

*Note: These minutes are not official until approved by the Ad Hoc Rules Committee at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.*

DeKalb County Government  
Sycamore, Illinois

**Ad Hoc Rules Committee Minutes  
March 13, 2019**

The Ad Hoc Rules Committee of the DeKalb County Board met on Wednesday, March 13, 2019 in the Administration Building's Conference Room East in Sycamore, Illinois. Chairman Pietrowski called the meeting to order at 6:30 p.m. Those Members present were Mr. Tim Bagby, Mr. Scott Campbell, Mr. Steve Faivre, Vice Chairman John Frieders, Ms. Dianne Leifheit, Mr. Jeff Whelan, Ms. Suzanne Willis, and Chairman Mark Pietrowski, Jr. A quorum was established with eight Members present.

Others present were Gary Hanson, Paul Stoddard, Linda Slabon, Roy Plote, Maureen Little, Chris Porterfield, Craig Roman, Rukisha Crawford, Dan Cribben, Tim Hughes, Tracy Jones, and Jim Hutcheson.

**APPROVAL OF THE AGENDA**

**Mr. Whelan moved to approve the agenda as presented and Mr. Faivre seconded the motion. The motion was carried unanimously by voice vote.**

**APPROVAL OF THE MINUTES**

**It was moved by Mr. Bagby, seconded by Mr. Porterfield, and it was carried unanimously by voice vote to approve the minutes from the last meeting which was held on February 14, 2019.**

**PUBLIC COMMENTS**

There were no public comments made.

**APPROVAL OF AN ORDINANCE DESIGNATING THE EXECUTIVE COMMITTEE AS THE BODY TO DETERMINE THE INITIATION, SETTLEMENT, COMPROMISE AND APPEAL OF LITIGATION ON BEHALF OF THE COUNTY OF DEKALB, ILLINOIS**

Mr. Hanson explained that Chief Civil Assistant State's Attorney David Berault responded to the request of the Committee to manifest and incorporate wording into the County Code to provide for rules in which the County board receives legal briefings and case updates from the State's Attorney Office. Mr. had shared that the current State's Attorney's Office has requested these changes as well to ensure that future State's Attorneys are working with the County Board and advising them properly. It is clear in their handling of old litigation that this was not occurring in the past, and because of that, there have been numerous issues left to be paid for by the Board, without them having proper insight or control in the early decision-making process. The State's Attorney's Office hopes that these changes will help eliminate this disconnect in the future.

The Committee reviewed an Ordinance that was drafted a few months ago in regard to giving the Executive Committee this role. A few updates were made in order to codify the wording into a new section of the County Code.

The Committee agreed that they were all in favor of the Executive Committee taking on this role and clarified that these discussions would be taking place in Executive Session but that all County Board Members are welcome to come to the Executive Committee and stay for Executive Session discussions.

**It was moved by Mr. Faivre, seconded by Ms. Willis, and it was carried unanimously to forward the Ordinance to the full County Board recommending its approval.**

### **APPROVAL OF AN ORDINANCE AMENDING CHAPTER 2 OF THE DEKALB COUNTY CODE**

Mr. Hanson provided the Committee with an Ordinance and attachment with all of the final wording changes that were discussed at the Committee's last meeting. He also added that the Committee received all of this information over a week ago so that they had time to review and digest everything. Since that time, Mr. Bagby proposed an additional minor change to Sec. 2-37:

#### **Sec. 2-37. - Comments from the pPublic.**

A time shall be provided on the agenda of each regular meeting of the County Board for members of the public to be heard. Such time shall not exceed 30 minutes. Each pPersons desiring to be heard shall be allotted three minutes in which to address the Board and each speakers shall identify themselves himself by name and township.

~~If a speaker desires more time, up to one person in attendance may yield their three minutes to the speaker, making the maximum presentation time six minutes. No member of the public may address the board on any issue that has been the subject of a properly noticed and legally held public hearing, conducted by a hearing officer. Time limits may be waived by a vote of the majority of the members present.~~

The Committee all agreed with the changes as highlighted above.

Mr. Bagby and Ms. Willis additionally noted that they have been re-reviewing the last sentence of Section 2-37 about the ability of waiving time limits. The Committee reviewed a few scenarios and ultimately came up with the following wording to add to the section to hopefully accommodate both the Board and the public:

"The 30 minute time limit may be extended, for time certain, by a vote of the majority of the members present."

