

**KENDALL COUNTY BOARD AGENDA
ADJOURNED JUNE MEETING**

**Kendall County Office Building, Rooms 209 & 210
Tuesday, July 16, 2019 at 9:00 a.m.**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Agenda
5. Special Recognition
6. Public Comment
7. Consent Agenda
 - A. Approval of County Board Minutes from June 4, 2019 and June 18, 2019
 - B. Standing Committee Minutes Approval
 - C. Approval of Claims in an amount not to exceed \$ 546,063.33 and Health Department Claims in an amount not to exceed \$40,860.76
 - D. Approve Preliminary Engineering Services Agreement between Kendall County and Hutchison Engineering, Inc. for intersection improvements at U.S. Route 52 and Ridge Road at a cost not-to-exceed \$180,000; said funds to be taken from the Transportation Sales Tax Fund.
8. Old Business
9. New Business
10. Elected Official Reports & Other Department Reports
 - A. Sheriff
 - B. County Clerk and Recorder
 - C. Treasurer
 - D. Clerk of the Court
 - E. State's Attorney
 - F. Coroner
 - G. Health Department
 - H. Supervisor of Assessments
11. Executive Session
12. Standing Committee Reports
 - A. Planning, Building & Zoning
 1. Approval of Petition 19-11-Request from Mark Caldwell on Behalf of Dickson Valley Ministries for a Major Amendment to a Special Use Permit Granted by Ordinance 2014-05 Permitting a Youth Camp and Retreat Center at 8250 Finnie Road (PINs: 04-17-100-002, 04-17-300-002, and 04-17-300-007) in Fox Township by Amending the Approved Site Plan
 - B. Law, Justice & Legislation
 - C. Highway
 1. Approve Intergovernmental agreement between Kendall County and the City of Yorkville relating to the asphalt resurfacing of Mill Road
 - D. Facilities Management
 1. Approve Courthouse Elevator Controls Modernization with Advanced Elevator Company in the amount of \$48,280.00
 2. Approve Parking Lot Pavement Projects with D Construction Inc. in the amount of \$45,934.10
 3. Approve initial two (2) year lease commencing August 1, 2019 and terminating on the last day of July 2021 with two (2), successive, one (1) year option periods with the Kendall County Housing Authority in the amount of \$400.00 per month for office #130 in the Health & Human Services facility at 811 W. John St. Yorkville, IL 60560
 - E. Finance Committee
 1. Approval of FY20 Capital Plan Process and Capital Requests Form
 2. Approval of FY20 Budget Process Timeline
13. Special Committee Reports
 - A. Historic Preservation

B. KenCom Executive Board

14. Other Business

15. Chairman's Report

Appointment(s)

Chris Mehochko – Workforce Development Board – 2 year term – Expires September 30, 2021

Randy Mohr – Zoning Board of Appeals (reappointment) – 5 year term – Expires July 2024

16. Public Comment

17. Questions from the Press

18. Adjournment

If special accommodations or arrangements are needed to attend this County meeting,
please contact the Administration Office at 630-553-4171, a minimum 24-hours prior to the meeting time.

**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
June 4, 2019**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building, Room 209, in the City of Yorkville on Tuesday, June 4, 2019 at 6:11 p.m. The Clerk called the roll. Members present: Amy Cesich, Elizabeth Flowers, Tony Giles, Judy Gilmour, Audra Hendrix, Matt Kellogg, Matt Prochaska and Robyn Vickers. Member(s) absent: Scott Gryder

The Clerk reported to the Chairman that a quorum was present to conduct business.

THE MINUTES

Member Flowers moved to approve the submitted minutes from the Adjourned County Board Meeting of 5/7/19. Member Gilmour seconded the motion. Vice Chairman Cesich asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

THE AGENDA

Member Kellogg moved to approve the agenda. Member Gilmour seconded the motion. Vice Chairman Cesich asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

PUBIC COMMENT

Mr. Phil Haake spoke about how the construction on the Millington Bridge has been taking more than 2 years. The residents have been accommodating and very patient and they are looking for help. Mr. Haake stated that they need a real solution and something needs to be done.

OLD BUSINESS

Vice Chairman Cesich stated that the Millington Bridge is about the water; it is too dangerous.

NEW BUSINESS

Mental Health Awareness

Member Flowers moved to approve Mental Health Awareness for 2019. Member Hendrix seconded the motion. Vice Chairman Cesich asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 19-23 is available in the Office of the County Clerk.

Housing of Detainees

Member Prochaska moved to approve the Amendment to the Intergovernmental Housing Agreement between Kane County and Kendall County for the Housing of Detainees. Member Giles seconded the motion. Vice Chairman Cesich asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 19-24 is available in the Office of the County Clerk.

STANDING COMMITTEE REPORTS

Planning, Building & Zoning

Petition 19-08

Member Prochaska moved to approve the Petition 19-08 a Request from Daniel, Bruce, and Norma VanDeventer and Deborah Hull on Behalf of the Wilbur C. VanDeventer Trust (Current Owner) and Diane and Craig Zimmerman (Prospective Buyer) for a Map Amendment Rezoning Property at the Northeast Side of the T-Intersection Created by Galena and Kennedy Roads (PIN: 02-11-300-007) from A-1 to R-1 in Bristol Township. Member Kellogg seconded the motion. Vice Chairman Cesich asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 19-14 is available in the Office of the County Clerk.

Law, Justice & Legislation

Criminal Justice Information Authority

Member Giles moved to approve an Intergovernmental Agreement between the State of Illinois, Illinois Criminal Justice Information Authority and the County of Kendall, Illinois. Member Hendrix seconded the motion.

Judge Pilmer explained that this is for a grant for the Family Violence Coordinating Council.

Vice Chairman Cesich asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Finance

CLAIMS

Member Kellogg moved to approve claims submitted in the amount not to exceed \$1,865,471.40. Member Vickers seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$8,615.22, B&Z \$223.99, CO CLK & RCDR \$135.17, ELECTION \$257.04, ED SRV REG \$510.85, SHRFF \$13,648.77, CRRCTNS \$33,754.69, MERIT \$4,175.00, EMA \$96.94, CRCT CT CLK \$27.87, JURY COMM \$2,864.59, CRCT CT JDG \$3,495.56, CRNR \$638.83, CMB CRT SRV \$8,001.08, PUB DFNDR \$1,908.25, ST ATTY \$5,289.74, EMPLY HLTH INS \$396,282.32, AUD & ACCT \$2,750.00, OFF OF ADM SRV \$639.65, INS & BNDG \$54.00, CO BRD \$320.78, TECH SRV \$4,728.74, FAC MGT UTLTS \$55,869.10, ECON DEV \$26.10, CAP IMPRV \$19,167.70, CO HWY \$12,549.33, CO BRDG \$6,811.81, TRNSPRT SALES TX \$113,389.68, KC TRANSP ALT PRGM, \$80,000.00, HLTH & HMN SRV \$161,339.81, FRST PRSRV \$2,638.29, ELLIS HS \$417.75, ELLIS GRNDS \$43.92, ELLIS OTHR RNTLS \$500.00, HOOVER \$1,280.21, ENV ED SCHL \$31.96, ENV ED NTRL BGNNGS \$205.00, GRNDS & NTRL RSCS \$1,361.92, FP DBT SRV \$23,775.00, ANML CNTRL EXPS \$25.12, CO RCDR DO STRG \$5,874.50, DRG ABS EXP FND \$5,376.00, HIDTA \$37,733.21, SHRFF RNG FND \$125.00, CMSRY FND \$23.49, LAW LBRY FND \$3,799.00, JVNLT JSTC CNCL \$7,534.70, CRT AUTOMA \$581.84, CRNR \$30.05, CRNR \$74.19, PRBTN SRV \$6,699.00, GIS \$76.50, TX SL AUTO EXP FND \$5,590.20, KAT \$20,275.00, EMPLY BNFT PRGM EXP \$2,154.45, PUB SFTY \$42,577.94, VAC \$2,926.16, CRNR SPCL FND \$271.25, FP BND PRCD \$16,018.39, FP DBT SRV '07 \$739,878.75

Vice Chairman Cesich asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

STANDING COMMITTEE MINUTES APPROVAL

Member Hendrix moved to approve all of the Standing Committee Minutes and Reports. Member Flowers seconded the motion. Vice Chairman Cesich asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

SPECIAL COMMITTEE REPORTS

KenCom

Member Prochaska stated that they are making progress with Grundy County so that they can fully serve as a backup site. Somonauk Police & Fire are fully integrated with KenCom.

UCCI

Member Prochaska stated that the summer conference is July 21-23. ISACo will meet on May 10, 2019.

Board of Health

Member Giles stated that they are working on bids for the dental office.

Chairman's Report

Vice Chairman Cesich stated that a public notice was received regarding the proposed renewal of the Clean Air Act Permit Program Permit for the ANR Pipeline; the board has until June 20, 2019 to comment.

PUBLIC COMMENT

Todd Milliron shared his frustration with the Millington Bridge. Mr. Milliron explained how involved he has been in the county and said he is next in line for Mr. Purcell's seat because he was the next highest vote getter in the Republican Party.

ADJOURNMENT

Member Flowers moved to adjourn the County Board Meeting until the next scheduled meeting. Member Prochaska seconded the motion. Vice Chairman Cesich asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Approved and submitted this 6th day of June, 2019.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk
Co Board 6/4/19

**KENDALL COUNTY BOARD
JUNE REGULAR MEETING
June 18, 2019**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building, Room 209, in the City of Yorkville on Tuesday, June 21, 2019 at 9:00 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Amy Cesich, Elizabeth Flowers, Scott Gengler, Tony Giles (arrived 9:06 am), Judy Gilmour, Audra Hendrix, Matt Kellogg, Matt Prochaska, and Robyn Vickers.

The Clerk reported to the Chairman that a quorum was present to conduct business.

THE MINUTES

Member Prochaska moved to approve the submitted minutes from the Adjourned County Board Meeting of 5/21/19. Member Flowers seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

THE AGENDA

Member Prochaska asked to amend the agenda, removing item 12 B 1 and to postpone 11 E until State's Attorney arrives. Member Prochaska moved to approve the amended agenda. Member Hendrix seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

SPECIAL RECOGNITION

Juvenile Justice Council Scholarship

Ryan Phelps on behalf of the Juvenile Justice Council presented Justin Allen from Oswego High School and Samantha Riordan from Yorkville High School with their \$500 scholarships.

NEW BUSINESS

County Board Appointment

Member Kellogg moved to appoint Scott Gengler to the Kendall County Board with the term expiring on November 30, 2020. Member Gilmour seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. **Motion carried.**

County Clerk Debbie Gillette swore Mr. Gengler in.

Release of Claims

Member Cesich moved to approve the Release of Claims in an amount of \$500 for the settlement of all claims in the Joshua Orlando Scott v. Jennings et al., case number 18-CV-5460, pending in the U.S. District Court for the Northern District of Illinois. Member Flowers seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. **Motion carried.**

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Sheriff Baird informed the board that the IPads have been finalized and the youth academy has begun with 18 participants.

County Clerk**Revenue
Report****5/1/19-5/31/19****5/1/18-5/31/18****5/1/17-5/31/17**

Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$787.50	\$747.50	\$816.50
	County Clerk Fees - Marriage License	\$1,950.00	\$1,950.00	\$1,680.00
	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
	County Clerk Fees - Misc	\$1,663.50	\$2,096.00	\$2,027.00
	County Clerk Fees - Recording	\$26,878.00	\$24,833.00	\$27,995.00
01010061205	Total County Clerk Fees	\$31,279.00	\$29,626.50	\$32,518.50
01010001185	County Revenue	\$41,017.00	\$42,949.00	\$38,889.25
38010001320	Doc Storage	\$15,676.50	\$14,931.50	\$16,488.50
51010001320	GIS Mapping	\$26,468.00	\$25,215.00	\$27,754.00
37010001320	GIS Recording	\$3,310.00	\$3,153.00	\$3,464.00
01010001135	Interest	\$16.17	\$24.74	\$24.80
01010061210	Recorder's Misc	\$3,539.00	\$3,194.00	\$3,457.25
81010001320	RHSP/Housing Surcharge	\$14,175.00	\$13,455.00	\$14,697.00
37210001575	Tax Certificate Fee	\$1,040.00	\$1,280.00	\$1,320.00
37210001576	Tax Sale Fees	\$35.00	\$90.00	\$224.18
37210001577	Postage Fees			\$0.00
CK #18714	To KC Treasurer	\$136,555.67	\$133,918.74	\$138,837.48

County Clerk Debbie Gillette stated that the office will begin the voter registration purge in the upcoming months.

Treasurer

Office of Jill Ferko
Kendall County Treasurer & Collector
111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

**QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR SIX MONTHS ENDED 05/31/2019**

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2019 YTD Actual</u>	<u>2019 YTD %</u>	<u>2018 YTD Actual</u>	<u>2018 YTD %</u>
Personal Property Repl. Tax	\$370,000	\$257,450	69.58%	\$233,415	58.35%
State Income Tax	\$2,221,490	\$1,497,559	67.41%	\$1,292,702	52.34%
Local Use Tax	\$685,000	\$410,432	59.92%	\$350,507	55.64%
State Sales Tax	\$550,000	\$260,128	47.30%	\$265,158	48.21%
County Clerk Fees	\$325,000	\$144,079	44.33%	\$159,947	39.99%
Circuit Clerk Fees	\$800,000	\$317,788	39.72%	\$332,309	39.10%

Fines & Foreits/St Atty.	\$325,000	\$109,929	33.82%	\$140,613	37.00%
Building and Zoning	\$68,000	\$31,031	45.63%	\$30,976	47.66%
Interest Income	\$150,000	\$155,139	103.43%	\$93,429	108.01%
Health Insurance - Empl. Ded.	\$1,265,420	\$605,796	47.87%	\$547,801	42.16%
1/4 Cent Sales Tax	\$3,105,000	\$1,493,058	48.09%	\$1,479,525	50.15%
County Real Estate Transf Tax	\$425,000	\$183,469	43.17%	\$177,994	40.45%
Federal Inmate Revenue	\$1,618,750	\$1,084,725	67.01%	\$751,192	90.27%
Sheriff Fees	\$177,340	\$83,159	46.89%	\$96,142	39.24%
TOTALS	\$12,086,000	\$6,633,744	54.89%	\$5,951,711	51.32%
Public Safety Sales Tax	\$5,220,000	\$2,619,659	50.19%	\$2,556,274	50.44%
Transportation Sales Tax	\$5,000,000	\$2,619,659	52.39%	\$2,556,274	53.82%

*Includes major revenue line items excluding real estate taxes which are to be collected later.

To be on Budget after 6 months the revenue and expense should at 50.00%

Treasurer Jill Ferko presented the 6 month report for filing. Treasurer Ferko stated that the first installment of the taxes on June 11. They are working on training for the new software.

Coroner

Description	**	Month: May (FY 2019)	Fiscal Year-to-Date	May 2018
Total Deaths		21	140	29/151
Natural Deaths		19	133	23/138
Accidental Deaths	**	1	2	3/8
Pending		0	0	0
Suicidal Deaths		1	4	2/4
Homicidal Deaths		0	0	0
Undetermined		0	1	1/1
Toxicology		2	10	9/19
Autopsies		1	9	7/17
Cremation Authorizations		16	85	16/91

Scenes Responded to:	Transported by Coroner's Office:	External Examinations:
3	2	2
<p>Suicide – May 14, 2019, 39-year-old, white, male, Plattville, Shotgun Wound to the Head</p> <p>Accidental – May 16, 2019, 100-year-old, white, female, Yorkville, Traumatic Subdural Hematoma due to a fall in the home.</p>		

PERSONNEL/OFFICE ACTIVITY:

1. On May 1, Coroner Purcell facilitated the 'Lights of Hope' support group for families and friends who have been impacted by an overdose related death.
2. On May 6, Chief Deputy Coroner Gotte provided a morgue tour for the Indian Valley Vocational Center Law Enforcement and Health Careers Classes.
3. On May 21, Chief Deputy Coroner Gotte attended a Crime Scene Preservation Class presented by the Illinois State Police through Northeast Multi Regional Training.
4. On May 29, records were audited for statistical gathering for the Illinois Violent Death Reporting System.
5. There were a total of 17.5 community service hours served throughout the month of May.

FINANCIAL ACTIVITY:

1. EXPENSES

1. General Budget Total Expenses: \$1767.48
2. SUDORS Grant Expenditures: \$74.19
3. Death Certificate Surcharge Expenditures: \$30.05
4. Special Fees Expenditures: \$271.25

2. REVENUE

1. Special Fees Revenue: \$150.00
2. Death Certificate Surcharge Fund: \$4,412.00

Health Department

Dr. Tokars stated that they are working with the students in the youth academy with regards to mental health training, leadership and self-development and examining the areas of work that cross over with criminal justice and look to reduce recidivism.

Supervisor of Assessments

Supervisor of Assessments Andy Nicoletti stated that they will be sending out the disabled person's renewal forms.

STANDING COMMITTEE REPORTS

Planning, Building and Zoning

Petition 19-13

Member Prochaska moved to approve Petition 19-13-Request from the Kendall County Regional Planning Commission for Text Amendment to Sections 4.06 and 4.07 of the Kendall County Zoning Ordinance by Allowing Research and Development Related Home Occupations to be Conducted Outside of a Dwelling or Permitted Accessory Structure and Adding the Phrase "Unless Otherwise Permitted by Law" to the End of Section 4.06.f and Section 4.07. Member Gilmour seconded the motion.

Members discussed an inventor taking their invention outside to test it. A special use may be obtained to accomplish this.

