

DEKALB COUNTY COUNCIL MEETING

March 14, 2023

The following Council Members were present:

President Richard Ring
Vice President David Yarde
Member William VanWye, arrived at 9:01 a.m.
Member Robert E. Krafft, absent
Member Amy Demske
Member Amy Prosser
Member Rick Collins

Others present: Auditor Susan Sleeper
Attorney Donald J Stuckey

Amy Prosser opened the meeting with prayer at 8:44 a.m.

MATTER OF MINUTES

David Yarde made a motion to approve minutes dated February 14, 2023. Rick Collins seconded and all approved.

MATTER OF REPORTED TAX ABATEMENT NUMBERS ON GATEWAY AFR

Auditor Sleeper explained the reported Tax Abatement AFR numbers for 2021. The amounts were reported based on tax rate only, and should have been reported as a percentage per \$100 of value. This procedure has been corrected for the 2022 Tax Abatement values reported on AFR.

MATTER OF ADDITIONAL APPROPRIATIONS

David Yarde made a motion to approve the Health Departments additional of \$1,000 into Operating Supplies (22130) within the Annual Survey Grant Fund (9119). Amy Demske seconded and all approved.

MATTER OF TRANSFERS

David Yarde made a motion to approve the Sheriff's Office transfer of \$5,000 from Utilities (33540) to Repair & Maintenance Supplies (22310) within the County General Fund (1001). Rick Collins seconded and all approved.

Amy Demske made a motion to approve Central Communications transfer of \$24,900 from Furniture & Fixtures (44410) to Building/Structure Repair (33670) within the Cumulative Capital Development (1138). David Yarde seconded and all approved.

Rick Collins made a motion to approve the Sheriff's Office transfer of \$1,000 from Other Service Fees (32780) to Purchase of K9 (44525) within the K-9 Unit Fund (4012). Amy Prosser seconded and all approved.

MATTER OF FINANCIAL REPORT BY FUND

The Council certified that they have received and reviewed the February 2023 Financial Report by Fund.

William VanWye arrived at 9:01 a.m.

MATTER OF DEKALB COUNTY AIRPORT UPDATE

Randy Fox distributed a brief of new and old business for the Airport.

Council and Commissioner Brief 3/14/2023

- The auction of the contents of the Meese Chapel will run April 11 through the 25th, online only.
- The fencing portion of the Paving and Lighting Runway Extension Project will begin the week of March 13th. The preparation for paving will then start the week of April 25th.
- The Board will accept bids for the Self-Serve Fuel system site work on March 17 and if all goes well will award the bid at the Board Meeting that same day. The tank and pump system will be ready to ship by the end of March, so we will most likely delay shipment until the contractor is ready.
- The following is what we are distributing to users with regard to operational interruptions this year –

The DeKalb County Airport is currently in the process of extending runway 9-27 from 5,000 ft to 7,100 ft. This project has been planned for over two decades. Recently we finished construction on the extension of CR 62 (2021), and the grade and drain portion of the project (2022). In the interest of sharing the impact to not only based tenants, but also the community, below are some high-level milestone dates.

County Road 62 between CR 29 and 31 was completed in the fall of 2021 and turned over to the County. The road was built to mitigate the closing of CR 29 between CR 60 and 62.

Earthwork to the east of the existing runway and taxiway out to CR 31, to include taxiway and runway grading, CR 29 removal, and detention area construction, or what we call the Grade and Drain portion of the project, was completed in the fall of 2022.

Currently, the contractor has proposed that from 4/25/2023 through the 7/28/2023, final grade work and paving will be taking place from the existing pavement out to 7,100'. This will necessitate closure of RWY 27 for arrivals and artificially shortening RWY 9 to 4,000'. Again, during this timeframe, RWY 27 will be closed, RWY 9 will be 4,000 for landings and departures.

Beginning on or around 7-28-2023 through 8-22-2023 RWY 9-27 will be closed. This will be the period in which new markings will be put down for the 7,100' runway, and new LED runway lighting will be installed.

From 8-23-2023 until 9-26-2023 RWY 9-27 will be closed during night-time hours and open during the day at the full-length of 7,100' as we complete all the required lighting tasks.

Upon completion of this phase of construction, the runway will be opened full-length, 7,100'. The taxiway extension, MALSR (Approach) lighting, and ILS, will be completed in the 2024 timeframe assuming all grant funding falls as we expect it to. We will post the most up to date information on our website, www.dekalbcountyairport.com, including the construction schedule, so be sure to check there frequently. Please note that we will do our best to keep these dates and will continually work towards shortening the times for artificial shortened conditions and closures.

Old Business

➤ None.

