

*DeKalb County Government  
Sycamore, Illinois*



**COUNTY BOARD PROCEEDINGS  
March 15, 2023**

The DeKalb County Board met in regular session at the Legislative Center’s Gathertorium on Wednesday, March 15, 2023, at 7:00 p.m. Chair Willis called the meeting to order, and the Clerk called the roll. Those Members present were Patrick Deutsch, Meryl Domina, Laurie Emmer, Vice-Chair John Frieders, Ben Haier, Rhonda Henke, Savannah Ilenikhena, Kathy Lampkins, Maureen Little, Jim Luebke, Terri Mann-Lamb, Stewart Ogilvie, Jerry Osland, Michelle Pickett, Roy Plote, Chris Porterfield, Amber Quitno, Ellingsworth Webb, Tim Bagby, Scott Campbell, Mary Cozad, and Chair Suzanne Willis. Board Member Rukisha Crawford was absent at the time of roll call. There was a quorum established with twenty-two Members present, one absent, and one vacancy.

Chair Willis led in the reciting of the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Motion

It was moved by Webb and seconded by Emmer to approve the agenda as presented.

Voice Vote

Chair Willis called for a voice vote on the motion to approve as presented. All Members present voted aye. Motion carried unanimously.

**APPROVAL OF MINUTES**

Motion

Cozad moved to approve the minutes of the February 15, 2023 County Board Meeting. Porterfield seconded the motion.

Voice Vote

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

*Board Member Rukisha Crawford arrived. There were now twenty-three Members present, none absent, and one vacancy.*

**COMMUNICATIONS AND PROCLAMATIONS**

Employee Service Awards – March 2023

The Board recognized and congratulated the following County Employees on their employment anniversaries and who will receive Service Awards in the month of March 2023: Five Years: Chad Bergeson – Information Management Office/GIS, Theresa Hepker – Jury Commission, and Joshua Martinez – Sheriff’s Office.

## **PUBLIC COMMENTS**

John Lyon, Mayfield Township, spoke in support of the amended Battery Storage Ordinance. He also proposed and requested the Board include legal language pertaining to a Severability Clause that would protect said Ordinance. **Please see Exhibit A for detailed comments.**

Katherine Andraski, Kingston Township, thanked the Board for their support with the revised Solar Ordinance last year and for their Resolution Supporting Local Control of Zoning and Land Use Affairs for DeKalb County and Opposing HB 4412. She additionally urged the Board to vote in favor of tonight's Ordinance O2023-009, as well as requested them to add a Severability Clause to the Ordinance. **Please see Exhibit B for detailed comments.**

Mike Villalta, Sycamore, has been pleased to hear and is encouraged that the County Highway Department has acknowledged the safety concerns near the intersection of Plank & Lindgren Roads. He additionally requested a point of clarification and asked if a citizen can speak on an agenda item at the time the agenda item is presented. He indicated that at a previous meeting a citizen was denied the right to speak on an agenda item at the time the agenda item was being discussed. He requested that if those policies and/or rules were in place, to know where they were codified and requested that information be sent to him.

## **APPOINTMENTS**

### Motion

It was moved by Emmer and seconded by Ilenikhena to approve the following appointments:

a. **Fire Protection Districts**

- DeKalb Community Fire Protection District: Gerald Bemis reappointed for a three-year term beginning May 1, 2023 and expiring April 30, 2026.
- Genoa-Kingston Fire Protection District: Todd Merritt reappointed for a three-year term beginning May 1, 2023 and expiring April 30, 2026.
- Kirkland Community Fire District: Marty Banks reappointed for a three-year term beginning May 1, 2023 and expiring April 30, 2026.
- Paw Paw Fire Protection District: Neal Rogers reappointed for a three-year term beginning May 1, 2023 and expiring April 30, 2026.
- Shabbona Community Fire Protection District: Berkley Boehne reappointed for a three-year term beginning May 1, 2023 and expiring April 30, 2026.
- Somonauk Community Fire Protection District: Nycole Woody reappointed for a three-year term beginning May 1, 2023 and expiring April 30, 2026.
- Sycamore Rural Fire Protection District: John Ward reappointed for a three-year term beginning May 1, 2023 and expiring April 30, 2026. Peter Springmire appointed to complete a three-year term until April 30, 2024.
- Waterman Fire Protection District: David Stryker reappointed for a three-year term beginning May 1, 2023 and expiring April 30, 2026.