Chairman Gryder asked for a roll call vote on the motion. Members voting aye include Gilmour, Gryder, Kellogg and Prochaska. Members voting nay include Cesich, Flowers, Giles, Hendrix and Vickers. Member Gengler voting present. Motion failed 5-4-1.

Petition 19-22

Member Prochaska moved to approve Petition 19-22-Request from the Kendall County Planning, Building and Zoning Committee to Amend the Fee Schedule of the Kendall County Planning, Building and Zoning Department by Establishing a Deposit and Rental Terms for the 2012 National Rifle Association Range Source Book. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. Motion carried.

A complete copy of Ordinance 19-15 is available in the Office of the County Clerk.

Administration/HR

Pitney Bowes Mailing System

Member Flowers moved to approve a Pitney Bowes SendPro P1500 mailing system 60-month contract for the County Office Building in the amount of \$497.66 per month. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

GIS Cloud

Member Flowers moved to approve an agreement between Kendall County and GIS Inc. for a 30 hour support block in an amount not to exceed \$5,000. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Organizational Chart

Member Flowers moved to approve the Kendall County Administrative Services Organizational Chart. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Job Description

Member Flowers moved to approve the GIS/Cadastral Specialist job description. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

County Board Rules of Order

Member Flowers moved to approve the Ordinance amending Article IV of the Kendall County Board Rules of Order pertaining to the agenda. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 19-16 is available in the Office of the County Clerk.

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

State's Attorney

State's Attorney Eric Weis spoke to the board about the need for a Mental Health Court.

Highway

Speed Limit

Member Gryder moved to approve the ordinance establishing an altered speed limit of 50 MPH on Van Emmon Road beginning ¼ mile east of Woodland Drive and extending easterly to Illinois Route 71. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 19-17 is available in the Office of the County Clerk.

Preliminary Engineering Agreement – Galena/Kennedy/Mill Roads

Member Gryder moved to approve the Preliminary Engineering Services Agreement between Kendall County and Crawford, Murphy & Tilly, Inc. to provide a feasibility study of the intersection of Galena Road, Kennedy Road and Mill Road at a cost not-to-exceed \$20,000; said funds to be taken from the Transportation Sales Tax Fund. Member Kellogg seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 19-25 is available in the Office of the County Clerk.

Finance

CLAIMS

Member Kellogg moved to approve the claims submitted in the amount not to exceed \$880,700.22 and additional Petit Juror Claims for May 2019 in an amount not to exceed \$264.16. Member Cesich seconded the motion.

Co Board 6/18/19

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COMBINED CLAIMS: FCLT MGMT \$35,252.57, B&Z \$1,285.36, CO CLK & RCDR \$120.80, ELECTION \$940.42, ED SRV REG \$6,247.84, SHRFF \$31,784.62, CRRCTNS \$19,236.35, MERIT \$1,309.36, EMA \$1,111.42, CRCT CT CLK \$520.84, JURY COMM \$225.61, CRCT CT JDG \$9,462.57, CRNR \$14.20, CMB CRT SRV \$5,650.00, PUB DFNDR \$219.00, ST ATTY \$2,511.87, SPRV OF ASSMNT \$117.21, CO TRSR \$19.72, PPPOST \$1,155.00, OFF OF ADM SRV \$352.27, GNRL INS & BNDG \$108.00, CO BRD \$556.97, TECH SRV \$21,951.27, FAC MGT UTLTS \$86.59, CAP EXPEND \$3,823.93, ECON DEV \$11.90, CAP IMPRV \$9,213.84, CO HWY \$14,485.60, CO BRDG \$10,934.20, TRNSPRT SALES TX \$501,175.33, HLTH & HMN SRV \$96,479.25, FRST PRSRV \$531.04, ELLIS HS \$648.61, ELLIS GRNDS \$351.33, ELLIS CMPS \$173.85, ELLIS RDNG LSSNS \$734.96, ELLIS BDAY PRTIES \$157.84, ELLIS PUB PRGMS \$70.00, SNRS CNTR \$100.00, ELLIS OTHR RNTLS \$325.00, HOOVER \$1,599.76, ENV ED SCHL \$72.56, ENV ED NTRL BGNNGS \$189.47, ENV ED OTHR PUB PRGMS \$83.34, GRNDS & NTRL RSCS \$3,776.77, PCKRLL PGTT FP \$65.19, ANML CNTRL EXPND \$3,505.84, ANML MED CR FND \$44.00, ANML CNTRL EXPS \$157.21, HIDTA \$64,582.58, COOK CO REIMB FND \$144.60, CRT SEC FND \$719.38, LAW LBRY FND \$6,240.08, VCTM IMPCT PNL \$800.00, PRBTN SRV \$4,804.41, KC DRG CT FND \$1,052.70, GIS \$1,779.22, PUB SFTY \$6,098.96, CO ANML POP CNTL \$594.50, VAC \$2,602.91, FP BND PRCDs '07 \$2,330.20

Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Bond Refinancing

Member Kellogg moved to approve the bond refinancing for G.O. Bonds Series 2010 and Series 2011. Member Hendrix seconded the motion.

This will level out the payments. This gives the Administration Office and Spear the authority to start the process.

Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Animal Control

Animal Control Fees

Member Cesich moved to approve the Animal Control Fees Ordinance. Member Flowers seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 19-18 is available in the Office of the County Clerk.

STANDING COMMITTEE MINUTES APPROVAL

Member Hendrix moved to approve all of the Standing Committee Minutes and Reports. Member Flowers seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

SPECIAL COMMITTEE REPORTS

KenCom

Member Prochaska stated that the next meeting is June 20, 2019.

UCCI, Other State Associations and Organizations

Member Prochaska stated that the UCCI conference is July 21-23.

Historic Preservation

Member Flowers said that the ordinance has been sent off for review.

Juvenile Justice Council

Member Gilmour informed the board that the SKY race profited \$10,982.71 which supports the scholarship and truancy programs.

Chairman's Report

Member Cesich moved to approve the appointments. Member Vickers seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Appointments

Scott Gengler – Kendall County Planning Building and Zoning Committee – Term Expiring November 30th 2020
Scott Gengler – Kendall County Administration and Human Resources Committee (Replacing Scott Gryder) – Term Expiring November 30th 2020
Scott Gengler – Kendall County Animal Control Committee – Term Expiring November 30th 2020
Scott Gengler – Kendall County Labor & Grievance Committee – Term Expiring November 30th 2020
Scott Gengler – Kendall County Health & Environment Committee – Term Expiring November 30th 2020
Scott Gryder – Kendall County Finance Committee – Term Expiring November 30th 2020
Matthew Kellogg – Kendall County Finance Committee Chairman – Term Expiring November 30th 2020

PUBLIC COMMENT

Todd Milliron stated that the change in the board rules of order with the consent agenda can be a slippery slope; it is easy to slide something through. If there is a question on something on the consent agenda do not hesitate to have it moved to the regular agenda.

QUESTIONS FROM THE PRESS

Jim Wyman from WSPY asked if the public will have the ability to request that an item be taken out of the consent agenda and moved to the regular agenda. He encouraged to board to look closely at the items.

ADJOURNMENT

Member Gengler moved to adjourn the County Board Meeting until the next scheduled meeting. Member Cesich seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Approved and submitted this 26th day of June, 2019.

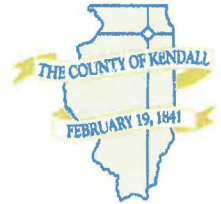
Respectfully submitted by,
Debbie Gillette
Kendall County Clerk



Kendall County

Office of the Sheriff

Dwight A. Baird, Sheriff
1102 Cornell Lane Yorkville Illinois 60560
Phone: 630-553-7500 Fax: 630-553-1972
www.co.kendall.il.us/sheriff



Kendall County Sheriff's Office 6- Month Report December 01, 2018 – May 31, 2019

KENDALL COUNTY
COUNTY CLERK

Alvin Blair

JUL 09 2019

FILED -
COUNTY OF KENDALL
STATE OF ILLINOIS

OPERATIONS DIVISION

	Total	Average
Calls for Service	4,260	719
Police Reports	1,896	316
Total Arrests	500	83
Cannabis Civil Law Citations Issued	11	2
Ordinance Citations Issued	6	1
Traffic Contacts	2,922	487
Traffic Citations Issued	859	143
DUI Arrests	33	6

RECORDS DIVISION

	Total	Average
Sales Conducted	64	11
Papers Served/Executed	939	157
Subpoenas/FOIA Request	682	114
Civil Process Fees	\$33,186	\$5,531
Sheriff Sales Fees	\$48,000	\$8,000
Records Fees/Fingerprinting	\$2,103	\$350
Bond Processing Fees	\$6,045	\$1,007

CORRECTIONS DIVISION

	Total	Average
Federal Inmate ADP		85
Kendall County Inmate ADP		61
Other Jurisdictions Inmate ADP		6
Average Daily Population		152
Number of Meals Prepared Consolidated Food	80,387	13,398
Total Inmate Transported	1,093	182
Amount Invoiced for Other Counties	\$65,620	\$10,937
Amount Invoiced for Federal Housing	\$1,156,275	\$192,713
Amount Invoiced for Federal Court Transport	\$91,092	\$15,182
Amount Invoiced for Federal Medical Transport	\$4,849	\$808
TOTAL INVOICED	\$1,317,836	\$219,639

Ready to Protect, Proud to Serve

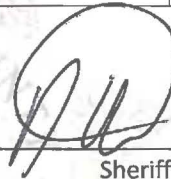
COURT SECURITY

	Total	Average
Entries	79,182	13,197
Items X-rayed	30,413	5,069
Kendall Prisoners	421	70
Other Prisoners	184	31
Arrests made at Courthouse	148	25
Contraband Refused	468	78

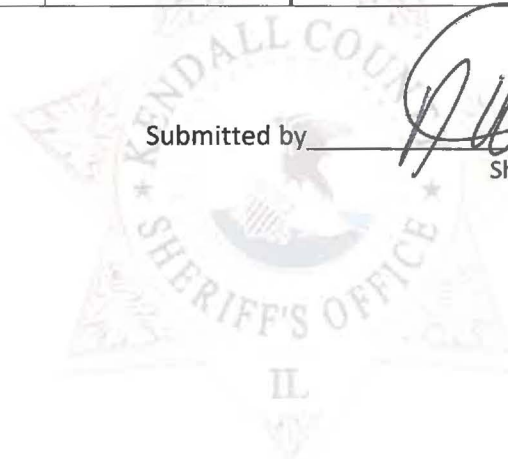
6 – Month Budget Results

Sheriff's Budget	\$6,042,594	Corrections Budget	\$4,727,137
Year to Date	\$2,878,135	Year to Date	\$2,319,792
Balance	\$3,164,459	Balance	\$2,407,345
Percent	47.63%	Percent	49.07%

Submitted by



Sheriff Dwight A. Baird



Kendall County Clerk				
Revenue Report		6/1/19-6/30/19	6/1/18-6/30/18	6/1/17-6/30/17
Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$ 835.50	\$ 836.50	\$ 941.00
	County Clerk Fees - Marriage License	\$ 1,890.00	\$ 2,190.00	\$ 2,190.00
	County Clerk Fees - Civil Union	\$ -	\$ -	\$ -
	County Clerk Fees - Misc	\$ 2,337.50	\$ 5,943.12	\$ 2,026.50
	County Clerk Fees - Recording	\$ 28,726.00	\$ 27,540.00	\$ 32,922.00
01010061205	Total County Clerk Fees	\$ 33,789.00	\$ 36,509.62	\$ 38,079.50
01010001185	County Revenue	\$ 44,260.00	\$ 49,940.25	\$ 47,882.75
38010001320	Doc Storage	\$ 16,633.50	\$ 16,509.50	\$ 18,944.00
51010001320	GIS Mapping	\$ 28,084.00	\$ 27,857.00	\$ 31,990.00
37010001320	GIS Recording	\$ 3,512.00	\$ 3,483.00	\$ 3,998.00
01010001135	Interest	\$ 15.03	\$ 24.36	\$ 27.48
01010061210	Recorder's Misc	\$ 4,167.00	\$ 3,239.75	\$ 6,178.50
81010001320	RHSP/Housing Surcharge	\$ 15,039.00	\$ 15,057.00	\$ 16,938.00
37210001575	Tax Certificate Fee	\$ 1,640.00	\$ 1,560.00	\$ 1,600.00
37210001576	Tax Sale Fees	\$ -	\$ 75.00	\$ 216.29
37210001577	Postage Fees	\$ -	\$ -	
CK # 18733	To KC Treasurer	\$ 147,139.53	\$ 154,255.48	\$ 165,854.52
Death Certificate Surcharge sent from Clerk's office \$964.00 ck # 18731				
Dom Viol Fund sent from Clerk's office \$315.00 ck # 18732				

Office of Jill Ferko
Kendall County Treasurer & Collector
111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR SEVEN MONTHS ENDED 06/30/2019

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2019 YTD Actual</u>	<u>2019 YTD %</u>	<u>2018 YTD Actual</u>	<u>2018 YTD %</u>
Personal Property Repl. Tax	\$370,000	\$257,450	69.58%	\$233,415	58.35%
State Income Tax	\$2,221,490	\$1,654,826	74.49%	\$1,451,586	58.77%
Local Use Tax	\$685,000	\$479,281	69.97%	\$409,832	65.05%
State Sales Tax	\$550,000	\$297,019	54.00%	\$303,176	55.12%
County Clerk Fees	\$325,000	\$175,358	53.96%	\$189,574	47.39%
Circuit Clerk Fees	\$800,000	\$385,834	48.23%	\$402,968	47.41%
Fines & Foreits/St Atty.	\$325,000	\$132,030	40.62%	\$164,716	43.35%
Building and Zoning	\$68,000	\$47,510	69.87%	\$44,593	68.60%
Interest Income	\$150,000	\$181,427	120.95%	\$111,247	128.61%
Health Insurance - Empl. Ded.	\$1,265,420	\$701,648	55.45%	\$680,533	52.37%
1/4 Cent Sales Tax	\$3,105,000	\$1,750,726	56.38%	\$1,739,034	58.95%
County Real Estate Transf Tax	\$425,000	\$224,486	52.82%	\$220,943	50.21%
Federal Inmate Revenue	\$1,618,750	\$1,296,225	80.08%	\$870,272	104.57%
Sheriff Fees	\$177,340	\$95,072	53.61%	\$112,154	45.78%
TOTALS	\$12,086,000	\$7,678,892	63.54%	\$6,934,043	59.79%
Public Safety Sales Tax	\$5,220,000	\$3,057,148	58.57%	\$2,990,050	59.00%
Transportation Sales Tax	\$5,000,000	\$3,057,148	61.14%	\$2,990,050	62.95%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 7 months the revenue and expense should at 58.33%

EXPENDITURES

All General Fund Offices/Categories

\$28,587,023	\$15,036,556	52.60%	\$15,644,426	54.83%
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KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	Month: June (FY 2019)	Fiscal Year-to- Date	June 2018
Total Deaths		25	165	18/169
Natural Deaths		22	155	15/153
Accidental Deaths	**	1	3	2/10
Pending		0	0	0
Suicidal Deaths		2	6	0/4
Homicidal Deaths		0	0	1/1
Undetermined		0	1	0/1
Toxicology		3	13	3/22
Autopsies		1	10	3/20
Cremation Authorizations		13	98	7/104
Scenes Responded to:		Transported by Coroner's Office:		External Examinations:
8		3		7
Suicide – June 12, 2019, 71-year-old, White, Male, Montgomery, Gunshot Wound to the Head Suicide - June 22, 2019, 48 – year-old, White, Male, Plano, Gunshot Wound to the Head Accidental – June 27, 2019, 83-year-old, White, Female, Montgomery, Complications of Right Femur Fracture Due to a Fall in the Home.				

PERSONNEL/OFFICE ACTIVITY:

1. On June 5, Coroner Purcell facilitated the 'Lights of Hope' support group for families and friends who have been impacted by an overdose related death.
2. On June 5, Chief Deputy Coroner Gotte attended the "Mental Health First Aid" program presented through NEMRT.
3. On June 6, Coroner Purcell co-facilitated the opioid study group at the Kendall County Health Department.
4. On June 25, the coroner's office participated in the Pre-Exercise for the Dresden Drill.
5. On June 27, Coroner Purcell and Chief Deputy Coroner Gotte provided a morgue tour for the Criminal Justice Youth Academy.

FINANCIAL ACTIVITY:

1. EXPENSES
 1. General Budget Total Expenses: \$33.09
 2. SUDORS Grant Expenditures: \$0
 3. Death Certificate Surcharge Expenditures: \$62.25
 4. Special Fees Expenditures: \$0
2. REVENUE
 1. Special Fees Revenue: \$2,900.00

— CARORUM AD CURAM —

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 & 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of July 8, 2019 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Prochaska at 6:30 p.m. Chairman Prochaska led the attendees in the Pledge of Allegiance.

ROLL CALL

Committee Members Present: Elizabeth Flowers, Scott Gengler, Judy Gilmour, Matt Kellogg (Vice-Chairman), and Matthew Prochaska (Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Adam Theis, Mark Caldwell, Greg Stromberg, Patrick McCrimmon, and Kurt Buhle

APPROVAL OF AGENDA

Member Flowers made a motion, seconded by Member Gilmour, to amend the agenda by removing the item regarding 10 Ashlawn Avenue. Member Flowers made a motion, seconded by Member Gilmour to approve the agenda as amended. With a voice vote of five (5) ayes, the motion carried unanimously.

