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DeKalb County Government
Sycamore, Illinois

**Executive Committee Minutes
October 13, 2021**

The Executive Committee of the DeKalb County Board met at the Legislative Center's Gathertorium on Wednesday, October 13, 2021. Chairman Frieders called the meeting to order at 8:26 p.m. Those Members present were Mr. Tim Bagby, Ms. Rukisha Crawford, Mrs. Laurie Emmer, Mr. Steve Faivre, Ms. Dianne Leifheit, Mr. Roy Plote, Mr. Craig Roman, Vice-Chair Suzanne Willis, and Chairman John Frieders. A quorum was established with all nine Members present.

Ms. Crawford moved to allow Mrs. Laurie Emmer to attend the meeting by other means via phone as per County Board Rule Sec. 2-21(D). Mr. Roman seconded the motion and it was approved unanimously by voice vote.

Others present included Brian Gregory, Derek Hiland, David Berault, Jim Hutcheson, Ellingsworth Webb, Maggie Niemi, Katie Finlon, Bill Cummings, Scott Campbell, Mary Cozad, Karen Cribben, Kathy Lampkins, Tim Hughes, Patrick Deutsch, Terri Mann-Lamb, and Linda Slabon.

APPROVAL OF THE AGENDA

Chairman Frieders requested to move the Executive Session for (a) Personnel per 5 ILCS 120/2(c)(1) and (b) Pending Litigation per 5 ILCS 120/2(c)(11) be moved up on the agenda following Public Comments.

It was moved by Mr. Faivre, seconded by Plote and it was carried unanimously by voice vote to approve the agenda as amended.

APPROVAL OF THE MINUTES

It was moved by Ms. Crawford, seconded by Mr. Bagby and it was carried unanimously to approve the minutes of the September 8, 2021 Executive Committee Meeting.

PUBLIC COMMENTS

There were no public comments.

EXECUTIVE SESSION

Mr. Bagby moved to enter into Executive Session for the purpose of discussing Personnel per 5 ILCS 120/2(c)(1) and Pending Litigation per 5 ILCS 120/2(c)(11) at 8:30 p.m. Vice-Chair Willis seconded the motion. Those voting yea were Mr. Bagby, Ms. Crawford, Mrs. Emmer, Mr. Faivre, Ms. Leifheit, Mr. Plote, Mr. Roman, Vice-Chair Willis, and Chairman Frieders. The motion was carried by a 9-0-0 roll call vote.

The Committee entered back into their Open Meeting at 9:17 p.m.

DISCUSSION ON THE USE OF AMERICAN RESCUE PLAN ACT FUNDS

Mr. Gregory explained that the American Rescue Plan Act Interim Final Rule includes Investment in Infrastructure as an eligible use to assist in meeting the critical need for investments and improvements to existing infrastructure in water, sewer, and broadband, the Fiscal Recovery Funds provide funds to State, local, and Tribal governments to make necessary investments in these sectors. The Interim Final Rule outlines eligible uses within each category, allowing for a broad range of necessary investments in projects that improve access to clean drinking water, improve wastewater and stormwater infrastructure systems, and provide access to high-quality broadband service. Necessary investments are designed to provide an adequate minimum level of service and are unlikely to be made using private sources of funds. Necessary investments include projects that are required to maintain a level of service that, at least, meets applicable health-based standards, taking into account resilience to climate change, or establishes or improves broadband service to unserved or underserved populations to reach an adequate level to permit a household to work or attend school, and that are unlikely to be met with private sources of funds.

Additionally, the American Rescue Plan Act Interim Final Rule includes Water and Sewer Infrastructure as eligible projects. The ARPA provides funds to State, local, and Tribal governments to make necessary investments in water and sewer infrastructure. By permitting funds to be used for water and sewer infrastructure needs, Congress recognized the critical role that clean drinking water and services for the collection and treatment of wastewater and stormwater play in protecting public health. Understanding that State, local, and Tribal governments have a broad range of water and sewer infrastructure needs, the Interim Final Rule provides these governments with wide latitude to identify investments in water and sewer infrastructure that are of the highest priority for their own communities, which may include projects on privately-owned infrastructure. The Interim Final Rule does this by aligning eligible uses of the Fiscal Recovery Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's (EPA) Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

DeKalb County understands the importance of water, sewer and broadband infrastructure within the fourteen municipalities within the County's limits and also understands the fiscal challenges that many of the municipalities face in addressing aging infrastructure and the associated costs.