- b. **East Pierce Cemetery Association** – Kevin Marshall appointed to fill an unexpired term ending August 31, 2026.

### Voice Vote

All Members voted aye. The motion carried unanimously.

## REPORTS FROM STANDING COMMITTEES

*Plote recused himself from the meeting at 7:13 p.m.*

### PLANNING, ZONING & DEVELOPMENT COMMITTEE

#### **Ordinance O2023-002: An Ordinance Approving a Special Use Permit for a Solar Garden for Property Located on the Southwest Corner of Pine Road and Governor Beveridge Highway in Somonauk Township**

##### Motion

Mann-Lamb moved that the DeKalb County Board hereby approves a Conditional Special Use request by Cenergy Power, representing Heliofidem Renewable Energy, to establish and operate a 5-megawatt commercial solar garden, known as Plote Somonauk 2, on 29.7-acres of the 157.19-acre property located at the southwest corner of Pine Road and Gov. Beveridge Highway, in Somonauk Township. Webb seconded the motion.

##### Voice Vote

All Members voted aye. The motion carried unanimously.

*Plote returned to the meeting at 7:14 p.m.*

#### **Ordinance O2023-007: An Ordinance Approving a Special Use Permit Request by New Leaf Energy, Inc. for a 35-acre, 5-Megawatt Solar Farm Located on the Northwest Corner of Crego and Bastian Roads in Clinton Township**

##### Motion

Mann-Lamb moved that the DeKalb County Board hereby approves a Conditional Special Use request by New Leaf Energy to establish and operate a 5-megawatt commercial solar garden on 35-acres of the 77.5-acre property located at the northwest corner of Crego and Bastian Roads, in Clinton Township. Deutsch seconded the motion as presented.

##### Voice Vote

The Chair called for a voice vote on the motion. The motion carried with one abstention from Plote.

#### **Ordinance O2023-008: An Ordinance Approving a Special Use Permit Request by New Leaf Energy, Inc. for a 35-acre, 5-Megawatt Solar Farm Located on the Southwest Corner of Kane and Preserve Roads in Clinton Township**

##### Motion

Mann-Lamb moved that the DeKalb County Board hereby approves a Conditional Special Use request by New Leaf Energy to establish and operate a 5-megawatt commercial solar garden on 35-acres of the 100.95-acre property located at the southwest corner of Kane Road and Governor Beveridge Highway, in Clinton Township. Domina seconded the motion.

##### Voice Vote

Chair Willis called for a voice vote on the motion. The motion carried with one abstention from Plote.

#### **Ordinance O2023-009: An Ordinance Amending Section 53-E-12, "Sustainable Energy Systems," of the DeKalb County Code to add a New Subsection C. "Battery Storage Systems."**

##### Motion

Mann-Lamb moved that the DeKalb County Board hereby approves the amendments, as set forth in the Ordinance, to Section 53-E-12, "Sustainable Energy Systems," of the DeKalb County Code to add a New Subsection C. "Battery Storage Systems.". Domina seconded the motion as presented.

Motion to Amend

Henke moved to include language pertaining to a Severability Clause. *Chair Willis noted that she would like to discuss the possibility of adding a Severability Clause to multiple sections of the code and it would be best to look at that issue more globally at a future Planning, Zoning, & Development Committee Meeting.*

Motion to Rescind

Henke rescinded her amendment.

Voice Vote

Chair Willis called for a voice vote on the motion as originally presented. The motion carried unanimously.

**COUNTY HIGHWAY COMMITTEE**

Motion

Deutsch made a motion for Resolutions R2023-024 through R2023-032 to be considered in omnibus fashion as all of them deal with contract awards from the Highway Committee. Luebke seconded the motion.

Voice Vote

The motion carried unanimously by voice vote.

