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DeKalb County Government
Sycamore, Illinois

**Executive Committee Minutes
April 10, 2019**

The Executive Committee of the DeKalb County Board met Wednesday, April 10, 2019, in the Administration Building's Conference Room East in Sycamore, Illinois. Chairman Mark Pietrowski, Jr. called the meeting to order at 7:00 p.m. Those Members present were Mr. Tim Bagby, Mr. Dan Cribben, Mr. Steve Faivre, Vice Chairman John Frieders, Ms. Dianne Leifheit, Mr. Roy Plote, Mr. Chris Porterfield, Mr. Paul Stoddard, and Chairman Mark Pietrowski, Jr. A quorum was established with all nine Members present.

Others present included, Gary Hanson, Jim Hutcheson, Laruie Emmer, Robin Brunschon, Rick Amato, David Berault, Tracy Jones, Jeff Whelan, Craig Roman, Sarah Lief, Colleen Overton, Misty Haji-Sheikh, Jim Luebke, Marueen Little, Greg Millburg, Michelle Christensen, Linda Slabon, and Sandra Polanco.

APPROVAL OF THE AGENDA

Mr. Stoddard moved to approve the agenda as presented. Mr. Porterfield seconded the motion and it was carried unanimously by voice vote.

APPROVAL OF THE MINUTES

It was moved by Mr. Cribben, seconded by Mr. Plote and it was moved unanimously to approve the minutes from the March 13, 2019 meeting.

PUBLIC COMMENTS

DeKalb County State's Attorney Rick Amato shared that Chicago-based Ernst and Young has been selected to proceed with the forensic audit of DeKalb's past tax increment financing use. The other two bidders, Portland-based Marsh Minick Financial Crime Consulting Services, and McGovern and Green LLP, also based in Chicago, did not meet the requirements because they did not have TIF experience, Amato said. Ernst and Young has a not-to-exceed price of \$150,000.

Mr. Amato additionally shared that a fund has been established to cover expenses related to the care and college education for Stacia Hollinshead's daughter. DeKalb County State's Attorney Rick Amato and DeKalb County Board Chairman Mark Pietrowski urge those wanting to honor Stacia's memory and support her daughter to donate to the fund in care of the Dieterich Bank, 510 W. Fayette Ave., Effingham, Ill., 62401. Please make checks payable to the Benefit Fund for Odysia. For additional information, please email BFFO@yahoo.com.

CHAIR'S COMMENTS

Chairman Pietrowski reminded the Board Members in attendance that it is important to let the Administration Office or Committee Chairman know if they will be missing a meeting. This is important to ensure a quorum is going to be present at a meeting.

RESPONSIBLE BIDDER ORDINANCE

Chairman Pietrowski explained that last month the Committee was introduced to this item. Since that meeting a draft Ordinance was sent out to the Committee to review prior to the current meeting. The draft Ordinance was mirrored after the Responsible Bidder Ordinance that DuPage County recently passed.

The Chairman read an email that County Engineer Nathan Schwartz sent to him regarding the proposed Responsible Bidder Ordinance and stated that he would not have any issues adding the additional requirements to their bidding processes.

Vice Chairman Frieders along with other Board Members such as Steve Faivre and Tracy Jones all voiced their concerns on why the Board should add any additional language to the County's bidding processed when they already have some issues acquiring multiple bids on projects and they already have the opportunity to accept or reject any bids they wish for a legitimate reason.

Chairman Pietrowski noted that the County is fortunate enough to not have been stuck with a real horrible contractor and maybe some of the surrounding Counties have encountered those horror stories. This proposed Ordinance is more preventative maintenance, the Chair explained, and in his mind following best practices.

Given the questions regarding the topic and that the State's Attorney's Office had yet reviewed the proposed Ordinance, Mr. Stoddard suggested postponing this topic until next month. Chairman Pietrowski agreed and also expressed that he would like all the of Board Committee's to have this on their meeting agendas and discussed how they all feel about the Responsible Bidder Ordinance and report back next month.

APPOINTMENTS

The following appointments were recommended for approval:

- a. **Regional Planning Commission:** Brenda Jurgens (*Malta*) and Linda Swenson (*Waterman*) both appointed for a three-year terms beginning April 1, 2019 and expiring March 31, 2022.
- b. **Regional Planning Commission-Alternates:** Darryl Beach (*Waterman*) appointed for a three-year term beginning April 1, 2019 and expiring March 31, 2022.
- c. **Farmland Assessment Review Committee:** Kent Wesson reappointed a three-year term beginning May 1, 2019 and expiring April 30, 2022.

It was moved by Mr. Faivre and seconded by Vice Chairman Frieders to forward the recommended appointments to the full County Board for approval. Motion carried unanimously.

APPROVAL OF THE COUNTY BOARD AGENDA

Chairman Pietrowski next asked to go around the table and hear an update from all of the Committee Chairpersons on what their Committees had done at their last meeting together and/or what they are anticipating in the months to come.

