

Note: These minutes are not official until approved by the DeKalb County Board 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

COUNTY BOARD PROCEEDINGS
October 19, 2022

The DeKalb County Board met in regular session at the Legislative Center's Gathertorium on Wednesday, October 19, 2022, at 7:00 p.m. Chairman Frieders called the meeting to order, and the Clerk called the roll. Those Members present were Vice-Chair Suzanne Willis, Mr. Tim Bagby, Mr. Scott Campbell, Ms. Mary Cozad, Ms. Rukisha Crawford, Mr. Bill Cummings, Mr. Patrick Deutsch, Mr. John Emerson, Mrs. Laurie Emmer, Mr. Steve Faivre, Mrs. Kathy Lampkins, Ms. Dianne Leifheit, Ms. Maureen Little, Mr. Jim Luebke, Ms. Terri Mann-Lamb, Mr. Jerry Osland, Ms. Michelle Pickett, Mr. Roy Plote, Mr. Stephen Reid, Mr. Craig Roman, Mr. Ellingsworth Webb, and Chairman John Frieders. Those absent were Mr. Larry West and Mrs. Karen Cribben. A quorum was established with twenty-two Members present and two absent.

Chairman Frieders led in the reciting of the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion

It was moved by Mr. Plote and seconded by Mr. Emerson to approve the agenda as presented.

Voice Vote

Chairman Frieders called for a voice vote on the motion to approve the agenda as presented. All Members present voted yea. Motion carried unanimously.

APPROVAL OF MINUTES

Motion

Mrs. Emmer moved to approve the minutes of the September 21, 2022, County Board Meeting. Ms. Cozad seconded the motion.

Voice Vote

The Chair asked for a voice vote on the approval of the minutes. All Members voted yea. Motion carried unanimously.

COMMUNICATIONS AND PROCLAMATIONS

Employee Service Awards - October

Chairman Frieders and the Board recognized and congratulated the following County Employees who celebrated Services Awards in the month of October 2022: Five Years: Michelle Dietrich – Public Defender, Madison Mollman – Circuit Clerk's Office; Ten Years: Jessica Rugerio – County Clerk & Recorder's Office; Fifteen Years: Beverly Balika – Health Department, Lisa Montgomery – Circuit Clerk's Office, Antonio Watson – Sheriff's Office, Meagan Pettengell – Sheriff's Office, Alexander Becker – Sheriff's Office; Twenty-Five Years: Laura Flink – Sheriff's Office.

PUBLIC COMMENTS

Ms. Lori Laidlaw, American Federation of State, County and Municipal Employees (AFSCME) Council 31, AFL-CIO, Local 3537, shared that the union attorneys crafted a Memorandum of Understanding for the County to present to Illuminate HC, LLC. The MOU calls for Illuminate to recognize not only the existing employee union but also asks that Illuminate honor the expressed written terms within the bargaining agreement that was recently ratified by the union workers at the DCRNC and the County Board. Ms. Laidlaw wanted to see written guarantees that Illuminate will honor the existing terms of the union contract.

Mr. Jacob Nates, of Chicago, is also with AFSCME and expressed his concerns and raised questions about the process and sale of the DCRNC. He also questioned if time-sensitive documents have been sent to Illinois Department of Public Health in order for the sale to actually occur.

Mr. John Lyon, Mayfield Township, requested that the Board carefully consider any changes that they make to the Solar Ordinance changes, especially those made for non-participating residentially used properties of 12 acres or less. He also wanted to see the Board send back the Battery Storage Ordinance in order to discuss the topic more. **Please see Exhibit A for detailed comments.**

Ms. Katherine Andraski, Franklin Township, requested the Board revise setbacks for non-conforming landowners in the solar Ordinance. She also expressed that she thought there should be a separate Ordinance addressing battery storage. **Please see Exhibit B for detailed comments.**

Ms. Linda Timm, DeKalb Township, requested that the Board to delay the vote on the amendments to the Solar Energy Ordinance so there can be more discussions regarding setbacks, screening, and decommissioning. She also asked that the Battery Storage Ordinance be send back to committee for further discussions and revisions. **Please see Exhibit C for detailed comments.**

Mr. John Lageman, Mayfield Township, detailed many concerns he has with the Industrial Solar Projects. He additionally requested having adequate setbacks for non-participating landowners and residential properties of 12 acres or less. **Please see Exhibit D for detailed comments.**

APPOINTMENTS

Chairman Frieders recommended approval of the following appointment:

- a. **Regional Planning Commission – Alternate:** Debbie Lang appointed immediately until March 31, 2025.

