be subject to review under the provisions of the Administrative Review Law, as codified at 735 Illinois Compiled Statutes 5/3-101 et seq.

## **1-14: ENFORCEMENT:**

Unless stayed by a court of competent jurisdiction, any administrative fee imposed under this division which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review under the administrative review law may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

## **1-15: ABANDONED VEHICLES:**

Vehicles not retrieved from the towing facility or storage facility within thirty-five (35) days after the administrative hearing officer issues a written decision shall be deemed abandoned and disposed of in accordance with the provisions of Article II of Chapter 4 of the Illinois Vehicle Code.



STATE OF ILLINOIS     )  
  )SS  
COUNTY OF DEKALB    )

**ORDINANCE 2016-19**

**ANNUAL APPROPRIATION AND BUDGET ORDINANCE**

WHEREAS, the various Standing Committees of the DeKalb County Board have conducted reviews and public hearings concerning the budget for the 2017 Fiscal Year; and

WHEREAS, the Finance Committee has now put together a recommendation for the full County Board which represents the revenues and expenses for 74 cost centers; and

WHEREAS, it is necessary that said budget be approved prior to January 1, 2017 so that the services provided by DeKalb County Government may continue uninterrupted;

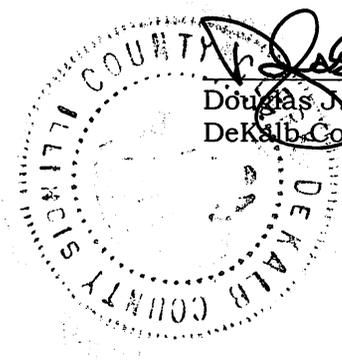
NOW, THEREFORE, BE IT, AND IT IS HEREBY PROVIDED AND ORDERED by the DeKalb County Board, that the monies received by the County Treasurer from taxes and other revenues, for the use of DeKalb County during the Fiscal Year starting January 1, 2017 and ending December 31, 2017 are hereby appropriated as set forth in the attached twenty-three (23) pages for the purposes necessary for DeKalb County to carry out its responsibilities.

ADOPTED THIS 16th DAY OF NOVEMBER, 2016 A.D.

  
Mark Pietrowski, Jr.  
County Board Chairman

ATTEST:

  
Douglas J. Johnson  
DeKalb County Clerk



**DEKALB COUNTY GOVERNMENT  
NARRATIVE FOR FY 2017 BUDGET  
Adopted November 16, 2016  
Page 1 of 19**

Budget Basis

1. When the 2016 Budget parameters were being developed, the Finance Committee set a goal of balancing the General Fund over a two-year period. At the start of this two-year goal, the budget was unbalanced by \$800,000. In 2016, the budget was required to be balanced within \$400,000 and be totally balanced with the 2017 budget. To accomplish this goal, many cuts would need to be made over a two year period and timing of cuts were to be looked at carefully to minimize the impact on existing employees. Consequently, it was also determined that as efforts were to be made to be “fair” to all Departments, expecting the “pain” of cuts to be spread throughout the organization, it was decided that fairness would be looked at in a two-year time frame, not each year individually.

In keeping with that two-year goal, the 2017 Budget is a balanced budget. General Fund revenues equal General Fund expenses. This budget was not easily balanced. When numbers from 2016 were extrapolated into 2017, we saw stagnant or declining revenues that were coupled with increasing expenses, which reflect the ongoing cost of doing business. With that in mind, we looked for revenues that could be increased above the normal inflationary trends and expenses that could be moved to other non-General Fund cost centers or that could be reduced. Unfortunately, this expenditure reduction has resulted in a number of additional staffing cuts above what was done in 2016. In making staffing cuts, the goal was to try and find ways where natural turnover or where retirements may occur so that actual layoffs would be minimized. Despite those efforts, some painful cuts remained to be made.

2. The 2017 Budget represents revenues and expenditures from 74 cost centers across 46 different and independent funds. Revenues have been estimated realistically, but on the conservative side. Expenditures have been estimated realistically, but on the aggressive side to provide somewhat of a cushion for unexpected events. The vision is that expenses should reflect a “pay as you go” philosophy and not delay financial obligations for future generations. Much planning has been done to smooth out expenses in the long-term and minimize large “bumps” in expenditures in future years which are then difficult to deal with from a budget perspective with the Asset Replacement Fund being a prime example of this type of strategy.

3. The assessed value for the County is expected to increase by 7% from \$1,741,385,699 to \$1,869,430,760 for the 2016 levy year which funds the FY 2017 budget. This is the second consecutive year that the assessed value has increased following five consecutive years of declining assessed value and indicates that the local real estate market may have finally turned the corner towards a recovery. However, new construction is still lagging somewhat throughout the County but is still expected to account for 1.1% of the County's assessed value at approximately \$18.4 million. The value of the average home is expected to increase about 7% in 2016. Looking back three years, the value of a \$200,000 home in 2013 will be increasing to more than \$216,000 in 2016.
4. During 2012, the County's outside independent auditing firm, Sikich LLP of Naperville, Illinois, conducted a special review of what would be an appropriate General Fund balance at the end of each fiscal year. Their conclusion was 35% of annual expenditures would be appropriate at that time; however, the target should be re-evaluated and refined periodically to address changes in the operating or financing environment of the County.

Since that time, all seven factors of the target fund balance calculation have fluctuated based on operating results and economic factors, the most significant of which was the leverage category which provides a credit to the fund balance target based on the amount of fund balance available to the General Fund from other funds such as the Asset Replacement Fund, Medical Insurance Fund, Retirement Fund, Special Projects Fund, Tort & Liability Fund, etc.

Since the combined fund balances in those other funds had increased, and since the Section 5311 and Downstate Operating Assistance Program transportation grants had been transferred to a separate Transportation Grant Fund, the fund balance requirement in the General Fund was reviewed as of December 31, 2013 and the target was decreased from 35% of annual expenditures to 28% and defined as follows:

- The target unrestricted fund balance in the General Fund shall be established as 28% of total expenditures as identified in the Statement of Revenues, Expenditures and Changes in Fund Balances for Governmental Funds from the most recently completed audited financial statements.

At the end of 2015, the unrestricted fund balance was \$7,949,177 or 30% of total expenditures. It is projected to decline by approximately \$1.5 million in 2016 due primarily to reductions in sales tax and income tax revenues. That level of utilization would leave the fund balance at \$6.4 million which, based on budgeted expenditures, would equate to only 23% of expenditures.

5. The cost-of-living adjustment (COLA) under the Property Tax Cap Law is set at 0.7% for the 2016 levy year for 2017 collections. This amount (\$146,000 total for all levies) is based on the consumer price index for all urban consumers as published by the U.S. Department of Labor. This increase is incorporated into the property tax levies found on Attachment A. An additional 1.1% (\$239,000 total for all levies) is included to account for the increase from new construction.
6. Property tax levies for various non-General Fund levies are being proportionately reduced as part of the 2017 budget balancing proposal. This group includes Senior Services with a decrease of \$13,000, Public Health with a decrease of \$13,000, Veteran's Assistance with a decrease of \$16,000, and collectively, the three Highway Funds with a total decrease of \$101,000.

Four levies will remain the same from last year as any reduction to those levies would need to be made up by the General Fund. Those levies are the Retirement-FICA levy, the Retirement-IMRF levy, the Tort & Liability levy, and the PBC Lease levy.

The Mental Health Fund levy is subject to a separate tax cap calculation from other levies subject to the tax cap. Accordingly, that levy is increased by \$44,000 or 1.8% to capture both the allowable cost-of-living adjustment (\$17,000) and the new construction component (\$27,000). This will provide a funding source for the joint effort to fund the "Specialized Care & Treatment" line item in the Court Services budget as outlined in Item #44 below.

The General Fund captures the remaining increase from both the allowable cost-of-living adjustment (\$129,000) and new construction dollars (\$212,000).

Due to the retirement of the debt on the Health Facility Building as described in Item #48 below, the total tax levy for 2016 will be \$271,000 lower than the total 2015 tax extension amount which will result in a 1.3% tax decrease for the average homeowner.

7. For 2017, General Fund Departments were given the challenge of not increasing their Commodities & Services expenditures from their 2016 approved budget amounts unless absolutely necessary and limiting any Capital Outlay requests to only those that could not be deferred to future years. With that as the guideline, the departments then submitted their overall requests for 2017. The proposed 2017 General Fund Commodities & Services and Capital Outlay requests are more than \$354,000 lower than in 2016. Those requests are accepted as presented in the FY 2017 Budget Workbook that is distributed to the County Board (and available to the public) via the County's website, with the highlights and exceptions as noted in the following paragraphs and attached schedules A to D.