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Mr. Faivre, noted that the Committee did not meet again this month due to a lack of business items. Chairman Pietrowski announced that he received word from Community Development Director Derek Hiland that seven out of fifty-two developers were awarded solar gardens within DeKalb County's jurisdiction at today's Illinois State Lottery. Everyone is unaware of what the next steps are as of the moment but the Board will be updated when possible.

It was additionally announced that the County Board will be having a Workshop on Saturday, June 8th from 9am-1pm at the Community Outreach Building for a strategic planning session and reviewing the Chairman and the Vice Chairman's goals for 2019-2020.

Ms. Leifheit, Chair of the Law & Justice Committee, proudly announced that DeKalb County Pretrial Services is now accredited. It is the first Pretrial Program to be accredited in the entire State of Illinois. She also shared that at the Committee's last meeting they received an overview and history of the Tort & Liability Fund from the State's Attorney's Office. At their next meeting, they will be touring the Courthouse and Ms. Leifheit encouraged all Board Members to attend with the decision of building out the shell space on the third floor on the horizons.

Mr. Cribben, Chairman of the Finance Committee, shared that the Committee has one business item for County Board approval which is approving that the County Elected Offices continue to be qualified for the IMRF pension program. Mr. Cribben additionally reported that the Committee received an annual report from FMO Director Jim Scheffers and also talked about the Tort & Liability Fund. They also directed staff to reach out to identify how much it would cost to acquire an insurance and risk management consultant.

Mr. Stoddard, Chairman of the Forest Preserve Operations Committee, shared that the Committee did not meet but the Forest Preserve District closed on the Chambers Property in Kingston Township. He also reminded everyone that Monday, April 22nd is Earth Day and that annual trail cleanups will be on Saturday, April 20th.

Mr. Plote, Chairman of the County Highway Committee, shared that the Committee forwarded eight Resolutions and one Ordinance to the full County Board for consideration. He provided background on each item and also noted that Peace Road Safety Study-Phase 5 was presented to the Committee and that the sixth and final Phase will be presented in August.

Mr. Porterfield, Chairman of Health & Human Services Committee, shared that the Committee met twice this month due to conducting the Senior Services Tax Levy Hearings. The Committee had a tough job allocating the funds but were able to come to a decision to allocate the funds in the best way possible to help as many citizens throughout all of DeKalb County. They also forwarded the annual Resolutions for Executing the Section 5311 Grant Agreement for Fiscal Year 2020.

Mr. Bagby, Chairman of the Economic Development Committee, noted that unfortunately the Committee was unable to conduct their meeting due to a lack of quorum. They will now be looking to meet prior to the full County Board Meeting in order to discuss their recommendation to the County Board Chairman on the reappointment of the Chief County Assessment Officer. He also shared that on the forefront, the Committee will be discussing acquiring the Township

Assessor duties within Kingston Township until they can appoint a new Township Assessor as well as revising the County's Liquor Code.

Chairman Pietrowski additionally announced that he has until April 20th to provide Ms. Robin Brunschon with an answer of whether or not he is going to reappoint her to Chief County Assessment Officer. Before that happens, he would like to receive a recommendation from the Economic Development Committee so he hope they are able to find a meeting time that they can establish a quorum. It was also determined that the Executive Committee will meet for a Special Meeting prior to the full County Board meeting on Wednesday, April 17th at 6:00 p.m. to establish a recommendation on whether or not to reappoint Ms. Robin Brunschon.

It was moved by Mr. Stoddard, seconded by Mr. Bagby and it was carried unanimously to approve the County Board Agenda and to forward it to the full County Board for approval.

COUNTY ADMINISTRATOR'S REPORT

Mr. Hanson presented the Committee with his County Administrator's Report. He shared that the DeKalb County History Center sent a thank you to the County Board for their \$38,000 donation to their new building. The Grand Opening of the new facility is May 11th and is being held in conjunction with hosting the Smithsonian exhibit "Crossroads: Change in Rural America". Mr. Hanson also pointed out that the Board will be proclaiming May 11th DeKalb County Museum Day through a Proclamation at the County Board Meeting.

Mr. Hanson shared that the Nursing Home Expansion construction project is underway. The interior work is going on right now and the building of the addition will hopefully begin by the end of the month.

He also announced some upcoming events. On Tuesday, April 23rd Chairman Pietrowski will be hosting State Representative Jeff Keicher, State Representative Tom Demmer, and State Senator Dave Syverson for a Town Hall Meeting on the Illinois state budget, moderated by Eric Olson, General Manager of the Daily Chronicle. The event will begin at 7:00 p.m. in the Community Outreach Building's Blank Slate Room. Also, the Department of Revenue, Springfield, Illinois has fixed Friday, May 10, 2019, as the date for an examination for the position of Board of Review member, pursuant to 35 ILCS 200/6-10 of the Property Tax Code. The examination will be held at the Community Outreach Building's Five Seasons Conference Room located at 2500 N. Annie Glidden Rd., DeKalb, Illinois, at 11:00 a.m. The examination and facilities will be accessible to persons with disabilities in compliance with State and Federal Laws. Individuals interested in taking the examination should contact Robin Brunschon, at 815-895-7120 by 10:00 a.m. of the day before the examination to register.