MATTER OF DCCC 2024 BUDGET DISCUSSION

Michelle Fosnaugh explained the grant applications are due to IDOC by April 28, 2023, and the local Advisory Board Meeting is scheduled for April 14, 2023. Michelle said the foundation of the DCCC budget is based off the continued support of the Council for the staff at DCCC. Michelle highlighted the accounts that are increasing for the 2024 budget request as listed on her handouts provided prior to the meeting. The funding requested from the county will allow continued support of the Council for staff and for a wage increase in 2024 that allows all staff members to reach their respective 2023 salary ordinance range, including the CHANGE Academy staff. In order to accomplish these salary levels the Project Income budget will increase by ~\$59,000 compared to the 2023 budget, an additional request in grant funding of \$20,051.30 will be requested in accordance with HB1001, and by requesting \$36,328.47 more in funding from the Council. There is \$66,844.80 requested from the County for wages and \$367,358.76 requested for benefits. Discussion took place between the Council and Michelle. Michael Lapham explained that the IDOC wants to see a partnership in DCCC funding between the County and grant funds, and the presentation Michelle has given is very good and the additional \$20k requested from the State is a reasonable request that will not appear as 'needy' when submitting to grant paperwork.

William VanWye made a motion that the Council will fund \$37,000 plus benefit amount of \$367,358.76 from County General for the DCCC 2024 Budget. Amy Demske seconded and all approved.

MATTER OF PETERS FRANKLIN LETTER OF ENGAGEMENT

At the February Council Meeting, the Council approved Jeff Peters to move forward with pulling the data together for the Highway BOT funding. The Auditor received the Engagement Letter with Peters Franklin and had Council President Ring sign and returned to Jeff Peters. Council Attorney Don Stuckey would like a formal motion made approving Rick's signature.

William VanWye made a motion to approve Rick's signature dated February 17, 2023 on the Engagement Letter with Peters Franklin, LLC. Amy Demske seconded and all approved.

MATTER OF BOT FINANCING REVIEW: JEFF PETERS

Jeff Peters reviewed the BOT options available in bonding the Highway Project. Jeff stated that he did increase the interest rate by ½ percent as the municipal interest rates have steadily increased over the last month. The options were provided on a handout Jeff had provided prior to meeting.

Rick Ring explained to the Council Members present that all three options Jeff has provided will all come in under the \$10 million cap of highway funding requested from the Council to the Commissioners. The DeKalb County Commissioners voted at their meeting on March 13, 2023 to go with the 10-year amortization schedule which will utilize ~49% of LITED annual revenue but save ~\$1.0 million in interest over the 10-year term. Councilman Yarde asked how this would affect future bonding needs for the upcoming jail. Jeff Peters explained that the project would probably go above the GO Bond cap and would need to be a lease-rental through a building corporation and also leave some GO Bond funds available for other needs that may arise. Jeff Peters sees the funding for the jail using the maximum correctional facility LIT and making up the difference with Property Tax. Discussion took place. Jeff then explained the Bond Ordinance is approving \$7.0 million that includes a little cushion in case something was forgotten but Jeff believes it will come in under. The 6.25% interest rate will not actually

be that rate, but that will structure the investors that will pay us the most today that will get a higher return in the future, that will then bring the net interest rate down. The current debt rating is AA-, means the County is graded as 'having a very strong capacity to meet financial commitments'.

MATTER OF SUSPENDING THE RULES TO READ THE ORDINANCES AND RESOLUTIONS FOR TODAY'S MEETING BY TITLE ONLY (MEETING PROCEDURES WILL BE ADOPTED AT END OF THE MEETING FOR MEETINGS GOING FORWARD)

David Yarde made a motion to suspend the rules as described above. Rick Collins seconded and all approved.

MATTER OF ORDINANCE 2023-OCC-3: AN ORDINANCE AUTHORIZING THE ISSUANCE OF LOCAL INCOME TAX REVENUE BONDS OF 2023 (TAX-BACKED) FOR THE PURPOSE OF PROVIDING FUNDS FOR THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF A NEW COUNTY HIGHWAY GARAGE AND ADDRESSING OTHER MATTERS CONNECTED THEREWITH

William VanWye made a motion to approve on FIRST reading Ordinance 2023-OCC-3 as listed above. David Yarde seconded and motion passed (6,0).

Rick Collins: aye
Amy Prosser: aye
Amy Demske: aye
David Yarde: aye

Robert Krafft: absent
William VanWye: aye
Rick Ring: aye

Larry Williams questioned Jeff Peters on the estimates used in the bond financing. Discussion took place.

MATTER OF ORDINANCE 2023-OCC-4: AN ORDINANCE APPROPRIATING THE PROCEEDS OF THE DEKALB COUNTY LOCAL INCOME TAX REVENUE BONDS OF 2023 (TAX-BACKED)

David Yarde made a motion to approve on FIRST reading Ordinance 2023-OCC-3 as listed above. Amy Demske seconded and motion passed (6,0).