Salaries & Benefits

8. As of January 1, 2017, all six labor contracts are already in place although the contract with the MAP Union for Court Services Officers does expire before year's end on November 30, 2017. This budget implements the salary increases in those contracts. The contract with the Operating Engineers Union (Highway Department) includes a 2% increase effective January 1, 2017. The contract with the MAP Union for Sheriff's Officers includes a 2.5% increase to the pay scales effective January 1, 2017. The contract with the MAP Union for Court Services Officers includes a 1% increase to the pay scales effective December 1, 2016. There are three separate contracts with AFSCME groups. The Public Health and Nursing Home contracts include a 2.25% increase effective January 1, 2017, and the Sycamore & Highway Campuses contract includes a 2% increase effective January 1, 2017.
9. Non-union increases are being set at 2% for 2017, effective with the pay period beginning December 25, 2016. The Exempt Department Heads will also receive a 2% increase in pay as of the same date.
10. There are several miscellaneous salaries that the County sets for various appointed Boards and employees. Those salaries and any associated increases are: Conflict Assistant Public Defenders from \$25,000 to \$25,500 per individual; the allocation for part-time Deputy Coroners increases from an aggregate of \$44,500 to \$45,500; ESDA Director from \$45,000 to \$46,000; the County Historian from \$7,200 to \$7,400; the Board of Review is increased from \$10,400 to \$10,600 for the Assessment Year starting May 1, 2017; the Board of Review Alternates remain at their same per diem of \$70; the per diem for the Merit Commission remains at \$60; Jury Commissioners remain at \$2,500 per individual; and the Farmland Assessment Review Board per diem remains at \$50.
11. This budget implements salary changes previously granted by the County Board for Elected Officials. As required by law, these salaries must be set prior to the election. The County has established salaries for the County Board, Circuit Clerk, and Coroner in November of 2015 so that all candidates for those positions would be aware of the salary for the upcoming term.
12. The 2012 Adopted Budget mandated the County to take all appropriate actions to allow for the offering of an optional employee Health Savings Account compatible High-Deductible Health Insurance Plan to start as of January 1, 2013. For 2017, the High Deductible Plan has a single/family \$2,600/\$5,200 deductible provision, and the traditional PPO Plan has a \$750/\$1,500 deductible provision.

Offering a High-Deductible Plan allows for the provision of the employer contributing some portion of the premium savings from a PPO plan into a Health Savings Account for the employee. The County's contribution to the Health Savings Account was set at 100% of premium savings for 2013, 95% for 2014, 90% for 2015, and 85% for 2016. For 2017, the percentage is established at 80%.

The County completed an RFP process for its health insurance coverage in 2013 and approved transitioning to self-funded medical and dental plans effective January 1, 2014. The blended funding level for both the self-funded medical plan and the self-funded dental plan is budgeted at 5% for 2017 which includes a \$300,000 budgeted addition to plan reserves. If claims come in as expected for 2016 and 2017, reserve levels should increase to approximately \$3.0 million with the current target being 50% of maximum annual costs or \$3.6 million.

In 2015, the County approved moving from a two-tier premium system for health insurance to a four-tier premium system by adding premium tiers for "Employee & Spouse" and "Employee & Children" coverage categories in addition to the existing "Employee Only" and "Family" tiers. However, due to the cost impact of the higher premium on the full "Family" tier, the four-tier premium system was to be phased in over a period of five years resulting in approximately an additional \$16 to \$20 per month being added to the employee cost for the full "Family" tier for each of the next five years in addition to the required rate increase for that particular year. 2017 marks the third year of the five-year phase in to the four-tier premium system.

Since the phase in plan was designed to be cost neutral, all collective bargaining units were given the option of remaining on the two-tier premium system or adopting the four-tier premium system. The two MAP unions have elected to remain on the two-tier premium system but all other County employees on the health insurance plans are on the four-tier premium system.

For the 2017 Plan Year, dental insurance will become a separate election for employees. This will give employees an option to elect dental insurance only if they desire it and it will remove the dental premium cost from the affordability calculations of the Affordable Care Act. The concept of a "Basic" Health Insurance Plan offering a lower monthly premium in exchange for higher out-of-pocket costs will be researched in order to provide minimum essential coverage at an affordable cost in such a way as to meet one of the Affordable Care Act's safe harbor thresholds and essentially eliminate any penalties being assessed against the County if employees receive subsidies from the insurance exchange.

Employees will continue to pay 25% of the total health insurance premium costs for all plans and the County will be responsible for the remaining 75% of the cost.

13. Employees in positions that are eligible for Health Insurance may elect to participate in the County's Insurance Buyout Program. The payment to those employees electing this option for 2017 will be \$3,000, the same amount as in 2014, 2015, and 2016.
14. In 2008 pension funds experienced large investment losses across the nation and the County's pension funds managed by the Illinois Municipal Retirement Fund (IMRF) were no exception. Because of that, large increases were necessary beginning in 2010 to make up for the lost funds. That higher level of funding continues into 2017, though it appears that the County has reached a plateau regarding rates, as the regular IMRF rate decreases from 10.96% to 10.79% of covered salaries. The Sheriff's Law Enforcement Personnel (SLEP) rate also remains at a higher level of funding, but it will decrease as well from 20.75% to 20.68% of covered salaries.

Additionally, recent legislation has resulted in IMRF sending out prepayment invoices to employers when certain criteria are met that increases a retiring employee's final rate of earnings. This occurs, for example, when an employee's final paycheck includes payment for accumulated leave time. In 2016, the County established a funding mechanism for these types of accelerated payment requests by adding a 0.12% surcharge to departments to accumulate funds for these costs. Based on the County's actual experience since 2012, this surcharge is being increased to 0.21% effective January 1, 2017 and is estimated to generate approximately \$55,000 in 2017.

15. As of January 1, 2017, term Life Insurance coverage for employees in positions eligible for Health Insurance will be \$50,000, the same as in 2016, with no change in the rate per thousand of coverage.

#### Staffing Levels

16. The Administration Office has two Deputy County Administrator part-time positions. Neither position is being funded in 2017 at a total savings of \$22,000 per year. Additionally, the Economic Development Coordinator (this memorializes that the title changed from County Board Coordinator during 2016, but at the same job classification of CT9) will now have that salary funded via the Opportunity Fund for a General Fund savings of \$50,000.
17. In the Finance Office, funding for the part-time Secretary A position is eliminated as well as the salary upgrade monies for the Assistant Finance Director position at a savings of \$15,000 per year.

18. The Information Management Office must continue with the loss of funding for one full-time Assistant Network Technician position. The funding for this position was cut with the approval of the 2016 Budget and continues in 2017 at a savings of \$78,000 to the General Fund.
19. The Assessments Office is being reduced by \$17,000 in salary and benefits. While Administrative staff was prepared to specify the staffing cuts to accomplish that financial goal, the Supervisor of Assessments was afforded the opportunity to first identify what she feels was the best way to accomplish that goal. Through the budget appeal process, an acceptable plan was developed utilizing a combination of increased revenue (\$3,000) and expenditure reductions (\$14,000). Currently, the sale of tax maps is deposited into the GIS Development Fund. This budget authorizes a fee increase for the sale of line maps from \$5 to \$10, for aerial maps from \$13 to \$18, and for Planning & Zoning pass-through maps from \$15 to \$25, and also authorizes the revenue from the sale of all tax maps to be deposited 50% into the GIS Development Fund and 50% into the General Fund effective January 1, 2017. Also, effective October 31, 2017, hours for the full-time Administrative Clerk C position in the department will be reduced from 35 hours per week to 29 hours per week which will convert this position to a part-time position no longer eligible for health insurance benefits. Additionally, once any of the Administrative Clerk C positions becomes vacant, that position cannot be filled for a minimum of 60 days. The reduction in hours, health insurance benefits, and 60-day vacancy, coupled with an expected health insurance category change within the department during 2017 from the Family category to the Employee and Spouse category, will generate the required \$17,000 in savings. This paragraph also memorializes an already implemented change to part-time staff by combining three part-time positions into two and redirecting some of the savings to increased hours and benefits, but those increased hours are kept below the 75% threshold (which is 30 hours per week for these part-time positions) to qualify for health insurance. A request has also been submitted to upgrade these two Administrative Clerk C positions to Administrative Clerk A positions at a cost of \$10,000 but that request is denied due to the fiscal constraints of balancing the General Fund budget.
20. The County Clerk & Recorder & Elections offices would be recommended for a salary and benefit reduction of one FTE to achieve a savings of at least \$27,000, but as a counter to that reduction, we feel a fee increase is a more viable option. In the independent fee study conducted in 2015 by the firm Fiscal Choice Consulting, LLC, it was determined that costs would justify a fee increase in the Micrographics recording charge from \$4.50 per document to just over \$9.00 per document. This budget recommends increasing the fee from \$4.50 to \$8.50. A fee at that level is below the maximum allowed, but still allows the position to be transferred from the General Fund and funded in the Micrographics Fund.