APPROVAL OF MINUTES

Member Gilmour made a motion, seconded by Member Flowers to approve the minutes of the June 24, 2019, special meeting. With a voice vote of five (5) ayes, the motion carried unanimously.

EXPENDITURE REPORT

Review of Expenditures from the Prior Month

The Committee reviewed the Expenditure Report.

PUBLIC COMMENT

Patrick McCrimmon spoke about a violation for operating a bed and breakfast without a special use permit in Boulder Hill. Mr. McCrimmon said his property was not a bed and breakfast, but a short-term rental. Only one (1) family or group stays at his property at a given time. He requested the Committee to consider allowing short-term rentals.

PETITIONS

19 – 11 – Dickson Valley Ministries

Mr. Asselmeier summarized the request.

Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed site plan. The Petitioner desires this major amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

The subject property is approximately one hundred sixty (160) acres in size and has a special use permit for a youth camp and retreat center. The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

The future land use map calls for this area to be agricultural, open space, and countryside residential. The adjacent zoning districts are A-1 and R-1. Zoning within one half (1/2) mile are A-1 and R-1.

Finnie Road is considered a scenic route and no trails are planned in the area.

There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Dixon Valley Sedge Meadow INAI Site, Fox River INAI Site, Dickson Sedge Meadow Natural Heritage Landmark, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The Petitioner submitted an application for NRI. The LESA Score was 173 indicating a low level of protection.

Petition information was sent to Fox Township on March 26, 2019. Fox Township submitted comments on April 16, 2019. The Township requested the following:

1. Any encroachment onto the Finnie Road right-of-way close than one hundred and twenty-six feet (126') be required to obtain a traditional variance.
2. Any permits required for storm water management must be procured prior to the issuance of any building permit.
3. Fox Township Board and the Fox Township Highway Department reserve the right to approve or disapprove any overhead walkway on Finnie Road.

The Petitioner agreed with Fox Township's requests. The Petitioner submitted a revised site plan deleting the three (3') foot encroachment in Addition 1.

Petition information was sent to the Village of Millbrook on March 26, 2019. No comments were received.

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019. No comments were received.

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.

2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV's.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to amend.

ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the projected number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars (\$4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal.

At the April 24, 2019, meeting of the Kendall County Regional Planning Commission, the Commission requested less detail on the Petitioner's site plan. At the May 22, 2019, meeting, the Petitioner submitted a site plan with several changes.

The proposed changes are follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area.
5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new.
6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin.
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.

8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.
9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.
11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.
12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.
13. Addition 1, Director's Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126') offset from the road.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store.
16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing.
18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

Also at the April meeting, the Commission was concerned about Fox Township's requests of the Petitioner. Fox Township clarified that they do not want a right-of-way dedication at this time, but they would like to be informed if a structure is constructed above or below Finnie Road. The Kendall County Regional Planning Commission recommended approval of the Petition with conditions with seven (7) members in favor and two (2) members absent.

The Kendall County Zoning Board of Appeals started a public hearing on this request on April 29, 2019. The matter was continued until the Petitioner submitted a revised site plan. The Kendall County Zoning Board of Appeals resumed the public hearing on July 1, 2019. Fox Township offered to work with the Petitioner for an improved at-grade crossing of Finnie Road, including lights. Clarification was provided regarding timeframe to complete the project; the development will occur as funding allows over at least the next decade. The Board issued a positive recommendation of the request with the conditions proposed by Staff with a 5-0 vote; two (2) members of the Board were absent.

Any new buildings would have to meet applicable building codes.

The Petitioner owns property on both sides of Finnie Road.

As noted on the proposed site plan, lighting will be intentionally left low.

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

Stormwater permits will be required in certain cases as the proposal is implemented.

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

The proposed findings of fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. The proposed special use permit amendment conforms to the applicable regulations of the A-1 Agricultural Zoning District.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This statement is true.

Staff recommends approval of the proposed major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.
3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road. (Added per Fox Township)
4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. (Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township's concerns about stormwater regulations.)
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

Mr. Asselmeier noted that the Dickson Valley Ministries did not use an attorney for this Petition. The ordinance will be corrected to reflect this fact.

Chairman Prochaska asked if it was normal for a township to give permission for the installation of an overpass or underpass. Mr. Asselmeier responded that, since the township maintains the road, the township has an interest in making sure the road is structurally sound and that their vehicles can travel on the road without any obstructions. If Dickson Valley installed an overpass or underpass, an amendment to the special use permit would not be required; applicable permits would be required. Discussion occurred regarding a box culvert that was removed and previously used for a trail. At-grade crossings are permitted without approval by Fox Township. Other than hiker signs, no distinctive signage exists.

Member Flowers asked about the need for a barrier between the hunting club and youth camp. Mr. Caldwell responded that no issues have existed in the last forty (40) years. The area is wooded and there is a fence in the area.

The plan will take at least ten (10) years to implement and some of the development will never occur because of funding. This proposal has everything that could happen on the property.

Member Kellogg made a motion, seconded by Member Gengler, to recommend approval of the amendment.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. The Petition will go to the County Board on July 16th.

19 – 12 – Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis

Mr. Asselmeier summarized the request.

JoAnn Bright-Theis would like to establish the Brighter Daze Farm and Events banquet facility at the subject property which is currently owned in a trust represented by her father, Robert Bright. The subject property is approximately thirty-eight acres (38) acres in size.

Crimmin Road is a major collector and scenic route. No trails are planned along the road.

A riverine wetland is located along the southwest edge of the subject property.

The adjacent land uses are agricultural related, farmsteads, religious, or forest preserve. The adjacent zonings are A-1. Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location, Millington Fen INAI Site, Fox River INAI Site, Millington Railroad Fen Natural Landmark, Tucker-Millington Fen Natural Preserve, and River Redhorse (*Moxostoma carinatum*). Negative impacts to the above are considered unlikely and consultation was terminated.

The NRI application was submitted on March 14, 2019. The LESA Score was 181 indicating a low level of protection.

Fox Township was emailed information on March 27, 2019. Fox Township submitted comments on April 16, 2019. In particular, Fox Township reiterated that the Township was a dry township; the Township disagreed with the functional classification of Crimmin Road contained in the Land Resource Management Plan; the Township requested a traffic study regarding the impact of the proposed venue on Crimmin Road, including the possibility of improvements to Crimmin Road necessitated by the proposed special use permit. On May 9, 2019, the Petitioner, Fox Township, and the Kendall County Planning, Building and Zoning Department held a conference call on the proposal. The Petitioner agreed to the dry regulations of the Township. The Township stated that they would not fight the functional classification of Crimmin Road in the Land Resource Management Plan. The Township stated that they (Fox Township) would request a traffic study from the Kendall County Highway Department. This study could result in a change of the speed limit on Crimmin Road to a speed less than the current fifty-five miles per hour (55 MPH), a

requirement the Petitioners post additional one-way directional signage within their property, and the possibility that Fox Township adopt an ordinance forbidding parking along Crimmin Road. "Venue Ahead" signage along Crimmin Road was discussed. Also, the possible dedication of right-of-way was discussed.

On June 14, 2019, Fox Township submitted updated comments which are included as Attachment 20. In particular, Fox Township requested:

1. No parking on Crimmin Road.
2. A right-of-way dedication of forty-five feet (45') as measured from the centerline of Crimmin Road for the entire length of the subject property.
3. No sound greater than sixty-five (65) dBa as measured from the property line of the complaint.
4. The special use permit should be contingent on a completed traffic study with the Petitioner paying for any necessary construction caused by increased traffic on Crimmin Road.
5. A maximum of thirty (30) events per year with an operating season between April 1st and November 1st.
6. Saturday only events with a conclusion of no later than 10:00 p.m.
7. The Township believes inadequate parking is planned for the proposal.
8. No selling or serving of alcohol per Fox Township's dry regulations.

The Township also requested that the advisory bodies consider public safety when making their recommendations.

Newark Fire Protection District was emailed information on March 27, 2019. To date, no comments were received.

The Village of Newark was emailed information on March 27, 2019. To date, no comments were received.

ZPAC reviewed this proposal at their meeting on April 2, 2019. The Health Department provided information about well monitoring. A site survey will be completed defining the location of the existing septic system. The equestrian business will continue at the property as a separate business. Discussion occurred regarding the planned realignment of Crimmin Road. ZPAC recommended approval with all but (1) member voting yes. One (1) member voted present.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on May 22, 2019. At this meeting, the Petitioners agreed to layover until the June meeting to allow Fox Township to complete their research on this request. The Kendall County Regional Planning Commission reviewed the concerns expressed by Fox Township at their meeting on June 26, 2019. Commissioners felt that having the special use permit contingent on a traffic study and requiring the Petitioners to pay for improvements to Crimmin Road was unnecessary. Commissioners also agreed to allow events to be held on weekends instead of limiting events to Saturdays only. Discussion occurred regarding Fox Township's dry regulations and the consensus of the Commission was that Fox Township's dry regulations were not a zoning matter.

Commissioners recommended approval of the special use permit with the removal of the requirement of the contingency of the traffic study and allowing events to occur on other days of the weekend including Saturdays, but only one (1) event could occur each weekend. The vote was five (5) in favor and four (4) absent.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on July 1, 2019. John Vogt express concerns about noise and safety on Crimmin Road. Kurt Buhle expressed concerns about security, enforcement of the regulations, property values, noise, traffic safety, and the potential that this proposal could open the door to other non-agricultural uses in the area. Jeff Spang, Fox Township Supervisor, expressed concerns about alcohol regulations, the use of the property for non-banquet related events, and traffic safety. By a vote of four (4) in favor and one (1) opposed, the Board issued a positive recommendation for the proposal subject to the conditions proposed by Staff with the following changes:

1. The last sentence of condition 10 was changed to read, "For events with music, all barn doors shall close by 7:00 p.m."
2. Condition 15, regarding the traffic study, should be deleted.
3. Condition 17 was changed to read, "The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to, Fox Township's laws, related to the operation of this type of business."

Member Clementi voted no because of concerns about public safety and the impacts to property values and enjoyment of neighbors.

The business plan for the proposed operations, building elevations, landscaping plan, parking illumination plan, and interior plan were provided.

According to the information provided to the County, the proposed banquet facility will utilize the existing approximately eight thousand (8,000) square foot barn for weddings and similar events. The maximum capacity will be approximately two hundred eighty (280) people, with one (1) additional employee. While banquets will occur inside the existing barn, prospective clients could use the exterior grounds for pictures and outdoor ceremonies. The interior of the barn is a converted arena with a concrete floor. The barn is approximately twenty-six feet (26') tall at its peak and ten feet (10') tall at the ends.

An existing pond is located east of the horse barn.

The hours of operation will be Monday through Thursday from 9:00 a.m. until 10:00 p.m. and Friday and Saturday from 9:00 a.m. until Midnight. The facility would be open on the eve and day of all federal holidays. Tours of the facility for prospective customers by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st.

The proposed business would use local sub-contractors for uses on the site, including linens, decorations, food services, beverage services, bathroom services, and cleanup services. Because Fox Township is a dry township, no cash bars are allowed.

The proposed business would use luxury trailer bathrooms for events with the intention to have permanent restroom facilities by 2021. Restroom facilities will be located north of the barn by the parking area.

The dumpster shall be located next to the parking lot by the barn.

If approved, the Petitioners hope to start operations as quickly as possible.

Ancillary items, such as Brighter Daze shirts and glasses, may be sold on the premises.

An updated Occupancy Permit will be required reflecting the change of use from a horse barn to a banquet facility.

Portable bathrooms will be used for events.

The property fronts Crimmin Road. According to the site plan, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces will be located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights are proposed for site. According to the parking illumination plan, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign will be installed on the property. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown the on proposed site plan, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processional and recessional at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face east and the barn doors will remain closed after 7:00 p.m.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

According to information provided to the County, the Petitioners did not charge for events held previously on the property prior to June 1, 2019. On June 3, 2019, the Petitioners contacted the County and stated that they had an event on June 1, 2019, and charged a rental fee for this event. The Petitioners believed that the special use permit would be approved prior to the June 1st date and did not want to cancel the event.

The proposed findings of fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls

will be necessary to prevent noise from negatively impacting neighboring properties. The Kendall County Sheriff's Department has not submitted comments expressing concerns for public health and safety, based on the information provided by the Petitioners. Member Clementi disagreed with this finding.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, and buffering within the ordinance granting the special use permit. Member Clementi and Chairman Mohr disagreed with this finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's site plan addresses utilities, drainage, and points of ingress and egress.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. The site conforms to the regulations of the A-1 Agricultural Zoning District.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

Staff recommends approval of the requested special use permit subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and parking illumination plan.
2. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.
3. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.
4. The subject parcel must maintain a minimum of five (5) acres.
5. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)
6. Off-street parking, lighting and landscaping shall be provided in accordance with the

provisions of Section 11 of the Zoning Ordinance.

7. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property. (Last sentence added after discussion with Fox Township).
8. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
9. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

10. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, barn doors shall close by 7:00 p.m. (Changed by ZBA).
11. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30). (Changed per Fox Township and KCRPC Meeting).
12. A new certificate of occupancy must be issued for the barn.
13. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way. (Added per Fox Township).
14. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road (Added per Fox Township).
- ~~15. A traffic study shall be conducted by the Kendall County Highway Department. (Deleted by~~

ZBA).

16. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws, including, but not limited to, Fox Township's laws, related to the operation of this type of business. (Changed at ZBA).
18. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
19. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Gilmour asked about Fox Township's dry regulations. Mr. Asselmeier stated that the Petitioners have a disagreement with Fox Township regarding the scope of dry regulations. The Petitioners believe that alcohol can be served at events if the alcohol is not sold on the premises. Adam Theis acknowledged that Fox Township may litigate this issue.

Member Flowers asked about previous events. Mr. Theis responded that many events have been housed through Brighter Daze Farms related to horse events. The first banquet center related event was held on June 3rd. The CASA event was a fundraiser and the Petitioners did not charge for the space.

Discussion occurred regarding the evolution of the restriction containing days and hours of operation and number and times of events. This restriction grew out of compromises between the Petitioners and Fox Township. Mr. Theis anticipated more events at the beginning and end of the season and fewer events mid-season. Mr. Theis favored allowing patrons to come in the day before events for setup. The crowd has to be off the property within one (1) hour after closing.

Member Gilmour asked about the landscaping plan. Mr. Theis stated that all of the trees are mature and the berm is already in place. There are one hundred sixty-four (164) trees; two (2) trees were recently lost in a storm.

Discussion occurred regarding riding horses in the Millington Forest Preserve. There are no horse trails inside the Millington Forest Preserve. Mr. Theis promised to obtain any necessary permits for riding in the Millington Forest Preserve.

Member Kellogg expressed allowing the property to be divided into smaller parcels. Mr. Theis indicated that the property owners have no intentions of dividing the property.

Sales tax would be collected on the sale of ancillary items.

The barn is not air conditioned. Discussion occurred regarding closing the barn doors at 7:00 p.m. Questions were raised regarding enforcement. The Petitioners must follow noise regulations. The nearest neighbors are approximately nine hundred fifty feet (950') from the facility.

If a special use permit is not activated within two (2) years or ceases operations for a two (2) year period, the County Board may revoke the special use permit.

Discussion occurred whether rehearsal dinners on the night before a wedding and the wedding itself constituted two (2) events. Discussion occurred regarding capping the number of people at events.

Member Gilmour asked why events were held before the approval of the special use permit. Mr. Theis stated that they came across the business plan after they hosted a friend's wedding for free and they wanted to make money on future events.

No changes in access to the Millington Forest Preserve were foreseen.

Chairman Prochaska made a motion, seconded by Member Kellogg, to delete the restriction stating "the use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance" because this restriction is duplicative with a later restriction.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Chairman Prochaska made a motion, seconded by Member Kellogg, allow setup for events to occur starting at 9:00 a.m. on the day prior to an event as well as the day of the event.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Member Kellogg made a motion, seconded by Member Gengler, to delete the restriction pertaining to closing barn doors at 7:00 p.m.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Member Kellogg made a motion, seconded by Member Gengler, to amend the restriction that states "the subject parcel must maintain a minimum of five (5) acres" to "the subject parcel must follow the site plan configuration with the exception of the right-of-way dedication."

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Kellogg, and Prochaska
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Member Kellogg made a motion, seconded by Member Gengler, to allow the Petitioners to have one (1) additional event per weekend with a maximum of fifty (50) guests.

The votes were as follows:

Yeas (3): Gengler, Kellogg, and Prochaska
Nays (2): Flowers and Gilmour
Abstain (0): None
Absent (0): None

The motion carried.

Chairman Prochaska made a motion to add Wednesday if it is the eve of a Federal or State holiday to the definition of weekend. No second and no vote occurred on this motion.

Member Flowers made a motion, seconded by Member Kellogg, to recommend approval of the requested special use permit.

The votes were as follows:

Yeas (4): Flowers, Gengler, Kellogg, and Prochaska
Nays (1): Gilmour
Abstain (0): None
Absent (0): None

The motion carried. The Petition will go to the Committee of the Whole on July 11th.

The Committee recessed between 7:53 p.m. and 7:54 p.m.

NEW BUSINESS

Discussion of Bed and Breakfast and AirBnB Related Zoning Regulations

Mr. Asselmeier summarized the request.

Bed and breakfast establishments are special uses in the A-1, R-1, RPDs, and R-2 zoning districts.

It has to come to the attention of the Kendall County Planning, Building and Zoning Department that a property on Rock Creek Road was advertising on AirBnB. This establishment was also featured recently in an article in Glance Magazine.

Upon review of AirBnB's website, another property in Boulder Hill was advertised on the site. Bed and breakfast establishments are not allowed in the R-6 and R-7 zoning districts.