Motion

Deutsch moved that the DeKalb County Board hereby approved the following Resolutions:

**Resolution R2023-024: A Resolution Approving the 2023 General County Letting**

**Resolution R2023-025: Award Resolution for 2023 Afton Road District Aggregate Project in the amount of \$2,001 to Wagner Aggregate Inc. of DeKalb, Illinois**

**Resolution R2023-026: A Resolution Awarding the Bid for the 2023 Malta Road District Aggregate Project in the amount of \$109,500 to Wagner Aggregate, Inc. of DeKalb, Illinois**

**Resolution R2023-027: A Resolution Awarding the Bid for the 2023 Paw Paw Road District Aggregate Project in the amount of \$59,800 to Macklin Inc. of Rochelle, Illinois**

**Resolution R2023-028: A Resolution Awarding the Bid for the 2023 Shabbona Road District Aggregate Project in the amount of \$20,175 to Macklin Inc. of Rochelle, Illinois**

**Resolution R2023-029: A Resolution Awarding the Bid for the 2023 South Grove Road District Aggregate Project in the amount of \$25,125 to Wagner Aggregate Inc. of DeKalb, Illinois**

**Resolution R2023-030: A Resolution Awarding the Bid for the 2023 Squaw Grove Road District Aggregate Project in the amount of \$113,750 to Macklin Inc. of Rochelle, Illinois**

**Resolution R2023-031: A Resolution Awarding the Bid for the 2023 Victor Road District Aggregate Project in the amount of \$19,435 to Macklin Inc. of Rochelle, Illinois**

**Resolution R2023-032: A Resolution Awarding the Bid for the 2023 County/Road Districts Drainage Pipe Projects in the amount of \$82,497.06 to Contech Engineering Solutions, LLC of Oak Brook, Illinois**

Mann-Lamb seconded the motion as presented.

Roll Call Vote

Chair Willis called for a roll call vote to approve Resolutions R2023-024 through R2023-032. Those Board Members voting aye were Crawford, Deutsch, Domina, Emmer, Frieders, Haier, Henke, Ilenikhena, Lampkins, Little, Luebke, Mann-Lamb, Ogilvie, Osland, Pickett, Plote, Porterfield, Quitno, Webb, Bagby, Campbell, Cozad, and Chair Willis. All Members voted aye. The motion carried unanimously.

**FACILITIES & TECHNOLOGY COMMITTEE**

**Resolution R2023-023: A Resolution Approving a Letter of Intent to Enter into a Land Lease with U.S. Cellular for a Telecommunication Tower on 2,500 Square Feet on the DeKalb County Highway Department Campus, DeKalb, Illinois**

Motion

Webb moved that the DeKalb County Board hereby approve and authorize execution of a Letter of Intent to enter into a land lease with U.S. Cellular for a telecommunication tower on 2,500 square feet on the DeKalb County Highway Department Campus, DeKalb, Illinois. Emmer seconded the motion.

Voice Vote

A voice vote was taken on the motion as presented. The motion carried unanimously.

**Resolution R2023-034: A Resolution Approving a Five-Year Extension of Life Safety Inspection Services for the DeKalb County Jail from Johnson Controls**

Motion

Webb moved that the DeKalb County Board hereby approve a five-year extension of Life Safety Inspection Services for the DeKalb County Jail from Johnson Controls at a cost of \$112,774.89 over the five-year term. Mann-Lamb seconded the motion.

Roll Call Vote

Chair Willis called for a roll call vote. Those Board Members voting aye were Crawford, Deutsch, Domina, Emmer, Frieders, Haier, Henke, Ilenikhena, Lampkins, Little, Luebke, Mann-Lamb, Ogilvie, Osland, Pickett, Plote, Porterfield, Quitno, Webb, Bagby, Cozad, and Chair Willis. Campbell opposed. The motion carried with twenty-two Members voting aye and one opposed.

**HEALTH & HUMAN SERVICES COMMITTEE**

**Resolution R2023-033: A Resolution Authorizing Execution and Amendment of Federal 5311 Grant Agreement**

Motion

Crawford moved that the DeKalb County Board does hereby authorize the execution and amendment of a Federal 5311 Grant Agreement as outlined in the Resolution. Webb seconded.

Roll Call Vote

The Chair called for a roll call vote on the motion as presented. Those Board Members voting aye were Crawford, Deutsch, Domina, Emmer, Frieders, Haier, Henke, Ilenikhena, Lampkins, Little, Luebke, Mann-Lamb, Ogilvie, Osland, Pickett, Plote, Porterfield, Quitno, Webb, Bagby, Campbell, Cozad, and Chair Willis. All Members voted aye. The motion carried unanimously.