21. In cooperation with the County Treasurer, a plan has been worked out to move the part-time Office Assistant B (0.70 FTE) position to the Tax Sale Automation Fund as a full-time position with benefits effective December 26, 2016, and to eliminate the salary subsidy for one Accounting Clerk A position granted in a previous year. This will produce a net savings of \$15,000 for the General Fund and will allow the Treasurer flexibility in staffing levels as workloads change.
22. The Planning Department is recommended for a \$75,000 reduction for salary and benefits. As of the start of November, 2016, the department has three openings out of five authorized positions. With such a state of flux, including the position of Planning Director remaining vacant until late November, specific organization changes are delayed until no later than July 1, 2017 in order to give time for the new Department Head to assess department operations and recommend the best organizational structure. However, the salary and benefit reduction of at least \$75,000 must be achieved. Current arrangements for extended hours of the Administrative Clerk C and the temporary salary adjustment for the Code Enforcement Technician are extended until the re-organization is complete and approved by the County Administrator and the Planning & Zoning Committee.
23. The recommended reduction for the Judiciary budget will not have an immediate impact, but will generate savings in the future. As turnover occurs with the four Conflict Assistant Public Defender positions, when the positions are then filled with new employees, the positions will not be authorized to work more than 999 hours per year. This will eliminate the position qualifying for the IMRF pension program and once all four positions have been newly filled, the annual savings will be \$11,000 per year. This change does not impact the offering of health insurance for these positions which has been set out previously under separate provisions to create a more attractive salary package for these attorneys.
24. The Circuit Clerk has agreed to allow the allocation of the salary and benefits costs for a staff person to be moved from the General Fund to either the Document Storage Fund or the Court Automation Fund (as situations change from time to time) at a savings to the General Fund of \$45,000. In addition, it is noted that the Circuit Clerk has absorbed many of the technology costs for the Judiciary at a savings to the General Fund.

25. The Sheriff's Office has five cost centers in the General Fund and spends almost \$15,000,000 representing just over 50% of all General Fund monies. This significant piece of the General Fund pie translates into also receiving the largest dollar reduction of all departments. The 2017 budget originally called for a staffing cost reduction of \$275,000 which equates to about 3 officers, depending on which unit is impacted. However, through the budget appeal process, a combination of revenue enhancements and expenditure reductions was developed to achieve the \$275,000 target. One traffic unit Patrol Deputy will be eliminated from the budget at a cost savings of \$95,700.

Additionally, an administrative tow fee of \$300 is recommended that would be applicable when vehicles are towed for specified criminal or traffic offenses. This fee is expected to generate a minimum of \$175,000 annually. In order to cover any potential shortfall in administrative tow fee revenue, the fees will first be deposited into the Law Enforcement Projects Fund and then, in the last quarter of the fiscal year, a transfer will be made to the General Fund from the Law Enforcement Projects Fund for the amount needed to fund the remaining two positions for that year, which amount will be \$179,300 for 2017, and which amount will be increased in future years to include incremental salary and benefits costs for that year. This funding arrangement places the risks and rewards of revenue volatility within the Law Enforcement Projects Fund while ensuring the General Fund receives 100% reimbursement for the costs of the remaining two Officer positions in 2017 and all future years.

26. The Sheriff is also responsible for the Courthouse Security staffing and that is a separate budget outside of the General Fund. Even though the Court Security Fee was increased for 2016 from \$25 to \$50, that amount is still not enough to cover the cost of security due to the decreased level of filings/appearances subject to the fee. There are two choices to balance the budget, either to reduce the staff or increase the fee. While neither choice is desirable, the need for security becomes more apparent all the time with problems surfacing around the United States and consequently this budget recommends that the fee be increased from \$50 to \$64 as of January 1, 2017.
27. The State's Attorney was asked to reduce his salary and benefits cost by approximately \$75,000. That goal was achieved by the State's Attorney by reducing part-time Legal Secretary authorized hours from 38 hours per week to 19 hours per week and by reducing one full-time Legal Secretary B position.

28. The Public Defender has requested that (a) salary levels for attorneys should be increased and that (b) an additional upper level attorney should be hired at an annual salary and benefit cost of \$114,000. While the arguments are convincing, the financial goal of balancing the General Fund budget does not allow for these two increases. In addition, it is noted that \$50,000 was granted in the 2016 budget to allow for contracting for additional help, but that money has gone unspent. Consequently, that \$50,000 is removed from the Public Defender's budget and redirected to the overall goal of balancing the General Fund budget.
29. Court Services has requested an additional Pre-Trial Officer position at a cost of \$79,000 for salary and benefits. In making the request, Court Services points to the success of the program and the apparent (more than) offsetting savings to the County for housing prisoners with other Counties. While savings are real, the amount of savings is difficult to project. While the pre-trial program suggests that the jail population has been reduced at a savings of \$766,500 (35 inmates x \$60 per day x 365 days), the savings, when only looking at the Sheriff's budget for housing prisoners with other Counties, decreases to \$365,000. While determining whether adding a third Pre-Trial Officer would generate savings of more than the cost of the position is difficult to predict, the question becomes even harder to answer because when the expanded Jail opens in mid-2018, the County's daily costs will no longer fluctuate because most costs will then become "fixed" costs. However, we do still believe that the avoidance of medical costs, general liability costs, and a sundry of other small costs makes jail population reduction attractive. All of those savings may still be dwarfed by the long-term benefits to society and to the individual of simply not being incarcerated. With all of the above in mind, we approve the Pre-Trial Officer for a two year period effective January 9, 2017, using monies reserved for future Jail Operating costs, but not needed in 2017 or 2018. This two-year period should be adequate time to ascertain the benefits of a third Pre-Trial Officer and to try and identify a permanent funding source. The Law & Justice Committee is requested to monitor this on a quarterly basis.
30. The Facility Management Office has requested a position upgrade from Secretary B to that of Administrative Assistant at a cost of \$3,800. Given the funding concerns to balance the overall budget, this request is denied.
31. In order to document change over time, this budget item recognizes changes that impact two non-General Fund departments who have their own funding source and approval process. The Veteran's Assistance Commission is embarking on a five-year implementation plan to bring the Department Head salary in line with market conditions by bringing the top salary to \$80,000. In recognition of the increased duties of the Special Court Administrator such as the addition of Mental Health Court, the Drug Court is changing the title to Coordinator of Treatment Courts and doing a salary adjustment to \$59,000 per year as of January 1, 2017.

32. The Jail Transition Program creates a paradox in what has otherwise been a need to reduce staffing levels to balance the budget. While significant cuts are being made throughout the County, preparation for opening a new Jail in 2018 necessitates ramping up staffing to assure a timely and safe opening of the new facility.

The ramp-up of new staffing began in 2015 and will continue through the time the Jail opens. In summary, the transition will allow hiring 8 Corrections Officers (2 in 2015, 4 in 2016, and 2 as of October 1, 2017); 1 Maintenance II Worker will be added in FMO as of April 1, 2017 (one other position request was denied), and no additional staff will be added in IMO (1 was requested, but denied, though \$6,000 is reserved for 2018 for overtime costs at the point of actual cut-over of the new building). Monies for these positions will come from the Landfill Host Benefit Fee that is already in place.

33. A number of personnel changes occurred during the 2016 fiscal year that were approved, if required, by the oversight authority. Those changes are set forth below as a way to memorialize them from an historical perspective and for ease of retrieval through the years. Funding has already been provided and there is no additional impact on the General Fund.
- a. Probation Services – the addition of a part-time Drug Testing Technician at \$10 per hour (subject to increases) for approximately 7.5 hours per week at a total cost including FICA of just over \$4,000.
  - b. Probation Services – the addition of a part-time Pretrial/Drug/DUI Court Secretary for 27.5 hours per week at \$14 per hour (subject to increases) at a total cost, with benefits, of just over \$25,000. The costs of this position are being split evenly between Probation Services and Drug Court.
  - c. Community Action – the addition of a full-time Juvenile Justice Coordinator at a salary range of \$17.07 - \$26.64 (subject to increases) with full benefits.
  - d. Community Action – the upgrade in the job classification for the two Family Support Specialist positions from a CT8 to a CT7A and an increase in weekly hours from 37.5 to 40.0 hours.
  - e. Drug Court – the addition of a part-time Peer Mentor Support position at \$13 per hour (subject to increases) at an average of 18 hours per week for a total cost including FICA of around \$14,000.
  - f. Drug Court – the addition of a part-time House Manager for the Sober Living Home at \$13.50 per hour (subject to increases) at an average of 2 hours per day for a total cost including FICA of around \$8,500.
  - g. Mental Health Court – the addition of a full-time Counselor at \$25.10 per hour (subject to increases) for a total cost of about \$92,000 with full benefits.

- h. Mental Health Court – the addition of a full-time Probation Officer at \$21.21 per hour (subject to increases) for a total cost of about \$78,500 with full benefits.
- i. Mental Health Court – the addition of a part-time Secretary at \$13 per hour (subject to change) at an average of 22 hours per week for a total cost, with benefits, of about \$19,000.

