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DeKalb County Government
Sycamore, Illinois

COUNTY BOARD PROCEEDINGS
March 19, 2014

The County Board met in regular session at the Legislative Center Wednesday, March 19, 2014. The Chair called the meeting to order and the Clerk called the roll. Those Members present were Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski and Chairman Metzger. Mr. Tyson was absent. Twenty three Members were present and one absent.

Chairman Metzger asked Mr. Oncken to lead to the pledge of allegiance.

APPROVAL OF MINUTES

Motion

Mr. O'Barski moved to approve the Minutes of February 19, 2014. Mr. Cvek seconded the motion.

Voice Vote

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

APPROVAL OF AGENDA

Chairman Metzger announced that he will be removing Resolution R2014-18 regarding Land Acquisition for the purchase of property located at 303 E. Exchange Street for the operation of a "Sober Living Home" and the Executive Session and Action Items from Executive Session under the Executive Committee.

Motion

Mrs. Haji-Sheikh moved to approve the agenda as amended and Mrs. Turner seconded the motion.

Voice Vote

The motion was carried unanimously by voice vote.

COMMUNICATIONS AND REFERRALS

Employee Service Awards

Employee Service Awards for the month of March 2014 were: Five Years – Leanne Vesta: Judiciary, Lexi Frankenberry: Sheriff's Department, Shelly Martin: Sheriff's Department, Carl Kuhn: Forest Preserve; Ten Years – Joseph Rood: Sheriff's Department, Stacy Richardson: Highway Department; Fifteen Years – Lynn Vaunita: Rehab & Nursing Center; Twenty Years – Deborah Coonley: Rehab & Nursing Center.

PERSONS TO BE HEARD FROM THE FLOOR

The following individuals requested to address the board for up to three minutes on any topic of their choosing, except on issues that had been the subject of a properly noticed and legally held public hearing conducted by a Hearing Officer:

Matt Woodstrup residing at 313 N. Locust St., Sycamore, IL addressed the Board regarding the street light at the intersection of Main Street and Exchange Street. He also commented on policies regarding Public Hearing with respects to email disclosures and being able to give a rebuttal after Board's comments are made. Mr. Woodstrup lastly expressed his hopes as a neighbor to the County's Campus, that he and other surrounding neighbors can be involved with projects such as the Jail Expansion and being able to voice their concerns about the Sober Living House or expanding further East.

Larry Bingham residing at 229 E. Sycamore St., Sycamore, IL shared with the Board his concerns regarding the County purchasing the property at 303 E. Exchange St. for the purposes of operating a Sober Living House.

Hazel Retherford residing at 303 E. Sycamore St., Sycamore, IL shared that her and the neighborhood do not want a Sober Living House operating in their neighborhood and they are all extremely unhappy with the thought.

Carol Bingham residing at 229 E. Sycamore St., Sycamore, IL echoed her concerns and disapproval of the purposed Sober Living House in the neighborhood.

Margaret Johnson residing at 412 E. Sycamore St., Sycamore, IL shared she has residing in her neighborhood for over 45 years and they were promised with the purposed expansions of the County's Sycamore Campus that they would not cross Walnut Street and she asked that the County does not buy the house located on 303 E. Exchange Street for any reason.

Tara King residing at 1329 Sycamore Rd., Sycamore, IL shared that she is a 2010 Drug Court Graduate and a mother and she is very for a Recover Home for men because there is already one for woman and it is something that is very needed in the County.

Kurt Mathey residing at 322 E. Sycamore St., Sycamore, IL wanted to share with the Board that he is completely for a Sober Living Home but not in a neighborhood. He believes a facility like that belongs out by Ben Gordon or Kishwaukee Hospital.

Dustin Read residing at 218 N. Walnut St., Sycamore, IL expressed his concerns as a close neighbor of the 303 E. Exchange St. property and as a father. He did not approve of the purposed Sober Living Home being located next door to him.

Kevin Mathey residing at 321 E. Exchange St. Sycamore, IL reiterated his neighbors' concerns and his own regarding the Sober Living Home that is being purposed at 303 E. Exchange Street.

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Ryan Day residing at 428 W. Hunter St., Sandwich, IL shared that he is a former resident of a Sober Living Home and he had to go to a house located in Aurora and expressed that he is thankful for homes like these and the opportunities they provide for people who are trying to better their lives.