EXECUTIVE SESSION

Mr. Porterfield made a motion to go into Executive Session for the purpose of discussing Litigation per 5 ILCS 120/2(c)(11) at 8:30 p.m. Mr. Bagby seconded the motion and it carried by 9-0-0 roll call vote. Those voting yea were Mr. Bagby, Mr. Cribben, Mr. Faivre, Vice Chair Frieders, Ms. Leifheit, Mr. Plote, Mr. Porterfield, Mr. Stoddard, and Chairman Pietrowski. None were opposed.

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The Committee entered back into their Open Meeting at 9:45 p.m.

ADJOURNMENT

It was moved by Mr. Plote, seconded by Mr. Porterfield and it was carried unanimously to adjourn the meeting at 9:46 p.m.

Chairman Mark Pietrowski

Tasha Sims, Recording Secretary

ORDINANCE O2019-xx

A RESOLUTION ESTABLISHING RESPONSIBLE BIDDER REQUIREMENTS ON PUBLIC PROJECTS

WHEREAS, the County of DeKalb seeks to preserve administrative resources by ensuring that only qualified contractors and subcontractors are awarded contracts on public works construction projects; and

WHEREAS, the County of DeKalb, based upon its experience, has determined that quality workmanship, efficient operation, safety, and timely completion of projects are not necessarily insured by awarding a construction contract solely on the basis of the low bid; and

WHEREAS, the County of DeKalb seeks to enhance its ability to identify the lowest “responsible bidder” on all of the County’s public construction projects by instituting more comprehensive submission requirements which are in compliance with Illinois law; and

WHEREAS, an Ordinance addressing “Responsible Bidder Requirements” will assure efficient use of taxpayer dollars, will promote public safety, and is in the public interest.

NOW, THEREFORE, BE IT ORDAINED by the DeKalb County Board that all of the County’s construction projects should only be awarded to those contractors and sub-contractors that meet the requirements of a “Responsible Bidder” as set forth below, unless such requirements are waived by the County Board for a specific project.

- I. Responsible Bidder or Offeror is a person (firm) who has the capability in all respects to perform fully the public works contract requirements, and the experience, personnel, integrity, reliability, facilities capacity, equipment, acceptable past performance, and credit which will assure good faith performance.
- II. Responsible bidder for construction contracts means a bidder for County construction contracts that are advertised, awarded, and financed, in whole or in part, with County public funds, regardless of cost, excluding projects on private property; and who meets all of the job specifications, the following applicable criteria, and submits evidence of such compliance:
 - a. All applicable laws prerequisite to doing business in Illinois, and all local ordinances; and not in conflict with any federal law.
 - b. Evidence of compliance with
 - (1.) Federal Employer Tax Identification Number or Social Security Number (for individuals).
 - (2.) Provision of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Executive Order No. 11375 (known as the Equal Opportunity Employer provisions).

- c. Certificates of insurance indicating the following coverages: general liability, workers' compensation, completed operations, and auto.
- d. Compliance with all provisions and exemptions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades covered in the Act.
- e. Disclosure of the name and address of each subcontractor from whom the contractor has accepted a bid and/or intends to hire on any part of the project prior to the subcontractor commencing work on a project.
- f. The bidder and all bidder's sub-contractors must participate in active apprenticeship and training programs approved and registered with the U.S. Department of Labor's Office of Apprenticeship for each of the trades of work contemplated under the awarded contract.
- g. All contractors and sub-contractors are required to turn in certified payrolls as specified in Illinois Public Act 94-0515, and follow all provisions of the Employee Classification Act, 820 ILCS 185/1 et seq.
- h. All bidders must provide three (3) projects of a similar nature as being performed in the immediate past five (5) years with the name, address and telephone number of the contact person having knowledge of the project or three (3) references (name, address, and telephone number) with knowledge of the integrity and business practices of the contractor.

BE IT FURTHER ORDAINED, that nothing hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights accrued or liability incurred or cause or causes of action accrued or existing under any prior Resolution or Ordinance. Nor shall any right or remedy of any character be lost, impaired, or affected by the Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect immediately upon its adoption, excluding those contracts advertised or awarded before this date.

BE IT FURTHER ORDAINED, that this Ordinance be incorporated into the County's Code Book and that the DeKalb County Clerk is hereby directed to prepare and deliver a certified copy of this Ordinance to the County of DeKalb Finance Office.

PASSED AT SYCAMORE, ILLINOIS THIS 17TH DAY OF APRIL, 2019.

ATTEST:

SIGNED:

Douglas J. Johnson
DeKalb County Clerk

Mark Pietrowski, Jr.
County Board Chairman