

**KENDALL COUNTY BOARD AGENDA  
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210, Yorkville IL 60560**

**Tuesday, May 18, 2021 at 9:00 a.m.**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Agenda
5. Special Recognition
  - A. Honoring Ken Hostert, Na Au Say Township Highway Commissioner
  - B. Approval of Proclamation Designating May 2021 as Older Americans Month
6. Public Hearing

Public Hearing on Petition 21-18-Request from the Kendall County Planning, Building and Zoning Committee for Amendments to Sections 104, 202.2, 202.6, and 203.3 of the Kendall County Stormwater Management Ordinance by Incorporating Bulletin 75 into the Kendall County Stormwater Management Ordinance
7. Public Comment
8. Consent Agenda
  - A. Approval of County Board Minutes from April 20, 2021
  - B. Standing Committee Minutes Approval
  - C. Approval of Claims in an amount not to exceed \$1,841,888.18
  - D. Approval to Release the May 10, 2021, Planning, Building and Zoning Committee Executive Session Meeting Minutes
9. Old Business
  - A. Discussion of Reapportionment and Redistricting
10. New Business
11. 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
12. Standing Committee Reports
  - A. Law Justice and Legislation
    1. Approval of an Ordinance Increasing County Law Library Fund Fees and Amending the Circuit Clerk Fees Schedule in Accordance Therewith
  - B. Planning, Building & Zoning
    1. Approval of Petition 21-14 Request from Laura Denges for a Special Use Permit to Operate a Winery (Production and Sale of Wine Utilizing Crops Not Grown on the Premises or in Combination with Crops Grown on the Premises) at 9396 Plattville Road (PIN: 08-09-200-003) in Lisbon Township
    2. Approval of Petition 21-18 Request from the Kendall County Planning, Building and Zoning Committee for Amendments to Sections 104, 202.2, 202.6, and 203.3 of the Kendall County Stormwater Management Ordinance by Incorporating Bulletin 75 into the Kendall County Stormwater Management Ordinance
    3. Approval of Annual Facility Inspection Report for NPDES Permit for Stormwater Discharges from Separate Storm Sewer Systems (MS4); Filing Fee of \$1,000 to be Paid from Planning, Building and Zoning Department's NPDES Permit Fee Line Item (11001902-63670)
13. Special Committee Reports
14. Other Business
15. Chairman's Report
16. Public Comment
17. Questions from the Press
18. Executive Session
19. 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.

# COUNTY OF KENDALL, ILLINOIS

## PROCLAMATION 21 - \_\_\_\_\_

### PROCLAMATION HONORING KEN HOSTERT

WHEREAS, the members of the Kendall County Board mourn the death of Kenneth William Hostert, who passed away on April 16, 2021; and

WHEREAS, Ken was born November 9, 1953 in Joliet, Illinois, the son of the late Sylvester “Dutch” and Evelyn (nee Eipers) Hostert; and

WHEREAS, Ken leaves behind his beloved wife Kim of 42 years, and sons Kevin (Jessica) and Sean (Sarah), sister Janet, and nephew Jim (Amy) Connell; and

WHEREAS, Ken’s career started at Argonne National Laboratory, and then Commonwealth Edison, but his passion was always excavating, allowing him the opportunity to partner with his brother as business owner/operator of Hostert Brothers Excavating in 1995; and

WHEREAS, Ken dedicated his life to improving Kendall County serving as the Na Au Say Township Road Commissioner from 2013 until he retired in 2020 and moved to Scottsdale, Arizona; and

WHEREAS, Ken helped form the Kendall County Township Highway Commissioners group and completed several significant projects, including road and bridge rebuilds, and the paving of all remaining gravel roads; and

WHEREAS, Ken was also actively involved as a coach for Oswego Park District basketball and PONY baseball, and sponsored many local community teams; and

WHEREAS, Ken dearly loved large gatherings with his family and friends, enjoyed playing card games, laughter and cherished time together, and was highly respected in Kendall County;

NOW THEREFORE BE IT RESOLVED BY THE RESIDENTS OF KENDALL COUNTY AS REPRESENTED BY THE KENDALL COUNTY BOARD, THAT WE HONOR KEN HOSTERT.

Approved on this 18<sup>th</sup> day of May, 2021.

Attest:

\_\_\_\_\_  
Scott R. Gryder, County Board Chairman

\_\_\_\_\_  
Debbie Gillette, County Clerk/Recorder



# COUNTY OF KENDALL, ILLINOIS

## A PROCLAMATION DESIGNATING MAY 2021 AS OLDER AMERICANS MONTH

### PROCLAMATION 21 - \_\_\_\_\_

**Whereas**, Kendall County includes a growing number of older Americans who have built resilience and strength over their lives through successes and difficulties; and

**Whereas**, Kendall County benefits when people of all ages, abilities, and backgrounds are included and encouraged to share their successes and stories of resilience; and

**Whereas**, Kendall County recognizes our need to nurture ourselves, reinforce our strength, and continue to thrive in times of both joy and difficulty; and

**Whereas**, Kendall County can foster communities of strength by:

- Creating opportunities to share stories and learn from each other;
- Engaging older adults through education, recreation, and service; and
- Encouraging people of all ages to celebrate connections and resilience.

**Now, therefore**, the Kendall County Board does hereby proclaim May 2021 to be Older Americans Month. We urge every resident to recognize older adults and the people who support them as essential contributors to the strength of our community.

Dated this 18<sup>th</sup> day of May, 2021

Attest:

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Scott R. Gryder, Board Chairman

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Debbie Gillette, County Clerk and Recorder



**PUBLIC MEETING NOTICE  
KENDALL COUNTY  
\*\*KENDALL COUNTY BOARD\*\***

Notice is hereby given that the Kendall County Board will hold a public hearing on May 18, 2021, at 9:00 a.m., in the County Board Room (Rooms 209 & 210), located in the Kendall County Office Building, 111 W. Fox Street, Yorkville, IL. The purpose of this public hearing is to receive comments on the following item:

1. Petition 21-18-Request from the Kendall County Planning, Building and Zoning Committee for Amendments to Sections 104, 202.2, 202.6, and 203.3 of the Kendall County Stormwater Management Ordinance by Incorporating Bulletin 75 into the Kendall County Stormwater Management Ordinance

Questions can be directed to the Kendall County Planning, Building and Zoning Department telephone number: (630) 553-4139 Fax: (630) 553-4179. All interested persons may attend and be heard.

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

For your safety and others, please attend the hearing by phone or computer, if possible. The meeting room will have limited seating available. Masks are required when social distancing is not possible. If you plan to attend the meeting in person, please follow all social distancing requirements. Remote attendance information will be posted on the Kendall County website approximately one week prior to the hearing.

***Scott R Gryder, Chairman  
Kendall County Board***





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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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**MEMORANDUM**

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To: Kendall County Board

From: Matthew H. Asselmeier, AICP, CFM, Senior Planner

Date: April 19, 2021

Re: Proposed Update to the Stormwater Management Ordinance Related to Bulletin 70/75

Bulletin 70 was a document used by the Illinois State Water Survey (ISWS) to evaluate rainfall frequency in Illinois.

In March 2019, Bulletin 70 was updated and the County Board adopted the update to Bulletin 70 on October 15, 2019, through Ordinance 2019-26.

In March 2020, the ISWS updated Bulletin 70 again and changed its name to Bulletin 75.

WBK Engineering reviewed the revision and offered additional changes to the Kendall County Stormwater Management Ordinance caused by the update. The redlined version of changes to the Stormwater Management Ordinance are attached.

If the County does not update to the most current version of Bulletin 70/75, then the County would be utilizing outdated rainfall figures when designating and evaluating stormwater infrastructure. A copy of the change in rainfall tables is attached.

Accordingly, Staff recommends that the Kendall County Stormwater Management Ordinance be updated to reflect the changes proposed by WBK Engineering.

Pursuant to Section 808 of the Kendall County Stormwater Management Ordinance, no amendments to the Stormwater Management Ordinance can occur without a public hearing by the County Board.

At their meeting on April 12, 2021, the Planning, Building and Zoning Committee voted to initiate these amendments to the Stormwater Management Ordinance.

Information regarding this proposal was sent to the municipalities and townships on April 19, 2021

If you have any questions, please let me know.

Thanks,

MHA

ENC: Proposed Redline Changes  
Change in Rainfall Tables

## Bulletin 75 Update-Kendall County Stormwater Management Ordinance

December 2020

### Sec. 104 Definitions

~~Bulletin 70. "Frequency Distributions of Heavy Precipitation in Illinois: Updated Bulletin 70" by James Angel and Momcilo Markus (2019).~~ Bulletin 75. "Precipitation Frequency Study for Illinois" by James R. Angel and Momcilo Markus with Contributing Authors Kexuan Ariel Wang, Brian M. Kerschner, and Shailendra Singh, dated March 2020.

#### **202.2 Minor Stormwater System Criteria (Site Runoff Requirements)**

Minor stormwater systems shall be sized to convey runoff from the tributary watershed under pre-development or fully developed conditions as may create the greatest amount of runoff. The recurrence frequency for design purposes shall be the 10-year event. The rainfall data shall be from ISWS Bulletin ~~70~~ 75. Inlet capacity shall generally be provided such that depth of ponding does not exceed 6 inches to facilitate the 10-year event. Pipe capacity shall generally be provided such that the calculated hydraulic grade line does not exceed the top of pipe elevation. The extent and determination of minor (and major) stormwater systems shall be at the discretion of the permitting authority based on project conditions.

#### **202.6 Design Rainfall**

Any design runoff rate calculation shall use Illinois State Water Survey Bulletin ~~71 isohyetal~~ 75 rainfall data to calculate flow from all tributary area upstream of the point of design. Peak discharges for conveyance design purposes shall be based on the critical duration event considering the appropriate rainfall distribution. Rational method design of conveyance systems ~~may~~ shall use Illinois State Water Survey Bulletin ~~70~~ 75 sectional rainfall data based intensity-duration- frequency curves.

#### **203.3 Design Methods (Site Runoff Storage Requirements)**

Event hydrograph routing methods shall be used to calculate runoff storage volume requirements for stormwater management basins with total tributary areas greater than five acres. The hydrograph routing shall be HEC-1, (SCS methodology), HEC-HMS, TR-20, or TR-55 tabular method or as otherwise approved by the Administrator. Event hydrograph methods shall incorporate the following assumptions:

- a. Antecedent moisture condition = 2; and
- b. Appropriate Huff rainfall distribution; and
- c. 24-hour duration storm with a 1% probability (100-year frequency) of occurrence in any one year as specified by Illinois State Water Survey Bulletin ~~71 isohyetal~~ 75 rainfall data **multiplied by a correction factor of 1.13 to account for Bulletin 75 rainfall data.**

Runoff storage volume requirements for stormwater management basins with total tributary areas equal to or less than five acres may utilize the % *Impervious to unit Area Detention* nomograph developed by NIPC (now known as CMAP) depicted in Table 203.

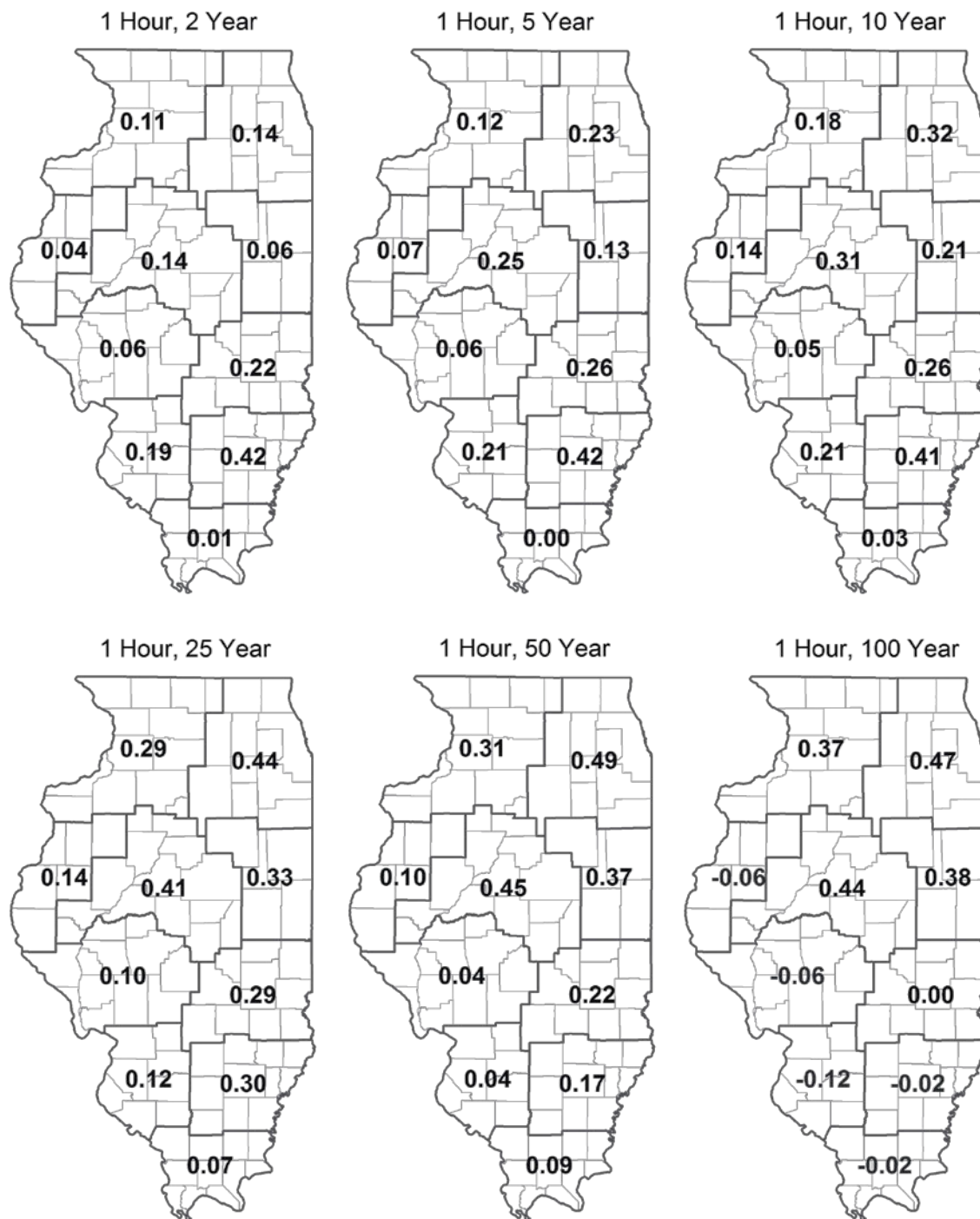


Figure 19. Differences in inches between this study and Bulletin 70 for a 1-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.

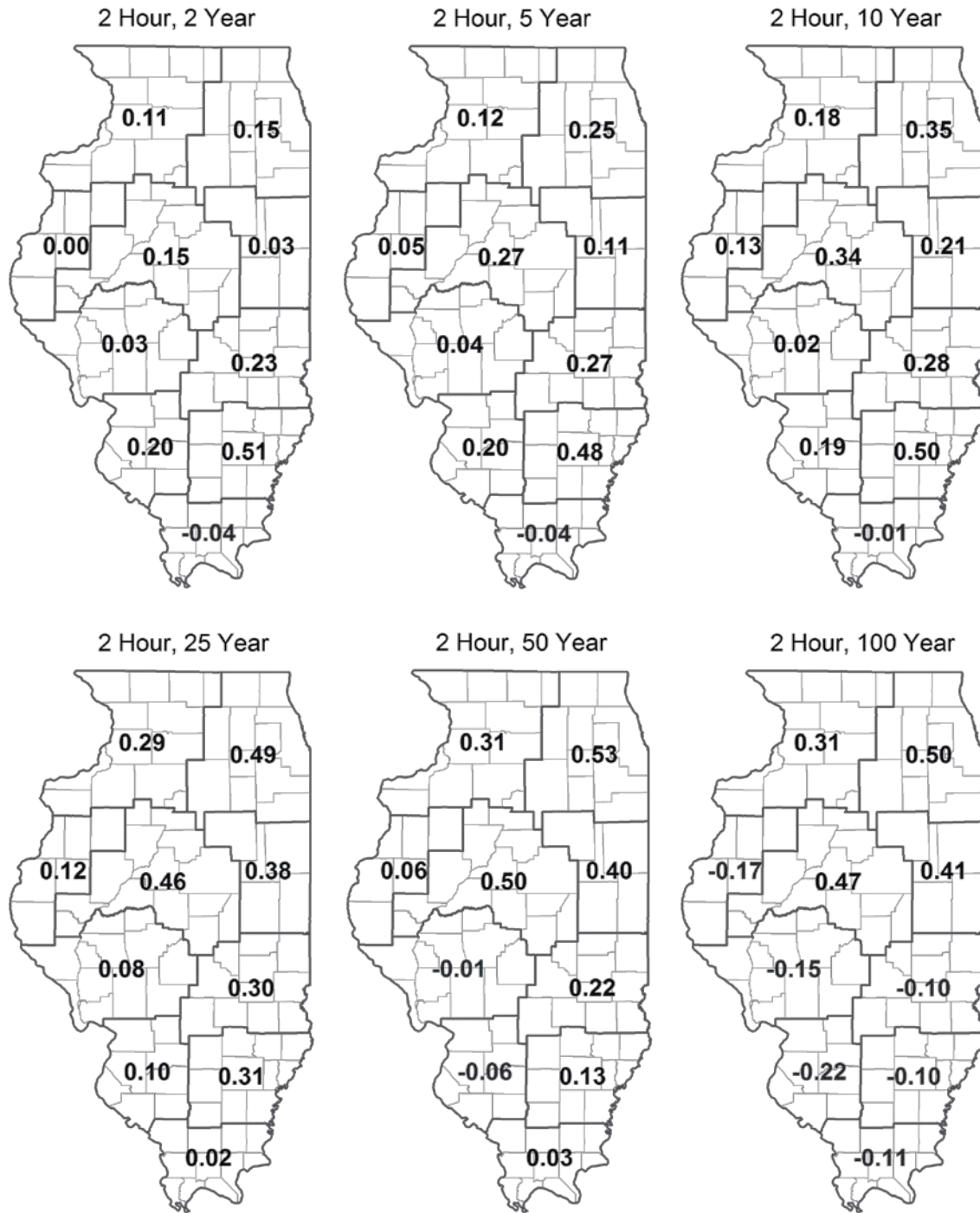


Figure 20. Differences in inches between this study and Bulletin 70 for a 2-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.

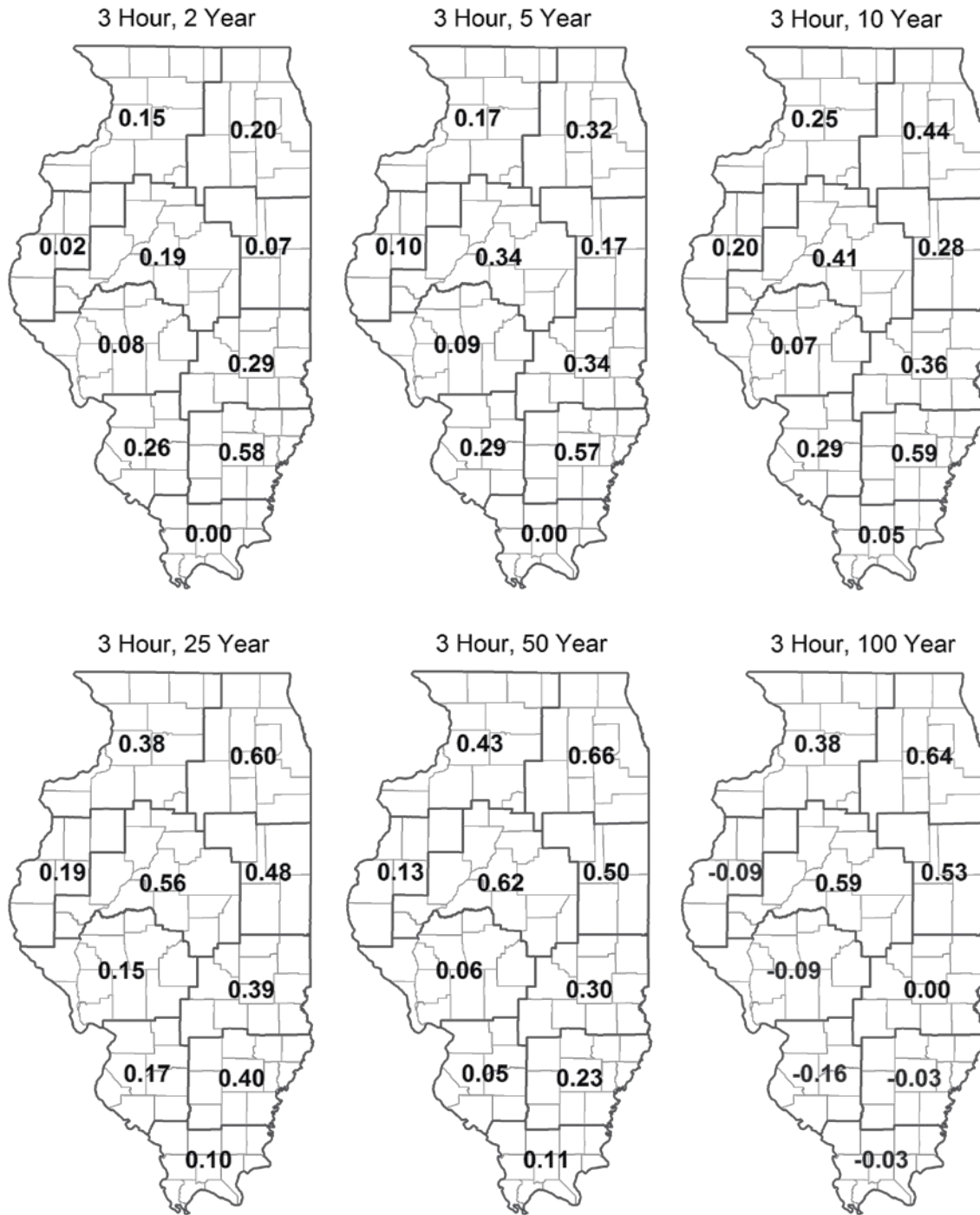


Figure 21. Differences in inches between this study and Bulletin 70 for a 3-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.