### Operating Issues

- 34. The Asset Replacement Fund is used as a way to set aside monies out of an operating budget each year so that when equipment or software needs to be replaced, enough monies are available to do so. This concept originally started for a systematic process of replacing squad cars for the Sheriff’s Office. This process has become more important with the advent of the Tax Cap law as the “smoothing” of expenditures from one year to the next is the goal. The limits of a tax cap prevent spikes in expenditures from one year to the next. For FY 2017, the Asset Replacement Fund continues with about \$707,000 placed into this fund to cover such items as police cars, computer network equipment, software, and police communication equipment, with purchases of \$835,000 for 2017.
- 35. The Health Department has proposed various fee increases (Attachment D) as part of their annual review to match costs with fees charged. Their request includes increases for five fee categories including Food Sanitation, Potable Water, Sewage, Clinic Services, and Vital Records. These increases are approved and are expected to generate almost \$24,000 in additional revenues.
- 36. Reductions are being made to various requests as reflected on the summary fund schedules including reducing Election costs by \$75,000 to better mirror expenses from the previous similar local election cycle in 2015; eliminating \$6,000 for a used vehicle for IMO as the staffing reduction in the Planning Department should either free up a vehicle for IMO or allow for one to be shared; transferring almost \$11,000 in mapping software and maintenance for the Assessments Office to the GIS Development Fund; reducing capital outlay to zero (from \$11,000) for the County Clerk and Election offices; moving \$14,000 in phone and data charges from IMO to Probation Services and further reducing IMO phone and data charges by an additional \$20,000; transferring \$13,000 of audit costs to the Nursing Home to reflect their share of that cost; and reducing FMO costs for copier leases, utilities, commercial services, and stock paper by a total of \$74,000.

37. The County currently has sales tax sharing agreements with the City of DeKalb to share revenues generated by the former “County Farm & Home” properties. This money pays for bond debt costs for the Courthouse Expansion and certain fixed costs for the City, but the revenues exceed the amount of money for existing obligations. Starting in 2017, the revenues which exceed obligations will be placed in the General Fund and that amount is estimated to be \$443,000.
38. The Landfill Host Benefit Fee is now fully effective and the maximum allowed per year tons is anticipated for both 2016 and 2017. At the maximum volumes, the County expects to receive in excess of \$2.3 million each year. For 2017, the allocation of fees collected over that two-year period will include: about \$203,000 will go towards the County’s Solid Waste Program for education and special recycling collections and projects; almost \$102,000 will go to the Forest Preserve District for land and water conservation efforts as well as environmental education; about \$607,000 will be used for staff transition costs to prepare for the new Jail space; almost \$473,000 will be paid out in internal loan interest payments; and \$2,205,000 will be transferred to the 2017 Alternate Revenue Bonds Fund to pay for 2017 bond interest costs and to set aside funds to abate the 2017 tax levy that will be in place once the bonds are issued for the Jail Expansion Project.
39. As a method to help balance the General Fund, this budget recommends increasing the GIS Fee from \$13 to \$24, generating \$130,000 per year. This increase is supported by the independent Fee Study conducted in 2015 by the firm Fiscal Choice Consulting, LLC.
40. Likewise, fee increases in the Sheriff’s Office are recommended as well for balancing the budget. Fees to be increased include Taking Bond on Process going from \$15 to \$30, generating \$7,000; Civil Process Fee going from \$37 to \$56, generating \$38,000; Body Attachment Fee going from \$50 to \$124, generating \$7,000; Evictions Fee going from \$175 to \$184, generating \$2,000; and Replevin/Mechanic’s Lien going from \$350 to \$600, generating a nominal amount on an annual basis. This increase is supported by the independent Fee Study conducted in 2015 by the firm Fiscal Choice Consulting, LLC.
41. Currently the tower rent from two cell phone companies are deposited in two different places, one for \$39,000 (which increases to \$45,000 in 2017) goes to the General Fund and the other one for almost \$30,000 goes to the Asset Replacement Fund to either refurbish the existing tower and/or to save for the eventual replacement of the tower. With adequate monies now set aside in the Asset Replacement Fund, that annual rental fee will be redirected to the General Fund.

42. Membership in “Metro Counties”, an organization which provides legislative lobbying among other services on behalf of the largest counties in Illinois, is discontinued starting in 2017 at a savings of \$5,000 from the Opportunity Fund. In 2015 Metro Counties had a large dues increase of 40% which gave the County pause for continuing membership, but the County Board decided to continue membership for two years on a “see as we go” basis. With other lower cost alternatives for legislative initiatives, 2017 seems like the appropriate time to end this membership.
43. The Sheriff’s 2017 budget for housing inmates in other counties will remain the same as in 2016 at \$800,000. While it is recognized that the Pre-Trial Program run by Court Services is reducing inmate housing costs, the \$800,000 amount will be needed in 2018 for increased Jail operating costs when the new Jail opens. In the interim, the difference between the \$800,000 budget cost and the actual lower cost will fund a third Pre-Trial Officer for a two-year period in 2017 and 2018.
44. In the 2016 Budget, an arrangement was worked out between Court Services and the Community Mental Health Board for covering the cost of residential placements for juveniles. That concept is being expanded in 2017 so that the first \$75,000 of placement cost will be paid by Court Services, as well as any costs that exceed \$200,000. The Mental Health Board will be responsible for costs between \$75,000 and \$200,000. To help the Mental Health Board cover those costs, the tax levies, within the tax cap parameters, in both 2016 and 2017, have been maximized.
45. This budget continues with the County’s policy to self-insure the risk normally covered under General Liability Insurance, Worker’s Compensation Insurance, and Unemployment Insurance. Provisions are made within the Tort & Liability Insurance Fund to cover claims against the County. The County will continue to purchase Property Insurance on a fully insured basis to cover any property related risks. The Tort & Liability Insurance tax levy for 2016, to be collected in 2017, is set at an amount that is expected to cover 95% of budgeted expenditures. Should claims for the year rise above that level, there are adequate reserves in the fund to cover larger claims.

Boards & Agency Funding

46. The Health Department will receive \$385,000 (the same as in FY 2016) to offset IMRF and FICA charges for their employees. This amount is based on the 11.0% department charge for IMRF and 7.65% for FICA. The County expects to spend \$173,000 for maintenance and utility costs of the Health Department and Multi-Purpose Room, the same as in 2016. The retirement amount is transferred to the Health Department from the County's General Fund, but the maintenance costs are paid directly by the General Fund. The Animal Control program has no subsidy in 2017, save for the vehicle replacement program cost of \$7,000, and also that program did not need a subsidy in 2016.
47. Funding is provided in FY 2017 for several entities: (a) Economic Development Corporation is approved at the requested \$45,000 (same as in 2016), though \$5,000 of this will now come from the Opportunity Fund; (b) Court Appointed Special Advocates (CASA) is approved at the requested \$40,000 (same as in 2016); (c) Ag Extension is approved at \$31,000 (down from \$32,000 in 2016); (d) Soil & Water Conservation District is approved at \$27,000 (same as in 2016); (e) the Joiner History Room is approved at \$9,000 (down from \$10,000 in 2016); (f) the Convention & Visitors Bureau is approved at \$15,000 (same as in 2016) but the entire amount will now come from the Opportunity Fund; (g) the Local Emergency Planning Committee is approved for \$2,000 which is an increase from the 2016 amount of \$1,600 in order to leverage additional State dollars; and (h) Community Action is granted \$7,000 (same as 2016) for their administrative fee for managing the Senior Services grants.

Debt Service - Bonds

48. In 2005, the debt on the Health Facility Building was refinanced and in early 2016 the bonds were paid off several months early through a call provision which saved about \$22,000 in interest costs. The annual \$1,000,000 debt service payment had been prorated between the Rehab & Nursing Center which paid 75% (\$750,000) of the total, and a special property tax levy which paid 25% (\$250,000) of the total and represented that part of the facility used by Public Health and the Multi-Purpose Room.

49. The County sold \$16,000,000 in bonds in late September, 2010. This money was used to finance the Courthouse Expansion project, planning stages for the Jail Expansion project, and issuance and interest costs associated with the bond issue. These bonds will be repaid from sales tax money generated from a special “tax sharing agreement” with the City of DeKalb from sales at the former County Farm property (east side of Sycamore Road). The sales tax allocation of 0.75% is expected to generate about \$1,321,000 in 2017. In addition to sales tax revenue, the Federal Government is scheduled to pay 35% of the interest cost for bonds sold under the “Build America Bonds” Program, and 45% of the interest costs for bonds sold under the “Recovery Zone Bonds” Program. Both interest rebate programs were part of the Federal Economic Stimulus Package approved in 2009. However, because of Federal budget shortfalls, rebates were reduced by 8.7% in 2013, 7.2% in 2014, 7.3% in 2015, 6.8% in 2016, and 2017 is expected to be a reduction of 6.9% (just over \$16,000). While the shortfall is of some concern, the requirements at the time of the bond sale were that the projected annual sales tax revenue had to be 25% more than the bond payment for that year. This gives some cushion to offset the rebate cutback, as well as if sales tax revenues should decline. The bonds will be fully retired on December 15, 2029, subject to a call provision in December, 2020.
  