Proclamation R2014-03: Recognizing Maple Park Police Department

Chairman Metzger read a Proclamation acknowledging and commending Police Chief, Mike Acosta, and the entire Maple Park Police Department for all their hard work and dedication in raising money to benefit Special Olympics Illinois through the Law Enforcement Torch Run.

Chief Acosta and Maple Park Village President Kathleen Curtis were present to accept the Proclamation and share the Law Enforcement Torch Run trophy with the Board.

APPOINTMENTS

Chairman Metzger recommended the following appointments: **Board of Review:** John Guio reappointed for a two year term beginning 05/01/2014 and expiring 04/30/2016. **Community Services Administrative Board:** John Hulseberg for an immediate appointment to fill an open position that expires 06/30/2014. **DeKalb Sanitary District:** Carol Zar reappointed for a three year term beginning 05/01/2014 and expiring 4/30/2017. **Emergency Telephone Systems Board (E911):** Tracy Jones for an immediate appointment to fill the unexpired term of Julia Fullerton until 11/30/2014. **Fairdale Light District:** Ryan Lawrence reappointed for a three year term beginning 05/01/2014 and expiring 04/30/2017. **Farmland Assessments Board:** Nicholas Moore reappointed for a three year term beginning 05/01/2014 and expiring 04/30/2017. **Regional Planning Commission:** City of Genoa: Richard Gentile, primary and Laurie Curley, alternate; **Village of Kingston:** John (Jack) Fischer, primary; **Village of Kirkland:** Les Bellah, primary; **Village of Somonauk:** Becky Morphey, primary; **DeKalb County:** Ruth Anne Tobias, alternate, all reappointed for three year terms beginning 04/01/2014 and expiring 3/31/2017. **Village of Kirkland:** Colleen Ford, alternate; **DeKalb County:** Misty Haji-Sheikh, primary, both newly appointed for three year terms beginning 04/01/2014 and expiring 3/31/2017. **Cortland Community Fire Protection District:** Daniel Krupa reappointment for a three year term beginning 05/01/2014 and expiring 04/30/2017 and Mike Friedlund newly appointed for a three year term beginning 05/01/2014 and expiring 04/30/2017. **DeKalb Community Fire Protection District:** Gerald Bemis for a reappointment of three years beginning 05/01/2014 and expiring 04/30/2017. **Genoa-Kingston Fire Protection District:** Randy Jennings reappointed for a three year term beginning 05/01/2014 and expiring 04/30/2017. **Hinckley Community Fire Protection District:** Carl Wassman reappointed for a three year term beginning 05/01/2014 and expiring 04/30/2017. **Kirkland Community Fire District:** Dennis Rehn reappointed for a three year term beginning 05/01/2014 and expiring 04/30/2017. **Malta Community Fire Protection District:** Bill Engstrom reappointed for a three year term beginning 05/01/2014 and expiring 4/30/2017. **Paw Paw Fire Protection District:** Neal Rogers for a reappointment of three years beginning 05/01/2014 and expiring 04/30/2017.

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Shabbona Community Fire Protection District: Thomas Greenwell reappointed for a three year term beginning 05/01/2014 and expiring 04/30/2017. **Somonauk Community Fire Protection District:** Edward Stahl reappointed for a three year term beginning 05/01/2014 and expiring 04/30/2017. **Sycamore Community Fire Protection District:** John Ward reappointed for a three year term beginning 05/01/2014 and expiring 04/30/2017. **Waterman Fire Protection District:** David Stryker reappointed for a three year term beginning 05/01/2014 and expiring 04/30/2017.

Motion

Mr. Oncken moved to consolidate all presented appointments into one vote. Mr. Stoddard seconded the motion.

Voice Vote

The Chairman asked for a voice vote on the motion. The motion carried unanimously by voice vote.

Motion

Mrs. Turner moved to approve the recommended appointments. Mr. O'Barski seconded the motion.

Voice Vote

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

REPORTS FROM STANDING COMMITTEES

PLANNING & ZONING COMMITTEE

Ordinance O2014-03: Amending a Special Use Permit for a Large-Scale Agritainment Use Commonly Known as Jonamac Orchard

Motion

Mrs. Turner moved The DeKalb County Board does hereby approve an Amendment to the Special use Permit previously granted for a large-scale agritainment use commonly known as Jonamac Orchard and located at 19412 Shabbona Road in Malta Township is hereby approved for property legally described in Exhibit "A" attached hereto. Mr. Emerson seconded the motion.