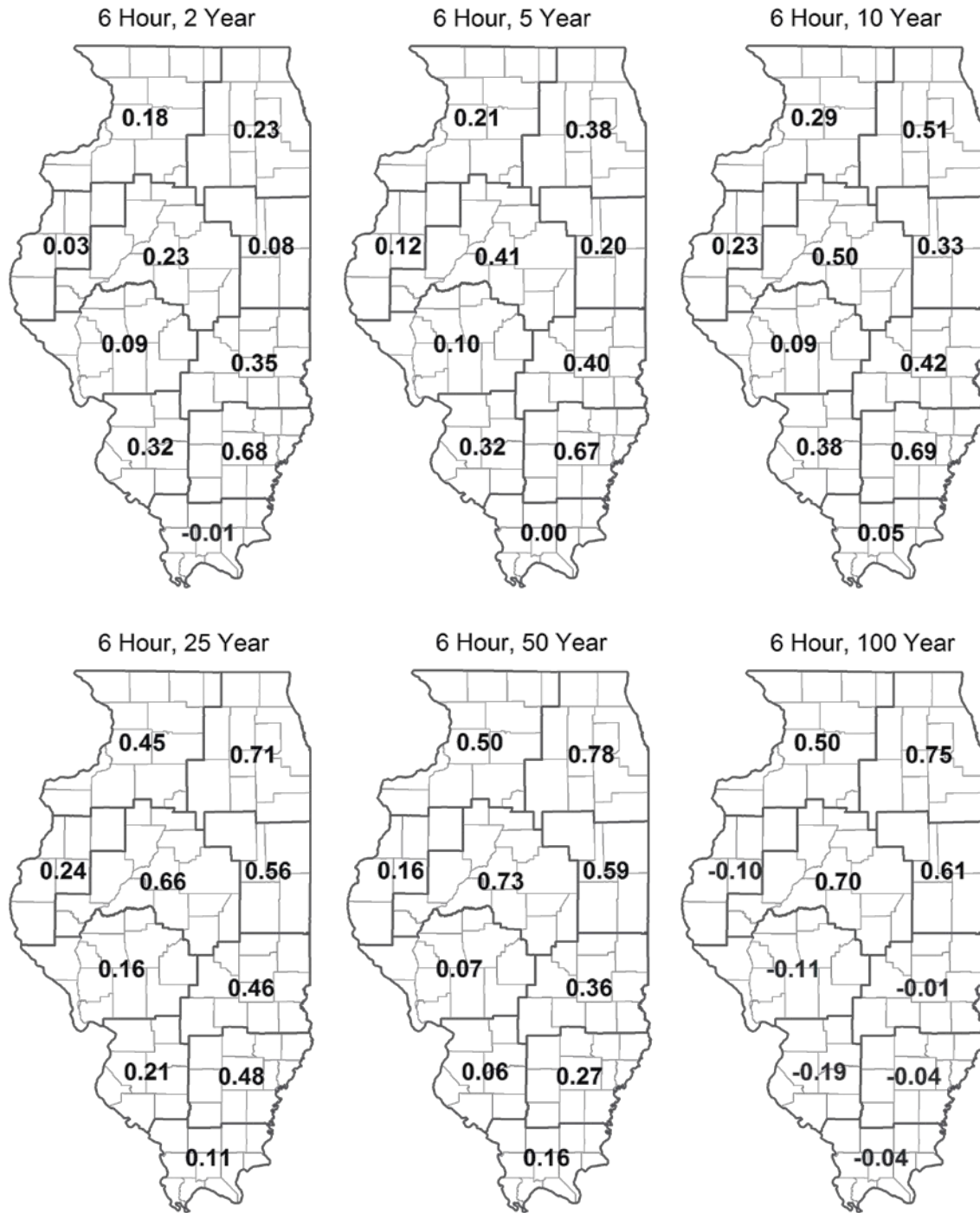


Figure 22. Differences in inches between this study and Bulletin 70 for a 6-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.



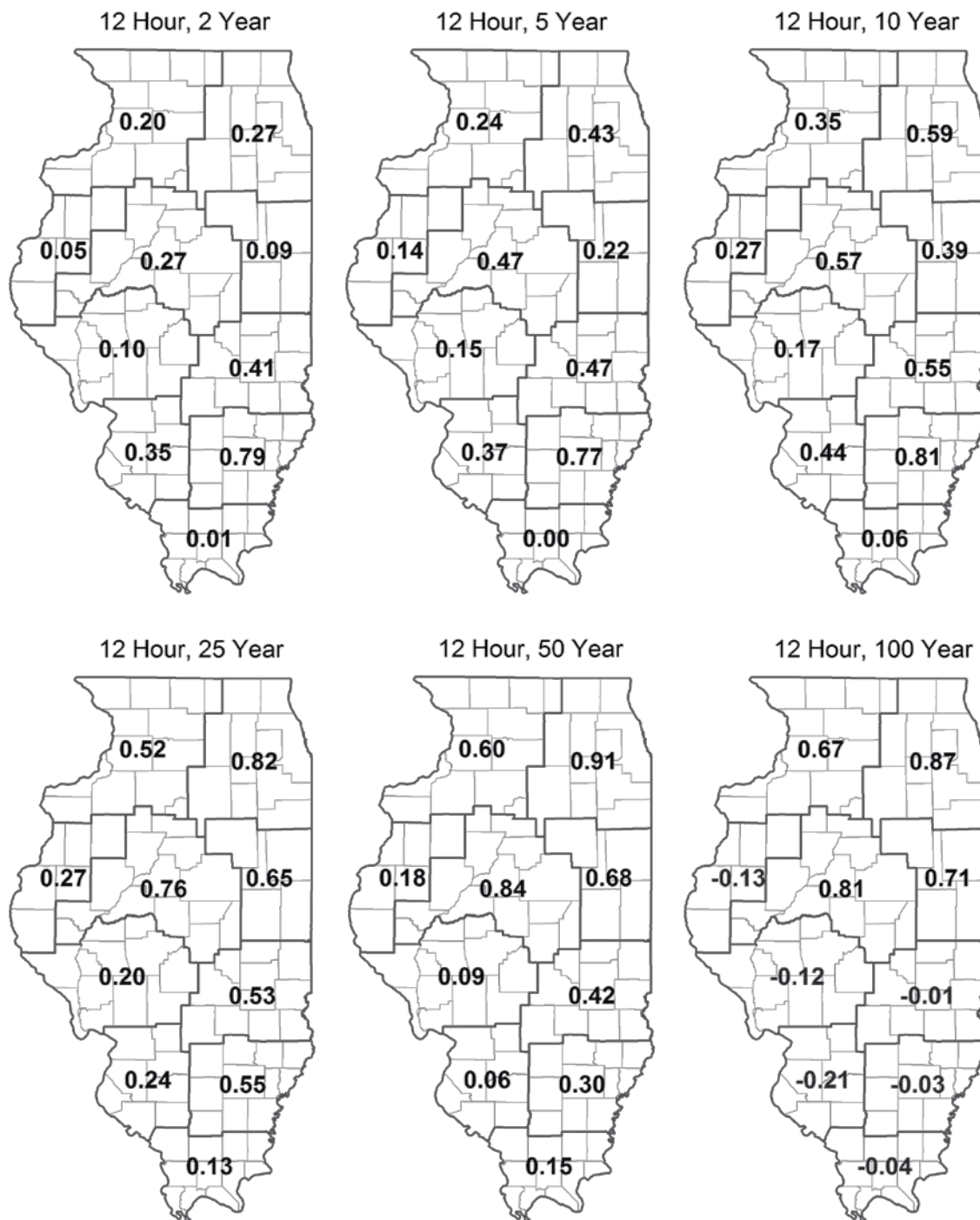


Figure 23. Differences in inches between this study and Bulletin 70 for a 12-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.

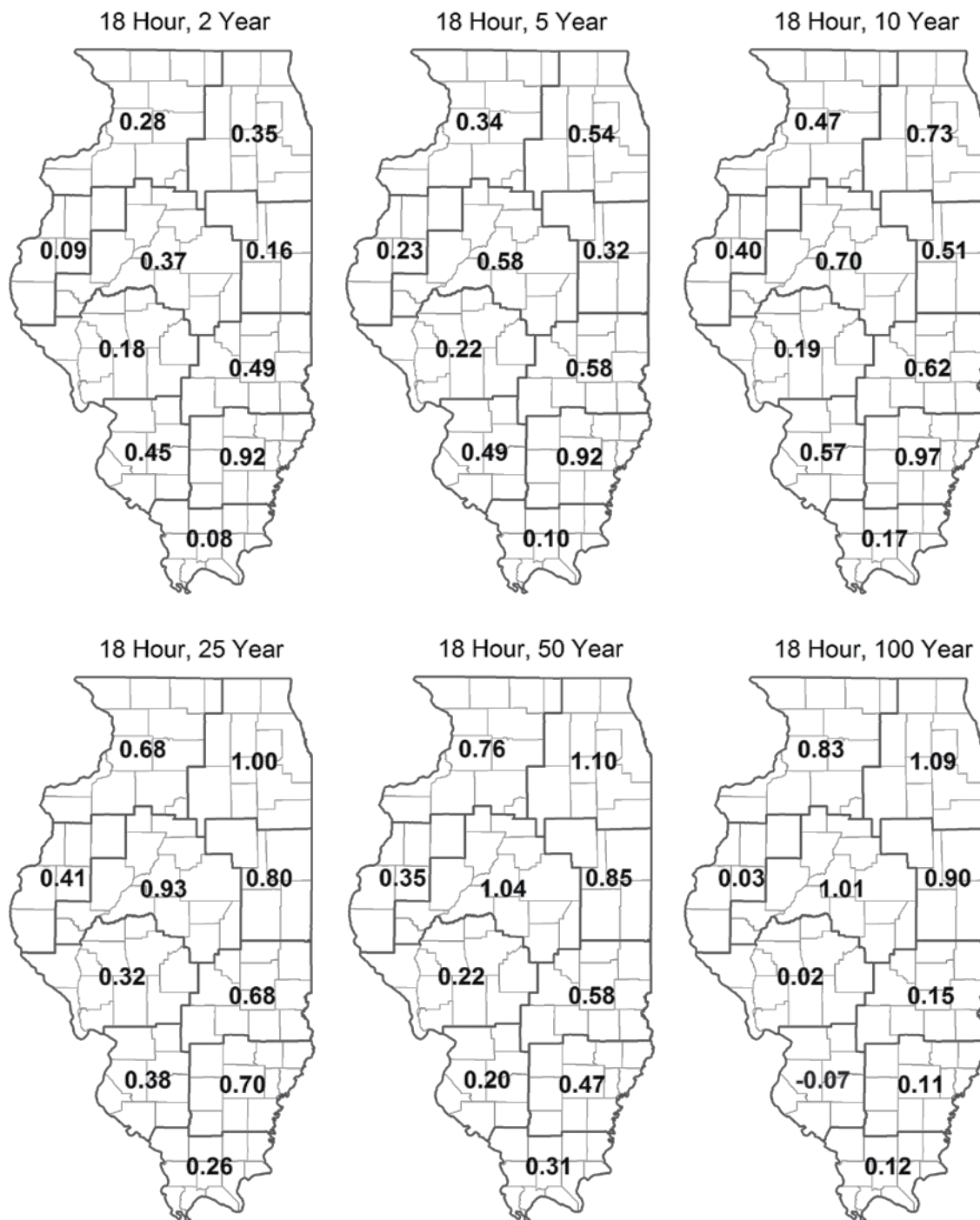


Figure 24. Differences in inches between this study and Bulletin 70 for an 18-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.



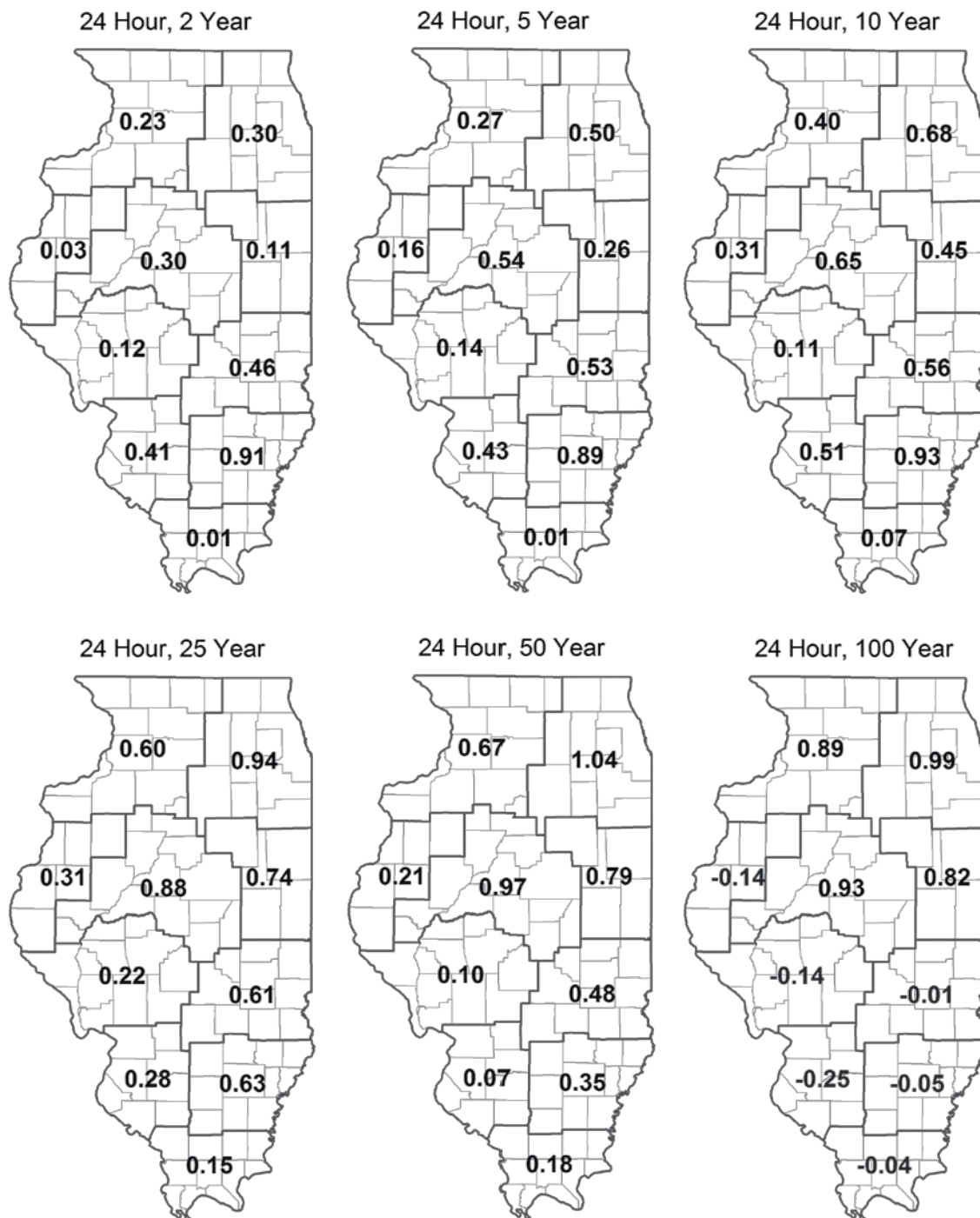


Figure 25. Differences in inches between this study and Bulletin 70 for a 24-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.

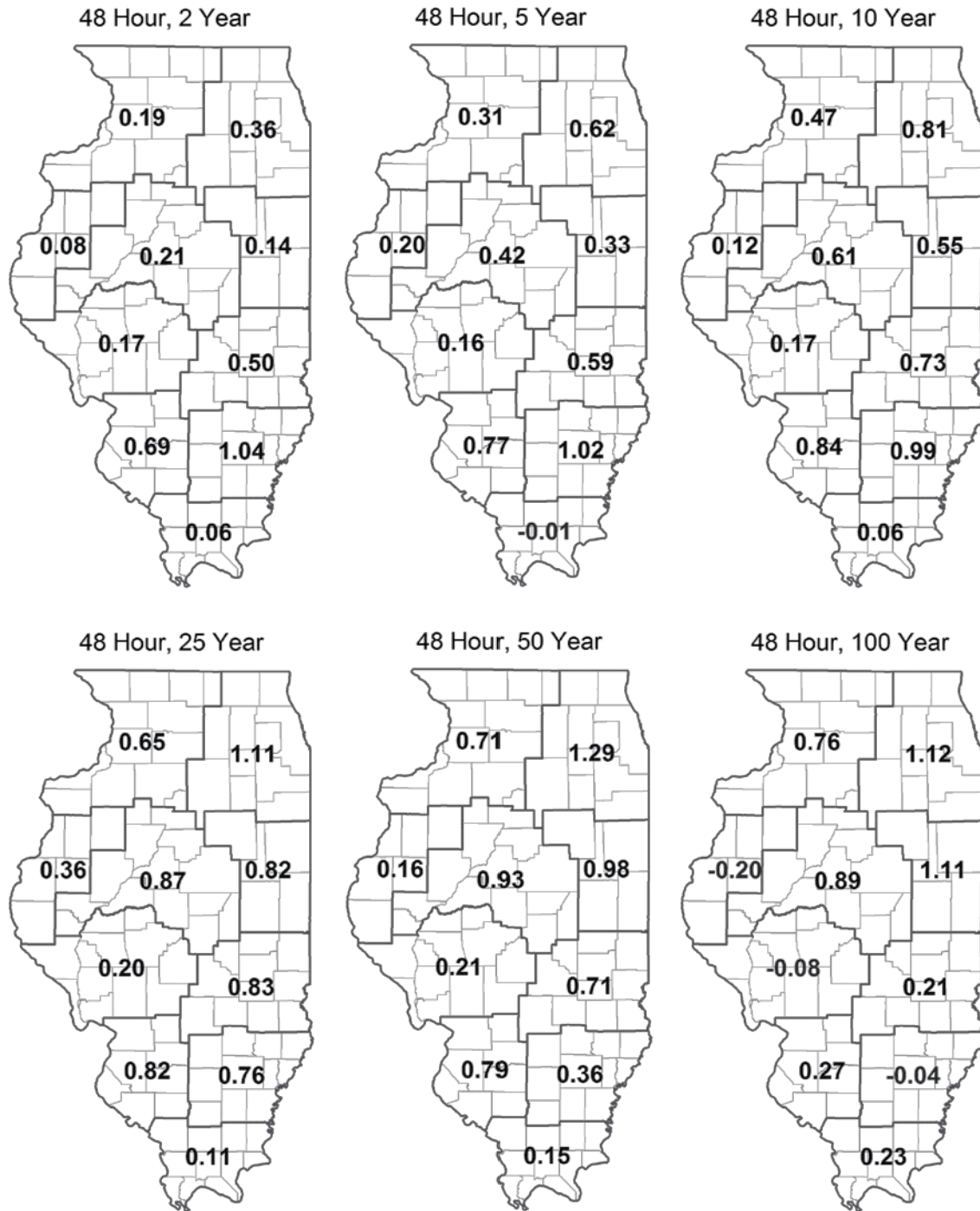


Figure 26. Differences in inches between this study and Bulletin 70 for a 48-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.

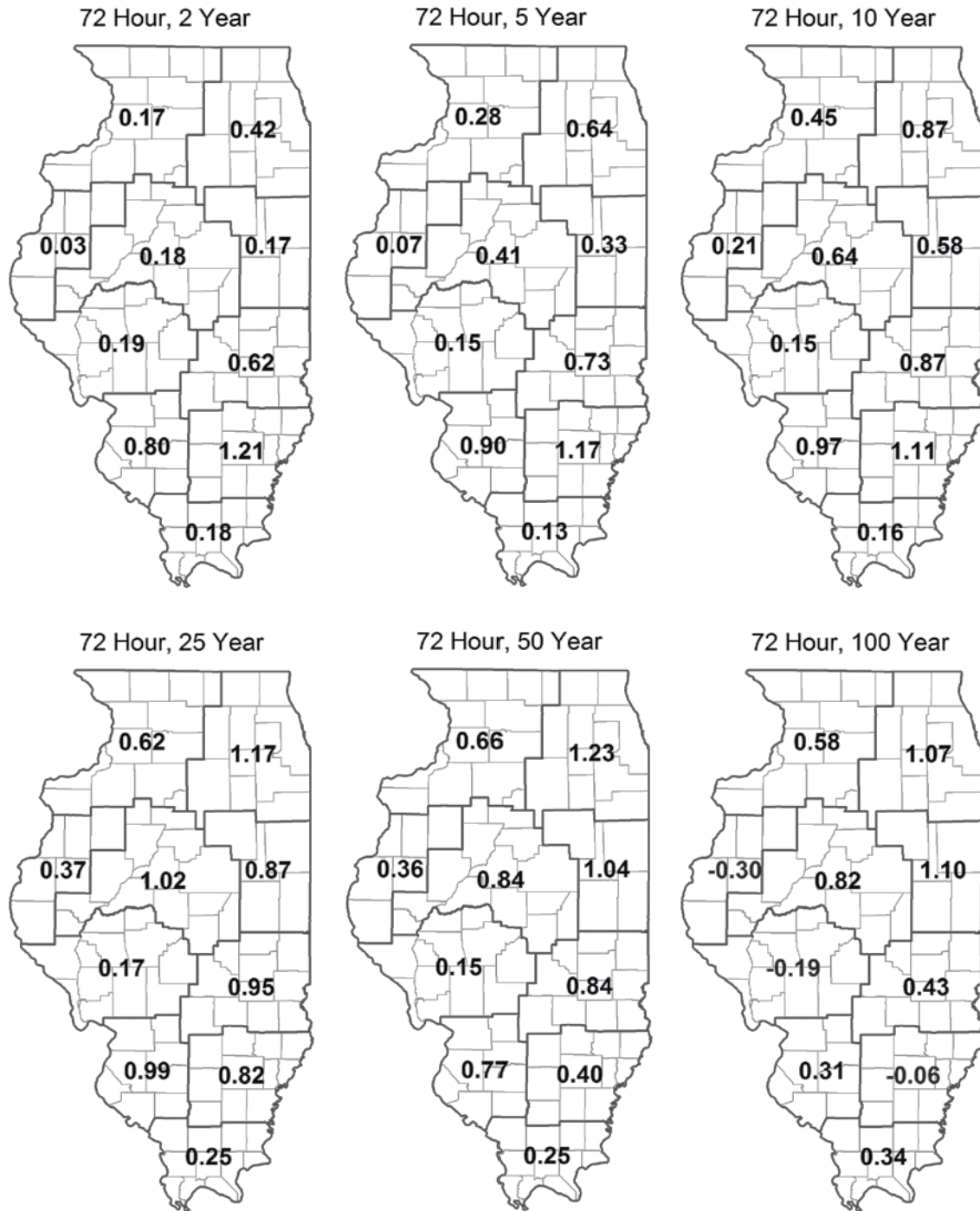


Figure 27. Differences in inches between this study and Bulletin 70 for a 72-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.

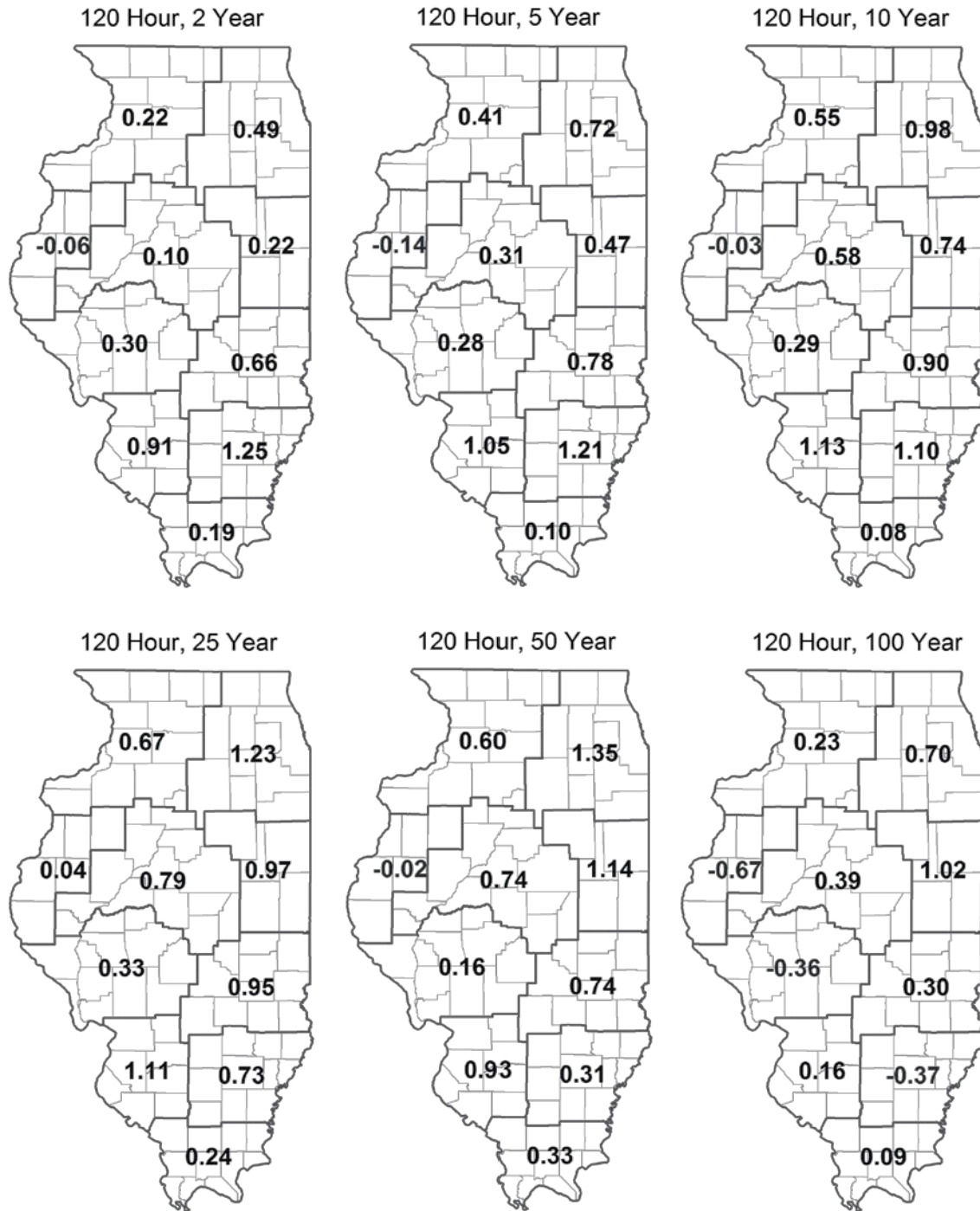


Figure 28. Differences in inches between this study and Bulletin 70 for a 120-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.