50. The County does not plan to sell bonds until 2017 (some may be delayed until 2018) to pay for the Jail Expansion project which broke ground in the Spring of 2016. Construction activity in 2016 is expected to be funded with cash and internal borrowing. In total, bonds, cash, and internal borrowing are expected to generate up to \$36,000,000 to cover “all-in” construction costs. Bonds, when issued, are expected to be issued for 30 years and all debt will be retired using revenues from the Landfill Host Benefit Fee Agreement and sales tax on the County Farm property. Monies will be set aside at the rate of between \$1,400,000 and \$1,500,000 in the initial years and continue to escalate during the life of the bonds as the Host Benefit Fee revenue stream is tied to a cost-of-living formula. The addition of the 2017 Alternate Revenue Bonds Fund to the FY 2017 budget increases both total revenues and total expenses by \$33,000,000 in order to record the bond sale proceeds and subsequent transfer of the net proceeds, after paying bond issuance costs, to the Jail Expansion Fund.

Capital & Special Projects

51. As mentioned above, the Jail Expansion project began construction in the Spring of 2016. A combination of cash, internal loans, and the sale of alternate revenue bonds are financing the project. The completed building is expected to open in mid-2018, with the primary construction phase lasting 20 months. The 2016 budget reflected a large increase in total County-wide expenses over 2015 because of this construction project. Expenses in 2017 will be even higher, currently estimated at \$23,000,000, as the majority of construction will take place in that year. Total “all-in” project costs are estimated at \$36,000,000.
52. While the Jail project was expected to include a half basement on the east end, a bid alternate was issued to determine what the cost would be to complete the west half (about 12,000 square feet). Because the bids were favorable, the construction contracts issued by the Public Building Commission, who is overseeing this project, included the full basement. This will be important space for the County as it will provide for long-term storage of County equipment and records, and it facilitated various mechanical rooms for the building and allowed a traditional type of elevator to be used. Once all pricing is known and the bond debt is issued, this budget renews the commitment made in the 2016 budget to help cover the cost of the full basement by providing a \$250,000 appropriation from the “County Farm Fund” and another \$250,000 from the Opportunity Fund.
53. Another need that became apparent with the Jail Expansion project moving forward was the need for parking spaces. In the space where the Jail is being constructed, 60 permanent spaces are lost and an additional 40 spaces are being temporarily lost during the construction period. Constructed on existing County land along State Street, a new parking lot was added in late fall of 2015 with finishing touches being made in 2016 and the final layer of blacktop will be put down in 2017 or 2018 after the Jail construction is completed. An appropriation of \$100,000 was made in 2016 from the Opportunity Fund, to be used along with \$250,000 that was set aside from the 2010 Bond Issue for that purpose. The appropriation from 2016 is being carried forward into 2017 (perhaps to 2018) when it is anticipated that the cash money will be needed.
54. Like the recent past years, no additional funding allocation is made to the Special Projects Fund and only minimal capital projects are approved for 2017. Projects that are approved include the Sheriff’s high-band repeater system for the Squad cars (\$40,000 in 2017 and \$62,000 in 2018), security camera recorder system for parking lots and key office areas (\$15,000), continuation of the County’s participation with connector bike paths being constructed by municipalities (\$20,000), and miscellaneous items that include network infrastructure, energy use reduction, and contingencies (\$25,000). The total budget for these items is \$100,000.

55. Planned uses for the Opportunity Fund in 2017 include two items rolled-over from 2016 which are (a) the build-out of the Jail Expansion basement for long-term storage needs for \$250,000 (see Item #52), and (b) the Sycamore Campus parking lot for \$100,000 (see Item #53). Economic Development items will consume most of the rest of the Opportunity Fund uses for 2017: (c) \$50,000 to pay the salary of the Economic Development Coordinator; (d) \$5,000 of the County's \$45,000 annual contribution to the DeKalb County Economic Development Corporation of which the County is a charter member; (e) \$15,000 for a contribution to the DeKalb Area Convention & Visitors Bureau; (f) \$51,000 for the second year (July 1, 2017 through June 30, 2018) of a three-year trial program for implementing a Business Incubator Program that is hoped to eventually be self-sustaining; and (g) \$35,000 to seek Community Economic Development (CEDs) certification which may help in grant opportunities for the County and the communities within the County. This initiative anticipates our Planning Director and Economic Development Coordinator will take lead roles in working with NIU's Center for Governmental Studies (previous work on the Economic Summit should provide a good basis for this certification process), the DeKalb County Economic Development Corporation, and the DeKalb County Community Foundation (utilizing their economic development grant program of \$20,000 to help offset costs). The total budget for the Opportunity Fund is \$506,000.
56. There are four Renewal & Replacement Funds in place for various sites and buildings. Several projects were requested and approved for 2017. The major items included are \$22,000 for the Public Safety Building for HVAC impacts of the Jail Expansion and \$50,000 for HVAC work at the Community Outreach Building to resolve humidity issues following a successful experiment with the Veteran's Assistance Office. The other projects are smaller in nature including carpet (\$20,000) in the Legislative Center (Court Services) and the Administration Building (County Clerk), security items including parking lot cameras (\$23,000), energy efficiency measures (\$10,000), general painting (\$25,000), concrete work (\$40,000), client and guest chairs (\$12,000) at the Health Department, and landscaping (\$20,000). The total appropriation for the four funds, which will actually be part of the budget of the Public Building Commission and not of the County, is \$250,000 including contingencies of \$28,000.
57. Each year the Highway Department presents five-year plans for both their Equipment Replacement needs and their Transportation Improvement Program. For 2017, the purchase of seven major equipment items costing just over \$700,000 has been requested and accepted as part of the Highway budget. Five projects are included in the Transportation Improvement Plan at an estimated cost of \$7,200,000. The specific details of both plans are included in the Budget Workbook referenced above and available on the County's website. In addition, the Highway Department began to set aside an annual amount of \$100,000 beginning in 2015 to build up a "Renewal & Replacement Fund" for capital needs for the Highway's buildings and grounds. The annual set aside amount will continue at \$100,000 for 2017.

58. The Sheriff has requested \$150,000 to build a 5,760 square foot cold storage building, most likely on the Highway Department grounds in DeKalb to provide space for squad cars not yet deployed and for large pieces of evidence. In the past, FMO has expressed a desire for cold storage space and often such space is needed for various County departments for excess equipment and supplies. This budget allocates up to \$250,000 for such space from the County Farm Fund and asks that the County Highway Committee oversees this project and that both short and long-term needs of various County departments are considered in this process. The cost of the project may expand if interested departments can provide their own additional funds. The County Farm Fund also includes \$35,000 for marketing County-owned land on the former County Farm property to maximize sales tax revenue from the special “tax sharing agreement” with the City of DeKalb (see Item #49) before it expires in 2033. These two items, combined with the build-out of the Jail Expansion basement for long-term storage needs for \$250,000 (see Item #52), total \$535,000 for the County Farm Fund budget for 2017.

#### Alternatives & Appeal Process

59. There were several budget requests by Departments that were denied in order for the Finance Committee fund balance utilization goal to be met. That goal was to use no reserves and that the operating revenues needed to meet or exceed operating expenses. If the County Board wants to fund any of the denied funding requests, two options exist: (a) re-prioritize recommended funding levels and drop a funded request replacing it with a denied request, and/or (b) utilize fund balance reserves thereby delaying for at least one more year accomplishing the goal of a balanced budget.
60. County Board Members, Department Heads, and Outside Agencies once again were offered an “appeal process” to object to the Budget as originally submitted by Administration. These appeals needed to be directed to the Finance Office by September 28, 2016. All appeals submitted by the deadline were heard by the appropriate County Board Standing Committee and, if successful at that level, were considered by the Finance Committee at their November 2, 2016 meeting. This budget incorporates all successful appeals and final budget reconciliation items that were approved by the Finance Committee at its November meeting.

DEKALB COUNTY GOVERNMENT

- FY 2017 BUDGET -

PROPERTY TAX LEVIES

(A)	(B)	(C)	(D)	2017 Budget Based on Column E	
				(E)	(F)
	Actual	Actual	Actual	Budget	Budget
1. Assessment Year	2013	2014	2015	2016	2016
2. Collection Year	2014	2015	2016	2017	2017
<b>FUNDS:</b>					
3. General	11,754,877	12,425,039	12,711,419	13,189,000	13,277,000
4. Retirement (FICA)	99,964	99,849	99,607	100,000	100,000
5. Retirement (IMRF)	99,964	99,849	99,607	100,000	100,000
6. Tort & Liability	888,802	680,127	596,076	600,000	600,000
7. PBC Lease	174,895	174,948	173,964	175,000	175,000
8. Highway	1,724,947	1,679,976	1,718,225	1,668,000	1,668,000
9. Aid to Bridges	849,956	839,988	859,200	834,000	834,000
10. Federal Hwy Match	849,956	839,988	859,200	834,000	834,000
11. Health	399,858	389,904	397,558	385,000	385,000
12. Senior Services	429,899	419,909	427,336	414,000	414,000
13. Veterans Assistance	514,842	504,840	516,669	501,000	501,000
14. Nursing Home	0	0	0	0	0
15. County Tax Cap Totals	17,787,959	18,154,417	18,458,863	18,800,000	18,888,000
16. Mental Health (Separate Tax Cap)	2,345,623	2,375,021	2,414,954	2,459,000	2,471,000
17. PBC Bonds - Not Capped	606,174	631,304	656,677	0	0
18. ** TOTAL TAX LEVY	20,739,757	21,160,742	21,530,493	21,259,000	21,359,000
19. Capped Dollar Change	383,051	366,457	304,446	341,137	429,137
20. Capped Percent Change	2.2%	2.1%	1.7%	1.8%	2.3%
21. Total Dollar Change	2,753,922	420,985	369,751	(271,493)	(171,493)
22. Total Percent Change	15.3%	2.0%	1.7%	-1.3%	-0.8%
23. Equalized Assessment ('000)	1,726,500	1,695,233	1,741,386	1,869,431	1,969,431
24. Percent Change from prior year	-7.3%	-1.8%	2.7%	7.4%	13.1%
25. Property Tax Rate	1.20126	1.24825	1.23640	1.13719	1.08453
26. Market Value of \$200,000 Home since 2013	200,000	196,380	201,722	216,548	228,147
27. County Tax on this Home	728.76	742.21	757.18	752.62	759.70
28. Average Assessed Value of Cropland Acre	360	395	410	430	430
29. County Tax per Cropland Acre	4.32	4.94	5.07	4.89	4.67