Both of the previously mentioned properties were sent notices to comply with the Kendall County zoning regulations.

Mr. Asselmeier noted that the County's definition of bed and breakfast does not require the owner to live on the property; the State's definition requires the owner to live on the premises. The County's regulation does not require food service.

Discussion occurred regarding the County's definition of hotel.

The consensus of the Committee was that the Department should prepare an amendment to the definition of hotel to encourage this type of use in order to maintain properties.

OLD BUSINESS

Update on 45 Cheyenne Court

Greg Stromberg stated that he is staining currently with the hope to be finished by the end of July. The stain is cured in the sun.

Zoning Ordinance Project Update

Mr. Asselmeier provided an update. He is currently working on a list of changes proposed by Teska Associates. The County paid Teska half of the cost at the beginning of the project and there is one (1) invoice waiting to be paid. The consensus of the Committee was to withhold paying Teska for additional invoices until the project is completed.

Update on Contract with Randy Erickson D.B.A. Erickson Construction Plumbing Inspection

Mr. Asselmeier reported that Mr. Erickson's fee would raise Ten Dollars (\$10) to cover the proposed insurance cost.

The consensus of the Committee was to approve the contract and raise the fee.

Member Kellogg left at this time (8:11 p.m.).

REVIEW VIOLATION REPORT

The Committee reviewed the Violation Report.

Approval to Forward to the Kendall County State's Attorney's Office a Violation of Section 11.05.A.1.b.ii of the Kendall County Zoning Ordinance (Prohibited Parking of a Trailer in the Front Yard Setback) at 54 Marnel Road

Mr. Asselmeier provided background on this case.

Member Gilmour made a motion, seconded by Member Flowers, to forward the complaint to the State's Attorney's Office.

The votes were as follows:

Yeas (4): Flowers, Gengler, Gilmour, and Prochaska

Nays (0): None

Abstain (0): None

Absent (1): Kellogg

The motion carried.

REVIEW NON-VIOLATION COMPLAINT REPORT

The Committee reviewed the report.

The Committee requested that the reports be printed in larger fonts.

UPDATE FROM HISTORIC PRESERVATION COMMISSION

Mr. Asselmeier reported that the Commission sent the amendments to the Historic Preservation Ordinance to the Illinois Historic Preservation Agency. The position responsible for viewing the changes is vacant; the Illinois Historic Preservation Agency hopes to fill the position later this summer. The Commission will also be nominating new officers at their next meeting.

REVIEW PERMIT REPORT

The Committee reviewed the report.

REVIEW REVENUE REPORT

The Committee reviewed the report. Revenues are higher year-to-date for fiscal year ending in 2019 compared to this point year-to-date in fiscal year ending in 2018.

CORRESPONDENCE

None

PUBLIC COMMENT

Patrick McCrimmon agreed with Member Kellogg's opinion regarding short-term rentals. He has had few problems with any tenants; tenants can be removed immediately under AirBnB's rules.

Kurt Buhle had concerns with Petition 19-12 and was disappointed by the decision to allow the barn doors to be opened. Noise was a significant concern. He was also concerned about the changes in days of operation and number of events.

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

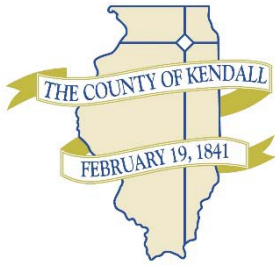
None

ADJOURNMENT

Member Flowers made a motion, seconded by Member Gilmour, to adjourn. With a voice vote of four (4) ayes, the motion carried unanimously. Chairman Prochaska adjourned the meeting at 8:21 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, Senior Planner

Enc.



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: July 8, 2019

Amount: N/A

Budget: N/A

Issue: Petition 19-11-Request from Mark Caldwell on Behalf of Dickson Valley Ministries for a Major Amendment to a Special Use Permit Granted by Ordinance 2014-05 Permitting a Youth Camp and Retreat Center at 8250 Finnie Road (PINs: 04-17-100-002, 04-17-300-002, and 04-17-300-007) in Fox Township by Amending the Approved Site Plan

Background and Discussion:

See Attached Memo

Record for Petition - <https://www.co.kendall.il.us/wp-content/uploads/Petition-19-11.pdf>

Committee Action:

ZPAC-Approval with Conditions; KCRPC-Approval with Conditions; ZBA-Approval with Conditions; Fox Township-Approval with Conditions; Village of Millbrook-No Comments; Sandwich Fire Protection Dist.-No Comments; PBZ Committee-Approval with Conditions

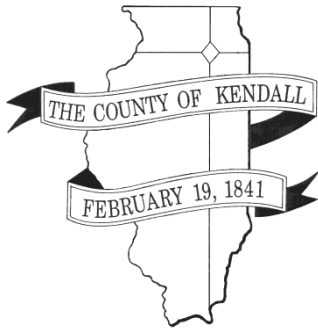
Staff Recommendation:

Approval with Conditions

Prepared by: Matthew H. Asselmeier, AICP

Department: Planning, Building and Zoning Department

Date: July 9, 2019



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 19-11**Mark Caldwell on Behalf of Dickson Valley Ministries
Major Amendment to a Special Use Permit****INTRODUCTION**

Mark Caldwell, on behalf of Dickson Valley Ministries, is requesting a major amendment to their special use permit to repeal the site plan adopted by Ordinance 2014-05 and replace the site plan with the proposed revised site plan. The Petitioner desires the amendment in order to have a long-range plan for their facilities and to provide more clarity to the site plan that was submitted in 2014.

ACTION SUMMARY**FOX TOWNSHIP**

Fox Township submitted comments on April 16, 2019. The Township requested the following:

1. Any encroachment onto the Finnie Road right-of-way closer than one hundred and twenty-six feet (126') be required to obtain a traditional variance. (The original site plan submitted by the Petitioner had a three foot (3') encroachment.)
2. Any permits required for storm water management must be procured prior to the issuance of any building permit.
3. Fox Township Board and the Fox Township Highway Department reserve the right to approve or disapprove any overhead walkway on Finnie Road.

The Petitioner agreed with Fox Township's requests.

VILLAGE OF MILLBROOK

Petition information was sent to the Village of Millbrook on March 26, 2019. To date, no comments have received

SANDWICH FIRE PROTECTION DISTRICT

Petition information was sent to the Sandwich Fire Protection District on March 26, 2019. To date, no comments have been received

ZPAC

ZPAC met on this proposal on April 2, 2019. The Petitioner stated that the projected number of people onsite will not change from the 2014 projection which was an increase of forty percent (40%). Discussion occurred regarding a right-of-way dedication for Finnie Road. The suggestion was made to have right-of-way dedication within ten (10) years. The sign would encroach into the setback if a dedication occurred. If the plan was developed fully, the investment would be Four Point Five Million Dollars (\$4.5 Million). Development will not occur onsite near any protected area as identified in the EcoCat Report. ZPAC unanimously recommended approval of the proposal.

KCRPC

The Kendall Regional Planning Commission initially reviewed this proposal at their meeting on April 24, 2019. Commissioners expressed concerns that the proposed site plan was too detailed and the Petitioner could be limiting their options if slight changes were required based on future development needs. Commissioners also expressed concerns regarding the Finnie Road right-of-way dedication requirement and the requirement that the Petitioner obtain Fox Township approval to cross Finnie Road. The Petitioner requested a layover of the request until a new site plan can be submitted. At

their meeting on May 22, 2019, the Commission seemed satisfied with the revised site plan with less detailed information and clarification that the Petitioner did not need Fox Township's approval for at-grade crossings. The Commission unanimously recommended approval of the proposal.

ZBA

The Kendall County Zoning Board of Appeals started a public hearing on this request on April 29, 2019. The matter was continued until the Petitioner submitted a revised site plan. The Kendall County Zoning Board of Appeals resumed the public hearing on July 1, 2019. Fox Township offered to work with the Petitioner for an improved at-grade crossing of Finnie Road, including lights. Clarification was provided regarding timeframe to complete the project; the development will occur as funding allows over at least the next decade. The Board issued a positive recommendation of the request with the conditions proposed by Staff with a 5-0 vote; two (2) members of the Board were absent.

PBZ

The Kendall County Planning, Building and Zoning Committee reviewed this proposal at their meeting on July 8, 2019. The Committee unanimously voted to recommend approval of the proposal.

RECOMMENDATION

Staff recommends approval of the proposed major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan.
3. **Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road. (Added per Fox Township)**
4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use. **(Though not mentioned specifically, the Kendall County Stormwater Management Ordinance is one (1) of the local laws that must be followed; this should address Fox Township's concerns about stormwater regulations.)**
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

The draft ordinance is attached.

FINDINGS OF FACT

§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant a special use permit. Staff's proposed findings are in bold:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The existing special use has been in***

existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. The proposed special use permit amendment conforms to the applicable regulations of the A-1 Agricultural Zoning District.

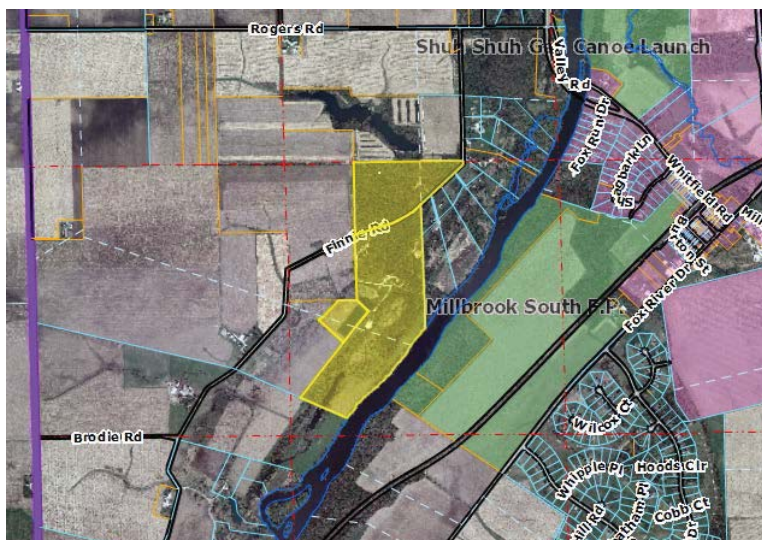
That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This statement is true.

SITE INFORMATION

PETITIONER: Mark Caldwell on Behalf of Dickson Valley Ministries

ADDRESS: 8250 Finnie Road, Newark

LOCATION: North and South Sides of Finnie Road Approximately 0.8 Miles South of the Intersection of Finnie and Rogers Roads



TOWNSHIP: Fox

PARCEL #s: 04-17-100-002, 04-17-300-002, and 04-17-300-007

LOT SIZE: 160 +/- Acres

EXISTING LAND Youth Camp
USE:

ZONING: A-1 with a Special Use Permit for Youth Camp and Retreat Center

LRMP:	Future Land Use	04-17-100-002: Agricultural 04-17-300-002: Open Space 04-17-300-007: Country Res. (Max. Density 0.33 du/acre)
	Roads	Finnie Road is considered a scenic route.
	Trails	None
	Floodplain/ Wetlands	There are floodplains and wetlands on the property. None of the proposed development is occurring in the floodplain or wetlands.

REQUESTED ACTION: Approval of a major amendment to an existing special use permit by repealing and replacing the approved site plan.

APPLICABLE §7.01.C (A-1 Agricultural Special Uses)
REGULATIONS: §13.08.O (Special Uses and Planned Developments; Major Amendments)

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Millbrook Hunting Club	A-1	Agricultural	A-1
South	Agricultural, Fox River, Forest Preserve	A-1	Rural Estate Residential and Forest Preserve	A-1
East	Single-Family Residential and Fox River	R-1	Countryside Residential and Forest Preserve	R-1 and Forest Preserve
West	Agricultural	A-1	Countryside Residential and Agricultural	A-1

PHYSICAL DATA

ENDANGERED SPECIES REPORT

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Dixon Valley Sedge Meadow INAI Site
Fox River INAI Site
Dickson Sedge Meadow Natural Heritage Landmark
River Redhorse (*Moxostoma carinatum*)

Negative impacts to the above are considered unlikely and consultation was terminated.

NATURAL RESOURCES INVENTORY

The LESA Score was 173 indicating a low level of protection.

RELATION TO EXISTING SPECIAL USE PERMIT

The use at the subject property was originally established in 1971. The subject property was zoned A-1 with a special use permit for a youth camp and retreat center following the 1974 Countywide rezoning.

The existing zoning regulations on the property were established by Ordinance 2014-05. This ordinance repealed several pre-existing ordinances and combined the conditions and restrictions placed upon Dickson Valley Ministries into one (1) ordinance. The restrictions placed on the special use permit were:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV's.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Ordinance 2014-05 also included a site plan, which the Petitioner wishes to clarify.

GENERAL INFORMATION

The Petitioner desires the update to their existing site plan in order to meet their needs. The long-range plan will take no less than ten (10) years and will occur as funding allows. This proposal is intended to add more clarity to the site plan submitted in 2014.

Dickson Valley Ministries has been operating a year-round youth camp and retreat center in Kendall County, Fox Township, for nearly 40 years.

In 1988, Dickson Valley served two thousand three hundred (2,300) people per year and, by 2014, had grown over three hundred percent (300%) to where it served seven thousand one hundred (7,100) people that year with retreats, summer resident camps, and day camps.

The current number of staff living onsite includes five (5) full-time long-term families. Also, two-three (2-3) full-time, short-term staff, and twenty-five (25) seasonal summer live onsite. Future ministry growth will increase staff to one (1) additional full-time long-term family, an additional twenty-five to thirty (25-30) full time short-term staff, and an additional forty (40) seasonal summer staff.

Based on the revised site plan, the proposed changes are as follows:

1. Clarification on the conditional statement that total capacity is three hundred fifty (350) "overnight campers." This number is inclusive of as many as one hundred (100) day-only campers during the summer.
2. Clarification that the live-on-site staff needed in supporting the ministry is composed of as many as six (6) full-time, long-term families; currently this figure is five (5).
3. Clarification of staffing levels at twenty-four (24) single short-term, twelve (12) month program staff, and sixty-four (64) seasonal summer staff.
4. Development A, Day Camp Area, shall consist of a Multipurpose Field-house, various free standing decks for small group activities, at least two (2) open air camper pavilions, day camp specific activities, water activities (i.e. splash pad, or wading fountain), and combined septic field serving all new restrooms will also be located in this area.
5. Development B, Resident Camp Area, shall consist of five (5) year-round camper cabins; four (4) of which are new.

6. Development C, Activity Area, shall consist of an outdoor high ropes course, mini-golf course, ice rink pavilion, free standing decks for small groups and one (1) year-round camper cabin.
7. Development D, Entrance Parking, shall consist of welcome pavilions for day camp, a chapel in the woods, camper check-in area, and volunteer RV hook-ups. The Petitioner is also considering placing a freestanding office structure in this area.
8. Development E, Entrance Drive, shall consist of a new gatehouse for a controlled entrance and a multi-bay staff lodge garage near the Whitaker Lodge just outside the zone. Upgrades to the driveway and entrance will occur and the lighted sign will remain. Landscaping will be updated.
9. Development F, Maintenance Area, shall consist of a new shop and removal or remodel of the old shop.
10. Development G, Acorn Lodge Area, shall consist of a separate activities pavilion and separate program/meeting building.
11. Development H, North Activity Area, shall consist of primitive non-public campsites, no permanent structures, and a parking area off of Finnie Road. Experiential activities similar to, but not limited to, climbing tower(s), zip line(s), team activities, a high ropes course, and a pedestrian walkway over/under/across Finnie Road are planned for this area.
12. The Retreat Development Zone shall consist of a water filtration building or addition to the existing well and well house. A new building for recreation room, snack shop, and host offices. Within this zone, several buildings will have additions and/or remodels.
13. Addition 1, Director's Lodge, shall consist of an addition to the north end of the building. The current structure is one hundred twenty-six feet (126') offset from the road.
14. Addition 2, Chrouser Lodge, shall consist of an addition for dining space to the north or west.
15. Addition 3, Dickson Lodge, shall consist of additional meeting spaces, an addition of at least two (2) separate "leaders" rooms with restrooms, and remodel and add-on to program office for camp store.
16. Addition 4, Oulund Chalet, shall consist of remodeling to improve housing space and remodeling of restrooms.
17. Addition 5, Silver Fox Lodge, shall consist of an addition for new restrooms and an addition of added housing.
18. Addition 6, Sports Center, shall consist of a south addition for upgraded activities, remodels to restrooms, and development of an exterior high ropes courses or similar.
19. Addition 7, Acorn Lodge, shall consist of a remodel of the current lodge for updated plumbing and housing.

As noted on the proposed site plan, the final locations, sizes, and designs will be approved at the time of permitting and with the approvals of local regulatory bodies.

BUILDING CODES

Any new buildings would have to meet applicable building codes.

ACCESS

The Petitioner owns property on both sides of Finnie Road.

LIGHTING

As noted on the proposed site plan, lighting will be intentionally left low.

SCREENING

The subject property is heavily wooded. As noted on the proposed site plan, the Petitioner considers the natural landscape important to their operations.

STORMWATER

Stormwater permits will be required in certain cases as the proposal is implemented.

UTILITIES

The Petitioner proposes to make adjustments to their wells and septic systems. These changes will be evaluated as the proposal is implemented. Electricity is already onsite.