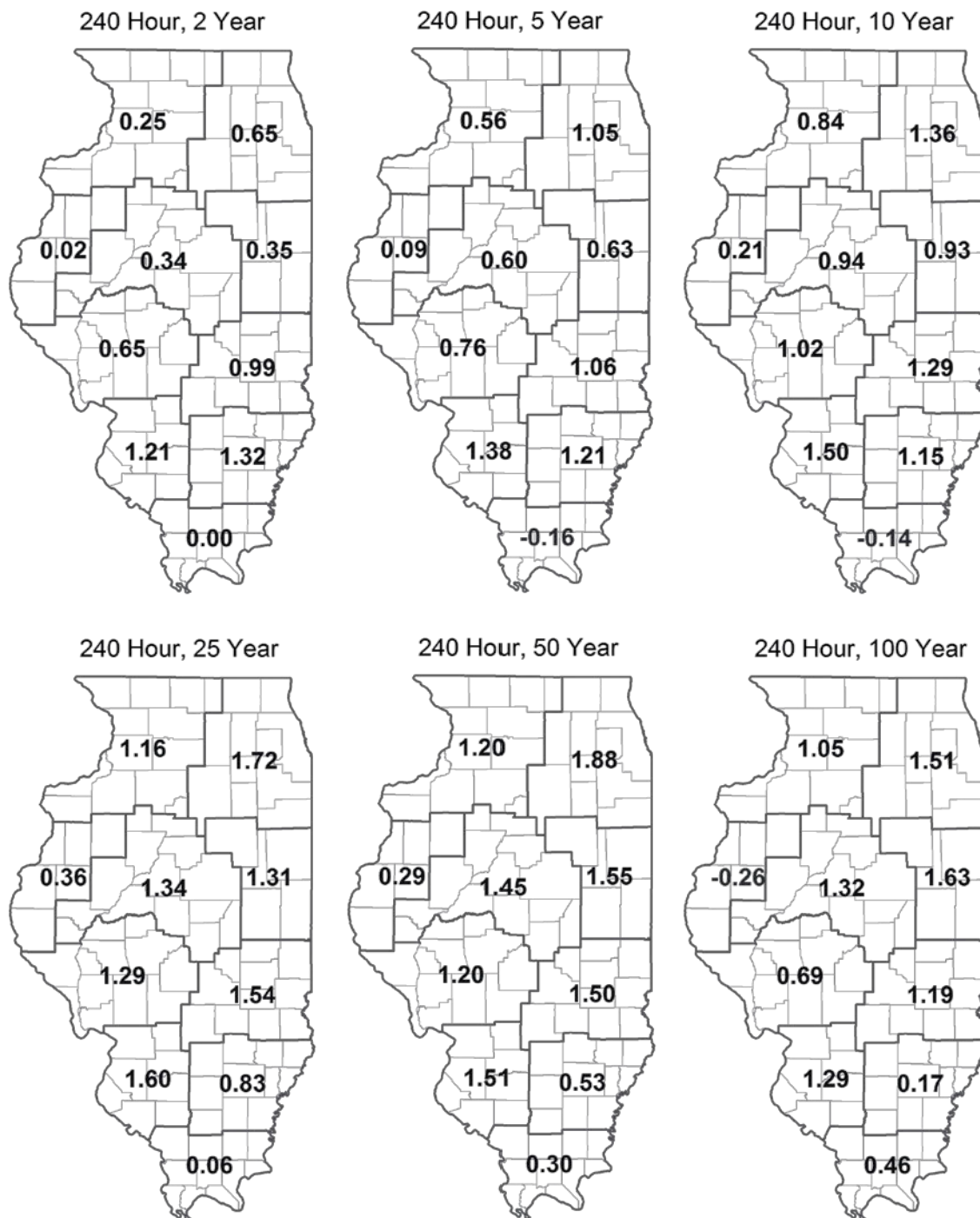


Figure 29. Differences in inches between this study and Bulletin 70 for a 240-hour duration and 2-, 5-, 10-, 25-, 50-, and 100-year frequencies for 10 sections in Illinois. Positive numbers denote an increase and negative numbers show a decrease compared with Bulletin 70.

**COUNTY OF KENDALL, ILLINOIS**  
**ECONOMIC DEVELOPMENT COMMITTEE**  
**Meeting Minutes for Friday, April 30, 2021**

**Call to Order**

The meeting was called to order by Committee Chair Dan Koukol at 8:01a.m.

**Roll Call**

<b>Attendee</b>	<b>Status</b>	<b>Arrived</b>	<b>Left Meeting</b>
Amy Cesich	Present		
Scott Gryder	ABSENT		
Matt Kellogg	ABSENT		
Dan Koukol	Here		
Robyn Vickers	Present		

**Others Present:** County Administrator Scott Koeppel

**Approval of Agenda** – Member Cesich made a motion to approve the agenda, second by Member Vickers.

ROLL CALL VOTE

<b>MEMBER</b>	<b>VOTE</b>
Dan Koukol	Yes
Robyn Vickers	Yes
Amy Cesich	Yes

**With three members present voting aye, the motion carried by a vote of 3-0.**

**Approval of February 26, 2021 Meeting Minutes** – Member Cesich made a motion to approve the February 26, 2021 meeting minutes, second by Member Vickers.

ROLL CALL

<b>MEMBER</b>	<b>VOTE</b>
Robyn Vickers	Yes
Amy Cesich	Yes
Dan Koukol	Yes

**With three members present voting aye, the motion carried by a vote of 3-0.**

**Committee Business**

- *Discussion of C-Pace* – Mr. Koeppel explained that The Illinois Energy Conservation Authority has been at the forefront of developing Commercial Property Accessed Clean Energy (C-PACE) programs in Illinois, and approached Kendall County. C-PACE is a financing option for commercial property owners to fund energy efficient measures for their properties, offering 100% funding through local and state governments. There is currently

one known business interested in the program in Kendall County. Mr. Koeppel stated that C-PACE, the Department of Energy, and now President Biden desire to partner with the private sector to improve the nation's aging infrastructure. Acceptable types of commercial property include Retail, Industrial Facilities, Multi-family, Hospitality, Office Affordable Housing and other types on a case-by-case basis.

Main barriers to Energy Efficient upgrades are capital, difficulty finding financing resources, and loans secured by mortgages due on sale of property. With C-PACE upfront capital is not needed, it allows access to energy efficient technology, that might have been unavailable otherwise, energy savings can increase property value and cash flow, lien runs property not with property owner, and up to 25 year term fully amortization.

From the Contractor/Architect perspective C-PACE provides a value-add Client service, easier Client approval on projects, helps meet schedules for industry-mandated and code-required upgrades, and enable coordination of building systems, likely not possible otherwise, due to financial constraint.

From the Municipal perspective, there is zero cost to "Issuer"/Government Body, economic development and job creation with the approved area, available to all constituents with qualifying properties, increased property value due to modernization.

**There was consensus by the committee to forward the agreement to the State's Attorney's Office for legal review, and then once the legal review is completed a copy will be sent to C-Pace. The committee also agreed to forward the agreement to the May 18, 2021 County Board meeting for discussion and approval.**

*Discussion of American Rescue Plan Act Funds* – Mr. Koeppel stated that the county will be limited on how the federal funds are spent, and that the Finance Committee has discussed the possibilities of Broadband, that will assist municipalities and also draw large companies such as Facebook and Amazon to the County, Infrastructure, and Water sources for the County, including Boulder Hill.

Mr. Koeppel reviewed a powerpoint with the committee and stated that funding could potentially be spent on Households, Small Business, Non-Profit Organizations, Industrial, Hotels, Sewer, Water, Special Units of local Government, Forest Preserves, Fire Districts, Drainage Districts, Kendall Area Transit, Mental Health, AG Business, Revenue and Park Districts. Mr. Koeppel said the County's top priorities include Small Business, Non-Profits, and Revenue.

Discussions will continue on this topic in EDC and Finance Committee meetings as additional information and spending guidelines are received.

**Updates and Reports** – None

**Chairs Report** – Chair Koukol reported that he attended several Restaurant Revitalization webinars in the last week and has been contacting local restaurants to make them aware of potential funding that will be forthcoming.

**Items for the May 4, 2021 County Board Meeting** - None

**Items for the May 13, 2021 Committee of the Whole Meeting** - None

**Public Comment** – None

**Executive Session** – Not needed

**Adjournment** - Member Cesich made a motion to adjourn, second by Member Vickers.

<b>Attendee</b>	<b>Vote</b>
Dan Koukol	Yes
Robyn Vickers	Yes
Amy Cesich	Yes

**With three members present voting aye, the motion carried by a vote of 3-0.** There being no objection, the Economic Development Committee meeting was adjourned at 9:15a.m.

Respectfully submitted,  
Valarie McClain  
Administrative Assistant & Recording Secretary



**COUNTY OF KENDALL, ILLINOIS**  
**BUDGET & FINANCE COMMITTEE**  
**Meeting Minutes for Thursday, April 29, 2021**

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**Call to Order** – Committee Chair Matt Kellogg called the Budget and Finance Committee to order at 5:02p.m.

**Roll Call**

<b>Attendee</b>	<b>Status</b>	<b>Arrived</b>	<b>Left Meeting</b>
Amy Cesich	Present		
Brian DeBolt	Here		
Scott Gengler	Here		
Scott Gryder	Here		
Matt Kellogg	Here		

**Others Present** – Latreese Caldwell, Scott Koeppel, Tracy Page

**Approval of Agenda** - Member Kellogg made a motion to approve the agenda, second by Member Cesich.

**Roll Call Vote**

Scott Gengler	Yes
Amy Cesich	Yes
Brian DeBolt	Yes
Scott Gryder	Yes
Matt Kellogg	Yes

**With five members present voting aye, the motion carried.**

**Approval of Claims** – Member Cesich made a motion to forward the claims to the County Board for approval, second by Member DeBolt.

**Roll Call Vote**

Matt Kellogg	Yes
Brian DeBolt	Yes
Scott Gengler	Yes
Amy Cesich	Yes
Scott Gryder	Yes

**With five members present voting aye, the motion carried.**

## **Items of Business**

***Review, Discussion and Approval of Tax Levy Recommendation of Senior Levy Applications*** – Discussion of the requests for 2021, available levy funds, and review of history of requests and awards for the past few years. Chairman Kellogg stated that most of the organizations requested similar amounts as the past year. Discussion on the additional \$30,000 requested by the Health Department. Ms. Caldwell reviewed the timeline and when payments would be distributed. Member DeBolt made a motion to forward to the County Board the Approval of a Resolution Establishing Distribution of Grants from the 2020 payable 2021 Senior Citizen Social Services Levy; second by Member Gengler.

### **Roll Call Vote**

Brian DeBolt	Yes
Scott Gengler	Yes
Amy Cesich	Yes
Scott Gryder	Yes
Matt Kellogg	Yes

**With five members present voting aye, the motion passed.**

- ***Discussion and Approval of Transfers to Special Funds for Reimbursable COVID-19 CURES Expenditures*** – Member Kellogg reported that some of the offices/departments spent special funds on Covid expenditures prior to the CURES funding distribution to the County.

Member Cesich made a motion to forward the Approval of Transfers to Special Funds for Reimbursable COVID-19 CURES Expenditures, second by Member Gryder.

Discussion on the various expenditures and the reason for each purpose including the purchase of laptops for employees to work from home during the state mandatory shelter in place order during the pandemic, the equipment needed to continue operations throughout the county, the cost licenses for Zoom and Teams meetings, as well as PPE equipment and cleaning and sanitation supplies.

**With five members present voting aye, the motion passed.**

- ***Discussion of the American Rescue Plan Act of 2021*** – Discussion of the American Rescue Plan Relief program.

Mr. Koeppel Eligible use of funds includes: Response to Covid-19, Costs Incurred, Replaced Revenue, Investment, and Public Sector Wages. Discussion on each area: planning, accountability, non-profit organizations that might not directly receive funding such as the Forest Preserve District and KenCom, and public engagement for community priorities. Eligible expenditure areas and recipients include revenue recovery, individual assistance, business assistance, Economic Development, Public facilities and schools, Transportation entities, Infrastructure, Regional collaboration and Not-for Profit assistance.

Mr. Koeppel reported that preparations are being made to have grant applications available online for submission.

Mr. Koeppel also that the Financial Analyst job description and Economic Development position were reviewed by the State's Attorney's Office, he is finalizing those job descriptions and is waiting for the guidelines of the grant funding before he brings the job descriptions to the County Board for final approval.

**Department Head and Elected Official Reports** – None

**Items from Other Committees** – None

**Public Comment** – None

**Questions from the Media** - None

**Items for the May 4, 2021 County Board Meeting**

*Approval of Claims*

*Approval of a Resolution Establishing Distribution of Grants from the 2020 payable 2021 Senior Citizen Social Services Levy*

*Approval of Transfers to Special Funds for Reimbursable COVID-19 CURES Expenditures*

**Items for the May 13, 2021 Committee of the Whole Meeting** - None

**Executive Session** – Not needed

**Adjournment** – Member Cesich made a motion to adjourn the Budget and Finance Committee meeting, Member Gryder seconded the motion.

**With five members present voting aye, the meeting was adjourned at 6:16p.m. by a vote of 5-0.**

Respectfully submitted,

Valarie McClain  
Administrative Assistant and Recording Secretary

**COUNTY OF KENDALL, ILLINOIS**  
**Law, Justice and Legislation Committee**  
**Monday, April 19, 2021**  
**Meeting Minutes**

**Call to Order and Pledge Allegiance** – Chair Judy Gilmour called the meeting to order at 3:15p.m. and led the Pledge of Allegiance.

**Roll Call:**

<b>Committee Member</b>	<b>Status</b>	<b>Arrived</b>	<b>Left Meeting</b>
Judy Gilmour	Here		
Amy Cesich	Present		
Dan Koukol	Here		
Ruben Rodriguez	Here		
Robyn Vickers	Here		

**Others Present:** Sheriff Dwight Baird, EMA Director Roger Bonuchi, Public Defender Vicki Chuffo, Court Services Director Alice Elliott, County Administrator Scott Koeppel, Tracy Page, Circuit Clerk Matthew Prochaska, Coroner Jacquie Purcell, Undersheriff Bobby Richardson, Commander Jeanne Russo, States Attorney Eric Weis

**3:25p.m. - Due to unresolved technical difficulties, those attending remotely were not able to continue participating in the meeting.**

**Approval of Agenda:** Member Koukol made a motion to approve the agenda, second by Member Rodriguez.

**ROLL CALL VOTE**

<b>Committee Member</b>	<b>Vote</b>
Judy Gilmour	Yes
Dan Koukol	Yes
Ruben Rodriguez	Yes

**With three members present voting aye, the agenda was approved.**

**Approval of Minutes** – Member Rodriguez made a motion to approve the January 25, 2021 meeting minutes, second by Member Koukol.

## ROLL CALL VOTE

Committee Member	Status
Dan Koukol	Yes
Ruben Rodriguez	Yes
Judy Gilmour	Yes

**With three members present voting aye, the motion carried by a 3-0 vote.**

**Public Comment** - None

### **Status Reports**

**Coroner** – Written reports provided. January, February, and March reports for the Coroner's Office in the packet. Coroner Purcell reviewed the March 2021 report.

**EMA** – Written report provided. Director Bonuchi stated that the National Volunteer Week is April 18-24 this year. Mr. Bonuchi boasted that EMA Volunteers have served a total of 780 hours this year.

Director Bonuchi reported that the last Mass Vaccination Clinic has been scheduled. Bonuchi reported that through a grant, EMA was able to purchase a \$6500. Freezer for the Health Department's use in storing the Pfizer vaccine.

Required weekly and monthly testing of IPAWS, NARS Starcom continues.

**Public Defender** – Written reports for February, March and April provided.

**Circuit Clerk** – Written reports provided. Circuit Clerk Matthew Prochaska reported on the updated Manual of Recordkeeping changes that are to be implemented on January 1, 2022. Mr. Prochaska stated that the Illinois State Supreme Court announced changes to the Court Fee Assessment System by which fees, fines and other court costs are paid by litigants in civil and criminal cases. The goal is to address the confusion, inconsistency and financial hardship caused by the previous structure, and to make the justice system more accessible, and to simplify the imposition, collection and distribution of court assessments.

**Court Services** – Written reports provided.

### **Sheriff's Report**

- a. Operations Division – Written January, February and March reports provided.
- b. Corrections Division – Written January, February and March reports provided. Sheriff Baird reported that one inmate with very high prescription costs was scheduled to be moved to the Department of Corrections, but the DOC refused the transfer, leaving Kendall County to continue care of the inmate, and continued high prescription costs for the inmate.

Sheriff Baird also reported that seventeen inmates have been sentenced and are awaiting acceptance into the Department of Corrections system.

Sheriff Baird reported that Kendall County deputies joined U.S. Marshalls, Oswego, Yorkville and Joliet officers in a Sex Offender Review of 106 registered offenders throughout the area.

The Sheriff reported that the Merit Commission met recently Sheriff Baird made note that his office is currently down eight deputies, and expects three additional deputies to retire soon. Due to Covid-19 and delays in classes for basic law enforcement and a waiting process, etc. they have opted to proceed with lateral transfers of certified police officers with another law enforcement agency, which was negotiated in the union contracts. They hope to begin testing and filling some of those vacancies very soon.

The Sheriff's Office received a personal protective equipment from the local Home Depot. The Sheriff's Office continues to assist with the weekly vaccination clinics, and did participate in the Business Expo this past weekend.

- c. Records Division – Written January, February and March reports provided.

**Old Business** – None

**New Business**

- *Approval of a Resolution Calling for the Governor and General Assembly to Protect Local Control of Zoning and Land Use* – Mr. Koepfel reported that Kendall County opposes HB 633 and SB170 that severely restrict counties of control of Wind Energy Farms/Facilities. Discussion of the ramifications of such restriction and actions the County can consider.

Member Koukol made a motion to forward the approval of a Resolution Calling for the Governor and General Assembly to Protect Local Control of Zoning and Land Use to the April 20, 2021 County Board meeting for further discussion and final approval, second by Member Rodriguez.

**ROLL CALL VOTE**

<b>Committee Member</b>	<b>Vote</b>
Ruben Rodriguez	Yes
Judy Gilmour	Yes
Dan Koukol	Yes

**With three members present voting aye, the motion carried. This item will be sent to the County Board for further discussion, approval and action.**

- *Discussion of HB 1727 "The Bad Apples in Law Enforcement" Accountability Act* – Sheriff Dwight Baird began by stating that this bill was introduced to take away the qualified immunity from law enforcement officers that was proposed in HB 3653, it was stricken from that bill and a Task Force to be formed and charged with providing a report to the Governor by May 1, 2021 on qualified immunity. It passed out of committee by 4-2. Sheriff Baird stated that he understood that some of our local representatives would not be supporting HB 1727.

States Attorney Eric Weis said this was taken out because there weren't enough votes to pass. Mr. Weis stated that Qualified Immunity is not what is generally perceived as "a solve all solution", but actually means that if a police officer commits a crime that causes them to be prosecuted for willful and wanton action, they are not covered by insurance. Mr. Weis stated that qualified immunity protects local government entities when an officer does something that is not willful and wanton misconduct. Eliminating qualified immunity will mean that the law officer and the governmental entity can now be sued for the actions that the law enforcement officer was prosecuted for. This will not make police offices more accountable, but it will mean taxpayers will be forced to pay more for additional lawsuits, trials and prosecution.

Discussion on the possibility of raising taxes for nuisance suits to support this type of bill, insurance rate increases for the payment of additional claims for wrongful detention or seizure, and the potential need for self-protection by law enforcement officers.

The County will continue to monitor and discuss this bill as it proceeds through the House.

**Chairman's Report/Comments** – No report

**Items for the April 20, 2021 Kendall County Board Meeting**

- *Approval of a Resolution Calling for the Governor and General Assembly to Protect Local Control of Zoning and Land Use*

**Items for the May 13, 2021 Committee of the Whole Meeting** - None

**Public Comment** - None

**Legislative Update** – None

**Executive Session** – Not needed

**Adjournment** – Member Koukol made a motion to adjourn the meeting, second by Member Rodriguez.

**ROLL CALL VOTE**

<b>Committee Member</b>	<b>Vote</b>
Judy Gilmour	Yes
Dan Koukol	Yes
Ruben Rodriguez	Yes

**With five members in agreement, the meeting adjourned at 4:35p.m.**

Respectfully Submitted,

Valarie McClain  
Administrative Assistant and Recording Secretary



**KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE**

***Kendall County Office Building***

***Rooms 209 and 210***

***111 W. Fox Street, Yorkville, Illinois***

**6:30 p.m.**

**Hybrid Attendance**

**Meeting Minutes of May 10, 2021 – Unofficial until approved**

**CALL TO ORDER**

The meeting was called to order by Chairman Gengler at 6:35 p.m.

**ROLL CALL**

Committee Members Present: Elizabeth Flowers (Attended Remotely), Scott Gengler (Chairman), Judy Gilmour (Vice-Chairwoman), Dan Koukol, and Robyn Vickers (Attended Remotely)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Laura Denges (Attended Remotely), Luke Finfrock (Attended Remotely), Ryan Hoogland (Attend Remotely), and John Hacker (Attended Remotely)

**APPROVAL OF AGENDA**

Member Koukol made a motion, seconded by Member Flowers, to approve the agenda as presented.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

**APPROVAL OF MINUTES**

Member Flowers made a motion, seconded by Member Gilmour, to approve the minutes of the April 12, 2021, meeting.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

**PUBLIC COMMENT**

None

## **EXPENDITURE REPORT**

The Committee reviewed the expenditure report from April 2021.

Mr. Asselmeier noted that Brian Holdiman was reimbursed for equipment related to an inspection of the ANR Pipeline property. This inspection happens infrequently and those clothes and materials can be used for similar inspections in the future.

## **PETITIONS**

### **Petition 21-14 Laura Denges**

Mr. Asselmeier summarized the request.

According to the information provided to the County, the Petitioner would like to operate a winery at the subject property.

The application materials, including the business plan, plat of survey, site plan, and aerial of the property were provided.

The property was located at 9396 Plattville Road and consisted of approximately three point one nine (3.19) acres.

The Future Land Use Map called for the property to be Agricultural.

Plattville Road is a Township maintained Major Collector. There are no trails planned along the road.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural.

The adjacent lands are zoned A-1.

The Future Land Use Map calls for the area to be Agricultural in the County and Commercial and Business Park/Office in Plattville.

EcoCat submitted on March 19, 2021, and consultation was terminated.

NRI application submitted on March 16, 2021. The LESA score was 199 indicating a low level of protection. The NRI was provided.

Lisbon Township was emailed information on March 23, 2021. The Lisbon Township Planning Commission did not have a quorum for their meeting on April 13, 2021. The members in attendance did not have any objections to the proposal.

The Village of Plattville was emailed information on March 23, 2021.