Motion

It was moved by Mr. Faivre and seconded by Mr. Roman to approve the recommended appointment.

Voice Vote

Chairman Frieders called for a voice vote. The motion carried unanimously.

REPORTS FROM STANDING COMMITTEES

PLANNING & ZONING COMMITTEE

Ordinance O2022-17: An Ordinance Approving a Special Use Permit for a Solar Garden for Property Located on Wolf Road in Kingston Township

Motion

Mr. Faivre moved that the DeKalb County Board hereby approves a Special Use Permit (KI-22-11), with conditions as outlined in the Ordinance, requested by Forefront Power (FFP) for the construction and operation of a 2-megawatt solar garden on 16.8-acres of the southern portion of the 60.56-acre property located on the south side of Wolf Road in Kingston Township, to be known as Hasselmann-Kirkland Site 2 (P.I.N.: 02-22-400-013). Mr. Roman seconded the motion as presented.

Voice Vote

The Chairman called for a voice vote on the motion as presented. All Members present voted yea. Motion carried unanimously.

Ordinance O2022-18: An Ordinance Approving a Special Use Permit for an Agribusiness for Property Located at 20606 Willrett Road in Malta Township

Motion

Mr. Faivre moved that the DeKalb County Board hereby approves a Special Use Permit, with conditions as outlined in the Ordinance, submitted by Conserv FS for an agribusiness, in the form of fertilizer sales, including the bulk storage and mixing thereof, and the Liquid Petroleum sales, including the storage and distribution thereof, on property located at 20606 Willrett Road in Malta Township. Mr. Plote seconded the motion.

Voice Vote

The Chairman called for a voice vote on the motion as presented. All Members present voted yea. Motion carried unanimously.

Ordinance O2022-19: An Ordinance Approving a Special Use Permit for a Solar Farm for Property Located on Keslinger Road in Afton Township

Motion

Mr. Faivre moved that the DeKalb County Board hereby approves a Special Use Permit (AF-22-13), with conditions as outlined in the Ordinance, requested by Heliofidem Renewable Energy, LLC for the construction and operation of a 5-megawatt solar farm on the central 22-acre portion of the 81.46-acre property located on the southeast corner of Crego and Keslinger Roads in Afton Township, to be known as Whiskey Acres Site B (P.I.N.: 11-12-100-014). Mr. Roman seconded the motion.

Voice Vote

Chairman Frieders called for a voice vote on the motion as presented. All Members present voted yea. Motion carried unanimously.

Ordinance O2022-20: An Ordinance Approving a Special Use Permit for a Solar Farm for Property Located on Keslinger Road in Afton Township

Motion

Mr. Faivre moved that the DeKalb County Board hereby approves a Special Use Permit (AF-22-13), with conditions as outlined in the Ordinance, requested by ESP Solar, LLC for the construction and operation of a 5-megawatt solar farm on the central 22-acre portion of the 81.46-acre property located on the southeast corner of Crego and Keslinger Roads in Afton Township, to be known as Whiskey Acres Site C (P.I.N.: 11-12-100-014). Mr. Bagby seconded the motion as presented.

Voice Vote

Chairman Frieders called for a voice vote on the motion as presented. All Members present voted yea. Motion carried unanimously.

Ordinance O2022-21: An Ordinance Amending the Solar Energy Systems Ordinance within the DeKalb County Code

Motion

Mr. Faivre moved that the DeKalb County Board hereby approves the amendments to Section 53-E-12.A and 32-7-A.15, as outlined in the Ordinance, of the DeKalb County Code regarding the establishment and operation of solar energy systems within the unincorporated portions of DeKalb County. Vice-Chair Willis seconded the motion.

Motion to Amend

Mr. Campbell moved to amend Section 4.2A of the Ordinance to change the first line to read from 100 feet to 300 feet from the property line. He added that he is proposing this change as a compromise to those individuals who spoke under Public Comments and others who have concerns about solar being so close to their properties. Ms. Crawford seconded the motion.

Motion to Withdraw

After discussion, Mr. Campbell moved to withdraw his amendment. Ms. Crawford, the seconder, agreed.

Motion to Amend

Mr. Campbell moved to amend Section 4.2A of the Ordinance to read the following, "In addition, all components, except the interconnection point, installed as part of the solar facility shall be setback at least three hundred (300) feet from a property line or right-of-way of any property that is twelve (12) acres or less and has an occupied structure;". Ms. Crawford seconded the motion.