Rick Collins: aye
Amy Prosser: aye
Amy Demske: aye
David Yarde: aye

Robert Krafft: absent
William VanWye: aye
Rick Ring: aye

MATTER OF RESOLUTION 2023-RCC-1: A RESOLUTION REGARDING THE SETTING OF A PUBLIC HEARING AND AUTHORIZING THE PUBLICATION OF NOTICE OF PUBLIC HEARING CONCERNING THE ADDITIONAL APPROPRIATION OF THE PROCEEDS OF LOCAL INCOME TAX REVENUE BONDS OF 2023 (TAX-BACKED) AND CERTAIN RELATED MATTERS

Rick Collins made a motion to approve and all to sign Resolution 2023-RCC-1 as listed above. Amy Demske seconded and motion passed (6,0).

Rick Collins: aye
Amy Prosser: aye
Amy Demske: aye
David Yarde: aye

Robert Krafft: absent
William VanWye: aye
Rick Ring: aye

MATTER OF TIF vs. ABATEMENT PRESENTATION: JEFF PETERS

Jeff Peters presented information on a TIF area vs. Tax Abatement. The TIF (Tax Increment Financing) option would allow certain projects to be earmarked with the revenue. The Tax Abatement would have brought the Economic Development Payment that could have been earmarked to certain projects. By doing nothing the revenue would go to the General Fund that cannot be earmarked for specific projects.

A TIF area would establish an allocation area that would allow the revenue that comes from a locked assessed value when the Redevelopment Commission approves the TIF area. First the real property is captured and there is an ability to capture surrounding area. The assessed value is locked in and the tax rate for the current land owners would remain stable, and only the NEW assessed value revenue will be routed to the RDC Fund for specific projects. If a TIF area is NOT utilized, the CCD Fund could potentially have a small increase in revenue but not nearly as much as setting up a TIF allocation area. TIF area can remain live for 25 years from the date the revenue stream begins. Rick Ring clarified that in setting up a TIF area there would be a plan established with what the use of the revenue would be used for, a TIF cannot 'just' be established without knowing what the revenue is for. Auditor Sleeper asked Counsel if the revenues from the TIF allocation area could be used, for example for broadband for the entire County and Counsel explained that usually the revenues go toward projects within the TIF allocation area, but there are caveats and he can see how infrastructure in an outlying area 'brings' broadband into the TIF allocation area. If TIF is established the RDC has to determine if they will release any of the increment back into the County by June 15th each year. Rick Ring listed broadband and paving roads would be the most likely projects needed in the possible TIF area pertaining to the current solar projects. Amy Demske asked if paving of roads would qualify as an acceptable use of TIF revenues and Jeff defers to Counsel who agrees it is an acceptable use. Jeff feels it would be hard to increase the maximum levy for the General Fund with a 'need' based proposal to the DLGF. Amy Demske asked how the TIF allocation area is determined. The larger area is the RDC area and also the Allocation area where the revenue will come from, so Jeff explained that the areas around the allocation area that would potentially have economic growth. Rick Ring asked Counsel Stuckey if the Council wants to do a TIF if the process starts with RDC or Council.

Lynn Reinhart asked who made the decision on who which body would be responsible on if a TIF area is established, and that would be RDC and Commissioners. He then went on to discuss already established TIF areas in the County (including City established TIFs).

Andrew Provines: He feels that the County is trying to find ways to get the money and that annoys him and then went over some rhetorical questions that he will hand out to the Council after his speaking time. Andrew wants the revenue to go into the General Fund and lower the tax rates of the County with lower risk.

MATTER OF RESOLUTION 2023-RCC-2: PRELIMINARY (DECLARATORY) RESOLUTION FOR THE CREATION OF AN ECONOMIC REVITALIZATION AREA

Anton King gave a recap of the proposed investment project. Discussion took place among the Council.

William VanWye made a motion to approve and all to sign Resolution 2023-RCC-2 as listed above in regard to the personal property abatement for IGDB Biogas, LLC project. David Yarde seconded and motion passed (5,1) with Amy Prosser voting nay.

MATTER OF COUNCIL DISCUSSION ON ECONOMIC REVITALIZATION AREA FOR SOLAR PROJECTS

Jessica Shull: explained her thought process on tax abatements with solar companies. She also explained her concern on negatively impacting the side of the county that solar wants to come to as it is already the lower-income part of the county.