Lisbon-Seward Fire Protection District was emailed information on March 23, 2021. The Fire District had no objections to the proposal. They did request to do a life safety inspection of the property. The email stating their opinion was provided.

ZPAC reviewed this proposal at their meeting on April 6, 2021. The Petitioner agreed to meet with the Kendall County Health Department regarding well, septic, and food permits. The

Petitioner agreed that the business would not start before Noon any day of the week. The business would normally operate between March and December. Grapes would be grown on the property. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes were provided.

Though not required by the Kendall County Zoning Ordinance, the Kendall County Historic Preservation reviewed this proposal at their meeting on April 19, 2021. The Petitioner indicated that she will not be making any structural changes to the barn. The Petitioner has installed interior walls and insulation. The Petitioner plans to replace some windows; the windows are not the original windows to the barn. The Petitioner planned to install an entry door where the double doors are located. The Petitioner indicated that her objective was to preserve the rustic atmosphere of the property. The Kendall County Historic Preservation Commission recommended approval of the special use permit with the condition that the barn be preserved by vote of four (4) in favor and zero (0) in opposition. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on April 28, 2021. Discussion occurred about having an illuminated sign; the Petitioner indicated that she might like to have an illuminated sign in the future. Discussion occurred about potentially annexing the property into the Village of Plattville; the Petitioner was open to consider annexation. The Commission was concerned about placing a burden on the Petitioner to preserve the red barn. The overflow parking area would be of a similar substance as the main parking area. The Petitioner stated that the red barn would be the only building used for the business and would be the only building that would not be considered agricultural exempt. Two (2) unisex bathrooms would be located inside the red barn. The Petitioner did not have any plans to have a rental space available for group meetings. The Petitioner indicated that she was evaluating the HVAC system inside the barn and a heating system would be installed in the barn at some point in the future. The Petitioner indicated that she was willing to work with the neighboring farmer regarding the spraying of the field; grapes would be planted away from the field. The Petitioner indicated that she hoped to plant grapes in the next two (2) or three (3) years and grapes need three (3) years in this area to produce good yields. The Petitioner explained the difference between blended and non-blended wines. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of nine (9) in favor and zero (0) in opposition with one (1) Commissioner absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on May 3, 2021. The Petitioner did not know how many grapes would be grown on the property; the grape growing area would be approximately one (1) acre in size. Discussion occurred regarding the compatibility of growing grapes near other agricultural crops due to spraying concerns. The Petitioner reiterated her agreement to follow Kendall County's Right to Farm Clause. The only outdoor events that would occur at the property are small tasting events with small tables setup outdoors. The Kendall Zoning Board of Appeals recommended approval of the proposal with the conditions proposed by Staff by a vote of six (6) in favor and zero (0) in opposition and one (1) Member absent. The minutes of the hearing were provided.

According to the site plan, the Petitioner plans to operate the Gilded Edge Winery out of the existing barn located at southern end of the property. The barn is approximately two thousand seven hundred (2,700) square feet in size. A picture of the barn was provided.

The proposed sales area inside the barn will be approximately nine hundred (900) square feet.

Based on the square footage of the barn and the current Building Code, the maximum number of people allowed in the barn is sixty (60). The Petitioner indicated that they were aiming for twenty (20) to forty (40) people on the property.

The property presently consists of a single-family house and six (6) outbuildings.

No new buildings are planned for the site. No existing structures are planned for demolition.

The winery and special use permit would apply only to Parcel 1 of the plat of survey. The Petitioner also owns Parcel 2.

Section 7:01.D.45 places the following conditions on this type of special use permits:

1. Tasting, wholesale, and retail sale of wines are permitted.
2. The sale of ancillary items are permitted.
3. All required licenses and permits must be secured.
4. The total retail sales area on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet.
5. Sales areas shall be set back at least ninety feet (90') feet from the center line of all adjacent roads with off-street parking for a minimum of five (5) cars.
6. Seasonal outdoor displays are also permitted.

If approved, this would be the third (3<sup>rd</sup>) special use permit for this type of use in the unincorporated area.

According to the business plan, the Petitioner would specialize in fruit wines and other classic wines with grapes sourced from California and Washington. They would initially produce twelve (12) varieties of wine with six (6) additional seasonal wines.

The Petitioner has conducted market analysis and has prepared a marketing and sales plan and financial plan.

In addition to the Petitioner and her investor, the business will have a manager and several servers.

Initial hours of operation would be on Friday from 5:00 p.m. until 9:00 p.m., Saturday from Noon until 8:00 p.m., and Sunday from Noon until 4:00 p.m. The hours of operation would expand as the business grows.

No food will be served at the property. Onsite operations will consist of a tasting room and retail center.

If approved, the Petitioner plans to start operations in August 2021.

No new structures are planned for the property.

The remodeling of the barn will require proper building permits.

According to the site plan, a new septic system will be installed south of the existing barn.

No information was provided regarding a potable water source.

Electricity is onsite and they will be using a propane drop for heat.

A refuse area is planned southeast of the barn.

The property drains to the south and southeast.

Based on the information provided, no stormwater permits are required.

The property fronts Plattville Road. Patrons would use the existing farm access point to reach the parking lot.

The site plan shows one (1) fourteen (14) stall gravel parking lot, including two (2) handicapped accessible parking spaces. The parking lot is approximately four thousand one hundred (4,100) square feet in size. The parking lot is connected to the winery by a walkway.

No additional lighting was planned as part of this project.

The Petitioner plans to have a sign on Plattville Road. A picture of the sign was provided. No information was provided regarding sign dimensions or height. The sign will not be illuminated originally, but the Petitioner might want to install an illuminated sign in the future.

No additional landscaping is planned.

No information regarding noise control was provided.

The Findings of Fact are 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 and conditions are placed in the special use permit governing hours of operation, noise levels, and number of people allowed on the property.

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 created from the proposed use. However, these negative impacts could be mitigated by restrictions related to hours of operation, noise regulations, and setting the maximum number of people allowed on the property.

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 property has appropriate access from Plattville Road. The Petitioners are planning to install the necessary utilities. Drainage will not be an issue based on the proposed use and 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. This is true. The Petitioner is not requesting any variances.

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 recommended approval of the request special use permit subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan. An overflow parking lot may be installed east of the red barn.
2. The parking lot shown on the site plan shall be setback at least fifty-nine feet (59') from the centerline of Plattville Road; the same distance as the existing house. The business allowed by this special use permit shall not commence operations until the parking lot shown on the site plan is installed.
3. Tasting, wholesale, and retail sale of wines shall be permitted.
4. The sale of ancillary items related to the business allowed by this special use permit shall be permitted.
5. The total retail sales area on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet. Sales shall be restricted to inside the barn identified on the site plan.
6. Seasonal outdoor displays related to the business allowed by this special use permit shall be permitted.
7. The business allowed by this special use permit may operate no earlier than Noon and no later than 9:00 p.m. any day of the week. The operators of the business allowed by this special use permit may conduct property maintenance outside the hours of operation. Business related deliveries may occur between 8:00 a.m. and 9:00 p.m. any day of the week.
8. The maximum number of employees of the business allowed by this special use permit shall be ten (10), including the business owners.
9. The maximum number of people allowed on the property in relation to the business allowed by this special use permit at any given time shall be sixty (60).
10. The owners of the business allowed by this special use permit may install one (1) business related sign along Plattville Road in substantially the location shown on the site

plan. The sign shall not be illuminated. If the owner(s) or operators(s) of the business allowed by this special use permit want to install an illuminated sign in the future, the owner(s) or operator(s) of the business allowed by this special use permit must secure a variance to allow the placement of an illuminated sign. An amendment to this special use permit shall not be required for the placement of an illuminated sign. (Last Sentence added after RPC Meeting).

11. All trash and garbage generated by uses allowed by this special use permit shall be stored in the garbage areas designated on the site plan. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
12. No music shall originate outside of any structure related to the operation of the business allowed by this special use permit.
13. 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.

14. None of the buildings associated with the business allowed by this special use permit shall be considered agricultural exempt structures. Applicable building and occupancy permits shall be secured for all new structures related to the business allowed by this special use permit. A new certificate of occupancy must be issued for the existing barn.
15. The owner(s) or operator(s) of the business allowed by this special use permit shall live at the subject property as their primary place of residence.
16. The owner(s) or operator(s) of the uses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The owner(s) or operator(s) of the uses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use.
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.

The draft ordinance was provided.

Member Koukol asked who owns the property. Laura Denges owns the property with her fiancé. They purchased the property in December 2020.

The parking lot will be gravel. The path will be stamped limestone, including the handicapped accessible parking spaces.

The Petitioner and the Fox Valley Winery would be the only wineries in Kendall County.

All of the equipment would be located in the red barn.

The Petitioner lives on the property.

The grapes would be planted on the vacant lot west of the subject property.

The Petitioner's husband would make the wine. The Petitioner is focused on the marketing side of the business.

The red barn is the only building that meets the various requirements structurally for the business.

Member Gilmour made a motion, seconded by Member Vickers, to recommend approval of the special use permit.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal goes to the County Board on May 18, 2021.

### **NEW BUSINESS**

*Request from Jamal Douglas for a Refund of an Unused Building Permit in the Amount of Six Thousand Sixty-Two Dollars and Ninety-Eight Cents (\$6,062.98) at 4332 Cherry Road (PIN: 06-05-402-004) in Na-Au-Say Township*

Mr. Asselmeier presented the request. The County has not expended any funds or staff time related to this building permit.

Member Gilmour made a motion, seconded by Member Koukol, to approve granting the refund as requested.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers

Nays (0): None



Abstain (0): None  
Absent (0): None

The motion carried.

*Recommendation on Annual Facility Inspection Report for NPDES Permit for Stormwater Discharges from Separate Storm Sewer Systems (MS4)*

Mr. Asselmeier summarized the request.

Kendall County is required to submit certain documents annually by June 1st as required by its NPDES Permit.

The proposed Annual Report was provided.

The 2021 Annual Report is similar to the 2020 Annual Report with the following changes:

1. After several years of technical issues, the County was able to report website traffic in this year's Annual Report.
2. The County experienced decreased responses to the annual survey from the townships; four (4) townships submitted responses in 2021 compared to five (5) in 2020.
3. Staff participated in additional trainings during this report year compared to previous years.
4. Some community outreach efforts that the Kendall County Soil and Water Conservation District normally undertake (i.e. the used oil collection program) were impacted by COVID-19.
5. The Annual Report reflects the addition of the 2018 contour layer to the Kendall County GIS.
6. An illicit discharge investigation occurred at Hide-A-Way Lakes in the fall of 2020.

There is a One Thousand Dollar (\$1,000) submittal fee, which has been unchanged for several years.

The Committee reviewed the pictures of the inspection at Hide-A-Way Lakes. This inspection occurred under the previous ownership. The Committee requested that the Health Department follow-up with the Illinois Department of Public Health on the investigation.

Member Koukol made a motion, seconded by Member Gilmour, to recommend approval of the Annual Report.

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers  
Nays (0): None  
Abstain (0): None  
Absent (0): None

The motion carried.

The proposal goes to the County Board on May 18, 2021.

*Discussion of Intergovernmental Agreement between Kendall County and Village of Plattville for Zoning Ordinance, Building Code, Stormwater Management Ordinance, and Subdivision Control Ordinance Enforcement within the Village of Plattville; Committee Could Amend Existing Agreement; Committee Could Approve a Recommendation Regarding the Agreement*

Mr. Asselmeier summarized the proposal.

The intergovernmental agreement between Kendall County and the Village of Plattville expires in July.

In 2020, the County issued three (3) building permits in Plattville. Three (3) investigations were brought to the Village's attention and one (1) of those three (3) resulted in a violation that was remedied before a citation was issued.

The proposed narrative portion of the agreement was provided. Other than the dates, no changes to agreement are proposed.

As of the date of the meeting, the Village of Plattville has not reviewed this proposal.

Discussion occurred regarding having the State's Attorney's Office review the Agreement; the Agreement has not been reviewed by the State's Attorney's Office for the last couple years.

The consensus of the Committee was to wait with taking any action until the Village of Plattville submits comments.

**OLD BUSINESS**

None

**REVIEW VIOLATION REPORT**

The Committee reviewed the violation report.

Member Vickers asked if the Department has updated the neighbors in the Gastville area of the investigation status. Mr. Asselmeier responded that the neighbors will be updated as the investigations are closed or forwarded to the court.

*Update on 2511 Wildy Road*

Mr. Asselmeier provided an update on the Wildy Road property. The Department continues to work on gathering evidence of violations at the property.

**REVIEW NON-VIOLATION REPORT**

The Committee reviewed the non-violation report.

**UPDATE FOR HISTORIC PRESERVATION COMMISSION**

*April 21, 2021 Letter from Robert F. Appleman to Scott R. Gryder Regarding the Property Tax Assessment Freeze Program*

The Committee reviewed the letter.

## **REVIEW PERMIT REPORT**

The Committee reviewed the report.

## **REVIEW REVENUE REPORT**

The Committee reviewed the report.

## **CORRESPONDENCE**

### **May 5, 2021 Email from Luke Finfrock Regarding Gun Shots from the Polish National Alliance Camp at 10701 River Road**

Mr. Asselmeier read the correspondence and explained the regulations in the special use permit for the Polish National Alliance Camp.

Chairman Gengler asked about the Camp's responsibilities with regards to the damage to the house. Mr. Asselmeier responded that recovery from the damages would be a civil matter. Criminal matters could exist related to reckless discharge of a firearm, but nothing related to the property damage would be zoning related.

Member Koukol asked if the gun shots could have originated from property not owned by the Camp. Mr. Asselmeier responded that the Sheriff's Report indicated that firearm training courses occurred at the Camp and that the bullet that hit Mr. Finfrock's house probably came from the Camp.

Member Koukol noted that the Camp has been at that property for a number of years.

Mr. Asselmeier noted that the Law, Justice and Legislation Committee examined firearm discharge regulations in 2019 and decided not to pursue any regulations at that time.

Member Gilmour asked what the residents were specifically requesting in their petition. Mr. Asselmeier said that the petition requested that the County Board not allow shooting or hunting at the Camp's property.

Discussion occurred about operating a private business at the Camp.

Luke Finfrock noted that his request was for shooting at the Camp, both classes and hunting, to cease.

Member Flowers asked if another location existed on the property for classes and hunting. Mr. Finfrock was unsure, but noted that tree stands existed near the property line. Member Koukol asked if the tree stands were in place six (6) years ago. Mr. Finfrock responded yes. Mr. Finfrock moved into his property approximately six (6) years ago.

Mr. Finfrock noted that this was the second time his house was struck by a bullet.

Ryan Hoogland expressed concerns about the safety of local children.

John Hacker expressed concerns about the safety of pedestrians in the neighborhood. He noted that hunters are supposed to know where their bullets are going. He encouraged the Committee to be proactive on the matter and the people shooting need to be held accountable.

Mr. Finrock noted that the instructor of the class paid the Camp to use the property for classes.

Chairman Gengler asked what constitutes a business. Mr. Asselmeier responded that the nature of the arrangement would be key to determining if the activity was a for-profit business.

Member Koukol requested that Mr. Asselmeier send a letter to the Camp. Mr. Asselmeier responded that a meeting with the Camp will occur later in the week to discuss the matter.

Member Flowers asked if the County changed the shooting regulations, would that impact the special use permit. Mr. Asselmeier responded that, if the County adopted firearm discharge regulations, those regulations would impact where people could shoot on the property.

Mr. Finrock felt that the class was for-profit and that he rented the space from the Camp.

Mr. Hacker requested that the Committee visit the property and find out where the shooting is originating. Chairman Gengler explained the guidelines in the special use permit. Mr. Asselmeier stated the Zoning Department is investigating the zoning component of the issue; other components, including life safety and property damage, also exist which are outside the realm of zoning.

Mr. Finrock asked about hunting. Mr. Asselmeier responded that no County regulations existed regarding the discharge of a firearm. Mr. Finrock asked how to prevent people from shooting on the property. Mr. Asselmeier explained the County shooting range regulations and that the County does not regulate the discharge of firearms in the unincorporated area.

Mr. Hoogland asked what other Board they could talk to regarding the situation. Chairman Gengler suggested talking to the Camp. Discussion occurred about a lack of communication between the Camp and residential neighbors.

### **COMMENTS FROM THE PRESS**

None

### **EXECUTIVE SESSION**

Member Gilmour made a motion, seconded by Member Koukol, to enter into executive session for the purposes of reviewing minutes of meetings lawfully closed under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)).

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The Committee recessed at 7:59 p.m.

Chairman Gengler called the Committee back to order at 8:03 p.m.

### **ROLL CALL**

Committee Members Present: Elizabeth Flowers (Attended Remotely), Scott Gengler (Chairman), Judy Gilmour (Vice-Chairwoman), Dan Koukol, and Robyn Vickers (Attended Remotely)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner)

### **NEW BUSINESS**

Member Koukol suggested installing signs at various locations on major roads in the County saying that Kendall County had zoning because a large number of people are moving into the County thinking they could run businesses anywhere.

Member Flowers stopped attending remotely at this time (8:06 p.m.).

Discussion also occurred about educating Realtors about County zoning regulations.

Several Committee members questioned the effectiveness of signs and the cost-benefit of placing signs because people may not know they live in Kendall County and they may not understand zoning regulations.

### **Approval to Release Executive Session Minutes of May 10, 2021**

Member Gilmour made a motion, seconded by Chairman Gengler, to recommend approval of the release of the Executive Session Minutes of May 10, 2021.

The votes were as follows:

Yeas (4): Gengler, Gilmour, Koukol, and Vickers

Nays (0): None

Abstain (0): None

Absent (1): Flowers

The motion carried. The proposal goes to the County Board on May 18, 2021.

### **ADJOURNMENT**

Member Koukol made a motion, seconded by Member Gilmour, to adjourn.

The votes were as follows:

Yeas (4): Gengler, Gilmour, Koukol, and Vickers

Nays (0): None

Abstain (0): None

Absent (1): Flowers

The motion carried.

Chairman Gengler adjourned the meeting at 8:21 p.m.

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

**KENDALL COUNTY BOARD  
ADJOURNED SEPTEMBER MEETING  
April 20, 2021**

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF KENDALL    )

The Kendall County Board Meeting was held at the Kendall County Office Building 111 W Fox St, in the City of Yorkville on Tuesday, April 20, 2021 at 9:00 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Amy Cesich, Brian DeBolt, Elizabeth Flowers (remote), Scott Gengler, Judy Gilmour, Matt Kellogg, Dan Koukol, Ruben Rodriguez and Robyn Vickers. Members absent: None.

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

**THE AGENDA**

Member DeBolt moved to approve the agenda. Member Koukol seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. Motion carried.

**SPECIAL RECOGNITION**

**Volunteer Week**

Member Gilmour moved to approve the National Volunteer Week Resolution. Member Rodriguez 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 Resolution 21-11 is available in the Office of the County Clerk.

**PUBLIC COMMENT**

Pat Stiles spoke about the Oswego Fire Department and what they are purchasing with money from referendum, payroll, pensions and the number of calls.

Cherie Bond spoke about the Larry Nelson project and expressed her concerns about the project being environmentally friendly. Ms. Bond asked about a traffic study, well and septic, people mover, signage, water/wells, impact on Little Rock Creek, landscape plan, parking lots, and waste water.

**PUBLIC HEARING**

**Public Transportation Section 5311**

Chairman Gryder opened the public hearing to obtain public comment and consider the economic, social, and environmental effects of the application for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 1991, as amended ( 49 U.S.C. §5311). No questions or comments from the public. Chairman Gryder closed the public hearing.

**CONSENT AGENDA**

Member Koukol moved to approve the consent agenda of **A)** county board minutes from March 16, 2021; **B)** standing committee minutes; **C)** claims in an amount not to exceed \$1,811,185.23; **D)** copier lease program agreement bid; **E)** MetroNet Go policy; **F)** Patrick McCann Inc. contract in the amount of \$91,000.00 for the replacement of three historical windows at the Historic Courthouse; **G)** Approval of Petition 20-32-Request from Cindy Gates on Behalf of the Cindy Gates Trust and Mark Cox on Behalf of Cox Landscaping LLC for a Map Amendment Rezoning a Portion of 9000 Route 34, Yorkville, from A-1 Agricultural District to B-3 Highway Business District and a Special Use Permit for a Landscaping Business (PINs: 02-27-151-001 and 02-27-151-003) in Bristol Township; **H)** Approval of Petition 21-10-Request from the Kendall County Regional Planning Commission for Amendments to the Future Land Use Map by Having the Transportation Plan Correspond to the 2020-2040 Long Range Transportation Plan including the Trails Plan, Extending Cherry Road into the Henneberry Woods Forest Preserve, Updating Municipal Boundaries, Reclassifying Unknown Properties, Correcting the Classification of the Minooka School District Property Near Route 52 and County Line Road in Seward Township, and Related Text Changes; **I)** Resolution awarding contracts to the following low bidders: •21-00000-01-GM to Builders Paving, LLC in the amount of \$529,924.10 •21-00000-02-GM to D Construction, Inc. in the amount of \$49,817.87 •21-00000-03-GM to D Construction, Inc. in the amount of \$342,182.15 •21-01000-00-GM to D Construction, Inc. in the amount of \$216,534.65 •21-03000-00-GM to D Construction, Inc. in the amount of \$127,672.29 •21-04000-00-GM to D Construction, Inc. in the

amount of \$275,434.70 •21-06000-00-GM to Builders Paving, LLC in the amount of \$260,088.00 •21-07000-00-GM to D Construction, Inc. in the amount of \$270,040.00 •21-08000-00-GM to D Construction, Inc. in the amount of \$414,478.39 •21-09000-00-GM to D Construction, Inc. in the amount of \$355,108.18. Member DeBolt seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. **Motion carried.**

- C) COMBINED CLAIMS:** ADMIN \$4,521.95; ANML CNTRL WRDN \$3,976.28; ASSMT \$220.68; BEHAV HLTH \$5,522.80; CIR CLK \$22,274.90; CIR CRT JDG \$26,937.63; COMB CRT SVS \$1,527.53; COMM ACTN SVS \$74,926.43; COMM HLTH \$17,836.03; CORONER \$1,281.19; CORR \$57,863.84; CNTY ADMIN \$700,574.28; CNTY BRD \$386,600.39; CNTY CLK \$1,335.19; HIGHWAY \$174,875.61; ELECTN \$14,182.61; EMA \$9,854.72; EMPL BFITS \$3,455.00; ENVIRO HLTH; \$2,837.52; FCLT MGMT \$51,352.29; JURY COMM \$620.25; PBZ SNR \$107.50; PBZ \$1,964.18; POSTGE \$2,985.96; PRSDG JDGE \$6,728.50; PROB SVS \$19,322.07; PRGM SUPP \$165.65; PUB DEF \$3,850.10; ROE \$6,513.76; SHF \$49,823.30; STATES ATTY \$2,902.78; TECH \$6,370.27; TRSR \$684.67; UTIL \$27,346.41; VET \$961.47; FP \$25,748.59; ELECT JDG \$36,883.06; ELECT \$6,180.00; SHF \$45,393.99; SHF \$50,069.84
- F)** A complete copy of IGAM 21-07 is available in the Office of the County Clerk.
- G)** A complete copy of Ordinance 21-08 is available in the Office of the County Clerk.
- H)** A complete copy of Resolution 21-19 is available in the Office of the County Clerk.
- I)** A complete copy of Resolution 21-20 is available in the Office of the County Clerk.

## OLD BUSINESS

### Covid-19 Testing

Member Cesich moved to approve the resolution approving IDPH COVID-19 testing events. Member Gengler 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 Resolution 21-21 is available in the Office of the County Clerk.

## NEW BUSINESS

Member DeBolt stated that the elevator has been fixed at the Sheriff's Office.

## ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

### Sheriff

Sheriff Baird stated that the merit commission changed the rules to all for lateral testing for new employees. On March 26<sup>th</sup> they did a sex offender check with multiple jurisdictions – 106 offenders, 74 were contacted and 3 are under investigation for violation.