FY 2017 ADOPTED BUDGET

ALL FUNDS

Fund #	Fund Name	Property Taxes	Other Revenues	Transfers Received	Total Received	Salaries & Benefits	Capital	Commodities & Services	Transfers Paid Out	FY2017
										Total Expenses
1111	General Fund	13,389,000	14,811,800	1,208,600	29,409,400	23,405,000	140,300	4,888,100	976,000	29,409,400
1211	Retirement	0	57,000	0	57,000	0	0	56,000	0	56,000
1212	Tort & Liability	600,000	99,400	78,600	778,000	0	0	815,000	0	815,000
1213	PBC Lease	175,000	94,000	0	269,000	0	175,000	92,500	0	267,500
1214	Micrographics	0	184,000	0	184,000	110,000	10,000	85,500	24,800	230,300
1219	Circuit Clerk Electronic Citation	0	17,100	0	17,100	0	0	4,000	0	4,000
1221	Circuit Clerk Operations	0	57,100	0	57,100	0	0	14,500	0	14,500
1222	Law Library	0	65,000	14,000	79,000	0	0	79,800	0	79,800
1223	Court Automation	0	251,500	0	251,500	293,000	88,000	97,000	5,000	483,000
1224	Child Support	0	14,700	0	14,700	71,000	0	7,200	0	78,200
1225	Probation Services	0	196,000	0	196,000	17,000	26,500	150,600	50,500	244,600
1226	Document Storage	0	200,000	0	200,000	146,000	0	129,000	0	275,000
1227	Tax Sale Automation	0	30,400	0	30,400	35,900	3,000	6,500	0	45,400
1228	GIS - Development	0	8,000	0	8,000	0	0	21,000	0	21,000
1229	Court Security	0	573,000	0	573,000	467,000	12,800	0	18,100	497,900
1231	Highway	1,668,000	681,000	400,000	2,749,000	1,541,000	1,379,700	827,600	106,000	3,854,300
1232	Engineering	0	70,800	136,000	206,800	264,000	0	59,800	0	323,800
1233	Aid to Bridges	834,200	138,000	0	972,200	125,000	945,000	250,000	32,500	1,352,500
1234	County Motor Fuel	0	1,499,000	0	1,499,000	598,000	1,592,600	500,000	400,000	3,090,600
1235	Federal Highway Matching	834,200	3,000	0	837,200	0	1,324,400	0	103,500	1,427,900
1236	R & R Highway Facilities	0	0	100,000	100,000	0	75,000	0	0	75,000
1241	Public Health	385,000	2,574,000	405,000	3,364,000	3,082,200	3,000	508,500	59,000	3,652,700
1242	Community Mental Health	2,455,000	7,100	0	2,462,100	227,300	1,000	2,120,100	238,700	2,587,100
1243	Community Action	0	373,000	39,200	412,200	323,000	3,900	79,800	5,500	412,200
1244	Comm Action - Revolving Loans	0	5,200	0	5,200	0	0	0	0	0
1245	Senior Services	414,000	300	0	414,300	0	0	407,000	7,000	414,000
1246	Veterans' Assistance	500,000	0	0	500,000	310,500	3,500	177,600	7,500	499,100
1247	Solid Waste Program	0	25,400	203,400	228,800	92,000	0	114,800	18,000	224,800
1248	Landfill Host Benefit	0	2,324,000	0	2,324,000	0	472,500	101,700	3,015,500	3,589,700
1471	Special Projects	0	1,000	0	1,000	0	100,000	0	0	100,000
1472	County Farm Land Sale	0	1,000	0	1,000	0	250,000	35,000	250,000	535,000
1475	Opportunity Fund	0	40,000	0	40,000	0	100,000	106,000	300,000	506,000
1476	Asset Replacement	0	32,000	675,000	707,000	0	835,000	0	0	835,000
1478	DATA Fiber Optic Network	0	336,000	0	336,000	0	11,000	184,000	13,500	208,500
1483	Transportation Grant	0	1,098,000	0	1,098,000	27,700	0	1,069,500	200	1,097,400
1485	Jail Expansion	0	1,000	32,750,000	32,751,000	0	21,300,000	1,700,000	0	23,000,000
1501	Build America Bonds 2010	0	925,000	0	925,000	0	924,000	1,000	0	925,000
1505	Recovery Zone Bonds 2010	0	312,000	0	312,000	0	311,000	1,000	0	312,000
1506	Alternate Revenue Bonds 2017	0	33,002,000	2,205,000	35,207,000	0	702,000	750,000	32,250,000	33,702,000
2501	Rehab & Nursing Center	0	14,909,600	0	14,909,600	9,067,900	287,000	5,058,100	207,900	14,620,900
2601	Medical Insurance	0	6,740,000	0	6,740,000	0	0	6,440,000	0	6,440,000
3774	History Room	0	2,000	9,000	11,000	8,100	2,000	3,000	0	13,100
3775	Children's Waiting Room	0	30,000	0	30,000	0	0	24,000	0	24,000
3776-A	Drug Court	0	133,000	66,500	199,500	179,000	500	42,900	0	222,400
3776-B	Sober Living Home	0	18,000	0	18,000	7,700	0	8,700	2,500	18,900
3776-C	Mental Health Court	0	94,100	0	94,100	145,000	100	8,800	0	153,900
3802	St Attorney - Drug Prosecution	0	4,100	0	4,100	0	0	4,600	0	4,600
3803	Sheriff's Law Enforce Projects	0	248,000	0	248,000	0	14,900	55,500	198,600	269,000
** Total Budget **		21,254,400	82,286,600	38,290,300	141,831,300	40,543,300	31,093,700	27,085,700	38,290,300	137,013,000

FY 2017 ADOPTED BUDGET

GENERAL FUND DEPARTMENTAL BUDGETS

Dept #	Department Name	Property Taxes	Other Revenues	Transfers Received	Total Received	Salaries & Benefits	Capital	Commodities & Services	Transfers Paid Out	FY2017
										Total Expenses
1110	Administration	0	0	54,800	54,800	534,000	0	48,300	2,700	585,000
1210	Finance	0	0	10,000	10,000	502,000	0	48,800	17,800	568,600
1290	Non-Departmental Services	13,389,000	8,253,800	65,000	21,707,800	0	4,000	320,000	421,200	745,200
1310	Information Management	0	340,300	75,000	415,300	911,000	3,300	108,600	151,500	1,174,400
1410	Supervisor of Assessments	0	46,000	0	46,000	446,000	0	42,100	2,800	490,900
1510	County Clerk	0	650,000	0	650,000	471,000	0	38,000	0	509,000
1530	Elections	0	10,000	0	10,000	136,000	0	335,000	0	471,000
1710	Planning	0	59,400	0	59,400	408,000	0	27,000	7,500	442,500
1810	Regional Office of Education	0	112,000	0	112,000	179,000	0	30,100	8,000	217,100
1910	Treasurer	0	120,600	0	120,600	289,000	0	32,800	0	321,800
2210	Judiciary	0	61,000	0	61,000	528,000	5,000	97,400	2,900	633,300
2220	Jury Commission	0	0	0	0	48,000	0	103,100	0	151,100
2310	Circuit Clerk	0	1,630,000	0	1,630,000	1,152,000	0	84,300	0	1,236,300
2410	Coroner	0	17,000	0	17,000	170,000	0	83,700	7,000	260,700
2510	ESDA	0	32,000	0	32,000	109,000	500	38,700	1,600	149,800
2540	Local Emergency Plan Comm	0	8,000	0	8,000	10,000	0	0	0	10,000
2610	Sheriff	0	1,001,000	182,600	1,183,600	5,855,000	4,000	370,900	281,000	6,510,900
2620	Sheriff's Merit Commission	0	4,000	0	4,000	5,000	0	21,800	0	26,800
2630	Sheriff's Auxiliary	0	0	0	0	0	0	8,000	0	8,000
2670	Sheriff's Communications	0	1,276,000	1,200	1,277,200	2,835,000	0	150,500	38,000	3,023,500
2680	Sheriff's Corrections	0	123,000	642,900	765,900	3,860,000	0	1,373,600	8,000	5,241,600
2710	State's Attorney	0	294,000	0	294,000	1,755,000	0	99,600	0	1,854,600
2810	Public Defender	0	100,000	0	100,000	979,000	0	65,600	4,000	1,048,600
2910	Court Services	0	515,500	130,000	645,500	1,472,000	0	322,100	0	1,794,100
4810	Facilities Management	0	80,200	47,100	127,300	731,000	73,500	785,400	22,000	1,611,900
4910	Comm Outreach Building	0	78,000	0	78,000	20,000	50,000	79,700	0	149,700
4920	Public Health Facility	0	0	0	0	0	0	173,000	0	173,000
4999	Utilization of Fund Balance	0	0	0	0	0	0	0	0	0
** Total General Fund **		13,389,000	14,811,800	1,208,600	29,409,400	23,405,000	140,300	4,888,100	976,000	29,409,400