ATTACHMENT

1. Proposed Ordinance

ORDINANCE NUMBER 2019-_____

**GRANTING A MAJOR AMENDMENT TO A SPECIAL USE PERMIT GRANTED BY
ORDINANCE 2014-05 ON PROPERTY ZONED A-1 AGRICULTURAL FOR A YOUTH CAMP
AND RETREAT CENTER BY REPEALING AND REPLACING THE SITE PLAN AT 8250
FINNIE ROAD (PINs: 04-17-100-002, 04-17-300-002, AND 04-17-300-007) IN FOX TOWNSHIP**

WHEREAS, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to make major amendments to existing special use permits and place conditions on special use permits and provides the procedure through which special use permits are amended; and

WHEREAS, Section 7.01.D. of the Kendall County Zoning Ordinance permits the operation of youth camps and retreat centers as a special use permit with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 160.0 acres located at 8250 Finnie Road (PINs: 04-17-100-002, 04-17-300-002, AND 04-17-300-007) in Fox Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, the subject property is currently owned by Dickson Valley Ministries and is represented by its Executive Direct Mark Caldwell and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on March 19, 2014, the Kendall County Board approved Ordinance 2014-05 granting a special use permit for the operation of a youth camp and retreat center on the subject property with conditions; and

WHEREAS, Ordinance 2014-05 required that the subject property be developed in accordance to a site plan which was attached to Ordinance 2014-05 as Exhibit A; and

WHEREAS, on or about March 19, 2019, Petitioner filed a petition for a major amendment to the special use permit granted by Ordinance 2014-05 by repealing and replacing the approved site plan; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on April 4, 2019, the Kendall County Zoning Board of Appeals conducted a public hearing on April 29, 2019, at 7:00 p.m. and July 1, 2019, in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested major amendment to an existing special use permit and zero members of the public testified in favor or in opposition and one member of the public commented on the proposal; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the major amendment to an existing special use permit as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated July 1, 2019, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested major amendment to an existing special use permit with conditions; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this major amendment to a special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a major amendment to an existing special use permit allowing the operation of a youth camp and retreat center on the subject property subject to the following conditions:
 - A. The conditions and restrictions set forth in Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached hereto as Exhibit C.
 - B. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the Site Plan attached hereto as Exhibit C. The site shall be developed substantially in conformance with Exhibit C.
 - C. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.
 - D. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
 - E. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
 - F. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of July, 2019.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

DICKSON VALLEY CAMP OVERALL LEGAL DESCRIPTION

THAT PART OF THE SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18 OF AFORESAID TOWNSHIP AND RANGE; THENCE SOUTH 1 DEGREE 07 MINUTES 54 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 76 DEGREES 29 MINUTES 58 SECONDS EAST ALONG THE SOUTHERLY LINE OF THE PREMISES CONVEYED TO HARLEY B. HOBBS BY DEED DATED JANUARY 25, 1958 AND RECORDED JANUARY 29, 1958 IN DEED RECORD 118, PAGE 143 AS DOCUMENT #120930 A DISTANCE OF 3973.05 FEET FOR A POINT OF BEND IN SAID LINE; THENCE SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 33.60 FEET TO A POINT IN THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 SECONDS EAST, A DISTANCE OF 455.16 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 THAT IS LOCATED 346.63 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 17; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 346.63 FEET TO SAID SOUTHEAST CORNER; THENCE NORTH 01 DEGREES 32 MINUTES 37 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 1269.25 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE CONTINUING NORTH 01 DEGREE 32 MINUTES 37 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 1374.32 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 89 DEGREES 51 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1317.98 FEET TO A FOUND STONE MONUMENT; THENCE NORTH 89 DEGREES 38 MINUTES 22 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 840.82 FEET TO THE POINT OF INTERSECTION WITH THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 00 DEGREES 11 MINUTES 42 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 3.05 FEET TO THE POINT OF BEND IN SAID FINNIE ROAD AS PLATTED IN THE SUBDIVISION OF WEST MILLBROOK PHASE 2 RECORDED AS DOCUMENT NUMBER 883172 IN PLAT CABINET 3 OF PLATS AT SLOT 410B; THENCE SOUTH 46 DEGREES 26 MINUTES 12 SECONDS WEST, A DISTANCE OF 1130.89 FEET TO THE NORTHWEST CORNER OF SAID WEST MILLBROOK PHASE 2, SAID POINT BEING LOCATED ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 34 MINUTES 26 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1862.29 FEET TO THE CENTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 AND THE WEST LINE OF SAID WEST MILLBROOK PHASE 2, A DISTANCE OF 514.33 FEET TO THE NORTHERLY BANK OF THE FOX RIVER; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY BANK OF THE FOX RIVER, A DISTANCE OF 2346.73 FEET MORE OR LESS TO A LINE DRAWN SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 1001.65 FEET TO THE POINT OF BEGINNING ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

Exhibit B

FINDINGS OF FACT

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The existing special use has been in existence since the 1970s with no known complaints to the Planning, Building and Zoning Department. Provided the site is developed as proposed, the proposed use of the site will not be detrimental or endanger the public health, safety, morals, comfort or general welfare.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The proposed use has been in existence at the subject property since the 1970s and no known issues exist which might cause injury to neighboring property owners or diminished property values.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Adequate utilities, access roads, points of ingress and egress, drainage, and other necessary facilities either exist on the site or are planned for in the proposed site plan.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. **The proposed special use permit amendment conforms to the applicable regulations of the A-1 Agricultural Zoning District.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **This statement is true.***

Recommendation

The Kendall County Zoning Board of Appeals recommends approval of the requested major amendment to an existing special use permit with the conditions:

1. The conditions and restrictions of Ordinance 2014-05 shall remain in effect including the clarifications stated in the Site Plan attached to this Ordinance amending the existing special use permit.
2. The Site Plan attached as Exhibit A to Ordinance 2014-05 is hereby repealed and replaced with the attached Site Plan. The site shall be developed substantially in conformance with the attached Site Plan. **(Revised Site Plan-Attachment 2A)**
3. Any overpass or underpass over or below the Finnie Road right-of-way shall be approved by Fox Township. This restriction shall not include at-grade crossings of Finnie Road.
4. The operators of the use allowed by this special use permit shall follow applicable Federal, State, and Local laws related to the operation of this type of use.
5. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2014-05 could result in the amendment or revocation of the special use permit.
6. If one or more of the above conditions or restrictions or any of the conditions or restrictions contained in Ordinance 2014-05 are declared invalid by a court of competent jurisdiction, the remaining conditions and restrictions shall remain valid.

7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this major amendment to an existing special use permit.

The Kendall County Zoning Board of Appeals issues this recommendation by a vote of five (5) in favor, zero (0) opposed, and two (2) absent.

July 1, 2019

COUNTY OF KENDALL, ILLINOIS
Law, Justice and Legislation Committee
Monday, July 8, 2019
Meeting Minutes

Call to Order and Pledge Allegiance - Chair Tony Giles called the meeting to order at 3:15p.m. who led the Pledge of Allegiance.

Roll Call:

Committee Member	Status	Arrived at Meeting	Left Meeting
Tony Giles	Here		
Judy Gilmour	Here		
Audra Hendrix	ABSENT		
Matthew Prochaska	ABSENT		
Robyn Vickers	Here		

With three members present voting aye, a quorum was determined to conduct business.

Others Present: Sheriff Dwight Baird, Public Defender Vicki Chuffo, Court Services Director Alice Elliott, EMA Director Joe Gillespie, Deputy Commander Mitch Hatten, County Administrator Scott Koeppel, Drug Court Coordinator Melissa Moore, Presiding Judge Robert Pilmer, Coroner Jacquie Purcell, Commander Bobby Richardson, Facilities Director Jim Smiley, States Attorney Eric Weis

Approval of the Agenda –Member Vickers made a motion to approve the agenda, second by Member Gilmour. **With three members present voting aye, the motion carried.**

Approval of Minutes – Member Vickers made a motion to approve the June 10, 2019 meeting minutes, second by Member Gilmour. **With three members present voting aye, the motion carried.**

Public Comment - None

Status Reports

Coroner – Coroner Purcell reviewed the monthly report with the committee, and reported 25 deaths: 22 natural, 1 complications from a broken leg received in an accidental fall in home, 2 suicide), and 13 cremation authorizations for the month of June. Coroner Purcell also reviewed the personnel actives and community service hours for the month, including Coroner Purcell facilitating the Lights of Hope support group on June 5th, Chief Deputy Gotte attending the Mental Health First Aid program through NEMRT on June 5th, Coroner Purcell facilitating the Opioid Study Group at the Kendall County Health Department on June 6th, the Coroner’s participation in the Pre-Exercise for the Dresden Drill on June 25th and Chief Deputy Gotte providing a morgue tour for the Criminal Justice Youth Academy on June 27th. **Written report provided.**

Court Services – Written report provided. Alice Elliot provided

EMA – Written report provided. Director Gillespie reported Multi-Agency Search and Rescue Training in Hanover Township on June 8th, with twenty-eight Search and Rescue professionals from seven area agencies participating, including four from Kendall County EMA Search and Rescue.

Gillespie also reported EMA Meeting and Training on June 10th; Exelon and Illinois/Iowa State & County Agency meeting regarding the Electronic Notification Project on June 12th with 2 KenCom Directors and Technology participating; as well as a DHS Regional Resiliency Assessment Program meeting on June 20th.

Monthly Siren, STARCOM and WSPY Emergency Alert System (EAS) testing continued.

Public Defender – Public Defender Chuffo reported continued increase in all areas, and busy with jury trials for the month of June. Written report provided.

Sheriff's Report

- a. Operations Division – Deputy Commander Hatten reported that K-9 Luke will be retiring in the month of July, and K-9 Miko assisted the Plano Police Department this month in the search and recovery of a weapon. Written report provided.
- b. Corrections Division – Written report provided. Commander Richardson reported updated the committee on the utilization of the tablets for the inmates. Richardson stated that the tablets are fully functional now, and that the goal is to provide productive activities for the inmates that will keep them focused on positive goals as opposed to them not being engaged and feeling negative about their incarceration. The tablets will allow inmates to search for jobs, and will provide access to mental health information, a phone, education a law library, and connection to their families, friends and the outside world, as they prepare for re-entry into the community. There is also approved entertainment options such as podcasts, music and games. The tablets are a resource being used to encourage good behavior and are considered a privilege that has to be earned by the inmates.

Sheriff Baird reported he is meeting with Waubensee Community College representatives regarding access to online college courses for inmates on July 23rd.

- c. Records Division – Written report provided.

Old Business - None

New Business

Discussion of the Establishment of a Mental Health Court – Scott Koeppel reported that he met with the Kane County Treatment Alternative Court (TAC) to learn about their program for criminal defendants with mental illness, co-occurring disorders, or developmental disabilities, to enhance public safety and promote the continuity of mental health care in the community, by bringing together community based agencies to address defendants needs

and to provide comprehensive case management in an effort to reduce future criminal activity and incarceration.

State's Attorney Weis reported to the County Board on July 2nd regarding the initial funds needed to initiate a Mental Health Court in Kendall County, to offer certain offenders with mental health issues, treatment rather than incarceration. Weis stated that the Drug Court has been successful, and that the mental health court could be operated in a similar fashion, with the required AOIC Certification, development of manuals, policies, and handbooks, as well as the necessary forms. There is also need to define the target population, and gather baseline data on the number of individuals who would be eligible for the program, prior to implementation.

Judge Pilmer introduced Drug Court Coordinator Melissa Moore, and stated that Moore has researched grant options for the Mental Health Court, and will submit an application for partial funding to the Bureau of Justice Assistance by the July 15th deadline.

Judge Pilmer provided information on grant funding up to \$400,000 available to jurisdictions with populations between 100,000 and 499,999 and the grant period would cover 24-months. Up to \$100,000 can be used to follow and document the Planning and Implementation portion of the grant over an 8-month period. There is a match requirement of approximately 20 percent, and priority funding is given to programs that have passed a resolution, completed a provided "stepping up" assessment tool, established a representative planning team or criminal justice coordinating council comprised of key leaders from the justice and health systems, assigned a project coordinator to work across agencies to manage the planning process, and partnered with a local research organization/university to assist with local evaluation, data collection, or performance measurement.

Chairman's Report/Comments – No report

Legislative Update - None

Executive Session – Not needed

Adjournment – Member Vickers made a motion to adjourn the meeting, second by Member Gilmour. **With all in agreement, the meeting adjourned at 3:55p.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Clerk

HIGHWAY COMMITTEE MINUTES

DATE: July 9, 2019
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Scott Gryder, Amy Cesich, Judy Gilmour Matt Kellogg and Matt Prochaska
STAFF PRESENT: Ginger Gates, Fran Klaas and John Burscheid
ALSO PRESENT: Kelly Farley and Eric Rose

The committee meeting convened at 3:30 P.M. with roll call of committee members. All present. Quorum established.

Motion Prochaska; second Cesich, to approve the agenda as presented. Motion approved unanimously.

Motion Prochaska; second Cesich, to approve the Highway Committee meeting minutes from June 11, 2019. Motion approved unanimously.

An intergovernmental agreement between Kendall County and the City of Yorkville relating to the asphalt resurfacing of Mill Road was presented to the committee. Motion Kellogg; second Prochaska to recommend approval of this IGA to the Kendall County Board. Klaas stated that the final draft of the IGA is still being worked out between Kendall's SAO and Yorkville's counsel, and may not be ready for the next board meeting. Agreement may also be affected by the outcome of CMT's intersection feasibility study of Galena / Kennedy / Mill Road. The agreement itself would provide for the County to prepare all engineering, bidding documents, and inspection, while Yorkville would pay for the contract construction costs. Gryder reminded committee of the high traffic count on Mill Road. He also thought it would be good to put on board agenda, where it could be removed if final draft was not ready to go. Motion approved unanimously.

A Preliminary Engineering Services Agreement between Kendall County and Hutchison Engineering, Inc. for intersection improvements at U.S. Route 52 and Ridge Road was presented to the committee. Agreement has not-to-exceed cost of \$180,000. Funds would be taken from Transportation Sales Tax Fund. Motion Gryder; second Prochaska to recommend approval of the Agreement to the County Board. Klaas reported that since the recent passage of the State Capital Bill, IDOT has committed to pay their share of construction costs, as well as engineering costs, totaling 15% of estimated construction costs. So IDOT's engineering payment would cover nearly all of preliminary engineering costs. Cesich asked and Klaas confirmed that construction is scheduled for 2021. Motion approved unanimously.

Committee discussed elements of the 5-Year Plan and updates to be made to the Plan in the next 60 days. Committee discussed timing of Caton Farm Bridge replacements. Kellogg alerted committee to narrow, deteriorated bridge on Schlapp Road, which would be the proposed detour route. Klaas will contact City of Joliet regarding this bridge. Kellogg suggested putting engineering in the Plan for the Fox Road realignment at Eldamain Road, due to extensive coordination required with the railroad. Members also discussed improvements to Little Rock

Road, Rock Creek Road, Walker Road, Millbrook Road and others. Cesich thought it would be good to keep engineering in the Plan on several projects because it takes so long to complete. Committee then discussed possible jurisdictional transfers of multiple other county and township highways, including Crimmins Road, Walker Road, River Road, and others. Klaas encouraged members to think about problem areas around the county, and provide feedback in an effort to finalize the 5-Year Plan update.

Gryder reported on meeting with local legislators and Village of Oswego to review and get support for Wolf Road project. He discussed some of the specifics of the project and the efforts to fund the improvements. He also discussed the possibility of transferring the Orchard Road pond to the Village of Oswego or the Oswegoland Park District. Committee was generally supportive of this idea.

Motion Prochaska; second Cesich to forward Highway Department bills for the month of July in the amount of \$312,010.68 to the Finance Committee for approval. By roll call vote, motion approved unanimously.

Kelly Farley reported that the very preliminary analysis of the Galena / Kennedy / Mill intersection indicated that a roundabout might not be the preferred alternative. He said this is very preliminary, and CMT would be looking at other scenarios for preferred alternative.

Motion Prochaska; second Kellogg to adjourn the meeting at 4:29 P.M. Motion carried unanimously.

Respectfully submitted,



Francis C. Klaas, P.E.
Kendall County Engineer

Action Items

1. Intergovernmental agreement between Kendall County and the City of Yorkville relating to the asphalt resurfacing of Mill Road
2. Preliminary Engineering Services Agreement between Kendall County and Hutchison Engineering, Inc. for intersection improvements at U.S. Route 52 and Ridge Road at a cost not-to-exceed \$180,000; said funds to be taken from the Transportation Sales Tax Fund.

**INTERGOVERNMENTAL AGREEMENT BETWEEN KENDALL COUNTY,
ILLINOIS, AND THE CITY OF YORKVILLE, ILLINOIS, RELATING TO THE
ASPHALT RESURFACING OF MILL ROAD**

THIS INTERGOVERNMENTAL AGREEMENT (*the “Agreement”*) is by and between the County of Kendall, a unit of local government of the State of Illinois (“*Kendall County*”), and the City of Yorkville, a municipal corporation of the State of Illinois (the “*City*”).