### County Clerk

Revenue Report		3/1/21-3/31/21	3/1/20-3/31/20	3/1/19-3/31/19
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$1,542.50	\$882.00	\$661.50
MARFEE	County Clerk Fees - Marriage License	\$1,260.00	\$750.00	\$810.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$100.00	\$55.00	
CRTCOP	County Clerk Fees - Certified Copy	\$1,886.00	\$1,412.00	
NOTARY	County Clerk Fees - Notary	\$290.00	\$295.00	
MISINC	County Clerk Fees - Misc	\$92.00	\$72.00	\$1,489.00
	County Clerk Fees - Misc Total	\$5,170.50	\$3,466.00	\$2,960.50
RECFEE	County Clerk Fees - Recording	\$51,622.00	\$30,441.00	\$23,483.00
	Total County Clerk Fees	\$56,792.50	\$33,907.00	\$26,443.50
CTYREV	County Revenue	\$63,959.75	\$71,213.75	\$29,991.50
DCSTOR	Doc Storage	\$30,421.50	\$17,738.00	\$13,615.50
GISMAP	GIS Mapping	\$96,218.00	\$56,164.00	\$23,028.00

GISRCD	GIS Recording	\$6,414.00	\$3,744.00	\$2,880.00
INTRST	Interest		\$21.88	\$18.75
RECMIS	Recorder's Misc	\$5,585.50	\$533.50	\$2,826.00
RHSP	RHSP/Housing Surcharge	\$27,765.00	\$15,876.00	\$11,907.00
TAXCRT	Tax Certificate Fee	\$1,640.00	\$1,440.00	\$1,720.00
TAXFEE	Tax Sale Fees	\$1,020.00	\$160.00	\$220.00
PSTFEE	Postage Fees	\$575.64	\$111.20	\$143.43
CK # 19179	To KC Treasurer	\$290,391.89	\$200,909.33	\$112,793.68

County Clerk Debbie Gillette stated that tax extension has been rolled to the Treasurer's office and the ballots will be processed for the vote by mail ballots received after Election Day. The election will be finalized on April 27<sup>th</sup>.

#### 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 FOUR MONTHS ENDED 03/31/2021.

	Annual <u>Budget</u>	2021 YTD <u>Actual</u>	2021 YTD% <u>%</u>	2020 YTD <u>Actual</u>	2020 YTD <u>%</u>
<b><u>REVENUES*</u></b>					
Personal Property Repl. Tax	\$390,000	\$104,862	26.89%	\$93,340	23.93%
State Income Tax	\$2,300,000	\$907,615	39.46%	\$805,924	35.04%
Local Use Tax	\$900,000	\$448,789	49.87%	\$333,068	47.58%
State Sales Tax	\$530,000	\$180,448	34.05%	\$242,840	44.15%
County Clerk Fees	\$325,000	\$190,287	58.55%	\$126,183	38.83%
Circuit Clerk Fees	\$1,220,000	\$380,057	31.15%	\$422,499	31.30%
Fines & Foreits/St Atty.	\$275,000	\$72,697	26.44%	\$110,687	36.90%
Building and Zoning	\$68,000	\$30,422	44.74%	\$27,418	40.32%
Interest Income	\$100,000	\$7,223	7.22%	\$85,396	42.70%
Health Insurance - Empl. Ded.	\$1,467,439	\$145,342	9.90%	\$385,635	30.45%



1/4 Cent Sales Tax	\$3,075,000	\$1,140,212	37.08%	\$1,116,582	35.96%
County Real Estate Transf Tax	\$450,000	\$179,058	39.79%	\$156,509	36.83%
Federal Inmate Revenue	\$2,044,000	\$674,000	32.97%	\$617,040	30.19%
Sheriff Fees	\$140,000	\$30,870	22.05%	\$98,324	57.84%
<b>TOTALS</b>	<b>\$13,284,439</b>	<b>\$4,491,882</b>	<b>33.81%</b>	<b>\$4,621,445</b>	<b>35.03%</b>
<b>Public Safety Sales Tax</b>	<b>\$5,250,000</b>	<b>\$1,949,731</b>	<b>37.14%</b>	<b>\$1,935,913</b>	<b>36.36%</b>
<b>Transportation Sales Tax</b>	<b>\$5,250,000</b>	<b>\$1,949,731</b>	<b>37.14%</b>	<b>\$1,935,913</b>	<b>32.27%</b>

\*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 4 months the revenue and expense should at 33.32%

\*\*The reported amounts are on a cash basis and not accrual.

#### Clerk of the Court

Circuit Clerk Matthew Prochaska reviewed the report that is in the packet and they are implementing the changes of the manual record keeping effective 1/1/2022.

#### Coroner

Report is included in the packet.

#### Health Department

Executive Director RaeAnn VanGundy stated that they completed a mass vaccination at Oswego East High School for second doses. They hosted a 16-18 year old clinic for children with parental consent. 92% of those age 65 and older have been vaccinated and 44% of 16-64 year olds have at least received the first dose. One clinic of 1,000 doses was cancelled last week of J&J. Region 2 is at 7% test positivity rate and Kendall County is at 9.1%. Mental health court has started.

### STANDING COMMITTEE REPORTS

#### Admin HR

#### Section 5311

Member Flowers moved to approve a Resolution authorizing execution and amendment of Section 5311 Grant Agreement. 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 Resolution 21-22 is available in the Office of the County Clerk.

#### Law Justice & Legislation

#### Protect Local Control of Zoning and Land Use

Member Gilmour moved to approve of a resolution calling for the Governor and General Assembly to protect local control of zoning and land use. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll call vote on the motion. Members voting aye include DeBolt, Gengler, Gilmour, Gryder, Kellogg, Koukol and Rodriguez. Members voting nay include Cesich, Flowers and Vickers. Motion carried 7-3.

A complete copy of Resolution 21-23 is available in the Office of the County Clerk.

## Highway

### Preliminary Engineering Services Agreement

Member Gryder moved to approve the preliminary engineering services agreement between Kendall County and Hutchison Engineering, Inc. for design of traffic signals at the intersection of Ridge Road and Holt Road in an amount not to exceed \$41,700. Member Koukol 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 21-08 is available in the Office of the County Clerk.

## Planning Building & Zoning

### Petition 21-06

Member Gengler moved to Approval of Petition 21-06-Request from Jhon Cordero on Behalf of Cordero Real Estate, LLC for a Map Amendment Rezoning Property Located Approximately 268 West of the Intersection of Galena Road and E. Beecher Road on the South Side of Galena Road (PIN: 02-06-400-007) in Bristol Township. 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 21-09 is available in the Office of the County Clerk.

### Petition 21-08

Member Gengler moved to Approval of Petition 21-08-Request from Jamie and Jillian Prodehl for a Special Use Permit on A-1 Zoned Property for Banquet Facility and a Variance to Section 7:01.D.12.a of the Kendall County Zoning Ordinance to Allow a Banquet Facility on a Non-Arterial or Non-Major Collector Roadway at 4405 Van Dyke Road (PIN: 09-05-400-021) in Seward Township. Member Rodriguez 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 21-10 is available in the Office of the County Clerk.

### Petition 21-11

Member Gengler moved to Approval of Petition 21-11-Request from the Kendall County Historic Preservation Commission to Authorize the County Board Chairman to Sign and Submit a Letter Requesting Certification of the Historic Preservation Ordinance for the Purposes of the Property Tax Freeze Assessment Program through the Illinois Department of Natural Resources. Member Koukol seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

## QUESTIONS FROM THE PRESS

Luke Robinson from the Kendall County Record asked why the low voter turnout and asked for contracts for the Highway Department.

## PUBLIC COMMENT

Mr. Marvalejo asked to fish on a property owned by the county with a no trespassing sign off of Orchard Road.

## ADJOURNMENT

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

Approved and submitted this 27th day of April, 2021.

Respectfully submitted by,  
Debbie Gillette  
Kendall County Clerk

<b>Kendall County Clerk</b>				
<b>Revenue Report</b>		<b>4/1/21-4/30/21</b>	<b>4/1/20-4/30/20</b>	<b>4/1/19-4/30/19</b>
<b>Line Item</b>	<b>Fund</b>	<b>Revenue</b>	<b>Revenue</b>	<b>Revenue</b>
CLKFEE	County Clerk Fees	\$1,337.00	\$974.00	\$707.00
MARFEE	County Clerk Fees - Marriage License	\$1,560.00	\$420.00	\$1,320.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$30.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$50.00	\$15.00	
CRTCOP	County Clerk Fees - Certified Copy	\$1,884.00	\$1,190.00	
NOTARY	County Clerk Fees - Notary	\$380.00	\$35.00	
MISINC	County Clerk Fees - Misc	\$225.58	\$6.00	\$1,803.50
	County Clerk Fees - Misc Total	\$5,436.58	\$2,670.00	\$3,830.50
RECREE	County Clerk Fees - Recording	\$45,345.00	\$32,752.00	\$24,460.00
	Total County Clerk Fees	\$50,781.58	\$35,422.00	\$28,290.50
CTYREV	County Revenue	\$55,540.00	\$34,037.00	\$42,870.25
DCSTOR	Doc Storage	\$26,708.00	\$19,208.00	\$14,254.00
GISMAP	GIS Mapping	\$84,570.00	\$60,780.00	\$24,074.00
GISRCD	GIS Recording	\$5,638.00	\$4,052.00	\$3,010.00
INTRST	Interest	\$37.17	\$26.53	\$18.24
RECMIS	Recorder's Misc	\$7,314.25	\$3,026.50	\$3,125.25
RHSP	RHSP/Housing Surcharge	\$24,066.00	\$17,532.00	\$12,726.00
TAXCRT	Tax Certificate Fee	\$1,760.00	\$1,040.00	\$1,280.00
TAXFEE	Tax Sale Fees	\$100.00	\$35.00	\$40.00
PSTFEE	Postage Fees	\$70.20	\$20.85	\$0.00
CK # 19207	To KC Treasurer	\$256,585.20	\$175,179.88	\$129,688.24
Death Certificate Surcharge sent from Clerk's office \$1660.00 ck # 19205				
Dom Viol Fund sent from Clerk's office \$260.00 ck 19206				

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 FIVE MONTHS ENDED 04/30/2021.

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2021 YTD Actual</u>	<u>2021 YTD% %</u>	<u>2020 YTD Actual</u>	<u>2020 YTD %</u>
Personal Property Repl. Tax	\$390,000	\$217,506	55.77%	\$180,366	46.25%
State Income Tax	\$2,300,000	\$1,216,524	52.89%	\$1,064,151	46.27%
Local Use Tax	\$900,000	\$521,930	57.99%	\$404,800	57.83%
State Sales Tax	\$530,000	\$228,649	43.14%	\$274,715	49.95%
County Clerk Fees	\$325,000	\$247,080	76.02%	\$160,090	49.26%
Circuit Clerk Fees	\$1,220,000	\$498,220	40.84%	\$512,997	38.00%
Fines & Foreits/St Atty.	\$275,000	\$107,095	38.94%	\$133,169	44.39%
Building and Zoning	\$68,000	\$51,255	75.38%	\$31,168	45.84%
Interest Income	\$100,000	\$9,133	9.13%	\$104,303	52.15%
Health Insurance - Empl. Ded.	\$1,467,439	\$152,993	10.43%	\$478,741	37.80%
1/4 Cent Sales Tax	\$3,075,000	\$1,417,011	46.08%	\$1,332,288	42.91%
County Real Estate Transf Tax	\$450,000	\$243,017	54.00%	\$227,723	53.58%
Federal Inmate Revenue	\$2,044,000	\$823,520	40.29%	\$955,040	46.72%
Sheriff Fees	\$140,000	\$35,723	25.52%	\$99,488	58.52%
<b>TOTALS</b>	<b>\$13,284,439</b>	<b>\$5,769,656</b>	<b>43.43%</b>	<b>\$5,959,039</b>	<b>45.17%</b>
<b>Public Safety Sales Tax</b>	<b>\$5,250,000</b>	<b>\$2,449,987</b>	<b>46.67%</b>	<b>\$2,312,463</b>	<b>43.43%</b>
<b>Transportation Sales Tax</b>	<b>\$5,250,000</b>	<b>\$2,449,987</b>	<b>46.67%</b>	<b>\$2,312,463</b>	<b>38.54%</b>

\*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 5 months the revenue and expense should at 41.65%

\*\*The reported amounts are on a cash basis and not accrual.

**EXPENDITURES**

All General Fund Offices/Categories

<b>\$31,020,242</b>	<b>\$11,260,855</b>	<b>36.30%</b>	<b>\$10,877,507</b>	<b>36.80%</b>
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## Kendall County Circuit Clerk Report

**April Update:** In the month of April, the Circuit Clerks Office welcomed 1 new employee, and had 1 employee leave. The Circuit Clerks Office has started training for the new Manual of Recordkeeping changes. These changes among other filing changes will need to be implemented by 1/1/2022. We have already implemented the tax cases changes which is why there are significant increases in the number of TX cases. One side effect of the changes is that it will adversely affect the numbers of criminal/traffic cases downwards as we will be having to work from the new hierarchy of cases.

In addition, the office is complying state statutes which mandate we share information on juvenile offenders with University of Illinois and the Juvenile Justice Commission.

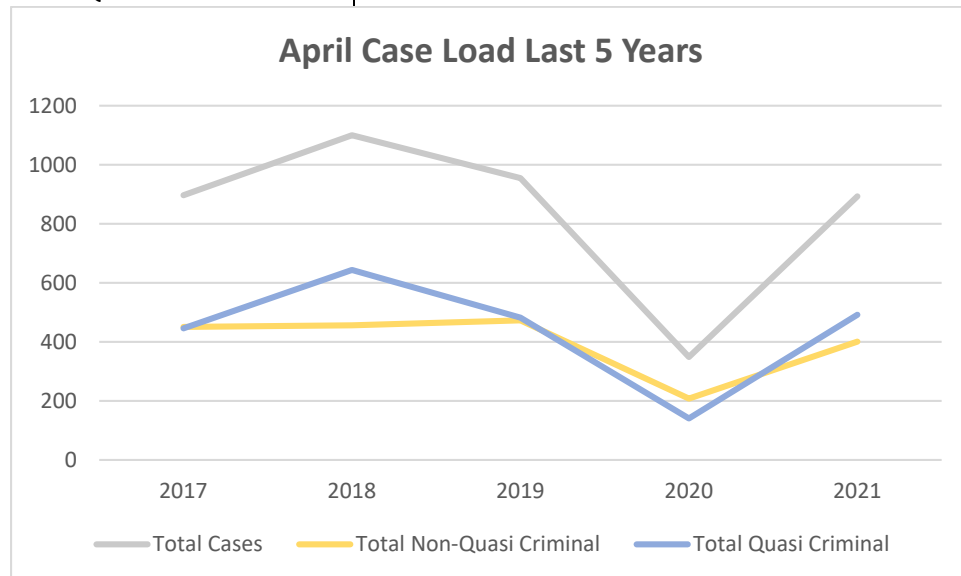
### 2021 Case Filings YTD

		JAN	FEB	MAR	APR	%
AD	Adoption	2	0	1	2	100%
CC	Contempt of Court	3	4	3	0	-100%
CF	Criminal Felony	16	29	42	27	-36%
CH	Chancery	3	6	3	3	0%
CL	Civil Law Violation	1	1	1	0	-100%
CM	Criminal Misdemeanor	45	33	34	51	50%
CV	Conservation Violation	2	1	0	0	0%
D	Divorce	41	30	38	35	-8%
DT	DUI	15	13	25	19	-24%
ED	Eminent Domain	0	0	0	0	0%
F	Family	16	5	13	10	-23%
J	Juvenile	0	0	2	0	-100%
JA	Juvenile Abuse/Neglect	2	4	9	16	78%
JD	Juvenile Delinquency	6	4	13	2	-85%
L	Law	10	11	11	6	-45%
LM	Law Magistrate	25	57	46	32	-30%
MH	Mental Health	0	0	2	3	50%
MR	Misc. Remedy	22	27	30	24	-20%
OP	Order of Protection	21	22	27	35	30%
OV	Ordinance Violation	0	4	4	2	-50%
P	Probate	15	24	20	14	-30%
SC	Small Claims	118	117	140	84	-40%
TR	Traffic	304	267	465	490	5%
TX	Tax	1	2	0	18	*
WI	Wills	26	16	15	16	7%
XX	Misc	9	1	6	4	-33%
		<b>703</b>	<b>678</b>	<b>950</b>	<b>893</b>	

**Note: CH Foreclosures filings are at 3, LM Evictions are 10**

## CIRCUIT CLERK: 2017-21 APRIL CASELOAD NUMBERS

	2017	2018	2019	2020	2021
<b>Adoption</b>	3	1	2	1	1
<b>Contempt of Court</b>	6	2	2	0	3
<b>Criminal Felony</b>	37	44	46	24	42
<b>Chancery</b>	43	42	54	17	3
<b>Civil Law Violation</b>	20	10	4	3	1
<b>Criminal Misdemeanor</b>	69	42	43	50	19
<b>Conservation Violation</b>	7	2	0	0	0
<b>Divorce</b>	43	51	37	22	38
<b>DUI</b>	21	23	19	18	25
<b>Eminent Domain</b>	0	0	0	0	0
<b>Family</b>	10	19	8	7	13
<b>Juvenile</b>	5	3	5	0	2
<b>Juvenile Abuse/Neglect</b>	6	3	3	4	9
<b>Juvenile Delinquency</b>	13	23	28	9	13
<b>Law</b>	6	12	20	8	11
<b>Law Magistrate</b>	63	46	63	34	46
<b>Mental Health</b>	0	0	0	2	2
<b>Misc. Remedy</b>	28	30	31	15	30
<b>Order of Protection</b>	24	36	29	31	27
<b>Ordinance Violation</b>	1	2	0	0	4
<b>Probate</b>	14	16	19	12	20
<b>Small Claims</b>	100	142	223	57	140
<b>Traffic</b>	577	545	441	377	465
<b>Tax</b>	0	0	0	0	0
<b>Wills</b>	19	17	17	14	15
<b>Misc</b>	0	0	0	0	6
<b>Total Cases</b>	<b>1115</b>	<b>1111</b>	<b>1094</b>	<b>705</b>	<b>935</b>
<b>Total Non-Quasi Criminal</b>	530	562	653	328	466
<b>Total Quasi Criminal</b>	585	549	441	377	469





KENDALL COUNTY CORONER  
— JACQUIE PURCELL —

April, FY 2021 Monthly Report

Description	**	April 2021	Fiscal Year-to-Date	April 2020
Total Deaths		26	161	34/165
Natural Deaths		22	148	33/155
Accidental Deaths		2	8	0/6
Suicidal Deaths		2	4	1/4
Homicidal Deaths		0	0	0/0
Undetermined Death		0	0	0/0
Pending Death		0	1	0/0
Scenes Responded To		6	27	1
Bodies Transported		5	19	1
Autopsies		2	8	0/11
External Examinations		4	18	1
Toxicology		2	12	0/13
Cremation Authorizations		19	106	23/101

\*\*

(A):

1. 04/02/2021 – Aurora – 22yo, Female, Overdose
2. 03/14/2021 – Oswego – 27yo, Male, Overdose

(S):

1. 04/06/2021 – Oswego – 23yo, Male, Asphyxia due to Hanging
2. 04/20/2021 – Oswego – 78yo Male, Gunshot Wound to the Head

**PERSONNEL/OFFICE ACTIVITY:**

1. There were a total of 23.25 community service hours served at the Kendall County Coroner's Office during the month of April.

**ORDINANCE INCREASING COUNTY LAW LIBRARY FUND FEES  
AND AMENDING THE CIRCUIT CLERK FEES SCHEDULE IN  
ACCORDANCE THEREWITH**

WHEREAS, Kendall County Ordinance 2019-13 (“Fees Ordinance”) established the Civil, Criminal, and Traffic Assessments to be charged by the Clerk of the Circuit Court in accordance with the Illinois Criminal and Traffic Assessment Act and the Clerks of the Courts Act, as amended; and

WHEREAS, 55 ILCS 5/5-39001 permits the County Board to establish and maintain a county law library to be located in any county building or privately or publicly owned building at the county seat of government; and

WHEREAS, the facilities of those libraries shall be freely available to all licensed Illinois attorneys, judges, other public officers of the county, and all members of the public, whenever the courthouse is open, and may include self-help centers and other legal assistance programs for the public as part of the services it provides on-site and on-line; and

WHEREAS, the County Board has established a county law library located in the Kendall County Courthouse and wishes to continue to maintain and improve the law library for the benefit of the community; and

WHEREAS, 55 ILCS 5/5-39001 requires the Clerk of the Court to charge and collect a county law library fee of \$2.00 and authorizes the County Board to approve a county law library fee not to exceed \$21 through December 31, 2021 and \$20.00 on and after January 1, 2022, to defray the expense of maintaining the library, including the expense of any attendant, self-help centers, and legal assistance programs; and

WHEREAS, 55 ILCS 5/5-39001 requires the Law Library Fee to be paid at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases, except no additional fee shall be required if more than one party is represented in a single pleading, paper, or other appearance; and

WHEREAS, the Fees Ordinance established \$10 of the County’s distribution of certain scheduled civil fees under 705 ILCS 105/27.1b was to be placed in the Law Library Fund; and

WHEREAS, the County Board seeks to increase the Law Library Fee to \$21.00, to charge it as a separate County fee, as authorized by 55 ILCS 5/5-39001, and to reduce the relevant scheduled civil fees, as set forth in the Fees Ordinance, to reflect the removal of the Law Library Fee from the scheduled civil fees.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Kendall County that the fees to be collected by the Circuit Clerk for the County Law Library Fund



shall be increased to \$21.00, charged as an independent County fee for all civil cases pursuant to 55 ILCS 5/5-39001, separate from the Court fees established by the Illinois Criminal and Traffic Assessment Act and the Clerks of the Courts Act, as amended.

In compliance therewith, the Civil Fees portion of the Fees Ordinance is amended as follows:

### **Civil Fees.**

Fees in civil matters shall be assessed and distributed as set forth herein, in compliance with Section 27.1b of the Clerks of Courts Act, 705 ILCS 105/27.1b.

A. The fees for filing a complaint, petition or other pleading initiating a civil action shall be as set forth in the schedules below in accordance with case categories established by the Illinois Supreme Court:

**SCHEDULE 1: \$306.00** to be divided as follows:

- a. \$45.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
  - Court Automation Fund - \$20.00
  - Court Document Storage Fund - \$20.00
  - Circuit Court Clerk Operation and Administrative Fund - \$5.00
- b. \$11.00 to be remitted to the State Treasurer and deposited as follows:
  - Access to Justice Fund - \$2.00
  - Supreme Court Special Purposes Fund - \$9.00
- c. \$250.00 to be remitted to the County Treasurer and deposited as follows:
  - Circuit Clerk Fees - \$250.00

**SCHEDULE 2: \$256.00** to be divided as follows:

- a. \$45.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
  - Court Automation Fund - \$20.00
  - Court Document Storage Fund - \$20.00
  - Circuit Court Clerk Operation and Administrative Fund - \$5.00
- b. \$11.00 to be remitted to the State Treasurer and distributed as follows:
  - Access to Justice Fund - \$2.00
  - Supreme Court Special Purposes Fund - \$9.00
- c. \$200.00 to be remitted to the County Treasurer and deposited as follows:
  - Circuit Clerk Fees - \$200.00

**SCHEDULE 3: \$89.00** to be divided as follows:

- a. \$22.00 to be retained by the Clerk of the Circuit Court and deposited as follows:
  - Court Automation Fund - \$10.00
  - Court Document Storage Fund - \$10.00
  - Circuit Court Clerk Operation and Administrative Fund - \$2.00
- b. \$11.00 to be remitted to the State Treasurer and distributed as follows:
  - Access to Justice Fund - \$2.00
  - Supreme Court Special Purposes Fund - \$9.00
- c. \$56.00 to be remitted to the County Treasurer and deposited as follows:
  - Circuit Clerk Fees - \$56.00

**SCHEDULE 4: \$0.00**

B. The fees for filing an appearance in a civil action shall be as set forth in the schedules below in accordance with case categories established by the Illinois Supreme Court:

**SCHEDULE 1: \$181.00 to be divided as follows:**

- a. \$45.00 to be retained by the Clerk of the Circuit Court and distributed as follows:
  - Court Automation Fund - \$20.00
  - Court Document Storage Fund - \$20.00
  - Circuit Court Clerk Operation and Administrative Fund - \$5.00
- b. \$11.00 to be remitted to the State Treasurer and distributed as follows:
  - Access to Justice Fund - \$2.00
  - Supreme Court Special Purposes Fund - \$9.00
- c. \$125.00 to be remitted to the County Treasurer and deposited as follows:
  - Circuit Clerk Fees - \$125.00

**SCHEDULE 2: \$109.00 to be divided as follows:**

- a. \$10.00 to be retained by the Clerk of the Circuit Court and distributed as follows:
  - Court Automation Fund - \$4.00
  - Court Document Storage Fund - \$4.00
  - Circuit Court Clerk Operation and Administrative Fund - \$2.00
- b. \$9.00 to be remitted to the State Treasurer and distributed as follows:
  - Supreme Court Special Purposes Fund - \$9.00
- c. \$90.00 to be remitted to the County Treasurer for purposes related to the operation of the court system.