Roll Call Vote on Amendment

Chairman Frieders called for a roll call vote on Mr. Campbell's amendment to the motion. Those voting aye were Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mr. Cummings, Mr. Deutsch, Mrs. Emmer, Mrs. Lampkins, Ms. Leifheit, Ms. Little, Mr. Luebke, Ms. Mann-Lamb, Mr. Osland, Ms. Pickett, and Mr. Reid. Those opposed were Vice-Chair Willis, Mr. Emerson, Mr. Faivre, Mr. Plote, Mr. Roman, Mr. Webb, and Chairman Frieders. The motion carried with fifteen Members voting aye and seven opposed.

Roll Call on Motion as Amended

The Chairman called for a roll call vote on the original motion as amended. Those voting aye were Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mr. Cummings, Mr. Deutsch, Mrs. Emmer, Mr. Faivre, Mrs. Lampkins, Ms. Leifheit, Ms. Little, Mr. Luebke, Ms. Mann-Lamb, Mr. Osland, Ms. Pickett, Mr. Reid, Mr. Roman, Mr. Webb, and Chairman Frieders. Those opposed were Vice-Chair Willis, Mr. Emerson, and Mr. Plote. The motion carried with nineteen Members voting aye and three opposed.

Ordinance O2022-22: An Ordinance Adopting a Battery Energy Storage System Ordinance for DeKalb County

Motion

Mr. Faivre moved that the DeKalb County Board hereby approves the amendment to add a new sub section, as outlined in the Ordinance, to Section 53-E-12 of the DeKalb County Code regarding Battery Energy Storage Systems within the unincorporated portions of DeKalb County. Mr. Roman seconded the motion.

Motion to Send Back to Committee

After questions and discussions, Ms. Crawford moved to Send the Ordinance Back to Committee for further discussion. Mrs. Emmer seconded the motion.

Voice Vote

Chairman Frieders called for a voice vote to Send Back to Committee. The motion carried with three oppositions from Mr. Faivre, Mr. Plote, and Mr. Roman.

COUNTY HIGHWAY COMMITTEE

Resolution R2022-224: A Resolution Approving a Supplemental Engineering Agreement for the Glidden Road and Baseline Road Intersection

Motion

Mr. Plote moved that the DeKalb County Board hereby approves to enter into a supplemental agreement with Hutchison Engineering, Inc, of Jacksonville, Illinois for certain Phase I and II Engineering Services associated with the intersection design for safety improvements of CH 5 (Glidden Road) and Baseline Road in the Road District of Kingston, in an amount estimated to not exceed \$110,000.00; The Board further authorizes the Chairman of the Board to execute the appropriate Supplemental Engineering Services Agreement with Hutchison Engineering, Inc. Mrs. Lampkins seconded the motion as presented.

Roll Call Vote

Chairman Frieders called for a roll call vote on the motion as presented. Those voting aye were Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mr. Cummings, Mr. Deutsch, Mr. Emerson, Mrs. Emmer, Mr. Faivre, Mrs. Lampkins, Ms. Leifheit, Ms. Little, Mr. Luebke, Ms. Mann-Lamb, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, Mr. Webb, and Chairman Frieders. All Members present voted aye. Motion carried unanimously.

FINANCE COMMITTEE

Claims – October 2022

Motion

Mr. Bagby moved to approve the payment of claims for this month, and the off-cycle claims paid during the previous month, including all claims for travel, meals, and lodging, in the amount of \$8,827,856.79. Mr. Luebke seconded the motion.

Roll Call Vote

Chairman Frieders asked for a roll call vote on the approval of the October 2022 Claims. Those Members voting aye were Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mr. Cummings, Mr. Deutsch, Mr. Emerson, Mrs. Emmer, Mr. Faivre, Mrs. Lampkins, Ms. Leifheit, Ms. Little, Mr. Luebke, Ms. Mann-Lamb, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, Mr. Webb, and Chairman Frieders. All Members present voted aye. The motion carried unanimously.

Reports of County Officials

Motion

Mr. Bagby moved to accept and place on file the following Reports of County Officials:

1. Cash & Investments in County Banks – September 2022
2. Public Defender’s Report – September 2022
3. Adult & Juvenile Monthly Reports – September 2022
4. Pretrial Report – September 2022
5. Sheriff’s Jail Report – September 2022
6. Building Permits & Construction Reports – September 2022

Vice-Chair Willis seconded the motion.