WITNESSETH:

WHEREAS, the City and Kendall County (the “*Parties*”) are units of local government within the meaning of Article VII, Section 1 of the Illinois Constitution of 1970 who are authorized to enter into intergovernmental agreements pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*; and

WHEREAS, the Constitution of the State of Illinois of 1970, Article VII, Section 10, provides that units of local government may contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance and may use their credit, revenues, and other resources to pay costs related to intergovernmental activities; and

WHEREAS, the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, provides that any county may participate in an intergovernmental agreement under this Act notwithstanding the absence of specific authority under the State law to perform the service involved, provided that the unit of local government contracting with Kendall County has authority to perform the service; and

WHEREAS, it is deemed to be in the best interest of Kendall County and the motoring public to improve and maintain the various roadways throughout Kendall County, including those within the municipalities and townships of Kendall County; and

WHEREAS, Mill Road is located within the jurisdiction of the City; and

WHEREAS, given the deteriorated condition of Mill Road, Kendall County, with a financial contribution from the City, agrees to place a new asphalt wearing surface on Mill Road, from Kennedy Road to Allegiance Crossing, in order to curtail further deterioration, in furtherance of ensuring the safety of the general motoring public; and

WHEREAS, it is the understanding of the Parties that upon completion of the asphalt resurfacing of Mill Road, the City alone will maintain, repair and otherwise care for the roadways within its jurisdiction and that Kendall County will have no duties to maintain, repair or otherwise care for those roadways at any time in the future; and

WHEREAS, Kendall County and the City wish to enter into an agreement wherein they will provide for the asphalt resurfacing and divide the costs as is herein described.

NOW, THEREFORE, in consideration of the foregoing preambles, the mutual covenants contained herein and for good and valuable consideration, the sufficiency of which is agreed to by the Parties hereto, Kendall County and the City covenant, agree and bind themselves as follows, to wit:

1. The foregoing preambles are hereby incorporated into this Agreement as if fully restated in this paragraph 1.
2. Kendall County and the City shall perform the asphalt resurfacing described herein. The asphalt resurfacing (the “*Resurfacing Project*”) will be placed on Mill Road beginning at Kennedy Road and extending easterly to its intersection with Allegiance Crossing, a distance of approximately four thousand nine hundred (4,900) feet (the “*Resurfacing Project Area*”); it being understood that the Resurfacing Project Area may be decreased by the City prior to acceptance of a bid by Kendall County for the Resurfacing Project in the event the proposed

future redesign of Mill Road necessitates such decrease . The Resurfacing Project shall be completed during calendar year 2019. The Resurfacing Project shall include the placement of not less than one and one-half (1½) inches of hot mix asphalt, aggregate shoulders, and modified urethane pavement markings.

3. As lead agency, Kendall County shall prepare the design, specifications and engineering required for the Resurfacing Project, and, after approval by the City, proceed with bidding and awarding of the contract to the lowest responsible bidder in accordance with Illinois law and with the consent of the City. Kendall County shall perform all inspections and make initial payment for the Resurfacing Project. The City shall reimburse Kendall County for all construction costs, as set forth below. For purposes of this Agreement, “construction costs” include, but are not limited to, all expenses charged by a contractor for labor, materials, equipment, and overhead.
4. As lead agency, Kendall County shall pay all project costs, subject to reimbursement by the City as follows. The City shall reimburse Kendall County for one hundred percent (100%) of the total construction costs. Kendall County shall be responsible for all engineering and inspection costs.
5. Kendall County agrees that prior to the City disbursing the funds for its respective share as described herein, Kendall County must submit final project costs, along with a written request for reimbursement to the City, or to its designee. Following receipt of the proper documentation, the City shall remit payment as set forth in paragraph 4 above to Kendall County within thirty (30) days of the written request for funds.

6. Kendall County shall perform the Resurfacing Project as specified herein in compliance with state and federal laws and regulations, including those competitive bidding and selection requirements necessary pursuant to applicable state and federal laws.
7. During the course of the Resurfacing Project, Kendall County shall ensure that each contractor and/or subcontractor performing work on the Resurfacing Project shall obtain and continue in force during the term of the Resurfacing Project all insurance necessary and appropriate and that each contractor and/or subcontractor contracted with to perform work on the Resurfacing Project shall name Kendall County and the City as an Additional Insured on a Primary and Non-Contributory basis with respect to all liability coverage.
8. It is understood and agreed that Kendall County shall not undertake the acquisition of interests in real estate, including Temporary or Permanent Easements, for the Resurfacing Project, and that Kendall County shall not be obligated to acquire any property by way of fee ownership for the same.
9. The Parties hereby understand and agree that this Intergovernmental Agreement shall not require, nor confer, any additional responsibility on any of the Parties to undertake maintenance, repairs or improvements to the Resurfacing Project Area, except as are already provided by law or otherwise described in this Agreement.
10. To the extent permitted by law, each Party shall hold harmless, indemnify and defend the other Party, including such Party's past, present, and future board members, elected officials, insurers, employees, and agents from and against all liability, claims, suits, demands, proceedings and actions, including costs, reasonable fees and expense of defense, arising from, to, any loss, damage, injury, death, or loss or damage to property (collectively, the "Claims"), to the extent such Claims result from either 1) intentional, willful, wanton, reckless or negligent

conduct by such indemnifying Party in the use, maintenance, repair, and/or improvement of Resurfacing Project Area, or 2) such indemnifying Party's failure to adequately perform its obligations pursuant to this Agreement. However, no Party shall be indemnified hereunder for any loss, liability, damage, or expense resulting from its own intentional, willful, wanton, reckless or negligent misconduct.

Nothing contained herein shall be construed as prohibiting Kendall County and/or the City, and their respective officials, directors, officers, agents and employees, from defending through the selection and use of their own agents, attorneys and experts, any claims, suits, demands, proceedings and actions brought against them. The City and/or Kendall County's participation in their own defense shall not remove the other Party's and/or Contractors and Subcontractors' duty to indemnify, defend, and hold the other Party harmless, as set forth herein. The City and Kendall County do not waive their defenses or immunities under the Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/1, *et seq.*) or other such Acts by reason of indemnification or insurance.

11. Nothing in this agreement shall be interpreted to alter the Parties' jurisdiction over any of the Resurfacing Project Area roadways.
12. It is mutually agreed by Kendall County and the City that upon completion of the Resurfacing Project, Kendall County shall not be inferred to, or obligated to, have a duty to provide insurance for the Resurfacing Project Area or otherwise indemnify and hold harmless the City in connection with the use, enjoyment, maintenance, repair or replacement of the herein mentioned improvements. Further, the City shall be responsible for any future maintenance, repair or replacement deemed necessary for such improvements within the Resurfacing Project Area. Other than obligations specifically imposed by this Agreement, nothing in this

Agreement shall be construed as to create a duty or responsibility on behalf of Kendall County to maintain, repair, replace, or otherwise control the Resurfacing Project Area roadways or the improvements completed thereon.

13. This Agreement and the rights of the Parties hereunder may not be assigned (except by operation of law), and the terms and conditions of this Agreement shall inure to the benefit of and be binding upon the respective successors and assigns of the Parties hereto. Nothing in this Agreement, express or implied, is intended to confer upon any party, other than the Parties and their respective successors and assigns, any rights, remedies, obligations or liabilities under or by reason of such agreements.
14. Any notice required or permitted to be given pursuant to this Agreement shall be duly given if sent by fax, certified mail, or courier service and received. As such, all notices required or permitted hereunder shall be in writing and may be given by either (a) depositing the same in the United States mail, addressed to the Party to be notified, postage prepaid and certified with the return receipt requested, (b) delivering the same in person, or (c) telecopying the same with electronic confirmation of receipt:

If to the County: County Engineer
Kendall County Highway Department
6780 Route 47
Yorkville, Illinois 60560

With copy to: Kendall County State's Attorney
807 John Street
Yorkville, Illinois, 60560

If to the City: Mayor John Purcell
800 Game Farm Road
Yorkville, Illinois 60560

With a copy to: Kathleen Field Orr
City Attorney
2024 Hickory Road

Suite 205
Homewood, Illinois 60430

Or such address or counsel as any Party hereto shall specify in writing pursuant to this Section from time to time.

15. This Agreement shall be interpreted and enforced under the laws of the State of Illinois. Any legal proceeding related to enforcement of this Agreement shall be brought in the Circuit Court of Kendall County, Illinois. In case any provision of this Agreement shall be declared and/or found invalid, illegal or unenforceable by a court of competent jurisdiction, such provision shall, to the extent possible, be modified by the court in such manner as to be valid, legal and enforceable so as to most nearly retain the intent of the Parties, and, if such modification is not possible, such provision shall be severed from this Agreement, and in either case the validity, legality, and enforceability of the remaining provisions of this Agreement shall not in any way be affected or impaired thereby.
16. This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and each of which shall constitute one and the same Agreement.
17. This Agreement represents the entire agreement between the Parties and there are no other promises or conditions in any other agreement whether oral or written. Except as stated herein, this agreement supersedes any other prior written or oral agreements between the Parties about the subject projects and may not be further modified except in writing acknowledged by all Parties.
18. Any Party may terminate this Agreement by providing thirty (30) days advance written notice to the other Party. However, the Parties shall not be permitted to cancel the Agreement once the Resurfacing Project has begun, unless done so in writing signed by each Party.

19. Nothing contained in this Agreement, nor any act of Kendall County or the City pursuant to this Agreement, shall be deemed or construed by any of the Parties hereto or by third persons, to create any relationship of third party beneficiary, principal, agent, limited or general partnership, joint venture, or any association or relationship involving the County and the City.
20. This Agreement shall be in full force and effect for a period of ninety-nine (99) years from the date of the last signature below unless: 1) it is agreed to terminate this Agreement in writing signed by all Parties, or 2) it is cancelled pursuant to paragraph 18 above, or 3) the Resurfacing Project is completed, at which time the Agreement shall terminate, with the exception of all indemnification responsibilities, which shall remain in force.
21. This Agreement shall be effective upon approval by Kendall County and the City and the date of this Agreement shall be deemed as the last date of acceptance provided below.
22. Kendall County and the City each hereby warrant and represent that their respective signatures set forth below have been, and are on the date of this Agreement, duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.

IN WITNESS WHEREOF, the Parties hereto have caused this Intergovernmental Agreement to be executed by their duly authorized officers on the below date.

COUNTY OF KENDALL, A UNIT OF LOCAL GOVERNMENT OF THE STATE OF ILLINOIS

By: _____
Kendall County Board Chair Date

Attest: _____
Kendall County Clerk Date

(Seal)

CITY OF YORKVILLE, A MUNICIPAL CORPORATION OF THE STATE OF ILLINOIS

By: _____
Mayor Date

Attest: _____
City Clerk Date

**COUNTY OF KENDALL, ILLINOIS
FACILITIES MANAGEMENT COMMITTEE
MEETING MINUTES
MONDAY, JULY 1, 2019**

Committee Chair Matt Kellogg called the meeting to order at 8:00 a.m.

Roll Call: Members Present: Amy Cesich, Judy Gilmour, Matt Kellogg, Audra Hendrix
Members Absent: Tony Giles

With enough members present, a quorum was formed to conduct business.

Others Present: Facilities Management Director Jim Smiley, County Administrator Scott Koeppel.

Approve the June 3, 2019 Facilities Committee Meeting Minutes – There were no changes to the June 3, 2019 minutes; Member Hendrix made a motion to approve the minutes, second by Member Cesich. **With enough present members voting aye, the minutes were approved.**

Motion by Member Cesich to move discussion of the County Office Buildings Project under the Chair's Report to the beginning of the agenda second by Member Gilmour. **With all present members voting aye, the agenda was approved.**

Approval of Agenda with the Modification – All Aye. Motion approved.

Public Comment – None

Old Business/Projects

1. *Vending Machine Changes at County Office Building & Courthouse* – Director Smiley informed the Committee that he notified IDHS that the Committee accepted the reduced amount of the insurance coverage to \$2,000,000.00. Jim was informed by IDHS that the contract is still with their legal review.
2. *Public Safety Center – H.V.A.C. Replacement Project* – Director Smiley stated all the systems that were getting hooked up to the new system are now operating. The air and water balancing are complete. Director Smiley stated that rough in for the low voltage wiring for the Variable Air Volume (VAV) boxes has been completed. Trane is reviewing bids from two local companies to install the new controls on the VAV boxes. Once the contractor is selected Jim expects to get a schedule of installation for the VAV boxes. Director Smiley stated the software update was completed the week of June 17th. Jim anticipates the project being substantially complete by the end of July to early August.
3. *Courthouse Roof Replacement Project* – Director Smiley stated the plans and spec's were completed on June 28th and the ad for the Project was placed in the local papers and will run the July 4th editions. The Project plans and spec's were also listed on our website. Jim stated a mandatory walk through is scheduled for July 9th and bids are due July 19th. Director Smiley will have the results at the next Facilities Committee meeting. However, Mr. Smiley asked if the bids come in under budget, if the Committee would be in favor of placing it on the County Board agenda for approval at the August 6th meeting. Consensus was to ask to have it on the County Board agenda if this is the case.
4. *KCFM Truck Replacement* – Director Smiley stated the truck should be delivered within the next two weeks. Mr. Smiley has requested invoice so an ABC check can be completed to have on hand when the vehicle is ready for pick up.
5. *Animal Control Projects Update* – Director Smiley received the preliminary drawings on the 25th and presented them to the Animal Control Committee meeting on the 26th. Mr. Smiley has a meeting with Healy Bender tomorrow to go over the project, get answers to his questions and get a projected date for the project to be ready to bid. Director Smiley will have better direction by the end of the meeting tomorrow.

6. *Historic Courthouse Window Replacement - 2019* – Director Smiley stated shop drawings were provided last Friday. The vendor will be visiting on site to verify the drawing are correct. Any changes that need to be made will be sent to the manufacturer and we will then receive final drawings to sign off on. Jim stated once this is complete they will start production.

New Business/Projects

1. Chair's Report

- a. *Solar Project Update* – A conference call between County Administrator Scott Koeppel, Director Smiley, Chris Childress from Progressive Energy and Eric Peterman from GRNE was conducted. Items discussed were:
- High cost estimate for fencing approved by the City of Yorkville as part of the special use permit. Possible alternatives was also discussed.
 - State of Illinois determination on taxing solar fields on taxing bodies properties
 - Expected timeline for project to be completed.
- b. *County Office Building Projects* – Jill Ferko, County Treasurer spoke with the Facilities Committee about space and security issues needed for the Treasurer's office especially during tax time. Chair Kellogg informed the Committee that the possibility of a bank purchase for the Treasurer's department would solve issues for space and the drive up window could help with tax time payments. Ms. Ferko stated the following:
- Open to all suggestions but will weigh the decision based on the best interest of the County and what makes financial sense.
 - Having a deputy presence in the building during property tax payment time has been very helpful
 - The office is not set up for counter viewing as only three of the seven employees in the department can view the counter.

Member Cesich has stated that she is not in favor of a bank purchase. Member Hendrix agrees with Member Cesich and stated that her preference is to move to the 2nd floor of the Courthouse before purchasing another building since the security is already in place. Member Hendrix also stated that Director Smiley's idea of installing a new card access system that can isolate floors after hours would be helpful at the County Office Building. Member Gilmour also agreed with Members Cesich and Hendrix and added that items from the Healy Bender study can be done to the existing County Office Building that can make a huge difference and would cost much less than purchasing another building.

- c. *Other Projects* – Health Department Dental Office: Director Smiley gave a price of \$50,000.00 for the dental office project with the revised scope. The Health Department budgeted for the \$15,000.00 amount Director Smiley gave them on the original scope's given specifications. Following the projects charts the County Board adopted in 2017, the project needs to go to the Finance Committee next.
- d. *Forest Preserve Lease of Space at the Historic Courthouse* – Motion by Member Hendrix to extend the Kendall County Forest Preserve to continue to manage leasing the space until February 1, 2020. Second by Member Cesich. **All members present voting aye, Motion Carried.**
- e. *Updated Capital Plan Request* – Chair Kellogg explained the updated sheets Latress Caldwell, Director Smiley and Chair Kellogg have developed for annual budgets going forward.
2. *Review Elevator Controls Replacement Proposals* – Director Smiley informed the Committee a mandatory walk through was conducted on June 18th and two (2) companies attended. Mr. Smiley stated only one (1) bid was received by the company we currently use to maintain our elevators. The project budget amount was \$60,000.00 and the bid amount was \$48,280.00. Mr. Smiley stated that code is now to add an additional smoke detector in the machine room. Director Smiley estimates this amount to be around \$2,000.00 will be done by our fire system vendor. Motion by Member Hendrix to send the Elevator Controls Replacement to the County Board for Approval. Second by Member Gilmour. **All members present voting aye, Motion Carried.**

3. *Review Parking Lot Projects Bids* – Chair Kellogg stated bids due today at 10 a.m., if the parking lot bids come in under budget will the Committee allow it to move to the County Board meeting on July 16, 2019. Motion by Member Cesich to send the willing bid to the County Board for Approval. Second by Member Hendrix. **All members present voting aye, Motion Carried.**
4. *New Lease with the DuPage County Housing Authority, for space in the Health & Human Services facility* – Director Smiley stated that the State’s Attorney informed him that an updated MOU will be needed before a new lease can be issued. Dr. Tokars stated that this will be reviewed at their board meeting on July 17, 2019. Motion by Member Hendrix to send the new lease to the County Board for Approval. Second by Member Cesich. **All members present voting aye, Motion Carried.**
5. *Courthouse Generator Circuit Breaker Replacement* – Director Smiley stated there was intermittent problem with the generator circuit breaker tripping. During a service call by our generator vendor the problem was determined to be a breaker issue. Director Smiley replaced the breaker and received a quote to test and rebuild the old one to keep for back up since this is one of the generators for the demand response program. **Project Complete.**
6. *Annual fire Alarm, Sprinkler and Extinguisher Testing* – Director Smiley stated the annual fire alarm system was tested except for the Public Safety Center which will be tested on July 8th and 9th. All systems tested with no issues found. Director Smiley stated that several fire extinguishers need to be hydro testing performed. **Project Complete.**
7. *Approve Mutual Ground Request to approve the 2nd Extension in their lease* – The Committee approved the 2nd 1 year extension option. Director Smiley will send Mutual Ground a letter confirming this decision.
8. *Health Department Safety Inspection* – Director Smiley informed the Committee that Dr. Tokars called our insurance carrier for independent site safety inspections that is done annually for their grants. The inspector stated good housekeeping was found throughout the inspected areas. The inspector noted some areas of clutter for the Health Department to take care of and some of the signage was confusing and needs to be removed. The inspector also noted that chemical labeling and carpet gaps need to be addressed. Director Smiley stated the carpet is on order to be replaced and labeling the chemicals have been addressed.