**SCHEDULE 3 & 4: \$0**

C. Except as otherwise specifically provided, the following miscellaneous fees are to be deposited in the County General Fund to be used for purposes related to the operation of the court system in the County:

1. Law Library Fee: (Deposited in the Law Library Fund) \$21.00
2. Alias summons or citation: \$5.00
3. Jury services: \$212.50
4. Change of venue: \$40.00
5. Petition to vacate or modify:
  - If filed within 30 days: \$50.00
  - If filed after 30 days: \$75.00
6. Notice sent to Secretary of State: \$40.00
7. Appeals preparation:
  - If record is 100 pages or less: \$50.00
  - If record is between 100 and 200 pages: \$100.00
  - If record is 200 pages or more: \$00.25/addtl pg
8. Garnishment, wage deduction, and citation proceedings:
  - Amount in controversy \$1,000 or less: \$15.00
  - Amount in controversy \$1,000.01 - \$5,000: \$30.00
  - Amount in controversy greater than \$5,000: \$50.00
9. Mailing: \$10.00 + postage
10. Certified copy of a judgment, following the first copy: \$10.00
11. Certification, authentication, and reproduction: \$6.00
12. Reproduction of any document contained in the Clerk's files:
  - \$2.00 for the first page
  - \$0.50 per page for the next 19 pages
  - \$0.25 per page for all additional pages
13. Record search: \$6.00/year searched
14. Hard copy print output: \$6.00
15. Performing a marriage in court: \$10.00
16. Filing each deed of voluntary assignment: \$20.00
17. Recording a deed of voluntary assignment: \$0.50/100 words
18. Expungement petition: \$60.00
  - Plus \$4.00 per certified copy of an order to expunge arrest records
19. Collections:
  - All collections (except State and County and maintenance and child support cases): 2.5% of the amount collected and turned over.
  - In child support and maintenance cases: \$36 annually to be deposited in the Child Support Maintenance Fund

Certifications to Secretary of State pursuant to Section 7-703 of the Family Financial Responsibility Law: \$5.00

In proceedings to foreclose a delinquent real estate tax lien the State's Attorney may receive a fee of 10% of the total amount realized from the sale of real estate sold in the proceedings

20. Counterclaim or third party complaint: When any defendant files a counterclaim or third party complaint, as part of the defendant's answer or otherwise, the defendant shall pay a filing fee for each counterclaim or third party complaint in an amount equal to the filing fee the defendant would have had to pay had the defendant brought a separate action for the relief sought in the counterclaim or third party complaint, less the amount of the appearance fee, if any, that the defendant has already paid in the action in which the counterclaim or third party complaint is filed.
21. Probate filings: For each account (other than one final account) filed in the estate of a decedent or ward: \$25.00  
Filing a claim:

Amount claimed < \$150 and > \$500:	\$25.00
Amount claimed < \$500 and > \$10,000:	\$40.00
Amount claimed < \$10,000:	\$60.00
22. Equitable Relief: For filing a claim, petition, or supplemental proceeding based upon an action seeking equitable relief: \$60.00  
For a jury demand: \$137.50
23. Certified Copies: For each certified copy of letters of office, of court orders or other certifications: \$2.00 per page
24. Exemplification: \$2.00 + certification fee
25. Case Correction: \$25.00
26. Unpaid Fees: Unless a court ordered payment schedule is implemented or the fee requirements of this Section are waived by court order, the Clerk is may add to any unpaid fees and costs a delinquency amount equal to 15% of the unpaid fees that remain unpaid after 90 days.

Delinquency amounts collected pursuant to this provision shall be deposited into the Circuit Court Clerk Operation and Administrative Fund to defray additional administrative costs incurred by the Clerk in collecting unpaid fees and costs.

This ordinance shall be effective 1<sup>st</sup> day of June, 2021. APPROVED and ADOPTED by a majority vote of the County Board of Kendall County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2021.

County Board Chairman Signature:

Attest:

\_\_\_\_\_  
Scott R. Gryder, Chairman  
County Board

\_\_\_\_\_  
Debbie Gillette  
County Clerk and Recorder

Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Absent \_\_\_\_\_



# Kendall County Agenda Briefing

**Committee:** Planning, Building and Zoning

**Meeting Date:** May 10, 2021

**Amount:** N/A

**Budget:** N/A

**Issue:** Petition 21-14 Request from Laura Denges for a Special Use Permit to Operate a Winery (Production and Sale of Wine Utilizing Crops Not Grown on the Premises or In Combination with Crops Grown on the Premises) at 9396 Plattville Road (PIN: 08-09-200-003) in Lisbon Township

## **Background and Discussion:**

The Petitioner would like to operate the Gilted Edged Winery out of the existing circa 1900 red barn located at the southern end of the property. The Petitioner plans to use grapes from California and Washington to manufacture the wine that is sold on the property. The Petitioner also has plans to grow grapes for wine making at the subject property in the future.

The record for the Petition can be found here,  
<https://www.co.kendall.il.us/home/showpublisheddocument/19890/637552942765511237>

The draft ordinance is attached.

## **Committee Action:**

ZPAC-Approval (7-0-3), HPC-Approval (4-0), RPC-Approval (9-0-1), ZBA-Approval with Conditions (6-0-1), Lisbon Township-No Comments Because Lack of Quorum, Village of Plattville-No Comments, Lisbon-Seward Fire Protection Dist-No Objections and Will Do A Life Safety Inspection, PBZ Committee-Approval (5-0)

## **Staff Recommendation:**

Approval with Conditions

**Prepared by:** Matthew H. Asselmeier, AICP, CFM

**Department:** Planning, Building and Zoning Department

**Date:** May 11, 2021

**ORDINANCE NUMBER 2021-\_\_\_\_\_**

**GRANTING A SPECIAL USE PERMIT FOR THE PRODUCTION AND SALE OF WINE AND  
SIMILAR ITEMS UTILIZING CROPS GROWN ON THE SAME PROPERTY OR IN  
COMBINATION WITH CROPS GROWN OFF-SITE WHERE SUCH PRODUCTION TAKES  
PLACE ON THE PREMISES AT 9396 PLATTVILLE ROAD AND IDENTIFIED BY PARCEL  
IDENTIFICATION NUMBER 08-09-200-003 IN LISBON TOWNSHIP**

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 7:01.D.45 of the Kendall County Zoning Ordinance permits the production and sale of wine and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises 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 3.19 acres located at 9396 Plattville Road (PIN: 08-09-200-003) in Lisbon 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 Laura Denges and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about March 22, 2021, Petitioner filed a petition for a special use permit allowing the for the production and sale of wine and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises at the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Chronicle on April 7, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on May 3, 2021, at 7:00 p.m., in the Third Floor Courtroom of the Kendall County Historic Courthouse at 109 W. Ridge Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested special use permit and zero members of the public testified in favor or in opposition to 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 special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated May 3, 2021, 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 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

WHEREAS, this 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 special use permit for the production and sale of wine and similar items utilizing crops grown on the same property or in combination with crops grown off-site where such production takes place on the premises on the subject property subject to the following conditions:
  - A. The site shall be developed substantially in accordance with the site plan attached hereto as Exhibit C. An overflow parking lot may be installed east of the red barn.
  - B. The parking lot shown on the site plan attached hereto as Exhibit C shall be setback at least fifty-nine feet (59') from the centerline of Plattville Road; the same distance as the existing house. The business allowed by this special use permit shall not commence operations until the parking lot shown on the site plan attached hereto as Exhibit C is installed.
  - C. Tasting, wholesale, and retail sale of wines shall be permitted.
  - D. The sale of ancillary items related to the business allowed by this special use permit shall be permitted.
  - E. The total retail sales area on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet. Sales shall be restricted to inside the barn identified on the site plan attached hereto as Exhibit C.
  - F. Seasonal outdoor displays related to the business allowed by this special use permit shall be permitted.
  - G. The business allowed by this special use permit may operate no earlier than Noon and no later than 9:00 p.m. any day of the week. The operators of the business allowed by this special use permit may conduct property maintenance outside the hours of operation. Business related deliveries may occur between 8:00 a.m. and 9:00 p.m. any day of the week.
  - H. The maximum number of employees of the business allowed by this special use permit shall be ten (10), including the business owners.
  - I. The maximum number of people allowed on the property in relation to the business allowed by this special use permit at any given time shall be sixty (60).
  - J. The owners of the business allowed by this special use permit may install one (1) business related sign along Plattville Road in substantially the location shown on the site plan attached hereto as Exhibit C. The sign shall not be illuminated. If the owner(s) or operators(s) of the business allowed by this special use permit want to install an illuminated sign in the future, the owner(s) or operator(s) of the business allowed by this special use permit must secure a variance



- to allow the placement of an illuminated sign. An amendment to this special use permit shall not be required for the placement of an illuminated sign.
- K. All trash and garbage generated by uses allowed by this special use permit shall be stored in the garbage areas designated on the site plan attached hereto as Exhibit C. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
- L. No music shall originate outside of any structure related to the operation of the business allowed by this special use permit.
- M. 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.
- N. None of the buildings associated with the business allowed by this special use permit shall be considered agricultural exempt structures. Applicable building and occupancy permits shall be secured for all new structures related to the business allowed by this special use permit. A new certificate of occupancy must be issued for the existing barn.
- O. The owner(s) or operator(s) of the business allowed by this special use permit shall live at the subject property as their primary place of residence.
- P. The owner(s) or operator(s) of the uses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
- Q. The owner(s) or operator(s) of the uses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use.
- R. 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.
- S. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
3. This 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.

State of Illinois  
County of Kendall

Zoning Petition  
#21-14

4. 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 special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 18<sup>th</sup> day of May, 2021.

Attest:

---

Kendall County Clerk  
Debbie Gillette

---

Kendall County Board Chairman  
Scott R. Gryder

Exhibit A

Corner

LEGAL DESCRIPTION OF PARCEL ONE:

That Part of the Northeast Quarter of Section 9, Township 35 North, Range 7 East of the Third Principal Meridian, being described by Commencing at the Northeast Corner of said Northeast Quarter; thence Westerly along the North Line of said Northeast Quarter, a distance of 1820.0 feet for the point of beginning; thence Southerly at right angles to said North Line, a distance of 385.0 feet; thence Westerly parallel to said North Line, a distance of 397.0 feet; thence Northerly at right angles to the last described course, a distance of 385.0 feet to a point on said North Line, said point being 397.0 feet Westerly of the point of beginning; thence Easterly along said North Line, 397.0 feet to the point of beginning, in the Township of Lisbon, Kendall County, Illinois.

## Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on May 3, 2021, by a vote of six (6) in favor and zero (0) in opposition. Member Clementi was absent.

### FINDINGS OF FACT

§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications.

*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 and conditions are placed in the special use permit governing hours of operation, noise levels, and number of people allowed on the property.***

*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 created from the proposed use. However, these negative impacts could be mitigated by restrictions related to hours of operation, noise regulations, and setting the maximum number of people allowed on the property.***

*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 property has appropriate access from Plattville Road. The Petitioners are planning to install the necessary utilities. Drainage will not be an issue based on the proposed use and 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. **This is true. The Petitioner is not requesting any variances.***

*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."***

### RECOMMENDATION

Approval of the request special use permit subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan. An overflow parking lot may be installed east of the red barn.
2. The parking lot shown on the submitted site plan shall be setback at least fifty-nine feet (59') from the centerline of Plattville Road; the same distance as the existing house. The business allowed by this special use permit shall not commence operations until the parking lot shown on the submitted site plan is installed.

3. Tasting, wholesale, and retail sale of wines shall be permitted.
4. The sale of ancillary items related to the business allowed by this special use permit shall be permitted.
5. The total retail sales area on site within any building or combination of buildings shall not exceed one thousand (1,000) square feet. Sales shall be restricted to inside the barn identified on the submitted site plan.
6. Seasonal outdoor displays related to the business allowed by this special use permit shall be permitted.
7. The business allowed by this special use permit may operate no earlier than Noon and no later than 9:00 p.m. any day of the week. The operators of the business allowed by this special use permit may conduct property maintenance outside the hours of operation. Business related deliveries may occur between 8:00 a.m. and 9:00 p.m. any day of the week.
8. The maximum number of employees of the business allowed by this special use permit shall be ten (10), including the business owners.
9. The maximum number of people allowed on the property in relation to the business allowed by this special use permit at any given time shall be sixty (60).
10. The owners of the business allowed by this special use permit may install one (1) business related sign along Plattville Road in substantially the location shown on the submitted site plan. The sign shall not be illuminated. If the owner(s) or operators(s) of the business allowed by this special use permit want to install an illuminated sign in the future, the owner(s) or operator(s) of the business allowed by this special use permit must secure a variance to allow the placement of an illuminated sign. An amendment to this special use permit shall not be required for the placement of an illuminated sign.
11. All trash and garbage generated by uses allowed by this special use permit shall be stored in the garbage areas designated on the submitted site plan. The owner(s) or operator(s) of the business allowed by this special use permit shall ensure that garbage and trash shall be removed from the property at least one (1) time per week or as necessary to maintain the property clear of garbage and trash.
12. No music shall originate outside of any structure related to the operation of the business allowed by this special use permit.
13. 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.
14. None of the buildings associated with the business allowed by this special use permit shall be considered agricultural exempt structures. Applicable building and occupancy permits shall be secured for all new structures related to the business allowed by this special use permit. A new

certificate of occupancy must be issued for the existing barn.

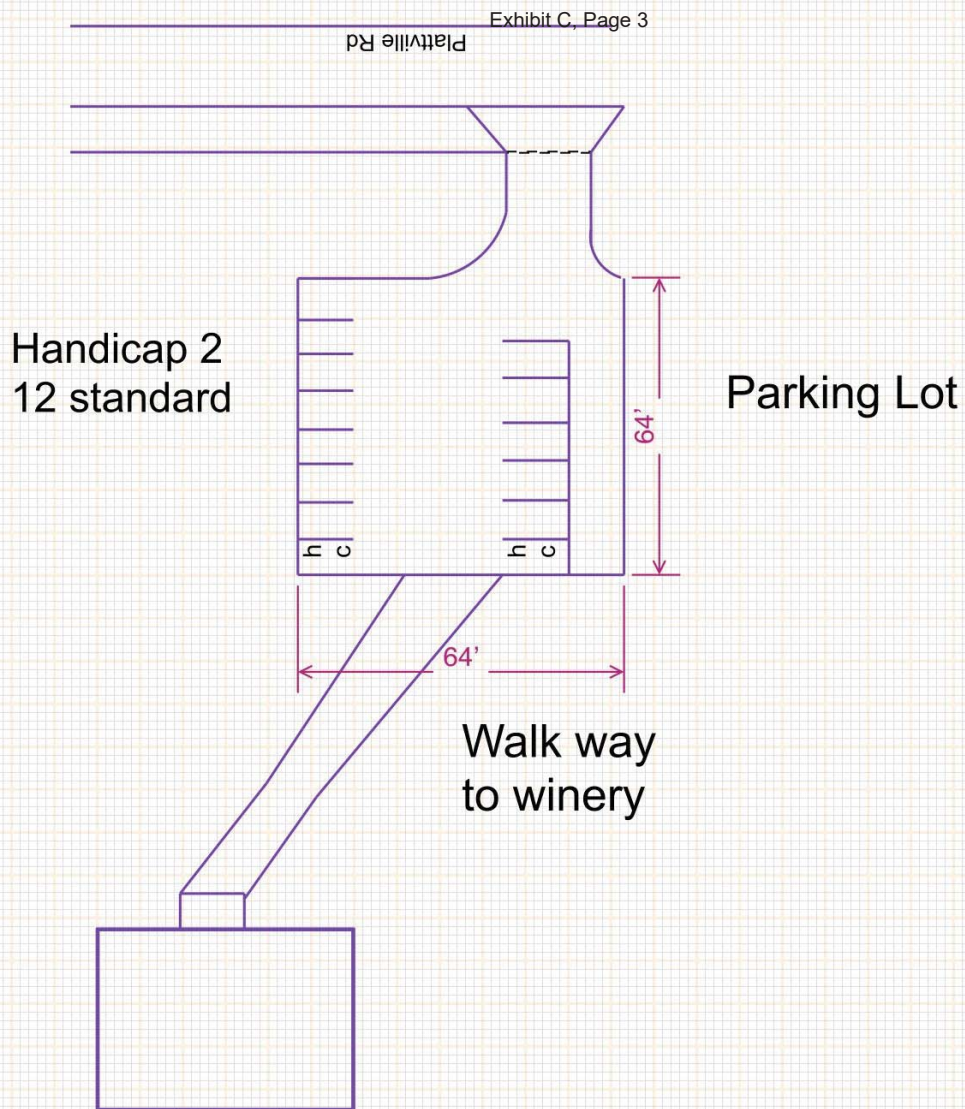
15. The owner(s) or operator(s) of the business allowed by this special use permit shall live at the subject property as their primary place of residence.
16. The owner(s) or operator(s) of the uses allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
17. The owner(s) or operator(s) of the uses allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of use.
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.













# Kendall County Agenda Briefing

**Committee:** Planning, Building and Zoning

**Meeting Date:** April 12, 2021

**Amount:** N/A

**Budget:** N/A

**Issue:** Petition 21-18-Request from the Kendall County Planning, Building and Zoning Committee for Amendments to Sections 104, 202.2, 202.6, and 203.3 of the Kendall County Stormwater Management Ordinance by Incorporating Bulletin 75 into the Kendall County Stormwater Management Ordinance

## **Background and Discussion:**

Bulletin 70 was a document used by the Illinois State Water Survey (ISWS) to evaluate rainfall frequency in Illinois.

In March 2019, Bulletin 70 was updated and the County Board adopted the update to Bulletin 70 on October 15, 2019, through Ordinance 2019-26.

In March 2020, the ISWS updated Bulletin 70 again and changed its name to Bulletin 75.

WBK Engineering reviewed the revision and offered additional changes to the Kendall County Stormwater Management Ordinance caused by the update.

If the County does not update to the most current version of Bulletin 70/75, then the County would be utilizing outdated rainfall figures when designating and evaluating stormwater infrastructure.

The draft ordinance is attached.

## **Committee Action:**

PBZ Committee-Approval to Initiate the Amendment (5-0)

## **Staff Recommendation:**

Approval

**Prepared by:** Matthew H. Asselmeier, AICP, CFM

**Department:** Planning, Building and Zoning Department

**Date:** April 13, 2021

**ORDINANCE NUMBER 2021-\_\_\_\_\_**

**AMENDMENTS TO SECTIONS 104, 202.2, 202.6, AND 203.3 OF THE KENDALL  
COUNTY STORMWATER MANAGEMENT ORDINANCE BY INCORPORATING  
BULLETIN 75 INTO THE KENDALL COUNTY STORMWATER MANAGEMENT  
ORDINANCE**

WHEREAS, 55 ILCS 5/5-1062 allows Kendall County to adopt a Stormwater Management Ordinance; and

WHEREAS, Sections 808 and 1007 of the Kendall County Stormwater Management Ordinance permits the Kendall County Board to amend the Kendall County Stormwater Management Ordinance and provides the procedure through which amendments are granted; and

WHEREAS, Sections 104, 202.2, 202.6, and 203.3 reference information, data, and calculations from the Illinois State Water Survey Bulletins 70 and 71; and

WHEREAS, in March 2020, the Illinois State Water Survey Prairie Research Institute at the University of Illinois prepared Bulletin 75 which updated information, data, and calculations contained in Bulletins 70 and 71 for the Illinois Department of Commerce and Economic Opportunity; and

WHEREAS, on April 12, 2021, the Kendall County Planning, Building and Zoning Committee submitted a petition to amend Sections 104, 202.2, 202.6, and 203.3 of the Kendall County Stormwater Management Ordinance by changing references of Bulletins 70 and 71 to Bulletin 75 and making calculation adjustments to conform to Bulletin 75 data; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on April 22, 2021, the Kendall County Board conducted a public hearing on May 18, 2021, at 9:00 a.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which evidence, testimony, and exhibits in support of the requested amendments was presented and zero members of the public testified in favor or in opposition; and

WHEREAS, following due and careful consideration of the information provided at the May 18, 2021, public hearing, the Kendall County Board finds it to be in the public interest to amend the Kendall County Stormwater Management Ordinance by incorporating Bulletin 75 information into the Ordinance; and

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

Section 104 of the Kendall County Stormwater Management Ordinance is amended by the deleting the definition of Bulletin 70 and replacing it with the following:

**“Bulletin 75.** “Precipitation Frequency Study for Illinois” by James R. Angel and Momcilo Markus with Contributing Authors Kexuan Ariel Wang, Brian M. Kerschner, and Shailendra Singh, dated March 2020.”

Section 202.2 of the Kendall County Stormwater Management Ordinance is amended by deleting the present language and replacing it with the following:

***“202.2 Minor Stormwater System Criteria***

Minor stormwater systems shall be sized to convey runoff from the tributary watershed under pre-development or fully developed conditions as may create the greatest amount of runoff. The recurrence frequency for design purposes shall be the 10-year event. The rainfall data shall be from ISWS Bulletin 75. Inlet capacity shall generally be provided such that depth of ponding does not exceed 6 inches to facilitate the 10-year event. Pipe capacity shall generally be provided such that the calculated hydraulic grade line does not exceed the top of pipe elevation. The extent and determination of minor (and major) stormwater systems shall be at the discretion of the permitting authority based on project conditions.”

Section 202.6 of the Kendall County Stormwater Management Ordinance is amended by deleting the present language and replacing it with the following:

***“202.6 Design Rainfall***

Any design runoff rate calculation shall use Illinois State Water Survey Bulletin 75 rainfall data to calculate flow from all tributary area upstream of the point of design. Peak discharges for conveyance design purposes shall be based on the critical duration event considering the appropriate rainfall distribution. Rational method design of conveyance systems shall use Illinois State Water Survey Bulletin 75 sectional rainfall data based intensity-duration-frequency curves.”

Section 203.3 of the Kendall County Stormwater Management Ordinance is amended by deleting the present language and replacing it with the following:

***“203.3 Design Methods***

Event hydrograph routing methods shall be used to calculate runoff storage volume requirements for stormwater management basins with total tributary areas greater than five acres. The hydrograph routing shall be HEC-1, (SCS methodology), HEC-HMS, TR-20, or TR-55 tabular method or as otherwise approved by the Administrator. Event hydrograph methods shall incorporate the following assumptions:

- a. Antecedent moisture condition = 2; and
- b. Appropriate Huff rainfall distribution; and
- c. 24-hour duration storm with a 1% probability (100-year frequency) of occurrence in any one year as specified by Illinois State Water Survey Bulletin 75 rainfall data multiplied by a correction factor of 1.13 to account for Bulletin 75 rainfall data.