**DEKALB COUNTY GOVERNMENT  
FY 2017 BUDGET  
HEALTH DEPARTMENT FEE INCREASES**

Program	2016 Fees	2017 Adopted Fee Increases	Estimated Revenue Generated
<b>ANIMAL CONTROL (Line Item 3531)</b>			
Registration - 1 year altered	19.00		
Registration - 1 year unaltered	38.00		
Registration - 3 years altered	51.00		
Registration - 3 years unaltered	102.00		
Late Registration	15.00		
Inpoundment/Pickup First Offense	80.00		
Additional Dog/One Pickup	30.00		
Relinquishment Fee - altered	50.00		
Relinquishment Fee - unaltered	75.00		
<b>FOOD SANITATION (Line Item 3543)</b>			
Class A Food Establishment	775.00	790.00	\$11,700
Class B Food Establishment (catering)	565.00	575.00	
Class B Food Establishment (no catering)	465.00	475.00	
Class C Food Establishment	400.00		
Class D Food Establishment	190.00	200.00	
Bed & Breakfast Establishment		150.00	
<i>•Food Pantries are exempt from fee</i>			
Class E Food Establishment	1 day 55.00		
<i>•Application must be received 7 days prior to the event to avoid late fee</i>	2-4 days 115.00		
<i>•Not-for-profit, Non-PHF, Sampling Only - 50% for Class E</i>	5+ days 150.00	160.00	
<i>•Restaurant Late Fee - 50% of cost of license</i>			
Vending Machine Permit	25.00	25.00	
Mobile/Seasonal with Food Preparation	260.00	280.00	
Mobile/Seasonal without Food Preparation	180.00		
Plan Review - New Restaurant	450.00	475.00	
Plan Review - Established	250.00	275.00	
Non-Compliance Fee	75.00	100.00	
Cottage Food Registration Fee	25.00		
<b>POTABLE WATER (Line Item 3542)</b>			
Water Well Permit* / Inspection / Sample	295.00		\$900
<i>•\$100 well permit fee - State Statute</i>			
Water Well Sealing Permit	80.00	90.00	
Water Sample with Collection	75.00		
Geothermal Well (up to 10 holes)	100.00		
<i>•\$10 each additional hole</i>			
Non-Community Water Sample (Nitrate)		25.00	
<b>SEWAGE (Line Item 3541)</b>			
Septic Installer/Pumper License	170.00	100.00	\$900
Septic Permit - Contractor Installed	390.00		
Septic Permit - Homeowner Installed		490.00	
<b>REAL ESTATE INSPECTIONS (3551 and 3552)</b>			
Well Inspection and One (1) Water Test Sample	175.00		\$4,700
Additional Water Sample Test at time of Scheduled Inspection	40.00		
Septic Inspection	165.00		
<b>CLINIC SERVICES</b>			\$6,400
Medicaid, Medicare, health Insurance and self-pay for immunizations, TB, maternal and child clinical services, and drug testing	Internal - Variable		
<b>VITAL RECORDS</b>			
Birth Certificate - First Copy	16.00		\$4,700
Birth Certificate - Each Additional Copy	7.00	8.00	
Death Certificate - First Copy	21.00		
Death Certificate - Each Additional Copy	16.00	17.00	
<b>TOTAL</b>			<b>\$23,700</b>

**RESOLUTION  
R2016-79**

**A RESOLUTION AMENDING VARIOUS FEES FOR COSTS INCURRED  
BY THE DEKALB COUNTY CLERK & RECORDER'S OFFICE**

**WHEREAS**, the Information Management Office and the DeKalb County Clerk & Recorder's Office incur costs in the course of carrying out various duties of the Offices; and

**WHEREAS**, the State of Illinois has empowered the County Board of DeKalb County to recover the cost of providing those services provided that a fee is set according to an acceptable cost study; and

**WHEREAS**, the County currently charges \$13.00 for Geographic Information System (GIS) fees and \$4.50 for the County portion of the Micrographics Charge; and

**WHEREAS**, the County retained the firm Fiscal Choice Consulting, LLC of Northfield, Illinois to conduct a cost study; and

**WHEREAS**, said study has determined that the revenue generated by the fees referenced above are no longer sufficient to defray the entire cost of providing those services; and

**WHEREAS**, the County's financial policy has a goal of establishing all user charges and fees at a level related to the cost of providing services; and

**WHEREAS**, the DeKalb County Finance Committee has reviewed these proposed fee increases and has determined that these fee increases are an appropriate avenue for providing the services listed above;

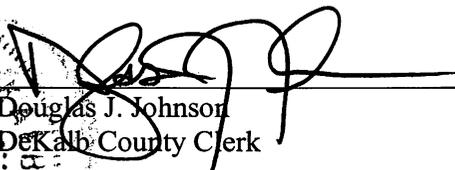
**NOW, THEREFORE, BE IT RESOLVED**, the County Board of DeKalb County, Illinois, hereby approves that the DeKalb County Clerk & Recorder's Geographic Information System (GIS) fee will increase from \$13.00 to \$24.00 and that the County portion of the Micrographics Charge will increase from \$4.50 to \$8.50 and that both fee increases will become effective January 1, 2017.

**BE IT FURTHER RESOLVED** that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Information Management Director, the Treasurer, and the County Administrator.

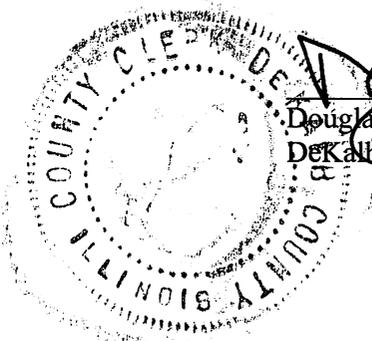
**PASSED THIS 16TH DAY OF NOVEMBER, 2016 AT SYCAMORE, ILLINOIS**

ATTEST:

SIGNED:

  
Douglas J. Johnson  
DeKalb County Clerk

  
Mark Pietrowski, Jr.  
County Board Chairman



**RESOLUTION  
R2016-80**

**A RESOLUTION AMENDING VARIOUS FEES FOR COSTS INCURRED  
BY THE DEKALB COUNTY SHERIFF'S OFFICE**

**WHEREAS**, the DeKalb County Sheriff's Office incurs costs in the course of carrying out various duties of the Office; and

**WHEREAS**, the State of Illinois has empowered the County Board of DeKalb County to recover the cost of providing those services provided that a fee is set according to an acceptable cost study; and

**WHEREAS**, the County currently charges \$50.00 for Body Attachment, \$37.00 for Civil Process, \$175.00 for Evictions, \$350.00 for Replevin/Mechanic's Liens, and \$15.00 for Taking Bond; and

**WHEREAS**, the County retained the firm Fiscal Choice Consulting, LLC of Northfield, Illinois to conduct a cost study; and

**WHEREAS**, said study has determined that the revenue generated by the fees referenced above are no longer sufficient to defray the entire cost of providing those services; and

**WHEREAS**, the County's financial policy has a goal of establishing all user charges and fees at a level related to the cost of providing services; and

**WHEREAS**, the DeKalb County Finance Committee has reviewed these proposed fee increases and has determined that these fee increases are an appropriate avenue for providing the services listed above;

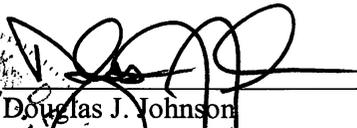
**NOW, THEREFORE, BE IT RESOLVED**, the County Board of DeKalb County, Illinois, hereby approves that the County Sheriff's Office fees will increase for Body Attachment from \$50.00 to \$124.00, Civil Process from \$37.00 to \$56.00, Evictions from \$175.00 to \$184.00, Replevin/Mechanic's Liens from \$350.00 to \$600.00 and Taking Bond from \$15.00 to \$30.00 and that all said fee increases shall become effective January 1, 2017.

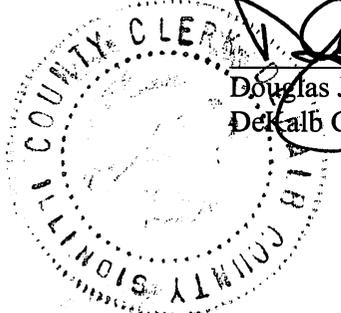
**BE IT FURTHER RESOLVED** that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Sheriff, the Treasurer, and the County Administrator.