**Ms. Willis moved to forward all the proposed changes, along with the additional items from the present meeting, to the full County Board recommending their approval. Mr. Whelan seconded the motion and it was approved unanimously.**

### **ADJOURNMENT**

It was moved by Mr. Bagby, seconded by Ms. Willis and it was carried unanimously to adjourn the meeting at 6:49 p.m.

Respectfully submitted,

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Chairman Mark Pietrowski

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Tasha Sims, Recording Secretary

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**DEKALB COUNTY, ILLINOIS  
ORDINANCE NO. O2019-27**

**ORDINANCE DESIGNATING THE EXECUTIVE COMMITTEE OF THE  
DEKALB COUNTY BOARD  
AS THE BODY TO DETERMINE THE INITIATION, SETTLEMENT,  
COMPROMISE AND APPEAL OF LITIGATION ON BEHALF OF THE  
COUNTY OF DEKALB, ILLINOIS**

**WHEREAS**, the County of DeKalb is a local government body as designated by Article VII of the Illinois Constitution, and;

**WHEREAS**, 55 ILCS 5/1-6003 states that it shall be the duty of the county boards of each of the counties of this State to take and order suitable and proper measures for the prosecuting and defending of all lawsuits to be brought by or against their respective counties, and;

**WHEREAS**, the Illinois Legislature has provided under 745 ILCS 10/9-102 that the counties of Illinois may settle or compromise claims and lawsuits prior to, or during, litigation, through a committee vested by county ordinance with the authority to do so, if such committee considers it advisable to enter into such a settlement or compromise, and;

**WHEREAS**, in accordance with 55 ILCS 5/1-6003 and 745 ILCS 10/9-102, the County of DeKalb seeks to formally provide for a governing committee under the DeKalb County Board to be vested with the authority to enter into such settlement or compromise agreements and to otherwise control the initiation and/or appeal of such litigation on behalf of the County of DeKalb, Illinois.

**NOW, THEREFORE, BE IT ORDAINED** by the County Board of the County of DeKalb, State of Illinois that hereafter:

- I. The DeKalb County Board's Executive Committee, as organized yearly, shall be entrusted with the authority to receive litigation updates as necessary on County litigation that is pending against it, or on behalf of it, and its elected officials.
- II. The DeKalb County Board's Executive Committee is empowered by the DeKalb County Board to make final determinations by vote as to the initiation, settlement, compromise, and/or appeal of litigation for and against the County of DeKalb.
- III. The DeKalb County Board's Executive Committee shall, in its discretion, be permitted by vote to refer any litigation's initiation, settlement, compromise, and/or appeal to the full County Board for a vote, as it determines is necessary or desirable.

**Limitations on Authority:**

Nothing within this Ordinance is to be interpreted to be a restriction or limitation on the DeKalb County State’s Attorney or the DeKalb County Sheriff to initiate, defend, settle, compromise, appeal or otherwise control litigation as is authorized and/or mandated by Illinois law.

**Effective Date:**

This Ordinance and the regulations contained therein shall be in full force and effect on and after the date signed as approved below.

**Codification:**

The provisions of this Ordinance will be incorporated into the County Code as a new section, to be referenced as Article III, Section 2-80, County Litigation.

ADOPTED and APPROVED this 20<sup>th</sup> day of March, 2019.

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

Attest: \_\_\_\_\_  
Douglas Johnson,  
DeKalb County Clerk

**ORDINANCE**  
**O2019-28**

WHEREAS, the DeKalb County Board has determined that it is necessary to amend Chapter 2 of the DeKalb County Code as it pertains to the Rules of the County Board and to County Operations, and

WHEREAS, the County Board did appoint a bi-partisan Ad Hoc Rules Committee to review current rules and to make recommendations for amendments and improvements of the various County Code Sections, and

WHEREAS, the Ad Hoc Rules Committee has recommended that the Sections of Chapter 2 of the DeKalb County Code be amended as they pertain to redistricting, special meeting fees, public comments, litigation, TIF District representation, and other house-keeping and section re-numbering items;

NOW, THEREFORE BY IT ORDAINED that the DeKalb County Board has reviewed the recommendation of the Ad Hoc Rules Committee as attached to this Ordinance as Exhibit A, and those changes are hereby approved, if passed by a 2/3 majority vote as required by Sec. 2-46.