Staffing/Training/Safety

- *Reportable Labor Hours* – Reports were included in the packet.

Other Items of Business

- *CMMS Charts* – Reports were included in the packet for:
 - Reported versus Completed Work Orders, Reported by Building Current Month
 - Work Orders by Work Type Current month

Questions from the Media – None

Executive Session – None

Adjournment – Chair Kellogg asked if there was a motion to adjourn. Member Hendrix made a motion to adjourn the meeting, second by Member Cesich. **With all members present voting aye, the meeting adjourned at 9:21 a.m.**

Respectfully submitted,

Christina Wald
Administrative Assistant

COUNTY OF KENDALL, ILLINOIS
BUDGET & FINANCE COMMITTEE
Meeting Minutes for Thursday, July 11, 2019

Call to Order

Committee Vice Chair Matt Kellogg called the Budget and Finance Committee to order at 5:00p.m.

Roll Call

Attendee	Status	Arrived	Left Meeting
Amy Cesich	ABSENT		
Scott Gryder	Here		
Audra Hendrix	Here		
Matt Kellogg	Here		
Matthew Prochaska	ABSENT		

Staff Members Present: Scott Koepfel

Approval of Agenda – Member Hendrix made a motion to approve the agenda, Member Gryder seconded the motion. **With three members present voting aye, motion passed by a vote of 3-0.**

Approval of Claims – Member Hendrix made a motion and Member Gryder seconded the motion to forward for approval of Claims in an amount not to exceed \$546,063.33, and Kendall County Health Department Claims in an amount not to exceed \$40,860.76, to the County Board. **With three members voting aye, the claims were approved to forward to the County Board for final approval by a vote of 3-0.**

Department Head and Elected Official Reports - None

Items from Other Committees – None

Items of Business

- *Discussion and Approval of FY20 Capital Plan Process and Capital Requests Form* – Scott Koepfel reviewed the FY20 Capital Plan process and the revised Capital Request form with the committee. Member Hendrix requested that these forms be distributed annually to Department Heads and Elected Officials so that they were continually aware of the process. Member Gryder suggested that the information be added to the County intranet page for Department Heads and Elected Official access throughout the year. Member Hendrix made a motion to forward the FY20 Capital Plan Process and Capital Requests Form to the County Board for approval, second by Member Gryder. **With three members present voting aye, the motion carried.**
- *Discussion and Approval of FY20 Budget Process Timeline* – Mr. Koepfel reviewed the process timeline with the committee. Member Hendrix made a motion to forward the

FY20 Budget Process Timeline to the Board for approval, second by Member Gryder.
With three members present voting aye, the motion carried.

- *Discussion of Countywide Telephone Budget and Expense* – Item tabled to the July 25, 2019 Finance Committee meeting.

Executive Session – Not needed

Items for the County Board

Approval of Claims in an amount not to exceed \$546,063.33, and Kendall County Health Department Claims in an amount not to exceed \$40,860.76

Approval of FY20 Capital Plan Process and Capital Requests Form

Approval of FY20 Budget Process Timeline

Adjournment – Member Gryder made a motion to adjourn the Budget and Finance Committee meeting, Member Hendrix seconded the motion. **The meeting was adjourned at 7:28p.m. by a 3-0 vote.**

Respectfully submitted,

Valarie McClain
Administrative Assistant and Recording Secretary

Kendall County Process & Timeline Capital Plan Request

<u>Subject</u>	Kendall County Capital Plan Budget Process & Timeline
<u>Purpose</u>	Standardize the capital plan request process and timeline.
<u>Statement of Policy</u>	It is the responsibility of the individual Kendall County Department Head/Elected Official to prepare and submit their annual capital plan request to the Budget and Finance Committee.
<u>Procedure Goal</u>	The goal of this procedure is to provide instruction and a timeline to Kendall County staff for the preparation of capital requests.

Departments/Offices

Administrative Services Department	Animal Control Department
Supervisor of Assessments Department	Board of Review
Circuit Clerk Office	Circuit Court Judge Office
Combined Court Services (Probation) Department	Coroner Office
County Clerk Office	Emergency Management Agency
Facilities Management Department	Health and Human Services Department
Highway Department	Planning, Building and Zoning Department
Public Defender Department	Regional Office of Education
Sheriff Office	State's Attorney Office
Technology Services Department	Treasurer Office
Veteran's Assistance Commission	

Capital Plan Review:

Budget & Finance Committee

Kendall County Process & Timeline Capital Plan Request

All capital requests, including requests for Kendall County staff time and materials are to be included in a capital plan request for the General Fund and all Other Funds.

Budget

JUN

Administrative Services

- **Distribute Capital Plan packet** July 12
 - Previously submitted, next fiscal year's Departments'/Offices' capital requests
 - Blank Capital Request Spreadsheet
 - Facilities Management Flow Charts
 - Yearly Capital Project Plan
 - Mid-Year Capital Project Request
 - Emergency Project Plan

AUG

Department/Office

- **Submit Capital Requests** Aug 30
 - Submit/email new and/or revised capital requests on Capital Request Spreadsheet to L Caldwell and Finance Committee at KCBCmt Finance
 - Include all proposed funding sources
 - Include Internal Projects, External Projects and Project Management

SEP

Budget & Finance Committee

- Review and discuss capital requests
- Hold Budget Hearings
- Approve Tentative Budget

Kendall County Process & Timeline Capital Plan Request

All capital requests, including requests for Kendall County staff time and materials are to be included in a capital plan request for the General Fund and all Other Funds.

Budget (cont.)

OCT

Administrative Services Staff

- **Submit Ad (Public Notice) to newspaper** 1 week prior to run day
 - Notice for Public Inspection of Tentative Budget 30 days prior to anticipated date of budget approval

County Board

- **Budget Public Hearings** Oct
 - County Board Meeting: vote to file tentative budget with County Clerk
 - Place Tentative Budget on file with the County Clerk for public inspection
 - Tentative Budget has to be available for public inspection at least 15 days prior to Budget Approval

NOV

County Board

- **Budget Approval** Nov
 - County Board Budget approval

JAN

Administrative Services Staff

- **Distribute Capital Plan** Jan
 - Distribute approved capital plan
 - Notify Department Heads and Elected Officials of funded/unfunded capital projects

Kendall County Process & Timeline Capital Plan Request

All capital requests, including requests for Kendall County staff time and materials are to be included in a capital plan request for the General Fund and all Other Funds.

Capital Requests

DEC – NOV Emergency Projects

Department/Office

➤ Emergency Project Plan

- Utilize Facilities Management Flow Chart: Emergency Project Plan
- Notify/Email/Call J Smiley or S Koeppel and Facilities Management Committee at KCBCmt Facilities Mgmt
 - Explain what happened and what date the emergency occurred.
 - Give address/location of emergency.
 - Give description of project needed.

FEB – MAR Yearly Capital Projects

- Projects requiring Facilities Management or Technology Services assistance

Department/Office

➤ Capital Plan Requests - Capital Purchases, Projects, Project Management

- Utilize Facilities Management Flow Chart: Yearly Capital Project Plan
- Obtain quotes/scope as needed
- Notify the Directors of Facilities Management and Technology Services, no later than March, if help is needed to get pricing, plan projects or determine project feasibility. (*Committee approval is needed to allocate time to new projects*)

➤ Submit Capital Requests

Aug 30

- Submit/email new and/or revised capital requests on Capital Request Spreadsheet to L Caldwell and Finance Committee at KCBCmt Finance
- Include all proposed funding sources
- Include Internal Projects, External Projects and Project Management

Kendall County Process & Timeline Capital Plan Request

All capital requests, including requests for Kendall County staff time and materials are to be included in a capital plan request for the General Fund and all Other Funds.

Capital Requests (cont.)

FEB – AUG

Mid-Year Requests

- Non-Budgeted Capital Projects
- Projects not requiring Facilities Management or Technology Services assistance

Department/Office

➤ Mid-Year Capital Project Plan

- Utilize Facilities Management Flow Chart: Mid-Year Capital Project Request
- Submit/email project request to J Smiley and Facilities Management Committee at KCBCmt Facilities Mgmt
 - Explain why project is needed.
 - Explain why project is needed now.
 - Give timeframe for project completion.

➤ Submit Capital Requests

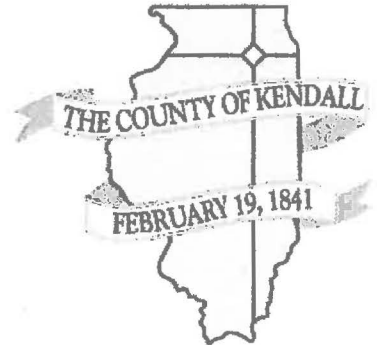
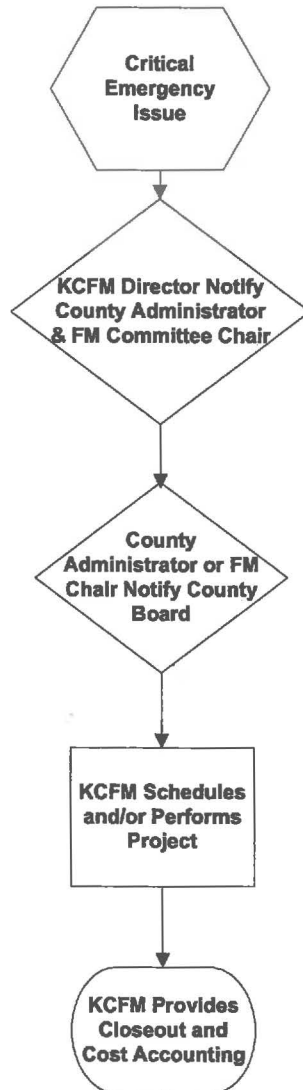
Aug 30

- Submit/email new and/or revised capital requests on Capital Request Spreadsheet to L Caldwell and Finance Committee at KCBCmt Finance
- Include all proposed funding sources
- Include Internal Projects, External Projects and Project Management

Kendall County Facilities Management

10/12/17

Emergency Project Plan



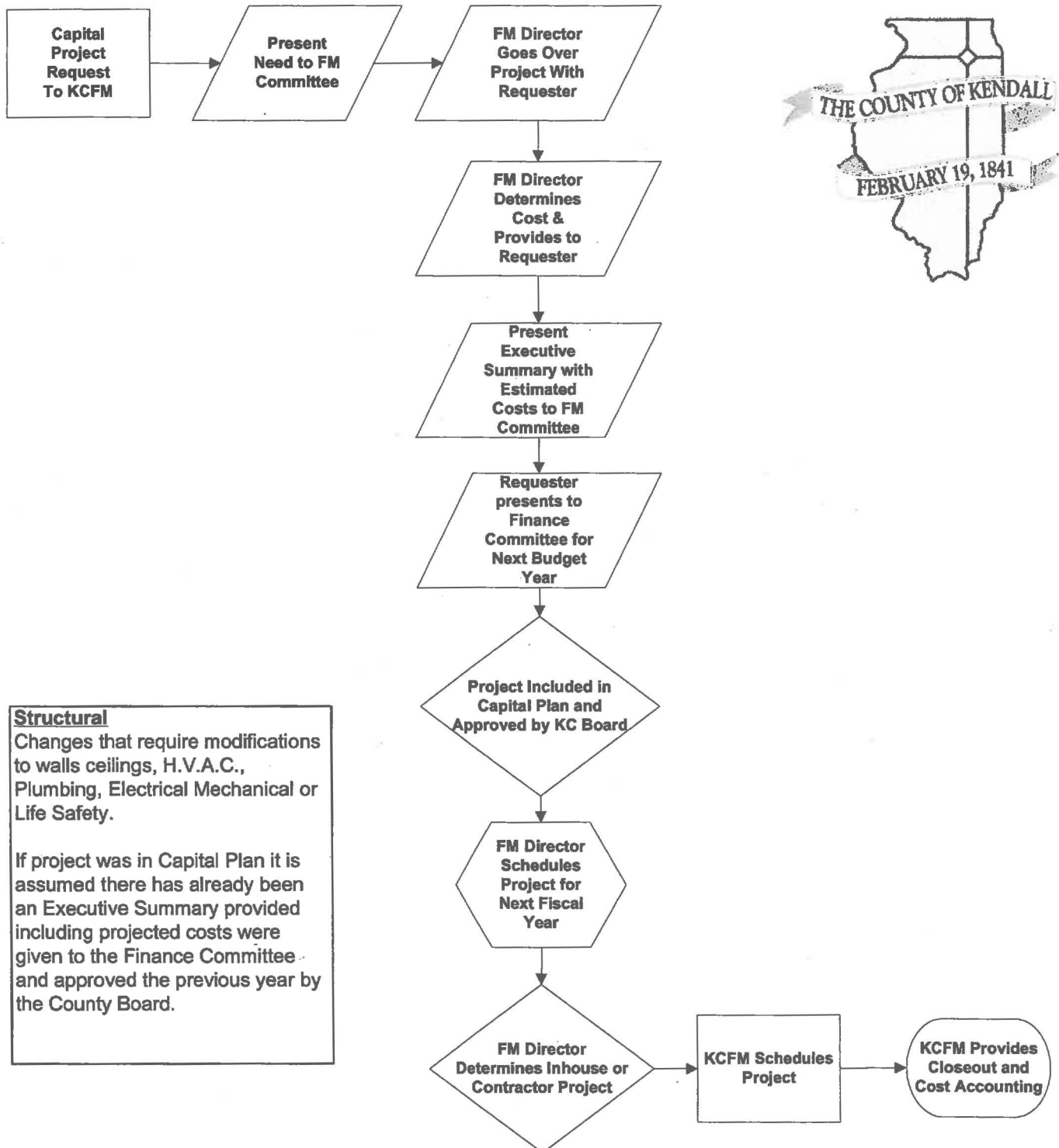
Emergencies

- 1) Key system down that affects the facility to Operate. H.V.A.C., Electrical, U.P.S.
- 2) "Emergency is an unforeseen combination of circumstances that calls for immediate action without time for full deliberation." *Black's Law Dictionary* 523 (6th ed. 1990)
- 3) First, are the circumstance unforeseen, and second, is immediate action required, such that the delay inherent in the bidding process would likely result in significant harm to the County or the health, safety, and welfare of the citizens of Kendall County.

Kendall County Facilities Management

Yearly Capital Project Plan

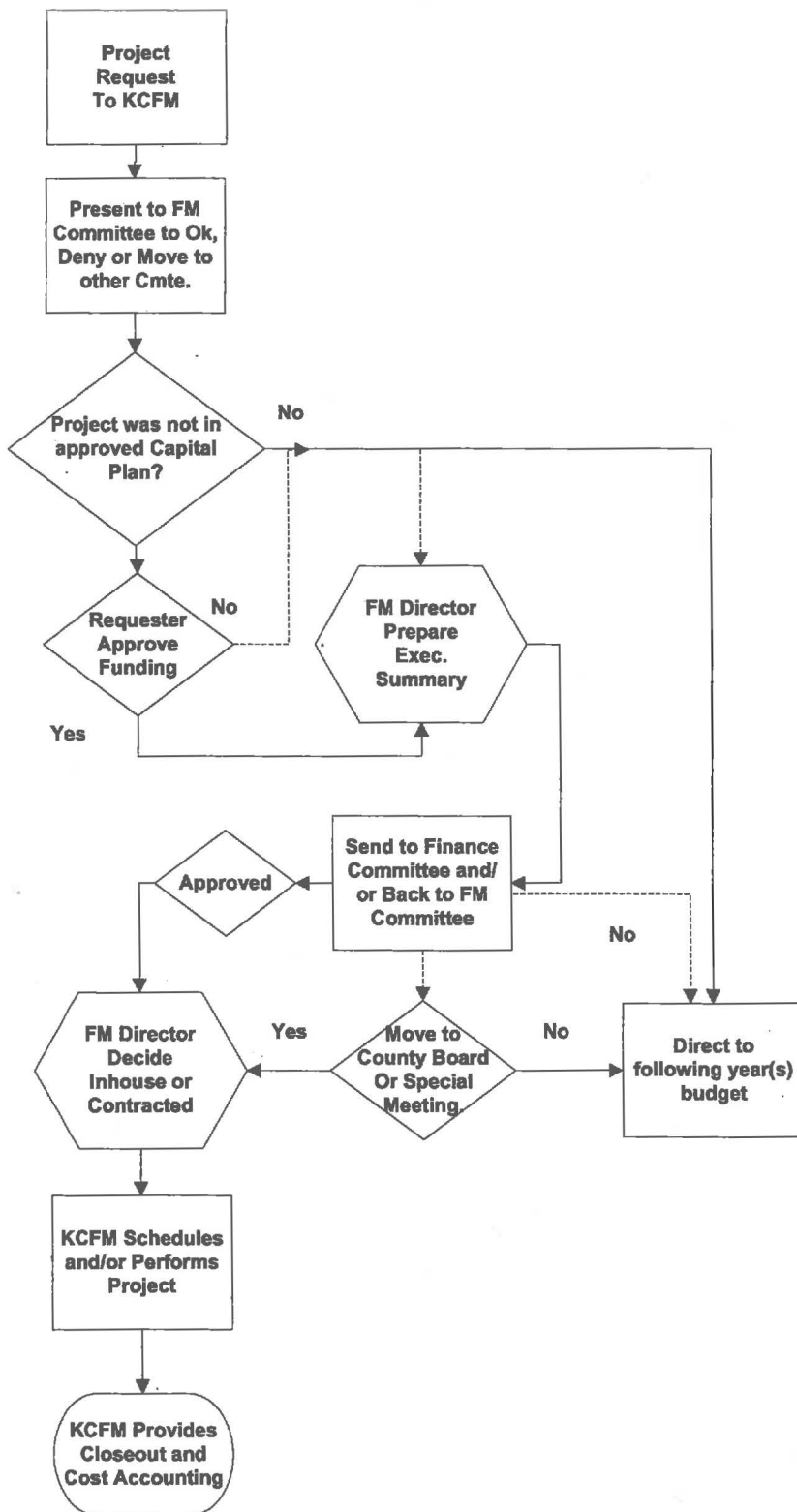
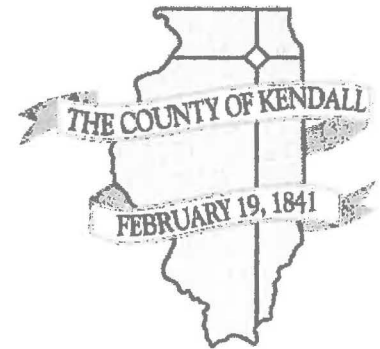
10/12/17



Kendall County Facilities Management

Mid-Year Capital Project Request

10/12/17



Structural – Changes that require modifications to walls ceilings, H.V.A.C., Plumbing, Electrical Mechanical or Life Safety.