Voice Vote

Chairman Metzger called for voice vote on the motion to approve the Special Use Permit. All Members voted yea. Motion carried unanimously.

COUNTY HIGHWAY COMMITTEE

Resolution R2014-13: County Seal Coat Program

Motion

Mr. Gudmunson moved The DeKalb County Board does award Beniach Construction Company, Inc. of Tuscola, Illinois as the lowest responsible bidder in the amount of \$737,512.00 for single seal coating of 40.9 miles of roadway and double seal coating of 2.2 miles of roadway for the County and various Road Districts within DeKalb County. Mr. Frieders seconded the motion.

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Roll Call Vote

Chairman Metzger called for a roll call vote on the motion. Those Members voting yea were Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski and Chairman Metzger. All Members present voted yea. Motion carried unanimously.

Resolution R2014-14: Drainage Pipe

Motion

Mr. Gudmunson moved The DeKalb County Board does award Contech Engineered Solutions, LLC of Oak Brook, Illinois as the lowest responsible bidder in the amount of \$50,974.60 for the delivery of drainage pipe culverts, bands and end sections to various locations within DeKalb County. Mr. O'Barski seconded the motion.

Roll Call Vote

A roll call vote was taken on the motion to approve the Resolution. Those Members voting yea were Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski and Chairman Metzger. All Members present voted yea. Motion carried unanimously.

Resolution R2014-15: Sign Materials

Motion

Mr. Gudmunson moved The DeKalb County Board does award MD Solutions of Plain City, Ohio as the lowest responsible bidder in the amount of \$4,792.53 for the delivery of traffic control signage as specified to DeKalb County. Mr. Whelan seconded the motion.

Roll Call Vote

A roll call vote was taken on the motion to approve the Resolution. Those Members voting yea were Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski and Chairman Metzger. All Members present voted yea. Motion carried unanimously.

Resolution R2014-17: Local Agency Agreement for Federal Participation for East County Line

Road

Motion

Mr. Gudmunson moved The DeKalb County Board deems it appropriate to enter into an agreement with the State of Illinois for the resurfacing and other improvements on East County Line Road. The project is to begin at the Union Pacific Railroad in Maple Park, IL and extend north to Illinois Route 64 along East County Line Road and include improvements at the intersection of Illinois Route 64 and East County Line Road. The project is estimated to cost \$1,899,000.00 with the local share to be estimated at \$724,500.00. Mr. Reid seconded the motion.

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Roll Call Vote

A roll call vote was taken on the motion. Those Members voting yea were Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski and Chairman Metzger. All Members present voted yea. Motion carried unanimously.

FINANCE COMMITTEE

Resolution R2014-16: FY2013 Year-End Budget Transfers

Motion

Mr. Reid moved The DeKalb County Board does approve the emergency appropriations and budget transfers set forth on the attached pages to this Resolution for Fiscal Year ending December 31, 2013. Mrs. Tobias seconded the motion.

Roll Call Vote

The Chairman called for a roll call vote. Those Members voting yea were Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski and Chairman Metzger. All Members voted yea. Motion carried unanimously.

Claims for March 2014

Motion

Mr. Reid moved to approve the claims for this month, and the off cycle claims paid during the previous month, in the amount of \$4,335,572.20. Mr. Foster seconded the motion.

Roll Call Vote

The Chairman asked for a roll call vote on the approval of the claims. Those Members voting yea were Mr. Oncken, Mr. Pietrowski, Mr. Reid, Mr. Stoddard, Mrs. Tobias, Mrs. Turner, Mr. Whelan, Mr. Brown, Mr. Cribben, Mr. Cvek, Mrs. DeFauw, Mr. Deverell, Mr. Emerson, Ms. Fauci, Mr. Foster, Mr. Frieders, Mrs. Fullerton, Mr. Gudmunson, Mrs. Haji-Sheikh, Mr. Johnson, Mr. Jones, Mr. O'Barski and Chairman Metzger. All Members voted yea. Motion carried unanimously.

Reports of County Officials

Motion

Mr. Reid moved to accept and place on file the following Reports of County Officials: Cash & Investments in County Banks – February 2014; Public Defender's Report – February 2014; Adult & Juvenile Monthly Reports – February 2014; Sheriff's Jail Report – February 2014; Planning & Zoning Building Permits & Construction Reports - February 2014; DeKalb County Rehab & Nursing Center Annual Report for 2013. Mr. Stoddard seconded the motion.