**LAW & JUSTICE COMMITTEE**

**Ordinance O2023-010: An Ordinance Establishing Civil Fees and Criminal and Traffic Assessments to be Charged by the Clerk of the Circuit Court**

**Motion**

Lampkins moved that the DeKalb County Board does hereby approve modifications to the DeKalb County Circuit Clerk's current fees to reflect changes in law and to address uniformity of fees across the state. This Ordinance modifies two fees in regard to Guardianship and Advocacy fee pursuant to 705 ILCS 105/27.3f, and The Expungement fees as are addressed in 20 ILCS 2650/5.2(a)(10) and 705 ILCS 105/27.1b(t). Ilenikhena seconded the motion.

**Roll Call Vote**

The Chair called for a roll call vote on the motion. Those Board Members voting aye were Crawford, Deutsch, Domina, Emmer, Frieders, Haier, Henke, Ilenikhena, Lampkins, Little, Luebke, Mann-Lamb, Ogilvie, Osland, Pickett, Plote, Porterfield, Quitno, Webb, Bagby, Campbell, Cozad, and Chair Willis. All Members voted aye. The motion carried unanimously.

**FINANCE & ADMINISTRATION COMMITTEE**

**Claims – March 2023**

**Motion**

Campbell 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 \$6,046,292.97. Cozad seconded the motion.

**Roll Call Vote**

Chair Willis asked for a roll call vote on the motion to approve the March 2023 Claims. Those Members voting aye were Crawford, Deutsch, Domina, Emmer, Frieders, Haier, Henke, Ilenikhena, Lampkins, Little, Luebke, Mann-Lamb, Ogilvie, Osland, Pickett, Plote, Porterfield, Quitno, Webb, Bagby, Campbell, Cozad, and Chair Willis. The motion carried unanimously.

**Reports of County Officials**

**Motion**

Campbell moved to accept and place on file the following Reports of County Officials:

1. Cash & Investments in County Banks – February 2023
2. Public Defender's Report – February 2023
3. Adult & Juvenile Monthly Reports – February 2023
4. Pretrial Report – February 2023
5. Sheriff's Jail Report – February 2023
6. Building Permits & Construction Reports – February 2023

Deutsch seconded the motion.

**Voice Vote**

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

**EXECUTIVE COMMITTEE**

**Resolution R2023-022: A Resolution Approving an Intergovernmental Agreement for Installation and Maintenance of License Plate Readers with the City of Sycamore**

**Motion**

Vice-Chair Frieders moved that the DeKalb County Board hereby approves an Intergovernmental Agreement with the City of Sycamore for the installation and maintenance of License Plate Readers at two locations along Peace Road on County-owned traffic signal poles and at three

locations in County right-of-way near intersections in the Peace/Plank Road corridor on poles installed and maintained by the City of Sycamore. Emmer seconded the motion.

Roll Call Vote

The Chair called for discussion. After seeing none, a roll call was requested. Those Board Members voting aye were Crawford, Deutsch, Domina, Emmer, Haier, Henke, Ilenikhena, Lampkins, Little, Luebke, Mann-Lamb, Ogilvie, Pickett, Webb, Cozad, and Chair Willis. Those Board Members voting nay were Frieders, Osland, Plote, Porterfield, Quitno, Bagby, and Campbell. The motion carried with sixteen in favor and seven opposed.

**Resolution R2023-035: A Resolution Authorizing a Contribution to the DeKalb County Economic Development Corporation "Opportunity Unbound" Branding Initiative**

Motion

Frieders moved that the DeKalb County Board hereby authorize a three-year pledge of \$10,000 per year (2024, 2025, & 2026) for a total of \$30,000, coming from the Opportunity Fund, to the DeKalb County Economic Development Corporation "Opportunity Unbound" Branding Initiative. Crawford seconded the motion.

Roll Call Vote

The Chair called for a roll call vote on the motion. Those Board Members voting aye were Crawford, Deutsch, Domina, Emmer, Frieders, Haier, Henke, Ilenikhena, Lampkins, Little, Luebke, Mann-Lamb, Ogilvie, Osland, Pickett, Plote, Porterfield, Quitno, Webb, Bagby, Campbell, Cozad, and Chair Willis. All Members voted aye. The motion carried unanimously.