Next month, Mr. Gregory noted that he will be presenting a Resolution that would make available One-Hundred Thousand Dollars (\$100,000.00) to each of the fourteen municipalities within the County to utilize for qualified water, sewer and broadband infrastructure projects as outlined in the American Rescue Plan Act.

AUTHORIZING AN AMENDMENT TO THE IGA ESTABLISHING THE KANE, KENDALL, AND DEKALB COUNTY WORKFORCE DEVELOPMENT AREA

This Resolution authorizes the execution of an amendment to the Intergovernmental Agreement between DeKalb, Kane, and Kendall Counties to establish the three-county Workforce Development Area. The proposed revisions involve the Workforce Development Board's composition and staff support. The Workforce Development Board reviewed and recommended the amendments for adoption by the three counties.

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It was moved by Ms. Crawford, seconded by Mr. Faivre and it was carried unanimously by voice vote to forward the Resolution to the full County Board recommending its approval.

SUPPORT FOR THE SHAB-EH-NAY RESERVATION SETTLEMENT ACT LEGISLATION

Following the presentation from the Committee of the Whole Meeting earlier in the evening, the Executive Committee discussed the idea of forwarding a letter supporting the Shab-eh-nay Reservation Settlement Legislation to the full County Board.

The presented letter stated the following:

Dear Senator Durbin, Senator Duckworth, and Representative Kinzinger:

We understand that the Prairie Band Potawatomi Nation has proposed the enactment of federal legislation to address the question of their land ownership of the reservation reserved for Chief Shab-eh-nay and his descendants under the Treaty of Chicago in 1833. As you know, the United States government illegally sold the Nation's land in 1849 and United States Department of Interior confirmed the Nation's claim to the land 20 years ago. The Prairie Band Potawatomi, as successors to Chief Shab-eh-nay, have been pursuing its return ever since.

The Nation seeks a complete solution of all issues relating to the Reservation through Congressional recognition of its land ownership and payment of appropriate compensation for the illegal taking of land by the federal government. Importantly, the proposed legislation would also clear the title of the current reservation landowners which includes individual residents, the county of DeKalb, and the state of Illinois, and insulate them from any liability for trespass or other damages.

Because this is a fair and just approach to address several important considerations, I request that you introduce and support the enactment of this proposed legislation.

The Committee continued to discuss what exactly they were being asked to support.

After further discussion, it was moved by Ms. Crawford, seconded by Mr. Faivre and it was approved unanimously to forward the Support Letter to the full County Board.

AUTHORIZING INTERNAL BORROWING FOR THE DEKALB COUNTY REHAB & NURSING CENTER

Mr. Gregory reviewed that the DeKalb County Nursing and Rehab Center has experienced revenue reductions due to a continued decrease in occupants. The proposed Resolution authorizes internal borrowing from the County for cashflow purposes. As a condition of this assistance, any expenditure or expenditures to a single vendor in excess of Five Thousand Dollars (\$5,000.00) will require prior authorization from the County Administrator or County Comptroller.

County Staff would provide the County Board an update on the total amount of funds borrowed at monthly Committee of the Whole Meetings and each time Five Hundred Thousand Dollars (\$500,000.00) has been borrowed.

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It was moved by Mr. Faivre, seconded by Mr. Roman and it was approved unanimously by voice vote to forward the Resolution to the full County Board recommending its approval.

APPROVAL OF APPOINTMENTS

Chairman Frieders recommended the approval of the following appointments:

- a. **County Board Member, District 9:** Ellingsworth Webb appointed immediately to fill out the unexpired term of Neill Mohammad until November 30, 2022.
- b. **Kane, Kendall, DeKalb Workforce Development Board:** Rukisha Crawford newly appointed until September 30, 2023; Stephanie Mendez and Jolene Willis both reappointed until September 30, 2023.

It was moved by Mr. Faivre, seconded by Mr. Bagby and approved unanimously to forward the appointments to the full County Board recommending their approval.

APPROVAL OF THE COUNTY BOARD AGENDA

Mr. Plote moved to approve the Draft County Board Agenda and to forward it to the full County Board. Ms. Crawford seconded the motion. The motion carried unanimously by voice vote.

ADJOURNMENT

It was moved by Ms. Crawford, seconded by Vice-Chair Willis, and it was carried unanimously to adjourn the meeting at 9:47 p.m.

Respectfully submitted,

John Frieders, Chairman

Tasha Sims, Recording Secretary