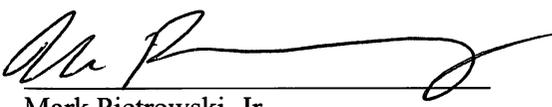
**PASSED THIS 16TH DAY OF NOVEMBER, 2016 AT SYCAMORE, ILLINOIS**

ATTEST:

SIGNED:

  
\_\_\_\_\_  
Douglas J. Johnson  
DeKalb County Clerk



  
\_\_\_\_\_  
Mark Pietrowski, Jr.  
County Board Chairman

**RESOLUTION  
R2016-81**

**A RESOLUTION AMENDING THE DEKALB COUNTY  
COURT SERVICES FEE (COURT SECURITY FEE)**

**WHEREAS**, the State of Illinois General Assembly at 55 ILCS 5/5-1103 has empowered the County Board of DeKalb County to enact a Court Services Fee dedicated to defraying court security expenses incurred by the Sheriff in providing court services or for any other court services deemed necessary by the Sheriff to provide for court security; and

**WHEREAS**, the County Board has created a separate Court Security Fund to account for the collection and disbursement of the Court Services Fee which is referred to as the Court Security Fee in adopted County budget documents; and

**WHEREAS**, DeKalb County currently collects \$50.00 as a court filing fee to defray court security expenses; and

**WHEREAS**, the current fee of \$50.00 is no longer sufficient to defray the entire cost of providing court security services; and

**WHEREAS**, the Court Services Fee (Court Security Fee) shall not exceed \$25.00 unless the fee is set according to an acceptable cost study in accordance with Section 4-5001 of the Counties Code; and

**WHEREAS**, the County retained the firm Fiscal Choice Consulting, LLC of Northfield, Illinois to conduct such a study; and

**WHEREAS**, said study has determined that the cost of providing court security services is \$76.97 per filing based on the number of cases for which a fee was paid during the time period included in the study; and

**WHEREAS**, the FY 2017 Administrative Budget Recommendation proposes an increase in the Court Services Fee (Court Security Fee) to \$64.00 and such an increase would be sufficient to eliminate any General Fund subsidies to the Court Security Fund for the foreseeable future; and

**WHEREAS**, the County's financial policy has a goal of establishing all user charges and fees at a level related to the cost of providing services; and

**WHEREAS**, the DeKalb County Finance Committee has reviewed the proposed fee increase and has determined that this fee increase is an appropriate avenue for providing court security services;

**NOW, THEREFORE, BE IT RESOLVED**, by the County Board of DeKalb County, Illinois, that the Clerk of the Circuit Court of DeKalb County shall charge and collect a Court Services Fee (Court Security Fee) of \$64.00 payable at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases, but no additional fee shall be required if more than one party is represented in a single pleading, paper, or other appearance, however, no fee shall be imposed or collected in traffic, conservation, and ordinance cases in which fines are paid without a court appearance; and

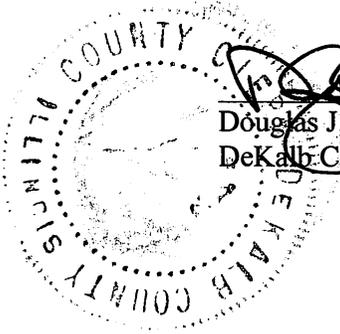
**BE IT FURTHER RESOLVED** that said Court Services Fee (Court Security Fee) shall be effective January 1, 2017; and

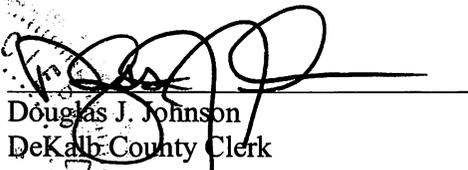
**BE IT FURTHER RESOLVED** that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Clerk of the Circuit Court, the Treasurer, and the County Administrator.

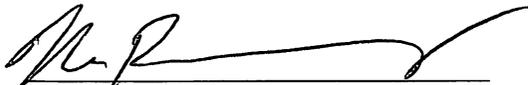
**PASSED THIS 16TH DAY OF NOVEMBER, 2016 AT SYCAMORE, ILLINOIS**

ATTEST:

SIGNED:



  
Douglas J. Johnson  
DeKalb County Clerk



Mark Pietrowski, Jr.  
County Board Chairman

**DEKALB COUNTY  
FOREST PRESERVE DISTRICT  
November 16, 2016**

**AGENDA**

1. Roll Call
2. Approval of Minutes
3. Approval of Agenda
4. Persons to be Heard from the Floor
5. Standing Committee Reports:
  - a. **Ordinance FP-O2016-01:** Adoption of the Property Tax Levy for FY 2017. *The DeKalb County Forest Preserve District Commissioners hereby approve to levy upon all the taxable property within DeKalb County, as assessed, for the calendar year beginning January 1, 2016 and ending December 31, 2016, and to be collected for fiscal year beginning January 1, 2017 and ending December 31, 2017, in the total amount of \$1,485,000.*
  - b. **Ordinance FP-02016-02:** Annual Appropriation for FY 2017. *The DeKalb County Forest Preserve District Commissioners hereby adopt the Forest Preserve District's Annual Appropriation Ordinance for the Fiscal Year starting January 1, 2017 and ending December 31, 2017 in the total amount of \$1,721,100.*
  - b. **Claims to be Paid in November 2016:** Move to approve the payment of claims for this month, and the off cycle claims paid during the previous month, in the amount of \$266,426.49.
6. Old Business
7. New Business
8. Adjournment





COMMODITIES AND SERVICES

8003	Travel	\$1,000
8005	Mileage-Boards	600
8011	Memberships	500
8013	Public Notices	300
8022	Maint-Equipment	5,000
8023	Maint-Vehicles	10,000
8024	Maint-Buildings	10,000
8025	Maint. Grounds	10,000
8041	Utilities	8,000
8044	Telephone	5,000
8051	Professional Services	10,000
8061	Commercial Services	5,000
8211	Property Taxes	1,500
8332	Environmental Education	20,000
8411	NREC Expenses	25,000
9001	Supplies	30,000
9011	Postage	400
9021	Copies In-house	0
9211	Clothing	0
9221	Fuel	30,000
9241	Vehicular Parts	2,000
9242	Machine & Equipment Parts	3,000
9801	Miscellaneous	1,000

**SUBTOTAL** **\$178,300**

**Land Acquisition & Land Management**

(4250) 7001, 6071, 6501, 6502, 6601 6005 6221 6510 6512 7353 9001  
Land Management and 5936 Contribution to Land Ac.

\$550,000  
½ of property tax levy  
+ \$16,000 interest  
**= \$566,000**

**Retirement**

\* (4260) Contribution to IMRF Reserve \$35,000 will be contributed to 4210 4250 4270 - 6502

**\$35,000**

**Tort and Liability**

( 4270 ) 7253 Risk Abatement 9001 Supplies 8101 Insurance Premiums 6005 6231 6501 6502 6511 7719 6081

\$315,000  
+ \$1,000 interest  
**= \$316,000**

**Natural Resource Management and Environmental Education Fund**  
(Waste Management Host Fee Agreement) 6005 6061 6501 7252 8332 9001

**\$100,300**

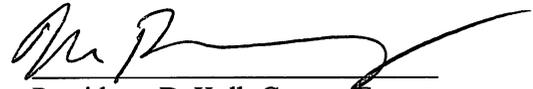
**TOTAL EXPENSES** **\$1,721,100**

Section 2. That the following sums constitute a statement of estimated revenues for the DeKalb County Forest Preserve District for the period commencing January 1, 2017 and continuing through December 31, 2017.

3011 Property Tax (General)	\$1,100,000
3014 Property Tax (FICA)	35,000
4260- 3014 Property Tax (IMRF)	35,000
4270- 3015 Property Tax (Tort and Liability)	315,000
<i>Property Tax Total</i>	<i>\$1,485,000</i>
<i>Other</i>	
3041 T.I.F. Surplus	15,000
3331 Replacement Tax	10,000
4632 NREC Revenue	25,000
5501 Interest	23,100
5521 Farm Licenses	18,000
5522 Shelter Rentals, Camping Fees	10,000
5911 Cont. Fr. FP Retirement Fund	35,000
5963 Natural Res. Mgmt. Environmental Education Fund	100,000
<b>TOTAL REVENUE DISTRIBUTED</b>	<b>\$1,721,100</b>

Section 3. That this Ordinance shall be in full force and effect after its passage and approval as provided by law.

ADOPTED BY THE DE KALB COUNTY FOREST PRESERVE DISTRICT  
COMMISSIONERS THIS 16<sup>th</sup> DAY OF NOVEMBER, 2016.

  
\_\_\_\_\_  
President, DeKalb County Forest  
Preserve District Commissioners

ATTEST:

  
\_\_\_\_\_  
Secretary, DeKalb County Forest  
Preserve District Commissioners