**Resolution R2023-036—A Resolution Pre-Approving ARPA Transferee Grant Project Applications from Genoa, Kingston, Lee, Shabbona and Waterman**

Motion

Vice-Chair Frieders moved to pre-approve American Rescue Plan Act (ARPA) Transferee Grant Project Applications from Genoa, Kingston, Lee, Shabbona, and Waterman. Lampkins seconded the motion.

Roll Call Vote

A roll call vote was taken. Those Board Members voting aye were Crawford, Deutsch, Domina, Emmer, Frieders, Haier, Henke, Ilenikhena, Lampkins, Little, Luebke, Mann-Lamb, Ogilvie, Osland, Pickett, Plote, Porterfield, Quitno, Webb, Bagby, Campbell, Cozad, and Chair Willis. All Members voted aye. The motion carried unanimously.

**OLD BUSINESS / NEW BUSINESS**

None.


**ADJOURNMENT**

Motion

Crawford moved to adjourn the meeting at 7:34 p.m. Deutsch seconded the motion.

Voice Vote

The motion to adjourn the meeting carried unanimously.

  
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Tasha Sims  
DeKalb County Clerk

  
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Suzanne Willis  
DeKalb County Board Chair

John M Lyon  
Mayfield Township  
March 15 2023

County Board, thankyou for this opportunity to speak.

Tonight I speak in support of the amended Battery Storage Ordinance.

I would like to propose an addition that will strengthen the continuance of this document.

I request that you include legal language pertaining to a SEVERABILITY CLAUSE.

A severability clause is one that protects the ordinance. It is common that other counties include this provision.

Here is the language that should be included.

*If a provision of this Ordinance is or becomes illegal, unenforceable, or invalid in any jurisdiction, it shall not affect (1) the enforceability or validity in that jurisdiction of any other provision of this Ordinance, or (2) the enforceability or validity in other jurisdictions of that or any other provision of this Ordinance.*

Does the States Attorney concur? And, if not, why.

Thank you.



Katherine Andraski  
Kingston Township

Thank you for unanimously passing the “resolution supporting local control of zoning and land use affairs” and sending it down state. Thank you for affirming that the County Board is the “appropriate entity to support the needs, interests and safety of its residents due to the direct feedback and understanding of the county’s needs.” Personally, I have deeply appreciated having a voice in the wind and solar discussions, as have other members of the community.

As you know HB4412 is a gross violation of the county’s rights to determine how renewables will impact our county. HB 3146 is no better. The last I knew, there were only four witness slips in favor of this new bill and a 104 opposed.

Brad Belanger says, “In addition to the wind and solar we are seeing a trend of the State taking level of control away from local government - giving control to people who live in an urban area and have no understanding of what works for the rural community. HB 4412 was played as shell bill and gutted and stripped at the last moments in the lame duck session where there was very little chance for anyone to supply testimony or oppose it.” It’s possible the same thing might happen with HB3146.

HB3146 offers setbacks from wind at three times the blade height which is only 1500 feet. According to Professor Terry Matilsky from the Department of Physics and Astronomy at Rutgers University, ice throws from large wind turbines can reach up to a distance of 1750 feet and blade throws can reach 2500 feet.

Since the grid can’t handle projects already approved, will the state apply eminent domain to build transmission lines and we lose even more rights to our property and its value?

When DeKalb County set up its wind ordinance the community showed up to convince the county board to create an ordinance that provides for their safety, their property values, the local eagles, the ability for towns to expand. Even people in town won’t want to see towers as tall as Byron’s blocking their view.

Since the Assistant State’s Attorney said the board needs to ask the State’s Attorney to sue the state, I hope you will make that request. If we don’t stop the state now, what other rights will the state remove? Motor Fuel tax? Education money? Grant funding? No more townships?

Finally, I’d like to urge you to vote in favor of Ordinance O2023-009—An Ordinance Amending Section 53-E-12, ‘Sustainable Energy Systems,’ of the DeKalb County Code to add a New Subsection C. Battery Storage Systems.”

Could you also add a severability clause to this ordinance which says that just because one part of the ordinance becomes illegal, it doesn’t invalidate the other parts of the ordinance. Perhaps This should be added to the wind and solar ordinances as well.

Since there is nothing mentioned about batteries in HB4412 or HB 3146 companies may insist we allow batteries. We need to do all we can to protect our citizens and the environment.

Thank you for your time and attention.