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DeKalb County Government
Sycamore, Illinois

**Executive Committee Minutes
April 13, 2022**

The Executive Committee of the DeKalb County Board met at the Legislative Center's Gathertorium on Wednesday, April 13, 2022. Chairman Frieders called the meeting to order at 9:18 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.

Others present included Brian Gregory, Derek Hiland, Liam Sullivan, David Berault, Scott Campbell, Mary Cozad, Karen Cribben, Patrick Deutsch, Kathy Lampkins, Maureen Little, Jim Luebke, Ms. Terri Mann-Lamb, Michelle Pickett, Ellingsworth Webb, Mr. Larry West, Jim Hutcheson, Magdalen Niemi, and several DeKalb County Rehab & Nursing Center staff and residents, as well as many individuals from the public.

APPROVAL OF THE AGENDA

It was moved by Mr. Bagby and seconded by Ms. Crawford and it was carried unanimously by voice vote to approve the agenda as presented.

APPROVAL OF THE MINUTES

It was moved by Mrs. Emmer, seconded by Mr. Plote and it was carried unanimously to approve the minutes of the March 9, 2022 Executive Committee Meeting.

PUBLIC COMMENTS

Ms. Dawn Lawton, Dietary Director at the DCRNC, spoke against the sale of the DCRNC. She also provided examples of things they do with the residents now being a public facility that they would not be able to do if they were privatized.

Mr. Don Gates of Sandwich additionally spoke against the selling of the DCRNC. He also noted that the public nature of the DCRNC discussions is causing anxiety for the residents that live at the facility.

RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE DOCUMENTS RELATED TO REFINANCING THE DEKALB COUNTY SUPPORTIVE LIVING FACILITY (HERITAGE WOODS OF DEKALB)

Mr. Gregory explained that in February 2007 and in order to satisfy state law requirements regarding the use of public funds, the County Board created DeKalb County Supportive Living Facility Not-For-Profit, an Illinois not-for-profit corporation (the "NFP") governed by a Board of Directors consisting of persons designated by the County Board and leased County real estate to the NFP (the "Ground Lease") upon which the Supportive Living Facility was constructed. The NFP (with County Board approval) entered into a general partnership with Pine View Supportive Living Facility, LLC, known as Heritage Woods of DeKalb, LLC. The general partnership formed a limited partnership with National Equity Fund, Inc. called DeKalb Supportive Living Facility LP, d/b/a Heritage Woods of DeKalb. In April 2007, the NFP (with County Board approval) entered

into a sublease with Heritage Woods of DeKalb to construct and operate the Supportive Living Facility (the Sublease).

The County Board leased the property to the NFP for 99 years for \$1 per year for the financing, development, operation and management in accordance with the requirements of the Illinois Public Aid Code, and with certain eligibility standards and service delivery standards.

The Ground Lease defines the project as a Supportive Living Facility; states that the Project shall be used solely for a Supportive Living Facility and for no other purpose without the County's prior consent; and requires operation in accordance with certain service delivery standards.

The Sublease provides that Heritage Woods shall use the premises solely for the purposes permitted by the Lease and no other and shall operate the Facility in accordance with the specified service delivery standards.

The process has started and there has been significant progress on the process of refinancing the existing indebtedness on Heritage Woods of DeKalb Supportive Living Facility to lower the interest rate and debt service for the Project. The refinancing involves the issuance of a combination of tax exempt and taxable bonds issued by the Illinois Finance Authority ("IFA"). DA Davidson is the underwriter for the deal, and Heartland Bank and Trust is purchasing the bonds. The refinancing proceeds will be used to: (1) pay off the existing bonds, (2) pay costs of issuance, and (3) pre-fund the exit payment to NEF, the tax credit investor, which is expected to exit the partnership on or after the end of the calendar year.

In order to close, there will need to be the following from the County/NFP (subject to change based on closing requirements):

1. Consent of Members of General Partner
2. Affordable Housing Program Recapture Agreement Subordination
3. Lease Estoppel and Agreement
4. Sublease Estoppel and Agreement

Mr. Gregory provided a Resolution along with the above-mentioned documents for the Committee to review. He additionally clarified that the County has no liability to funds into the Heritage Woods of DeKalb Supportive Living Facility.

It was moved by Mr. Plote, seconded by Ms. Crawford and approved unanimously to forward the Resolution to the full County Board recommending its approval.

A RESOLUTION AUTHORIZING THE SALE OF THE DEKALB COUNTY REHAB & NURSING CENTER

Mr. Gregory presented a Resolution authorizing the sale, transfer, or other disposition of the DeKalb County Rehab & Nursing Center in accordance with 55 ILCS 5-21001 of the Illinois Counties Code.

Mr. Bagby asked for an estimated amount that the Nursing Home is losing per month. Mr. Gregory shared that he would estimate about \$300,000 per month so about \$3 million per year, right now. Based on historical data though, those losses are growing.

There was a brief discussion regarding the expenses staying high and the revenues staying low. The facility being self-insured was brought up along with the national philosophy that more seniors are aging in place and not going to Nursing Homes.

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It was moved by Mr. Faivre, seconded by Mr. Bagby and approved unanimously to forward the Resolution to the full County Board.

EXECUTIVE SESSION

Mr. Bagby moved to enter into Executive Session for the purpose of purpose of discussing Setting the Price for Sale or Lease of Property as provided for in 5 ILCS 120/2(C)(6) as well as Personnel provided for in 5 ILCS 120/2(c)(1) at 9:40 p.m. Vice-Chair Willis seconded the motion and it carried by a 9-0-0 roll call vote. Those voting yea were Mr. Bagby, Mrs. Emmer, Mr. West, Ms. Leifheit, Mr. Plote, Mr. Roman, Vice-Chair Willis, and Chairman Frieders. None were opposed and no one was absent. Motion carried.

The Committee entered back into their Open Meeting at 9:59 p.m.

EXTENSION OF DEPUTY COUNTY ADMINISTRATOR APPOINTMENT

Mr. Gregory provided a Resolution that would extend the appointment of Derek Hiland, effective March 1, 2022, to the position of Deputy County Administrator at a weekly stipend of \$125.00. The appointment does automatically sunset on December 31, 2022 with further County Board action needed to either appoint a new Deputy County Administrator or to renew the current appointment.

It was moved by Mr. Faivre, seconded by Mrs. Emmer and approved unanimously 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. **DeKalb County Board Member, District 2:** John Emerson appointed immediately to fill the unexpired term of Tim Hughes until November 30, 2022.
- b. **County Board Committee Assignments:** John Emerson appointed immediately to the Economic Development Committee and the Forest Preserve Operations Committee until November 30, 2022.
- c. **Farmland Assessment Review Board:** Ronald Ness newly appointed for a three-year term beginning May 1, 2022 and expiring April 30, 2025.
- d. **Board of Health:** Jill Olson appointed immediately to fill the unexpired term of Jessica Harrill until December 31, 2024.

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

APPROVAL OF THE COUNTY BOARD AGENDA

Mrs. Emmer 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.

ADJOURNMENT

It was moved by Ms. Crawford, seconded by Mr. Bagby, and it was carried unanimously to adjourn the meeting at 10:01 p.m.

Respectfully submitted,

John Frieders, Chairman

Tasha Sims, Recording Secretary

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