Runoff storage volume requirements for stormwater management basins with total tributary areas equal to or less than five acres may utilize the % *Impervious to unit Area Detention* nomograph developed by NIPC (now known as CMAP) depicted in Table 203.”

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 18<sup>th</sup> day of May, 2021.

Attest:

---

Kendall County Clerk  
Debbie Gillette

---

Kendall County Board Chairman  
Scott R. Gryder





# Kendall County Agenda Briefing

**Committee:** Planning, Building and Zoning Committee

**Meeting Date:** May 10, 2021

**Amount:** \$1,000

**Budget:** Yes - Planning, Building and Zoning Department NPDES Permit Fee Line Item (1101902-63670)

**Issue:** Approval of Annual NPDES Report

## Background and Discussion:

Kendall County is required to submit certain documents annually by June 1st as required by its NPDES Permit.

The 2021 Annual Report is similar to the 2020 Annual Report with the following changes:

1. After several years of technical issues, the County was able to report website traffic in this year's Annual Report.
2. The County experienced decreased responses to the annual survey from the townships; four (4) townships submitted responses in 2021 compared to five (5) in 2020.
3. Staff participated in additional trainings during this report year compared to previous years.
4. Some community outreach efforts that the Kendall County Soil and Water Conservation District normally undertake (i.e. the used oil collection program) were impacted by COVID-19.
5. The Annual Report reflects the addition of the 2018 contour layer to the Kendall County GIS.
6. An illicit discharge investigation occurred at Hide-A-Way Lakes in the fall of 2020.

There is a One Thousand Dollar (\$1,000) submittal fee, which has been unchanged for several years.

The proposed Annual Report is attached.

## Committee Action:

PBZ Committee-Approval (5-0)

## Staff Recommendation:

Approval

**Prepared by:** Matthew H. Asselmeier, AICP, CFM

**Department:** Planning, Building and Zoning Department

**Date:** May 11, 2021



# Illinois Environmental Protection Agency

Bureau of Water • 1021 N. Grand Avenue E. • P.O. Box 19276 • Springfield • Illinois • 62794-9276

## Division of Water Pollution Control ANNUAL FACILITY INSPECTION REPORT

### for NPDES Permit for Storm Water Discharges from Separate Storm Sewer Systems (MS4)

*This fillable form may be completed online, a copy saved locally, printed and signed before it is submitted to the Compliance Assurance Section at the above address. Complete each section of this report.*

Report Period: From March, 2020 To March, 2021

Permit No. ILR40 0261

#### MS4 OPERATOR INFORMATION: (As it appears on the current permit)

Name: Kendall County Mailing Address 1: 111 West Fox Street  
Mailing Address 2: \_\_\_\_\_ County: Kendall  
City: Yorkville State: IL Zip: 60560 Telephone: 630-553-4141  
Contact Person: Matthew Asselmeier Email Address: masselmeier@co.kendall.il.us  
(Person responsible for Annual Report)

#### Name(s) of governmental entity(ies) in which MS4 is located: (As it appears on the current permit)

Kendall County

#### THE FOLLOWING ITEMS MUST BE ADDRESSED.

A. Changes to best management practices (check appropriate BMP change(s) and attach information regarding change(s) to BMP and measurable goals.)

- |   |  |
|---|--|
| 1. Public Education and Outreach <input type="checkbox"/>             | 4. Construction Site Runoff Control <input type="checkbox"/>       |
| 2. Public Participation/Involvement <input type="checkbox"/>          | 5. Post-Construction Runoff Control <input type="checkbox"/>       |
| 3. Illicit Discharge Detection & Elimination <input type="checkbox"/> | 6. Pollution Prevention/Good Housekeeping <input type="checkbox"/> |

B. Attach the status of compliance with permit conditions, an assessment of the appropriateness of your identified best management practices and progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, and your identified measurable goals for each of the minimum control measures.

C. Attach results of information collected and analyzed, including monitoring data, if any during the reporting period.

D. Attach a summary of the storm water activities you plan to undertake during the next reporting cycle ( including an implementation schedule.)

E. Attach notice that you are relying on another government entity to satisfy some of your permit obligations (if applicable).

F. Attach a list of construction projects that your entity has paid for during the reporting period.

**Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))**

Owner Signature:

Scott R. Gryder

Printed Name:

Date:

Kendall County Board Chairman

Title:

EMAIL COMPLETED FORM TO: [epa.ms4annualinsp@illinois.gov](mailto:epa.ms4annualinsp@illinois.gov)

or Mail to: ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
WATER POLLUTION CONTROL  
COMPLIANCE ASSURANCE SECTION #19  
1021 NORTH GRAND AVENUE EAST  
POST OFFICE BOX 19276  
SPRINGFIELD, ILLINOIS 62794-9276

IL 532 2585

WPC 691 Rev 6/10

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues (415 ILCS 5/42) and may also prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

Illinois Environmental Protection Agency  
ANNUAL FACILITY INSPECTION REPORT  
for NPDES Permit for Storm Water Discharges from Separate Storm Sewer Systems (MS4)

**Kendall County, Illinois (NPDES Permit No. ILR400261)**  
**YEAR 5: March 2020-March 2021**

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## Part 1. Changes to Best Management Practices

There are no changes to the Best Management Practices in Year 5 (March 2020-March 2021) for the six minimum control measures as described in the Notice of Intent for Kendall County submitted on July 19, 2016.

Note: **X** indicates BMPs performed that were proposed for Year 5 in NOI

+ indicates BMPs performed that were not originally proposed for Year 5 in NOI

<b>A. Public Education and Outreach</b>	
<b>X</b>	A.1 Distributed Paper Material
<b>X</b>	A.2 Speaking Engagement
	A.3 Public Service Announcement
<b>X</b>	A.4 Community Event
	A.5 Classroom Education Material
<b>X</b>	A.6 Other Public Education
<b>B. Public Participation/Involvement</b>	
	B.1 Public Panel
	B.2 Educational Volunteer
<b>X</b>	B.3 Stakeholder Meeting
	B.4 Public Hearing
	B.5 Volunteer Monitoring
	B.6 Program Coordination
<b>X</b>	B.7 Other Public Involvement
<b>C. Illicit Discharge Detection and Elimination</b>	
<b>X</b>	C.1 Storm Sewer Map Preparation
	C.2 Regulatory Control Program
<b>X</b>	C.3 Detection/Elimination Prioritization Plan
<b>X</b>	C.4 Illicit Discharge Tracing Procedures
<b>X</b>	C.5 Illicit Source Removal Procedures
<b>X</b>	C.6 Program Evaluation and Assessment
<b>X</b>	C.7 Visual Dry Weather Screening
	C.8 Pollutant Field Testing
	C.9 Public Notification
	C.10 Other Illicit Discharge Controls

<b>D. Construction Site Runoff Control</b>	
<b>X</b>	D.1 Regulatory Control Program
<b>X</b>	D.2 Erosion and Sediment Control BMPs
<b>X</b>	D.3 Other Waste Control Programs
<b>X</b>	D.4 Site Plan Review Procedures
	D.5 Public Information Handling Procedures
<b>X</b>	D.6 Site Inspection/Enforcement
<b>X</b>	D.7 Other Construction Site Runoff Controls
<b>E. Post-Construction Runoff Control</b>	
	E.1 Community Control Strategy
	E.2 Regulatory Control Program
<b>X</b>	E.3 Long-Term O&M Procedures
	E.4 Pre-Construction Review of BMP
<b>X</b>	E.5 Site Inspections During Construction
	E.6 Post-Construction Inspections
<b>X</b>	E.7 Other Post-Const. Runoff Controls
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	F.2 Inspection and Maintenance Program
	F.3 Municipal Operations Storm Water Control
<b>X</b>	F.4 Municipal Operation Waste Disposal
<b>X</b>	F.5 Flood Management/Assess Guidelines
<b>X</b>	F.6 Other Municipal Operations Controls

## Part 2. Status of Compliance with Permit Conditions

*(Provide the status of compliance with permit condition, an assessment of the appropriateness of your identified best management practices and progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable [MEP], and your identified measurable goals for each of the minimum control measures.)*

Kendall County submitted a Notice of Intent on July 19, 2016, which initiated a new 5-year permit cycle. The BMPs listed in the 2016 NOI were selected to meet the requirements of the NPDES Phase II program and reduce nonpoint source pollution in Kendall County.

The status of BMPs and measurable goals performed in Year 5 (March 2020-March 2021) are described below.

### A. Public Education and Outreach

#### A.1 Distributed Paper Material

*Measurable Goals: 1) Track number of people requesting to see the County's Plan on an annual basis.*

Due to the increased preference of electronic documents and the effort to minimize paper waste, Kendall County provides much of their information on the County's website. Kendall County continues to provide links on their website to PDFs of the Stormwater Management Program Plan, the NOI, and Annual Reports. The website also includes materials about sources of stormwater pollution and ways to minimize pollutants. The County's website includes EPA web links as well as web links to other sites that contain information about the benefits of green infrastructure and rain gardens, impacts of climate change on water resources, and the impacts of climate change on the Midwest.

Kendall County typically tracks the number of views the County website receives annually. In Year 5, the NPDES documents received 382 pageviews.

#### A.2 Speaking Engagement

*Measurable Goals: An increase in number of presentations annually and amount of public attendance/participation.*

Due to the COVID-19 Pandemic, there was no public presentations in Year 5.

#### A.4 Community Event

*Measurable Goals: Increased interest and attendance in annual workshops/seminars.*

Due to the COVID-19 Pandemic, The Kendall County Soil and Water Conservation District (SWCD) did not host a used oil drop off recycling event. A future oil recycling event has been scheduled for June 2021.

#### **A.6 Other Public Involvement**

*Measurable Goals: 1) Inquiries to linked websites and annual increase in hits to website. 2) Annual evaluation surveys.*

Kendall County tracks the number of views the County website receives annually. In Year 5, the NPDES documents received 382 page views Groundwater information received 528 views, and Stormwater received 7,916 views.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 5 to get input on how they can improve public education and outreach. Three townships and one anonymous completed the survey. The survey results are included at the end of this report in Appendix 1.

### **B. Public Participation/Involvement**

#### **B.3 Stakeholder Meetings**

*Measurable Goals: Attend the annual public meeting and work with the County to establish a positive dialogue and eventually develop County-wide coordination of stormwater management efforts.*

The Kendall County Stormwater Management Oversight Committee held a remote annual public meeting on October 15, 2020 at 4:00pm using Microsoft Teams. The meeting was held to receive public input regarding stormwater management related regulations and enforcement and to discuss proposed changes to the Kendall County Stormwater Management Ordinance.

At the meeting, 8 of the 10 committee members were present. Also in attendance was the Kendall County Senior Planner, a representative of the State's Attorney's Office, a representative from the Kendall County Health Department, and the Kendall County Forest Preserve Commission Director.

#### **B.7 Other Public Involvement**

*Measurable Goals: 1) Inquiries to linked websites and annual increase in hits to website. 2) Annual evaluation surveys.*

Kendall County tracks the number of views the County website receives annually. In Year 5, the NPDES documents received 382 page views Groundwater information received 528 views, and Stormwater received 7,916 views.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 5 to get input on how they can improve public participation and involvement. Three townships and one anonymous board member completed the survey. The survey results are included at the end of this report in Appendix 1.

## **C. Illicit Discharge Detection and Elimination**

### **C.1 Storm Sewer Map Preparation**

*Measurable Goals: Update storm sewer mapping annually.*

In Year 5, 2018 contours were added to the County's GIS mapping layer. Additionally, the number of flyovers increased resulting in more current aerial imagery. Kendall County will continue to update the storm sewer mapping as necessary.

### **C.3 Detection/Elimination Prioritization Plan**

*Measurable Goals: Track the number of illicit dischargers discovered and track removal process.*

Kendall County continues to work with the Health Department on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There was one illicit discharge investigation during Year 5 at Hide Away Lakes Campground in November of 2020. Details of this investigation can be seen in Appendix 3.

The Highway Department performs stormwater related inspections as necessary throughout the County as they relate to road maintenance.

### **C.4 Illicit Discharge Tracing Procedures**

*Measurable Goals: Track number of illicit discharges discovered and track removal process annually.*

Kendall County continues to work with the Health Department on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There was one illicit discharge investigation during Year 5 at Hide Away Lakes Campground in November of 2020. Details of this investigation can be seen in Appendix 3.

The County has an Outfall Inspection Procedure Flow Chart (Figure 2) in their Kendall County Stormwater Management Program Plan for detecting and tracing discharges. There is also an Indirect Illicit Discharge Tracking Form available in Appendix 5.6 of the Kendall County Stormwater Management Program Plan for use by County personnel.

### **C.5 Illicit Source Removal Procedures**

*Track the number of illicit dischargers discovered and track removal process.*

Kendall County continues to work with the Health Department on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There was one illicit discharge investigation during Year 5 at Hide Away Lakes Campground in November of 2020. Details of this investigation can be seen in Appendix 3.

The County has an 8-step protocol in place for ensuring the removal of illicit discharges. This protocol is explained under Section 3.3.D.3 of the Kendall County Stormwater

## Management Program Plan.

### C.6 Program Evaluation and Assessment

*Measurable Goals: Annual evaluation surveys.*

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 5 to get input on how they can continue to prevent stormwater pollution. Three townships and one anonymous completed the survey. The survey results are included at the end of this report in Appendix 1.

### C.7 Visual Dry Weather Screening

*Measurable Goals: Track the number of illicit dischargers discovered and track removal process.*

Kendall County continues to work on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There was one illicit discharge investigation during Year 5 at Hide Away Lakes Campground in November of 2020. Details of this investigation can be seen in Appendix 3.

The County has a Stormwater Outfall Inspection Data Form available in Appendix 5.3 of the Kendall County Stormwater Management Program Plan for use by County personnel.

## D. Construction Site Runoff Control

### D.1 Regulatory Control Program

*Measurable Goals: Implementation of the Kendall County Stormwater Ordinance.*

On October 15, 2019, the Kendall County Stormwater Management Ordinance was revised. This Ordinance specifically outlines runoff calculations and regulations regarding the updated Bulletin 70 Data, specifically in Section 202. Kendall County continues to implement and comply with the Kendall County Stormwater Ordinance.

Kendall County has been working with a review consultant since 2008 who continues to provide stormwater, engineering, wetland, and Soil Erosion and Sediment Control (SESC) review for proposed developments. The consultant conducted SESC inspections at the FMWRD Operations & Maintenance Building Site during the past reporting period on behalf of Kendall County. The table below provides a breakdown of the projects and the number of SESC inspections completed by the consultant in Year 5.

Construction	Date SESC	Date SESC	# of Inspections
--------------	-----------	-----------	------------------

<b>Project</b>	<b>Inspections Started</b>	<b>Inspections Ended</b>	<b>Completed in Year 5</b>
FMWRD O&M Building	July 2019	Ongoing project	13 inspections
Light Road Lots 105 Subdivision	July 2019	July 2020	5 Inspections
9211 Route 126	January 2020	December 2020	5 Inspections
Joliet Park District – Grove Road	April 2020	November 2020	4 Inspections
Enbridge EFRD – Chicago Road	December 2020	December 2020	1 Inspection
Vet & Kennel at Bell and Ridge	October 2020	Ongoing	1 Inspection

**Soil Erosion and Sediment control inspections were also completed by the Kendall County SWCD throughout the year.**

## **D.2 Erosion and Sediment Control BMPs**

*Measurable Goals: Adoption of County ordinance amendments as developed.*

**The County outlines the Soil Erosion and Sediment Control requirements for construction sites in Article 3 of the Kendall County Stormwater Management Ordinance.**

**In March of 2019, Bulletin 70 was updated and adopted by the Kendall County Stormwater Ordinance. The County has plans to update the Stormwater Management Ordinance to reflect Bulletin 75 released in March 2020 during the next reporting cycle (Year 1). No amendments were made to the ordinance in Year 5.**

## **D.3 Other Waste Control Program**

*Measurable Goals: Adoption of County ordinance amendments as developed.*

**No amendments to the Other Waste Control Program were developed because none were needed this year.**

## **D.4 Site Plan Review Procedures**

*Measurable Goals: Adoption of ordinance amendments as developed.*

**All construction projects are required to have a Soil Erosion and Sediment Control Plan in place prior to construction as stated in Sec. 301 of the Ordinance. The SESC Plan must be prepared in accordance with the requirements of the Ordinance as well as the standards and specifications contained in the most recent Illinois Urban Manual.**

**No amendments to the Site Plan Review Procedures were developed because none were needed this year.**

## **D.6 Site Inspection/Enforcement Procedures**

*Measurable Goals: Develop enforceable procedures for construction site inspections.*

**Construction site inspections are enforced under Sec. 303 and Sec. 304 of the Kendall County Stormwater Management Ordinance.**

**If a site is not in compliance with the Ordinance, the property owner has 7 days to correct the issue. If the issue is not corrected in that time frame, a Stop-Work Order will be issued, and the permit may be revoked.**

**The County will continue working with a consultant who will conduct SESC inspections at Kendall County constructions sites. The County will also continue to work with the Kendall County Soil & Water Conservation District to conduct stormwater inspections.**

**D.7 Other Construction Site Runoff Controls**

*Measurable Goals: Soil Erosion and Sediment Control (SESC) inspections will be monitored and filed until final site acceptance by Kendall County.*

**Kendall County evaluates their Construction Site Runoff Control Program by monitoring and recording Construction Site Runoff Control compliance.**

**The County will continue working with a consultant who will conduct SESC inspections at Kendall County construction sites. The County will also continue to work with the Kendall County Soil & Water Conservation District to conduct stormwater inspections.**

**E. Post-Construction Runoff Control**

**E.3 Long Term O&M Procedures**

*Measurable Goals: Adoption of revised Kendall County Stormwater Management Ordinance.*

**Kendall County continues to monitor and enforce long term maintenance requirements of the Kendall County Stormwater Management Ordinance. No revisions were made in the past year.**

**E.5 Site Inspections During Construction**

*Measurable Goals: Implementing ordinance amendments, as developed.*

**Kendall County continues to monitor and enforce soil erosion and sediment control requirements of the Kendall County Stormwater Management Ordinance under Sec. 303 and Sec. 304. No amendments were developed in the past year.**

**Kendall County will update the Kendall County Stormwater Management Ordinance to include enforcement procedures as needed.**

**The County will continue working with a consultant who will conduct SESC inspections at Kendall County constructions sites until final stabilization is achieved.**

**E.7 Other Post-Construction Runoff Controls**

*Measurable Goals: 1) Collaborate with other MS-4's in Kendall County and stakeholders,*



*including the Conservation Foundation and the Kendall County Soil and Water Conservation District, to evaluate relevant flood control techniques to determine the potential effects of climate change. 2) Annual evaluation survey.*

**Kendall County has not begun implementation of a MS-4/stakeholder plan. The County will continue to provide an evaluation survey to get feedback about County programs.**

**Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 5 to get input on how they can continue to prevent stormwater pollution. Three townships and one anonymous completed the survey. The survey results are included at the end of this report in Appendix 1.**

## **F. Pollution Prevention/Good Housekeeping**

### **F.1 Employee Training Program**

*Measurable Goals: Increase participation at workshops.*

**Kendall County provides links on the County website to EPA's websites about green infrastructure and climate change. They also have EPA information posted on the County website about NPDES and clean water. This information is available to County staff, townships, and the public. The Kendall County SWCD has developed a variety of training materials which include presentations related to erosion and sediment control, best management practices, and associated regulations. These materials can be requested from the SWCD as needed.**

**Kendall County's Senior Planner participated in the following in Year 5: FEMA's "Spring 2021 National Flood Insurance Program Briefing" webinar series in March of 2021; the Conservation Foundation's "Beyond the Basics" virtual conference in February of 2021; and the 2021 IAFSM Annual Conference in March of 2021. The certificates associated with these continuing education workshops can be found in Appendix 2.**

### **F.4 Municipal Operation Waste Disposal**

*Measurable Goals: Reduce the impact of Municipal Operations of stormwater runoff.*

**Kendall County continues to collect litter and track the amount of material collected. Kendall County collected 7.69 tons of garbage from within County right-of-way in Year 5. Kendall County continues to minimize the discharge of pollutants from vehicle washing by treating the wash water by collection in a sediment basin or using an inlet filter prior to discharge. The County continues to properly store building materials, building products, construction waste, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, deicing materials, detergents, and other materials to guard against exposure to precipitation and stormwater.**

### **F.5 Flood Management/Assess Guidelines**

*Measurable Goals: Incorporate revised floodplain guidelines and DFIRMs by reference.*

On May 21, 2013, the Kendall County Stormwater Management Ordinance was revised. This Ordinance states as one of its goals the reduction of flooding and its economic and human impacts, while also stating a goal to make federally subsidized flood insurance available. Kendall County did not make any revisions to the floodplain guidelines this past year.

Kendall County's Senior Planner is a Certified Floodplain Manager. This certification will help the County reach its goals listed in the ordinance by providing the Senior Planner with knowledge to assess and deal with the issues of flooding and its damaging effects.

Kendall County did not revise the Kendall County Stormwater Management Ordinance to incorporate more floodplain guidelines and DFIRMs by reference in Year 5.

#### **F.6 Other Municipal Operations Controls**

*Measurable Goals: Annual Evaluation surveys.*

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 5 to get input on how they can continue to prevent stormwater pollution. Three townships and one anonymous completed the survey. The survey results are included at the end of this report in Appendix 1.

### **Part 3. Information and Data Collection Results**

*(Provide information and water quality sampling/monitoring data related to illicit discharge detection and elimination collected during the reporting period.)*

**There was one illicit discharge detected during Year 5 at Hide Away Lakes Campground in November of 2020. Details of this investigation can be seen in Appendix 3.**

## Part 4. Summary of Next Reporting Period Stormwater Activities

*(Present a summary of the storm water activities you plan to undertake during the next reporting cycle, including and implementation schedule in the sections following the table.)*

Kendall County is currently at the end of their 5-year permit cycle. A new NOI has already been submitted to the IEPA for the March 2021-March 2026 reporting years. The table shown below summarizes the BMPs committed to for Year 1 of the new NOI (March 2021-March 2022). Specific BMPs and measurable goals for Year 1 program development activities are presented in the sections following the table.

Note: X indicates BMPs committed to for Year 1 in NOI

<b>A. Public Education and Outreach</b>	
X	A.1 Distributed Paper Material
X	A.2 Speaking Engagement
	A.3 Public Service Announcement
X	A.4 Community Event
	A.5 Classroom Education Material
X	A.6 Other Public Education
<b>B. Public Participation/Involvement</b>	
	B.1 Public Panel
	B.2 Educational Volunteer
X	B.3 Stakeholder Meeting
	B.4 Public Hearing
	B.5 Volunteer Monitoring
	B.6 Program Coordination
X	B.7 Other Public Involvement
<b>C. Illicit Discharge Detection and Elimination</b>	
X	C.1 Storm Sewer Map Preparation
	C.2 Regulatory Control Program
X	C.3 Detection/Elimination Prioritization Plan
X	C.4 Illicit Discharge Tracing Procedures
X	C.5 Illicit Source Removal Procedures
X	C.6 Program Evaluation and Assessment
X	C.7 Visual Dry Weather Screening
	C.8 Pollutant Field Testing
	C.9 Public Notification
	C.10 Other Illicit Discharge Controls

<b>D. Construction Site Runoff Control</b>	
X	D.1 Regulatory Control Program
X	D.2 Erosion and Sediment Control BMPs
X	D.3 Other Waste Control Programs
X	D.4 Site Plan Review Procedures
	D.5 Public Information Handling Procedures
X	D.6 Site Inspection/Enforcement Procedures
X	D.7 Other Construction Site Runoff Controls
<b>E. Post-Construction Runoff Control</b>	
	E.1 Community Control Strategy
	E.2 Regulatory Control Program
X	E.3 Long-Term O&M Procedures
	E.4 Pre-Construction Review of BMP Designs
X	E.5 Site Inspections During Construction
	E.6 Post-Construction Inspections
X	E.7 Other Post-Construction Runoff Controls
<b>F. Pollution Prevention/Good Housekeeping</b>	
X	F.1 Employee Training Program
	F.2 Inspection and Maintenance Program
	F.3 Municipal Operations Storm Water Control
X	F.4 Municipal Operation Waste Disposal
X	F.5 Flood Management/Assess Guidelines
X	F.6 Other Municipal Operations Controls

## **A. Public Education and Outreach**

### **A.1 Distributed Paper Material**

*Measurable Goals: 1) Track number of people requesting to see the County's Plan on an annual basis*

Kendall County will maintain educational links on their website providing information on what residents can do to minimize and reduce stormwater runoff pollution, the benefits of green infrastructure and rain gardens, and the impacts of climate change. The County will add the Year 5 NPDES Annual Report and the new NOI to their website for public viewing. The County will track the number of people requesting and viewing the Stormwater Management Program Plan, the NOI, and Annual Reports in Year 1.