Sarah Massara: EDF Renewables/Sculpin Solar touched base on Jessica Shull's comments, and the decision on whether the solar would come whether there was an abatement granted or not. Sarah explained that the application that the Tax Abatement Committee uses asked if EDF would come even if they did not receive an abatement, and since the answer of 'no' was not 100% they answered the question as yes. She cannot stand here today and give a yes or no answer because to date none of the Sculpin Solar Projects have been denied a tax abatement and would not be on a level playing field and would have to seriously consider the project without have an abatement. Sarah then went over and highlighted the benefits of their proposed project. David Yarde originally asked if the Company would come if there was an abatement or not, and there was not a hesitation that 'yes' the company would come with or the without the abatement, but feels now the answer sort of changed with some qualifying needs to still come. Sarah responded that they have to balance across their portfolio and could not answer firmly 'no' and still feels she was being transparent.

Greg Balsano: BakerTilly had provided a preliminary property tax abatement analysis prior to the meeting and Greg went over the analysis with the Council.

Economic Development Payments are new money that would go to the County to do various projects for the entire County compared to revenue from TIF being limited to the 'allocation' area. Greg stated that there can actually be TIF and Tax Abatement. Rick clarified that if an abatement was awarded there is still an increase in AV, it would just take a little longer to come on at 100% AV.

MATTER OF DIRECTING COUNCIL ATTORNEY TO PREPARE EDA RESOLUTIONS FOR SCULPIN AND THALASSA SOLAR PROJECTS

Amy Demske made a motion for discussion purposes only to direct the Council Attorney to prepare an EDA Resolution for the Sculpin Solar and Thalassa Solar Projects. William VanWye seconded so discussion could take place but he is totally against moving this forward.

Discussion then took place.

Trina Roudebush expressed that by granting their Attorney to prepare an EDA Resolution does NOT commit the Council to granting an abatement or an EDA, it simply leaves the floor open for discussion.

Rick Collins: nay
Amy Prosser: nay
Amy Demske: aye
David Yarde: nay

Robert Krafft: absent
William VanWye: nay
Rick Ring: nay

Motion failed with a vote of (1,5), with Amy Demske ONLY voting in favor to keep the discussion open.

MATTER OF EMERGENCY MANAGEMENT 2022 YEAR END REPORT

David Yarde moved to acknowledge receipt of the Emergency Management 2022 Year End Report. Rick Collins seconded and all approved.

MATTER OF COUNCIL DISCUSSION

Inspiration Ministries-Opioid Settlement \$: Rick Ring explained that a few weeks ago the Commissioners had a request for \$25,000 of the Opioid Unrestricted Settlement money the County received. Commissioner Watson gave an overview of the concerns about having a plan in place that would benefit the DeKalb County residents from discussion with other Town Managers and Mayors.

The Addiction Treatment Program is operated on an \$8,000 budget and could also utilize these dollars. Rick Ring has received multiple emails on who the money was given to and the track record, not actually the proposed use of the money being requested. Michael Lapham spoke on multiple topics and how the not-for-profit companies can establish relationships with others for funding, whereas, the County cannot have those relationships and is a competitor for those Opioid dollars. He also expressed that information given to the Commissioners was different than what was reported 6-months ago, nor did the Commissioners ask many questions during the request. Councilman VanWye feels these dollars should be used with DeKalb County.

William VanWye motioned to table the decision until next month. David Yarde seconded and all approved.

Resolution 2023-RCC-3: Adopting Meeting Procedures:

Discussion took place among the Council Members. Amy Demske made a motion to approve and all to sign Resolution 2023-RCC-3: A Resolution Establishing Meeting Procedures for the County Council. David Yarde seconded and all approved.

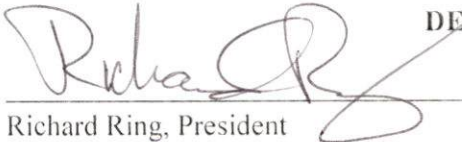
STIFEL Underwriter Engagement:


William VanWye made a motion to approve and for the Council to sign the Engagement Letter. Amy Prosser seconded and all approved.

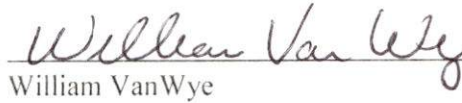
MATTER OF ADJOURNMENT

Rick Collins made a motion to adjourn at 1:06 p.m. Amy Prosser seconded and all approved.

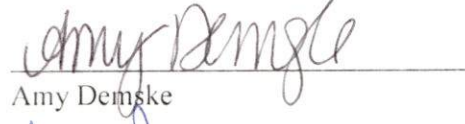
DEKALB COUNTY COUNCIL:



Richard Ring, President


David Yarde, Vice President


William VanWye



Robert E. Krafft


Amy Demske


Amy Prosser


Rick Collins

ATTEST:


Susan Sleeper
DeKalb County Auditor