If project was in Capital Plan it is assumed there has already been an Executive Summary provided including projected costs was given to the Finance Committee and approved the previous year by the County Board.

Dashed lines represent optional paths.

Kendall County Process & Timeline Annual Budget, Revenue Projections, Levy Extension

<u>Subject</u>	Kendall County Annual Budget Process & Timeline
<u>Purpose</u>	Standardize the budget process and timeline.
<u>Statement of Policy</u>	It is the responsibility of the individual Kendall County Department Head/Elected Official to prepare and present to the Budget and Finance Committee their annual departmental/office budget along with any corresponding new initiative requests.
<u>Procedure Goal</u>	The goal of this procedure is to provide instruction and a timeline to Kendall County staff for the preparation of the annual department/office budget and corresponding new initiative requests.

Budget Preparation: Internal Departments/Offices

Administrative Services Department	Animal Control Department
Supervisor of Assessments Department	Board of Review
Circuit Clerk Office	Circuit Court Judge Office
Combined Court Services (Probation) Department	Coroner Office
County Clerk Office	Emergency Management Agency
Facilities Management Department	Health and Human Services Department
Highway Department	Planning, Building and Zoning Department
Public Defender Department	Regional Office of Education
Sheriff Office	State's Attorney Office
Technology Services Department	Treasurer Office
Veteran's Assistance Commission	

Budget Preparation: External Entities

Illinois Extension Education	708 Mental Health
Soil & Water Conservation	CASA

Budget Review: Committee/Board

Budget & Finance Committee
County Board

Kendall County Process & Timeline Annual Budget, Revenue Projections, Levy Extension

June

Budget

Administrative Services

➤ Analyze 6 Month Revenue & Expenditure

Jun 15

- Project year end revenue, expenditure and year end fund balances for use by Budget & Finance Committee to set budget criteria

July

Budget

Budget & Finance Committee

➤ Establish FY Budget Criteria

July 11 & July 25

- Determine overall department/office budget increase
- Determine overall department/office salary line item increase
- Determine individual staff salary increase range
- Set goal to balance General Fund operating budget
- Determine General Fund usage for operations, capital, reserves

August

Budget

Administrative Services

➤ FY Budget Process and Budget Calendar

Aug

- Distribute FY budget criteria
- Schedule Dept./Office budget hearing with B & F Committee

Department/Office

➤ Enter Budget

Aug

- Complete salary spreadsheets, available on the Y: Fiscal Drive
- Review Narrative Spreadsheet on Y: Fiscal Drive
- Input Questica Budget online
- Schedule Budget Hearing

Kendall County Process & Timeline Annual Budget, Revenue Projections, Levy Extension

September

Revenue

Administrative Services

- **Refine Revenue Projections & Year End Fund Balances** Sep
 - Analyze revenues. Prepare year end and the next fiscal year projections.

Budget & Finance Committee

- **Review and discuss major revenues and fund balances with select Department Head/Elected Official as needed.**
 - Circuit Clerk Fees – Circuit Clerk
 - Fines & Forfeits/St. Attorney – Circuit Clerk
 - County Clerk Fees – County Clerk
 - County Real Estate Transfer Tax – County Clerk
 - Building & Zoning Fees – PBZ
 - Transportation Sales Tax – County Engineer
 - Corrections Board & Care – Chief Deputy Sheriff
 - Sheriff Fees – Sheriff
 - Public Safety Sales Tax – Administrative Services
 - Health Insurance – Administrative Services
 - Animal Control – Animal Warden

Expenditure

Administrative Services

- **Budget Analysis** Sep
 - YTD Fund Balance Reports
 - Personnel Costs
 - Utilities
 - Fuel
 - Electricity
 - Capital Costs
 - Debt Service
 - Commodities >\$20,000
 - Training and Travel

Budget

Budget & Finance Committee

- **Hold Budget Hearings** Sep
- **Finance Committee preliminary budget review**

Kendall County Process & Timeline Annual Budget, Revenue Projections, Levy Extension

Levy

Supervisor of Assessment Department

- Provide: CPI, EAV and new construction dollars Sep

Administrative Services

- Calculate estimated levy, levy allocation and tax rate Sep

Budget & Finance Committee

- Review and approve levy, levy allocation and tax rate Sep
- Determine amendments to balance General Fund operating budget
- Approve Tentative Budget

October

Budget

Administrative Services Staff

- **Submit Ad (Public Notice) to newspaper** 1 week prior to run day
 - Notice for Public Inspection of Tentative Budget 30 days prior to anticipated date of budget approval

County Board

- **Budget Public Hearings** Oct
 - County Board Meeting: vote to file tentative budget with County Clerk
 - Place Tentative Budget on file with the County Clerk for public inspection
 - Tentative Budget has to be available for public inspection at least 15 days prior to Budget Approval

November

Budget

County Board

- **Budget Approval** Nov
 - County Board Budget approval

Levy

County Board

- **Levy Public Hearings & Approval** Nov
 - County Board holds Levy Hearings and approved Levies

COUNTY OF KENDALL, ILLINOIS
ADMIN HR MEETING
County Office Building
111 W. Fox Street, Room 210; Yorkville
Monday, July 1, 2019

CALL TO ORDER - Chair Elizabeth Flowers called the meeting to order at 5:30 p.m.

ROLL CALL

Attendee	Status	Arrived	Left Meeting
Elizabeth Flowers	Present		
Scott Gengler	Present		
Judy Gilmour		5:32pm	
Matthew Prochaska	Here		
Robyn Vickers	Here		

Others in Attendance: Meagan Briganti, Bob Jones, Matt Kinsey, Scott Koeppel

APPROVAL OF AGENDA – Motion made by Member Vickers second by Member Gengler to approve the agenda. **With four members voting aye, the agenda was approved by a 4 -0 vote.**

APPROVAL OF MINUTES – Motion made by Member Prochaska second by Member Vickers to approve the June 19, 2019 minutes. **With four members voting aye, the minutes were approved by a 4-0 vote.**

DEPARTMENT HEAD AND ELECTED OFFICIAL REPORTS

- *Treasurer* – Mr. Jones presented information as a follow up to Washington National’s visit regarding how many employees were on optional benefit programs. Based on the numbers presented the committee thought it would be beneficial to add Washington National as an optional program. **There was consensus to add Washington National during open enrollment this year as an optional benefit program for employees.**
- *Administration Department* – Mr. Koeppel referenced page 4 of the packet for the July 2, 2019, Board Meeting which lists the items on the Consent Agenda. This is the first time there will be a Consent Agenda. Mr. Koeppel did an overview of how it works.

PUBLIC COMMENT - None

COMMITTEE BUSINESS

- *Discussion of Shared Services with Other Local Governments in the County* – Mr. Koeppel explained that he and Ms. Briganti attended a meeting with other local municipalities about possibly sharing services like purchasing, staffing and other

essential services that could yield a cost savings. As opportunities come up Mr. Koeppel will share with the County Board.

- *Discussion and Approval of Revised Technology Services 5 Year Plan* – Mr. Kinsey went over the 5-year Technology Plan which outlines capital costs for the next five years. Mr. Kinsey noted that many of the improvements have been delayed each year and cannot be delayed much longer. Member Vickers made a motion, second by Member Gengler to forward the plan to Finance Committee. **With five members present voting aye the motion carried.**
- *Discussion of Kendall County Green Initiative* – Member Vickers indicated that there are many steps the County could be taking to minimize its carbon foot print. Staff is currently researching the use of water coolers instead of purchasing bottled water. Mr. Koeppel indicated that Ms. Briganti and Ms. Johnson had some ideas. Member Gilmour indicated that the Health and Environment Committee could take this project on. **There was consensus to move forward with the water cooler project and that Health and Environment Committee would research other projects.**
- *Discussion of Kendall County Facebook Page and other Social Media* – Mr. Koeppel explained that with the Sheriff and now the State Attorney's Office having a Facebook page he wanted to broach the subject at the County Board level. The idea would be to get an intern to launch the project. Member Prochaska indicated that he was fine with it but wanted to make sure it was monitored. He also wondered about archiving and keeping records. Member Gilmour indicated that the Forest Preserve has a Facebook Page and it has gotten very positive responses from the community.

EXECUTIVE SESSION - None

ITEMS FOR COMMITTEE OF THE WHOLE - None

ACTION ITEMS FOR COUNTY BOARD - None

ADJOURNMENT – Member Vickers made a motion to adjourn the meeting, second by Member Prochaska. **With five members voting aye, the meeting was adjourned at 6:14 p.m.**

Respectfully Submitted,

Mera Johnson
HR Risk Management & Compliance Coordinator

COUNTY OF KENDALL, ILLINOIS
COMMITTEE OF THE WHOLE
Thursday, July 11, 2019

CALL TO ORDER AND PLEDGE OF ALLEGIANCE - The meeting was called to order at 4:00p.m. by County Board Chair Scott Gryder, who led the Pledge of Allegiance to the American Flag.

ROLL CALL

Attendee	Status	Arrived	Left Meeting
Amy Cesich		4:09p.m.	6:15p.m.
Elizabeth Flowers	ABSENT		
Scott Gengler	Here		
Tony Giles	ABSENT		
Judy Gilmour	Here		6:19p.m.
Scott Gryder	Here		
Audra Hendrix	Here		
Matt Kellogg	Yes		
Matthew Prochaska	ABSENT		
Robyn Vickers	Here		

Others present: Matt Asselmeier, Assistant State's Attorney Leslie Johnson, Scott Koeppel

APPROVAL OF AGENDA – Motion made by Member Gilmour to approve the agenda with moving Public Comment before the New Business section, second by Member Hendrix. **With six member's present voting aye, the motion to approve the agenda carried by a vote of 6-0.**

OLD BUSINESS - None

PUBLIC COMMENT – Kristen Friestad thanked committee members for the changes that have already been made, and voiced her concerns regarding the proposed Petition 18-04, specifically about protecting good rock, good soil and good water.

Scott Wallin asked the committee to vote no for proposed Petition 18-04 and voiced his concerns to deterioration to landscape, semi-truck traffic, and affects on soil and ag land.

Kurt Buhle distributed his concerns about the proposed Petition 19-12, and the increased traffic on Crimmins Road, the noise, alcohol use on the property, and land values because of the venue events.

Jeff Spang, Fox Township Supervisor, explained that there had been a number of changes since they had agreements or understandings, specifically the elimination of the door closure issue from the Special Use requirement, increased noise concerns, the numbers of events allowed per year from 30 to 60, and the use of alcohol on the property since Fox

Township is a dry Township, and prohibits the sale of alcohol at the venue. Mr. Spang informed the committee of past and future events that are advertising the sale of alcohol. Mr. Spang stated that Fox Township no longer supports the Special Use Permit now that changes have been made to it.

NEW BUSINESS

From the Planning, Building & Zoning Committee:

- *Discussion of Petition 18-04 Request from the Kendall County Regional Planning Commission for Amendments to the Land Resource Management Plan for Properties Located Near Route 47 in Lisbon Township – Matt Asselmeier briefed the committee on the proposed amendments, reviewed the plan, the maps, the purpose of each parcel, the benefit for Fox and Lisbon Townships, and a call from Vulcan Mining Company regarding two parcels that they state were annexed into the Village of Lisbon in 2008, but have only an unsigned annexation agreement as proof. Vulcan will continue to research their allegation, and search the records for a signed agreement. Member Hendrix made a motion to send the item back to the Planning, Building and Zoning Committee for further discussion and review, second by Member Vickers.*

Roll Call: Amy Cesich – yes, Scott Gengler – yes, Judy Gilmour – yes, Scott Gryder – yes, Audra Hendrix – yes, Matt Kellogg – yes, Robyn Vickers – yes. **With seven members in agreement, the motion carried.**

- *Discussion of Petition 19-12-Request from Robert Bright on Behalf of Madison Trust and Castle Bank N A and JoAnn Bright-Theis for a Special Use Permit for a Banquet Center at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008) in Fox Township; Property is Zoned A-1 – Mr. Asselmeier stated that ZPAC reviewed the request and recommended approval with conditions, with Member Guritz voting present. The Kendall County Regional Planning Commission recommended approval with conditions, with five members present and four members absent, The Zoning Board of Appeals approval on a vote on 4-1 with Member Clementi voting no with concerns about safety on Crimmin Road and some of the conditions proposed concerning noise. The PBZ Committee recommended approval with conditions, by a 4-1 vote. Matt Kellogg and Matt Asselmeier reviewed some of the changes made by the Planning, Building and Zoning Committee at their July 8, 2019 meeting. **The committee asked ASA Johnson about the serving and sale of alcohol in a dry township, and asked her to research the issues.***

Jeff Spang reported that Fox Township had located the original records, and showed the original record event in the 1939 handwritten by the clerk, the wording of the referendum, to the Zoning Board of Appeals committee. Mr. Spang will take a photo of the ledger book, and will forward it on to

Mr. Asselmeier for distribution to Board members. Further discussion on serving alcohol by renters of the venue, the sale of alcohol by the venue, and what would be considered a violation.

Adam Theis of Brighter Days Farm explained his understanding of the laws concerning the serving of alcohol in Fox Township, discussions at the Fox Township meetings, and the venues providing space for a licensed caterer to serve alcohol to guests at their venue. Member Hendrix stated this would be a violation since Fox Township had codified it. Mr. Theis explained that he wasn't aware that the township had codified it a few days ago. Mr. Spang stated that the venue does not have the Special Use permit at this time, and they are operating outside of their Ag-1 zoning.

Discussion on the land sold to the Kendall County Forest Preserve District years ago, and their holding equestrian events inside the Forest Preserve without a permit. Member Gilmour stated there are no authorized horse trails in that preserve. Member Gilmour also expressed concerns about increased traffic on Crimmins Road, and the potential use of alcohol at events.

Member Gilmour made a motion to send the item back to the Planning, Building and Zoning Committee, second by Member Hendrix.

Roll Call: Member Cesich – yes, Member Kellogg – yes, Member Vickers – yes, Member Hendrix – yes, Member Gengler – yes, Member Gilmour – yes, Member Gryder – yes. **With seven members voting aye, the motion carried.**

JoAnn Bright-Theis informed the committee that when they sold the property to the KC Forest Preserve District, that they had an understanding with former Forest Preserve District Director Jason Petit, that they could continue to use the trails in the Forest Preserve after the sale. Ms. Bright-Theis did not have knowledge of a written agreement stating this continued use.

QUESTIONS FROM THE MEDIA – None

REVIEW BOARD ACTION ITEMS FOR July 16, 2019 – Chair Gryder asked the committee to review the draft County Board agenda. Members requested that items G be removed from the Consent agenda and placed under the Planning, Building and Zoning Committee; item H be removed from the Consent agenda and sent back to the Planning, Building and Zoning Committee; and that item I be removed from the Consent agenda and placed under the Highway Committee.

The committee also removed the Administration HR Committee, the Facilities Management Committee, and the Health & Environment Committee from the Standing

Committee Reports section, and the Juvenile Justice Council, UCCI and Board of Health reports from the Special Committee Reports section.

ITEMS FOR THE JULY COMMITTEE OF THE WHOLE MEETING - None

CHAIRMAN'S REPORT – None

EXECUTIVE SESSION – Member Gryder made a motion to enter into Executive Session for the purpose of the collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees (5ILCS 120/2 2), second by Member Hendrix.

ROLL CALL: Amy Cesich – yes, Matt Kellogg – yes, Robyn Vickers – yes, Audra Hendrix – yes, Scott Gengler – yes, Judy Gilmour – yes, Scott Gryder – yes

With seven members present voting aye, the committee entered into Executive Session at 5:02p.m.

ADJOURNMENT – Member Cesich left the meeting at 6:15p.m. and Member Gilmour left the meeting at 6:19p.m. **Therefore, with only five members in attendance, the meeting was ended for lack of quorum to conduct business at 6:20p.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Secretary