Voice Vote

The Chair requested a voice vote to accept the Reports of County Officials as presented. All Members present voted yea. The motion carried unanimously.

EXECUTIVE COMMITTEE

Resolution R2022-225: A Resolution Authorizing the County Board Chair to Execute an Asset Purchase Agreement and Operational Transfer Agreement between the DeKalb County Government and Illuminate HC regarding the Sale of the DeKalb County Rehab and Nursing Center

Motion

Vice-Chair Willis moved that the DeKalb County Board hereby authorizes the County Board Chair to execute the attached Asset Purchase Agreement (“Exhibit A”), the Operational Transfer Agreement (“Exhibit B”), and any related or ancillary documents as presented in final form after legal review with Illuminate HC for the Sale of the DeKalb County Rehab and Nursing Center. Mrs. Lampkins seconded the motion as presented.

County Administrator, Brian Gregory, briefly provided the Board Members with some highlights to a PowerPoint he put together regarding the status of the DeKalb County Rehab & Nursing Center. That full PowerPoint presentation is attached.

Roll Call Vote

The Chair called for a roll call vote on the motion as presented. Those voting aye were Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mr. Cummings, Mr. Deutsch, Mr. Emerson, Mrs. Emmer, Mr. Faivre, Mrs. Lampkins, Ms. Leifheit, Ms. Little, Mr. Luebke, Mr. Osland, Mr. Plote, Mr. Reid, Mr. Roman, Mr. Webb, and Chairman Frieders. Those opposed were Ms. Mann-Lamb and Ms. Pickett. The motion carried with twenty Members voting aye, two opposed, and two absent.

Resolution R2022-226: A Resolution Authorizing the County Administrator to Establish a Temporary Seven Dollar per Hour Night Shift Differential for Registered Nurses Employed by the DeKalb County Rehabilitation and Nursing Center

Motion

Vice-Chair Willis moved that the DeKalb County Board authorizes to the County Administrator the authority to implement a temporary night shift differential that would pay every registered nurse that works between the hours of 10:45PM and 7:00AM an additional Seven Dollars (\$7.00) per hour worked. This program will be effective from the effective date of this Resolution until December 31, 2022, or the date of sale, whichever comes first and replaces the current differential for night shift Registered Nurses. Mr. Luebke seconded the motion.

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Roll Call Vote

The Chairman called for a roll call vote on the motion. Those Members voting aye were Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mr. Cummings, Mr. Deutsch, Mr. Emerson, Mrs. Emmer, Mr. Faivre, Mrs. Lampkins, Ms. Leifheit, Ms. Little, Mr. Luebke, Ms. Mann-Lamb, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, Mr. Webb, and Chairman Frieders. All Members present voted aye. The motion carried unanimously.

Resolution R2022-227: A Resolution Authorizing the County Administrator to Issue ARPA Transferee Disbursements to County Municipalities for Completed Water, Sewer, and Broadband Infrastructure Projects and to Pre-Approve Project Applications

Motion

Vice-Chair Willis moved that the DeKalb County Board hereby authorizes the County Administrator to issue disbursements of One Hundred Thousand Dollars (\$100,000) to county municipalities for completed water, sewer and broadband infrastructure projects and pre-approve project applications in accordance with the stipulations set forth by Resolution R2021-137. Mrs. Emmer seconded the motion.

Roll Call Vote

The Chairman called for a roll call vote on the motion. Those Members voting aye were Vice-Chair Willis, Mr. Bagby, Mr. Campbell, Ms. Cozad, Ms. Crawford, Mr. Cummings, Mr. Deutsch, Mr. Emerson, Mrs. Emmer, Mr. Faivre, Mrs. Lampkins, Ms. Leifheit, Ms. Little, Mr. Luebke, Ms. Mann-Lamb, Mr. Osland, Ms. Pickett, Mr. Plote, Mr. Reid, Mr. Roman, Mr. Webb, and Chairman Frieders. All Members present voted aye. The motion carried unanimously.

OLD BUSINESS / NEW BUSINESS

None.

ADJOURNMENT

Motion

Mr. Faivre moved to adjourn the meeting at 8:39 p.m. Ms. Crawford seconded the motion.

Voice Vote

The motion to adjourn the meeting carried unanimously.

Douglas J. Johnson
DeKalb County Clerk

John Frieders
DeKalb County Board Chairman