Voice Vote

The Chairman requested a voice vote to accept the Reports of County Officials. All Members presented voted yea. Motion carried unanimously.

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AD HOC RULES COMMITTEE

Ordinance O2014-04: Amendment to DeKalb County Code

Motion

Mr. Stoddard moved The DeKalb County Board does concur with the recommendation of the DeKalb County Ad Hoc Rules Committee to amend Sec. 2-43 of the County Board Rules pertaining to Electronic Attendance for Standing Committee Meetings which will become effective immediately upon passage. Mr. O'Barski seconded the motion.

Voice Vote

The Chairman called for a voice vote on the motion to approve the Ordinance. A majority of the Members voted yea. Mr. Cvek opposed. Motion carried.

Ordinance O2014-05: Amendment to DeKalb County Code

Motion

Mr. Stoddard moved The DeKalb County Board does concur with the recommendation of the DeKalb County Ad Hoc Rules Committee to amend Sec. 2-27 of the County Board Rules regarding County Board Residency Requirements which will become effective January 1, 2015. Mr. Reid seconded the motion.

Voice Vote

The Chairman called for a voice vote on the motion to approve the Ordinance. The motion carried unanimously by voice vote.

OLD BUSINESS / NEW BUSINESS

Chairman Metzger read the following letter dated March 19, 2014 from DeKalb County Administration staff Gary Hanson, County Administrator and Paul Miller, Planning Director and Deputy County Administrator for Operations, aloud to the County Board:

It is unfortunate that we find ourselves needing to submit this letter. In short, we are no longer convinced that the County is in a position to successfully complete the \$7.1 million grant-funded project of purchasing the Evergreen Village Mobile Home Park. This in turn means we cannot use already approved grant funds to relocate the residents of that Park to affordable and safe housing which will take them out of harm's way. The grant funds only allow us to pay \$1.47 million for the acquisition of the property and that offer has not been accepted as of today.

As you know, the County received a 3-year grant from FEMA in June of 2012 to purchase the Evergreen Village Mobile Home Park and relocate the residents out of the floodplain. Since then, the County has followed all of the many Federal and State required steps in this complicated project, up to and including making an offer at the end of October, 2013 to purchase the property for \$1.47 million. This offer was based on a professional appraisal that was reviewed and approved by the State of Illinois. It should be noted that the State requires the purchase offer to be based on a professional appraisal, not a negotiated process.

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The owner of Evergreen Village, Mr. Frank Santoro, rejected our offer in November, 2013 and indicated he wanted to get his own appraisal. Under the terms of the grant, he had the right to reject our offer, and it was his right to submit his own appraisal to the State. That counter-appraisal came in February, 2014 which set the value of the Mobile Home Park at \$2.6 million, or about \$1.1 million more than the County's appraisal.

On March 5, 2014 Staff met with Mr. Santoro and his attorney to reiterate the original purchase offer of \$1.47 million. This amount, according to the grant rules, is all that the County can offer, unless the State approves a higher appraisal, and only if monies are available to pay that higher amount. Mr. Santoro was told at that meeting that neither the County nor the State had additional monies to put into this project. Staff then requested an answer from Mr. Santoro on the County's purchase offer no later than March 18, 2014. We should note, as an aside, that the State subsequently rejected Mr. Santoro's appraisal.

As of this morning, March 19, 2014 Mr. Santoro has not accepted the offer of \$1.47 million. The County remains committed to this project, and very much wants to move the residents of Evergreen Village out of harm's way. We cannot, however, allow the project to remain in limbo indefinitely, not only because there is a three-year deadline that is rapidly approaching, but because it is unfair to keep the residents on hold, not knowing when, or even if, the County might work with them to purchase their homes. Given that the rules require the voluntary participation by the property owner in the acquisition of the property, and that as of March 19, 2014, the property owner has not accepted the offer of \$1.47 million tendered to him in October, 2013, we are recommending that the Chairman direct the Planning and Zoning Committee to consider, at its March 26, 2014 meeting, the attached Resolution to cancel the County's participation in this project. Again, this recommendation is made reluctantly, but Staff thinks the time has come to face the reality that this project is not moving forward and so we must then bring it to a conclusion. Following review by the Planning & Zoning Committee, we ask for formal Board action at its April 16, 2014 meeting.

ADJOURNMENT

Motion

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

Voice Vote

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

DeKalb County Board Chairman

DeKalb County Clerk

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