PASSED AT SYCAMORE, ILLINOIS THIS 20<sup>TH</sup> DAY OF MARCH, 2019.

ATTEST:

SIGNED:

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

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

### Sec. 2-27.1. - Redistricting.

(10) The County Administrator, the Community Development Director, and the County Engineer ~~Information Management Office Director~~, utilizing the County's Geographic Information System (GIS) and Information Management Office (IMO) staff, shall each independently develop a potential plan for redistricting. If a vacancy exists in one of these offices, then the Forest Preserve Superintendent ~~County Engineer~~ will fill the open spot. These individuals shall not discuss or share any details of his or her plan with the others, or with any member of the Board, until such plans are presented to the County Board for consideration. The IMO Director will independently submit a report to the County Board analyzing each of the three plans for the degree of compliance with the various criteria as set forth in this Section 2-27.1 of the County Code, as well as with any Federal or State requirements.

### Sec. 2-32. - Meetings gGenerally.

(f) When Special Meetings are held at the request of outside parties because the timing of the regular monthly County Board meeting will not meet their needs, the County will charge a fee of \$3,000. The fee may be waived by the County Board at their next regular monthly meeting if it is determined that the Special Meeting was also in the best interest of the general public.

### Sec. 2-33. - Order of bBusiness.

The order of business at meetings of the County Board shall be as follows:

- (1) Roll Call
- (2) Pledge to the Flag
- (3) Approval of Agenda
- (34) Approval of Minutes
- (45) Communications & Proclamations
- (56) Public Comments
- (67) Approval of Appointments
- (8) Reports of Standing Committees with Ordinances & Resolutions
- (79) Reports of Special Committees with Ordinances & Resolutions
- (810) — Old Business
- (911) — New Business & Referral of Matters to Committee
- (102) — Adjournment

### Sec. 2-37. - Comments from the pPublic.

A time shall be provided on the agenda of each regular meeting of the County Board for members of the public to be heard. Such time shall not exceed 30 minutes. Each pPersons desiring to be heard shall be allotted three minutes in which to address the Board and each speakers shall identify themselves ~~himself~~ by name and township.

~~If a speaker desires more time, up to one person in attendance may yield their three minutes to the speaker, making the maximum presentation time six minutes. No member of the public may address the board on any issue that has been the subject of a properly noticed and legally held public hearing, conducted by a hearing officer. Time limits may be waived by a vote of the majority of the members present.~~

Members of the public wishing to speak on an item that is on that evening's agenda may do so either at the beginning of the meeting or at the time the County Board considers that particular item. Comments on items not on the agenda shall be made under "Persons to be heard from the floor."

## **Sec. 2-41. – Executive Committee and Standing Committees Enumerated.**

(a.1)

(a.2) The Executive Committee is entrusted with the authority to receive litigation updates on County litigation that is pending against it, or on behalf of it, and its elected officials, as deemed necessary. The Executive Committee shall also be responsible for making final determinations as to the initiation, settlement, compromise, and/or appeal of litigation for and against the County of DeKalb. Though, upon its own motion, the Executive Committee may refer such duties to the full County Board on a case by case basis should it determine such is necessary or desirable. (Further reference Section 2-80.)

## **ARTICLE III. ~~– OFFICERS, AND EMPLOYEES, & COUNTY OPERATIONS~~ GENERALLY**

### **Sec. 2-66. - County Administrator.**

(d) *Authority, duties and responsibilities.*

(14) The County Administrator, or their designee, will represent the County on any applicable Tax Incremental Financing (TIF) District's Joint Review Boards or related TIF Advisory Boards.

## **ARTICLE IV. ~~– FINANCE~~**

*[All current sections placed within Article III]*

## **ARTICLE V. ~~– ETHICS~~**

*[All current sections placed within Article III]*

**Sec. 2-70 – 2-~~79~~ 80 & 2-89 & 2-~~91~~0 - Reserved.** [Numbers changed to reflect updates]

**Sec. 2-~~99~~ 4 -- Definitions.** [Section renumbered, no other changes]