### **A.2 Speaking Engagement**

*Measurable Goals: An increase in number of presentations annually on BMPs.*

The County will continue to work with the Kendall County Health Department and the Kendall County Soil and Water Conservation District to provide educational opportunities to residents.

### **A.4 Community Event**

*Measurable Goals: Increased interest and attendance in annual workshops/seminars.*

Kendall County will work with the Kendall County Soil and Water Conservation (SWCD), the Conservation Foundation, and other county departments to promote educational efforts and workshops related to stormwater and conservation activities.

### **A.6 Other Public Education**

*Measurable Goals: Inquiries to linked websites on annual increase in hits to website.*

Kendall County will maintain the current links on their website and track the number of views on the Kendall County NPDES webpage. The County will add links to the websites of local watershed committees and conservation groups to further promote public education.

## **B. Public Participation/Involvement**

### **B.3 Stakeholder Meetings**

*Measurable Goals: Hold an annual public meeting to establish positive dialogue.*

The County is currently making an effort to establish a dialogue with local communities in the County to coordinate stormwater management efforts. Kendall County has completed the Stormwater Management Program Plan and will continue to maintain adherence to the plan. The County will hold an annual public meeting to provide input into the MS4 program and will comply with State and local public notice requirements when implementing public participation and involvement activities. The County will work to identify any environmental justice areas and include the public participation in these issues.

**B.7 Other Public Involvement**

*Measurable Goals: Inquiries to linked websites and annual increase in hits to website.*

The County will place new and maintain current links on their website to the websites of local watershed committees and conservation groups to further promote public education. The County will track the number of views on the NPDES website and related links.

**C. Illicit Discharge Detection and Elimination**

**C.1 Storm Sewer Map Preparation**

*Measurable Goals: Review storm sewer mapping annually.*

Kendall County will continue field verifying locations of features in Year 1 and maintain mapping layer of storm sewer systems in GIS.

**C.3 Detection/Elimination Prioritization Plan**

*Measurable Goals: Track the number of illicit dischargers discovered and track removal process.*

Kendall County will work with the Kendall County Health Department, the Kendall County Highway Department, and the townships to address illicit discharges and identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4.

**C.4 Illicit Discharge Tracing Procedures**

*Measurable Goals: Track number of illicit dischargers discovered and track removal process annually.*

Kendall County will address, identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. The County will perform dry and wet weather monitoring as necessary.

**C.5 Illicit Source Removal Procedures**

*Measurable Goals: Track number of illicit dischargers discovered and track removal process.*

Kendall County will address, identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. The County will issue notices to source of illicit discharge discovered under the tracing process for removal of discharge under the Kendall County Stormwater Management Ordinance with compliance dates.

**C.6 Program Evaluation and Assessment**

*Measurable Goals: Annual evaluation surveys.*

Kendall County will evaluate their Illicit Discharge Detection and Elimination Program by

having participants fill out an evaluation for using a tool such as Survey Monkey™.

**C.7 Visual Dry Weather Screening**

*Measurable Goals: Track the number of illicit dischargers discovered and track removal process.*

Kendall County will identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. Kendall County will do periodical visual monitoring of outfalls during dry weather to determine non-stormwater discharges and their significance.

**D. Construction Site Runoff Control**

**D.1 Regulatory Control Program**

*Measurable Goals: Implementation of the Kendall County Stormwater Ordinance.*

Kendall County's Stormwater Management Ordinance includes revised regulations for stormwater management, plan reviews, and long term maintenance. The County will continue implementation and compliance with the Stormwater Ordinance.

**D.2 Erosion and Sediment Control BMPs**

*Measurable Goals: Adoption of ordinance amendments as developed.*

Although the County currently has a Soil Erosion and Sediment Control (SESC) requirement within the Kendall County Stormwater Management Ordinance, the ordinance will be updated to incorporate additional BMPs and revisions to the Illinois Urban Manual as necessary.

**D.3 Other Waste Control Program**

*Measurable Goals: Adoption of ordinance amendments as developed.*

Although the County currently has a Soil Erosion and Sediment Control (SESC) requirement within the Kendall County Stormwater Management Ordinance, the ordinance will be updated to include regulations for waste control on construction sites as necessary.

**D.4 Site Plan Review Procedures**

*Measurable Goals: Adoption of ordinance amendments as developed.*

Although the County currently has a Soil Erosion and Sediment Control (SESC) requirement within the Kendall County Stormwater Management Ordinance, the ordinance will be updated to include enforcement procedures and a site inspection checklist as necessary.

**D.6 Site Inspection/Enforcement Procedures**

*Measurable Goals: Review enforceable procedures for construction site inspections and update as necessary.*

Although the County currently has a Soil Erosion and Sediment Control (SESC) requirement within the Kendall County Stormwater Management Ordinance, the ordinance will be updated to include revised enforcement procedures and a site inspection checklist as necessary.

**D.7 Other Construction Site Runoff Controls**

*Measurable Goals: Soil Erosion and Sediment Control (SESC) inspections will be monitored and filed until final site acceptance by Kendall County.*

Kendall County will continue evaluating their Construction Site Runoff Control Program by monitoring and recording Construction Site Runoff Control compliance.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County construction sites. The County will also continue to work with the Kendall County Soil & Water Conservation District to conduct stormwater inspections.

**E. Post-Construction Runoff Control**

**E.3 Long-Term O&M Procedures**

*Measurable Goals: Review Kendall County Stormwater Management Ordinance and update as necessary.*

The Kendall County Stormwater Management Ordinance will include revised regulations for long term maintenance that will be updated as necessary,

**E.5 Site Inspections During Construction**

*Measurable Goals: Implementing ordinance amendments, as necessary.*

Although the County currently has a Soil Erosion and Sediment Control (SESC) requirement within the Kendall County Stormwater Management Ordinance, the ordinance will be updated to include revised enforcement procedures and a site inspection checklist, as necessary.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County constructions sites until final stabilization is achieved.

**E.7 Other Post-Construction Runoff Controls**

*Measurable Goals: The County will evaluate relevant flood control techniques to determine the potential effects due to climate change.*

Kendall County will collaborate with other MS4's in Kendall County and stakeholders, including the Kendall County Soil and Water Conservation District, to evaluate relevant flood control techniques to determine the potential effects due to climate change. In Year 1, the County will explore ways to collaborate with the other MS4's and stakeholders.



## **F. Pollution Prevention/Good Housekeeping**

### **F.1 Employee Training Program**

*Measurable Goals: Increase participation at workshops.*

The Health, PBZ, SWCD, and Highway Department personnel will participate in annual training programs, as available funding and opportunities allow. Training for County Staff and contractors on methods to prevent and reduce discharge of pollutants to the maximum extent practicable will be offered, as necessary. Training materials will be available to County Staff from the EPA and the State regarding prevention and reduction of stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance and deicing practices. In addition, training materials that explain how flood management projects impact water quality, non-point source pollution control, green infrastructure controls, and aquatic habitat will be made available to employees upon request by employees.

### **F.4 Municipal Operation Waste Disposal**

*Measurable Goals: Minimize the impact of County operations on stormwater run-off.*

The Highway Department will continue to collect litter from county highways and track the amount of material collected and properly disposed.

The County will minimize discharge of pollutants from County owned vehicle washing by treating the wash water by collection in a sediment basin or using an inlet filter prior to discharge.

The County will properly store County owned building materials, building products, construction waste, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, deicing materials, detergents, and other materials to guard against exposure to precipitation and stormwater.

The County has procedures in place to respond to spills and leaks to prevent exposure to stormwater infrastructure on County owned property.

The County will perform inspections to maintain the integrity of the County owned stormwater systems.

The County will continue to store deicing material in the permanent Kendall County Highway Department salt storage facility.

### **F.5 Flood Management/Assess Guidelines**

*Measurable Goals: Incorporate revised floodplain guidelines and DFIRMS by reference, as necessary.*

Kendall County will incorporate the revised floodplain guidelines and DFIRMS from FEMA in the Kendall County Stormwater Management Ordinance to assist with flood related issues, as necessary.

### **F.6 Other Municipal Operations Controls**

*Measurable Goals: Evaluation of program as necessary.*

Kendall County will continue to evaluate their Pollution Prevention/Good Housekeeping program, as necessary.

## **Part 5. Notice of Qualifying Local Program**

**Kendall County does not rely on any other government entity to satisfy permit obligations.**

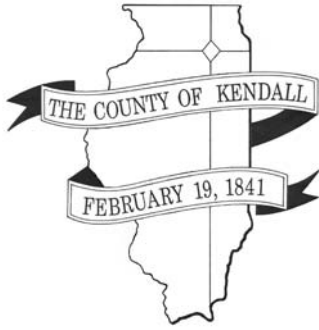
## Part 6. Construction Projects Conducted During Year 5

(Provide a list of construction projects your entity has paid for during the reporting period)

Construction Project	Description
Ridge Road & Holt Road Intersection Reconstruction	<p>This project is located in the area of the Ridge Road and Holt Road intersection. This site is 8 acres. Utility relocation began in February of 2019 and construction in the summer of 2020. The work is expected to be completed by the end of 2021.</p> <p><b>Section No. 16-00135-00-RP</b></p>
Fox River Drive Bridge Reconstruction over Clear Creek	<p>This project is located on Fox River Drive, near the Village of Millington. The site is approximately 0.5 acres. Utility relocations began in the winter of 2021 and construction is expected to start in the June of 2021. The work is expected to be completed by Fall of 2021.</p> <p><b>Section No. 17-00139-00-BR</b></p>
Caton Farm Road Bridge Reconstruction over the East Aux Sable Creek	<p>The project is located on Caton Farm Road, approximately 0.25 miles west of Peterson Road. The site is 0.66 acres. Utility relocation is expected to begin in the Spring of 2021 and construction is expected to start in June of 2021. The work is planned to be completed by Fall of 2021.</p> <p><b>Section No. 19-00150-00-BR</b></p>
River Road Bridge Construction over the Rob Roy Creek	<p>The project is located on River Road, in the jurisdiction of the Little Rock Road District, about 0.25 miles east of Fox River Drive. The site is approximately 1 acre. Utility relocation is expected to begin in the Spring of 2021 and construction to start in June 2021. The work is expected to be completed by Fall of 2021.</p> <p><b>Section No. 19-06128-00-BR</b></p>
Expansion Joint Replacement on the Fox River Drive Bridge over the Fox River	<p>This project is located on the Fox River Drive bridge over the Fox River, about 1.5 miles south of the City of Plano. The current expansion joints on both ends of the bridge will be removed and replaced with new materials. Construction is expected to begin in the Fall of 2021 and should take no more than a few weeks to complete.</p> <p><b>Section No. 19-00148-00-BR</b></p>
Eldamain Road Road Extension and Bridge Construction	<p>This project involves the construction of improvements to Eldamain Road and includes extending it on a new alignment across the Fox River and southward along West Highpoint Road, to intersect with Route 71 and continue south until it reaches Highpoint Road at a newly created intersection. The construction involves building a bridge over the Fox River and the existing flood plains, adding stop lights at the intersection of River Road and Route 71, as well as building a brand-new roadway with curb and gutter. The new roadway will have 12-foot-wide lanes and an 18-foot-wide median, as well as turn lanes at traditional intersections, and a roundabout where it will intersect with Fox Road. The entire project is roughly 89 acres in size. Utility relocations began in the Winter of 2021. Groundbreaking for the new road occurred in March of 2021 and construction is not expected to be completed until sometime in 2023.</p> <p><b>Section No. 19-00153-00-BR</b></p>

## **APPENDIX 1**

### **2020 NPDES ANNUAL EVALUATION SURVEY RESPONSES**



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**DEPARTMENT OF PLANNING, BUILDING & ZONING**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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July 29, 2020

Dear Township Clerks:

As part of Kendall County's NPDES Permit, the County is required to send an annual evaluation survey to each township. Please complete the attached survey and submit it to Matt Asselmeier at 111 W. Fox Street, Yorkville, IL 60560 or [masselmeier@co.kendall.il.us](mailto:masselmeier@co.kendall.il.us). Please complete the survey by **August 28, 2020**.

If you have any questions, please contact me at [masselmeier@co.kendall.il.us](mailto:masselmeier@co.kendall.il.us) or 630-553-4139.

Sincerely,

**THE COUNTY OF KENDALL**

Matthew H. Asselmeier, AICP, CFM  
Senior Planner

Enc: Survey

2020 NPDES Annual Evaluation Survey Responses  
Kendall County

**Public Education and Outreach**

1. What topics are you interested in learning more about that the County could provide information on? Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
  - A. How to properly store and dispose of common household products such as fuel, oil, paint, etc.  
Most Interested (1) Na-Au-Say and (1) Big Grove  
Middle Interested (1) Blank  
Least Interested
  - B. How to incorporate green infrastructure such as rain gardens, rain barrels, or permeable pavement onto my property to improve rainwater runoff.  
Most Interested (1) Oswego  
Middle Interested (1) Blank  
Least Interested (1) Na-Au-Say and (1) Big Grove
  - C. How to compost to reduce the amount of waste my household generates.  
Most Interested  
Middle Interested (1) Na-Au-Say (1) Blank and (1) Big Grove  
Least Interested
2. Do you utilize the stormwater information listed on the County's website at <https://www.co.kendall.il.us/planning-building-zoning/npdes/>?
  - A. Yes (1) Oswego
  - B. No (1) Na-Au-Say (1) Blank and (1) Big Grove
3. Do you find the stormwater information listed on the County's website helpful?
  - A. Yes (1) Oswego
  - B. No (1) Blank and (1) Big Grove  
No Response (1) Na-Au-Say

**Public Participation/Involvement**

1. Do you think the County offers enough volunteer opportunities for members of the community?
  - A. Yes (1) Oswego (1) Big Grove
  - B. No (1) Na-Au-Say  
No Response (1) Blank
2. Do you utilize the volunteer opportunities information listed on the County's website at <https://www.co.kendall.il.us/administration/volunteer-opportunities/>?
  - A. Yes (1) Blank

- B. No (1) Oswego and (1) Big Grove
  - C. No Response (1) Na-Au-Say
3. Do you find the volunteer opportunities information listed on the County's website helpful?
- A. Yes (1) Oswego
  - B. No (1) Blank and (1) Big Grove  
No Response (1) Na-Au-Say
4. What volunteer opportunities would you be interested in participating in the future?  
Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
- A. River clean-up
  - B. Electronic recycling
  - C. Household waste (fuel, oil, paint, etc.) recycling
- Little Rock-  
Bristol-  
Oswego- Electronic Recycling  
Fox-  
Kendall-  
Na-Au-Say- River clean-up, electronic recycling, Household waste recycling  
Big Grove- Household waste recycling, electronic recycling, and river clean-up  
Lisbon-  
Seward-  
Blank- Electronic recycling, Household waste recycling, River clean-up

#### **Illicit Discharge Detection & Elimination**

1. If an illicit discharge is identified by a Township staff member or reported to the Township office, do you work with the County to get it removed?
  - A. Yes (1) Oswego
  - B. No
  - C. Have not identified illicit discharge. (1) Na-Au-Say (1) Blank and (1) Big Grove
2. Do you feel the County is doing a sufficient job in identifying, tracking, and removing illicit discharges and non-stormwater discharges that are significant polluters within the County?
  - A. Yes
  - B. No
  - C. There have not been illicit discharges identified within my Township. (1) Na-Au-Say (1) Oswego (1) Blank and (1) Big Grove
3. What can the County do to better identify and track illicit discharges?
  - A. Perform more visual inspections at outfalls throughout the County. (1) Blank

- B. Once an illicit discharge is identified perform more grab samples downstream of the location.
  - C. Both of the above. (1) Na-Au-Say (1) Oswego
  - D. None of the above. (1) Big Grove
  - E. Other:
- 

### **Construction and Post-Construction Runoff Control**

1. Do you feel that the County does an adequate job inspecting soil erosion and sediment control on construction sites within your township?
  - A. Yes (1) Oswego and (1) Big Grove
  - B. No
  - C. There have not been construction projects within my Township during the past year. (1) Na-Au-Say (1) Blank
2. What can the County do to better monitor soil erosion and sediment control issues on construction sites?
  - Little Rock- (1) No Response
  - Bristol-
  - Oswego-
  - Fox-
  - Kendall-
  - Na-Au-Say- (1) No Response
  - Big Grove- (1) No Response
  - Lisbon-
  - Seward-
  - Blank-N/A

### **Pollution Prevention/Good Housekeeping**

1. Do you feel the County provides adequate training to staff members to keep them informed on stormwater pollution prevention practices?
  - A. Yes (1) Na-Au-Say and (1) Big Grove
  - B. No (1) Oswego
  - No Response (1) Blank
2. Do you feel the County is taking necessary measures to reduce flooding throughout the County?
  - A. Yes (1) Big Grove
  - B. No (1) Na-Au-Say (1) Oswego (1) Blank
  - No Response

Responding Townships:

Na-Au-Say

Oswego

Blank

Big Grove



## **APPENDIX 2**

### CONTINUING EDUCATION CERTIFICATES



# FEMA

This Certificate of Participation has been awarded for webinar participation

this 1<sup>st</sup> day of April 2021

in recognition of successful completion of the Spring 2021 National Flood Insurance Program Briefing webinar series held during the month of March 2021 for 2 hours and for up to two (2) ASFPM CECs.

*James G. Sink*  
*Regional Flood Insurance Liaison*  
*DHS/FEMA Region 5*

# Certificate of Attendance



This certifies that:

Matthew H. Asselmeier

Attended the

**"Beyond the Basics"**  
Virtual Conference

February 25, 2021

**3.5 Professional Development Hour**

*Janice Reehll*

Signature

**Sponsors:**

10s 404 Knoch Knolls Road  
Naperville, Illinois, 60565  
p (630) 428-4500





## Certificate of Training

Matthew Asselmeier

has satisfactorily completed training during the

### 2021 IAFSM Annual Conference

9am - 10:00am ~ Opening Plenary (CEC Credit: 1.0, PDH Credit: 1.0)

Conducted by

The Illinois Association for Floodplain and Stormwater Management

Location: Virtual Online Platform

3/10/21

PDH Credits: 1.0

CEC Credits: 1.0

Diane Bouckaert, PE, CFM CPESC  
Chair, Education Outreach Committee



## Certificate of Training

Matthew Asselmeier

has satisfactorily completed training during the

### 2021 IAFSM Annual Conference

10:30AM-11:45PM~ Session 1C Regulatory and Mapping (CEC Credit: 1.5, PDH  
Credit: 1.5)  
Conducted by

The Illinois Association for Floodplain and Stormwater Management

Location: Virtual Online Platform  
March 10, 2021

PDH Credits: 1.5  
CEC Credits: 1.5

Diane Bouckaert, PE, CFM CPESC  
Chair, Education Outreach Committee



## Certificate of Training

Matthew Asselmeier

has satisfactorily completed training during the

### 2021 IAFSM Annual Conference

1:30PM-3:00PM ~ Session 2C Legislative-1 (CEC Credit: 1.5, PDH Credit: 1.5)

Conducted by

The Illinois Association for Floodplain and Stormwater Management

Location: Virtual Online Platform  
March 10, 2021

PDH Credits: 1.5  
CEC Credits: 1.5

Diane Bouckaert, PE, CFM CPESC  
Chair, Education Outreach Committee



## Certificate of Training

**Matthew Asselmeier**

has satisfactorily completed training during the

### 2021 IAFSM Annual Conference

3:20PM-4:50PM ~ Session 3B Case Studies (CEC Credit: 1.5, PDH Credit: 1.5)

Conducted by

The Illinois Association for Floodplain and Stormwater Management

Location: Virtual Online Platform  
March 10, 2021

PDH Credits: 1.5  
CEC Credits: 1.5

A handwritten signature in black ink, appearing to read "Diane Bouckaert".

Diane Bouckaert, PE, CFM CPESC  
Chair, Education Outreach Committee



## Certificate of Training

**Matthew Asselmeier**

has satisfactorily completed training during the

### 2021 IAFSM Annual Conference

9:00 AM-10:20 AM ~ Thursday Plenary (CEC Credit: 1.0, PDH Credit: 1.0)

Conducted by

The Illinois Association for Floodplain and Stormwater Management

Location: Virtual Online Platform

3/11/21

PDH Credits: 1.0

CEC Credits: 1.0

Diane Bouckaert, PE, CFM CPESC  
Chair, Education Outreach Committee





## Certificate of Training

Matthew Asselmeier

has satisfactorily completed training during the

### 2021 IAFSM Annual Conference

10:30 AM-12:00PM ~ Session 4B 2D Case Studies (CEC Credit: 1.5, PDH Credit: 1.5)

Conducted by

The Illinois Association for Floodplain and Stormwater Management

Location: Virtual Online Platform  
March 11, 2021

PDH Credits: 1.5  
CEC Credits: 1.5

Diane Bouckaert, PE, CFM CPESC  
Chair, Education Outreach Committee



## Certificate of Training

**Matthew Asselmeier**

has satisfactorily completed training during the

### 2021 IAFSM Annual Conference

12:30PM-1:30PM ~ IAFSM Award Luncheon (CEC Credit: 1.5, PDH Credit: 1.5)

Conducted by

The Illinois Association for Floodplain and Stormwater Management

Location: Virtual Online Platform  
March 11, 2021

PDH Credits: 1.5  
CEC Credits: 1.5

Diane Bouckaert, PE, CFM CPESC  
Chair, Education Outreach Committee



## Certificate of Training

**Matthew Asselmeier**

has satisfactorily completed training during the

### 2021 IAFSM Annual Conference

1:30PM-3:00PM ~ Session 5A Mitigation (CEC Credit: 1.5, PDH Credit: 1.5)

Conducted by

The Illinois Association for Floodplain and Stormwater Management

Location: Virtual Online Platform  
March 11, 2021

PDH Credits: 1.5  
CEC Credits: 1.5

Diane Bouckaert, PE, CFM CPESC  
Chair, Education Outreach Committee

## **APPENDIX 3**

### **HIDE AWAY LAKES ILLICIT DISCHARGE INVESTIGATION**

Hide Away Lakes  
8045 Van Emmon Road Yorkville



11/18/20 Dye observed in Morgan Creek at second discharge point.



Hide Away Lakes  
8045 South Van Emmon Road, Yorkville



11/6/20 View of water pump at beach.



Hide Away Lakes  
8045 South Van Emmon Road, Yorkville



11/6/20 Beach area



Hide Away Lakes  
8045 South Van Emmon Road, Yorkville



11/6/20 Beach bottom



Hide Away Lakes  
8045 South Van Emmon Road, Yorkville



11/6/20 Unlabeled chemical drums in an unlocked shed near beach

Hide Away Lakes  
8045 South Van Emmon Road, Yorkville



11/6/20 Unlocked shed housing drums



Hide Away Lakes  
8045 South Van Emmon Road, Yorkville



11/6/20 Area of refuse



Hide Away Lakes  
8045 South Van Emmon Road, Yorkville



11/6/20 Area of refuse by beach



Hide Away Lakes  
8045 South Van Emmon Road, Yorkville



11/6/20 Playground area near beach



Hide Away Lakes  
8045 South Van Emmon Road, Yorkville



11/6/20 View of well cap without bolts, missing gasket

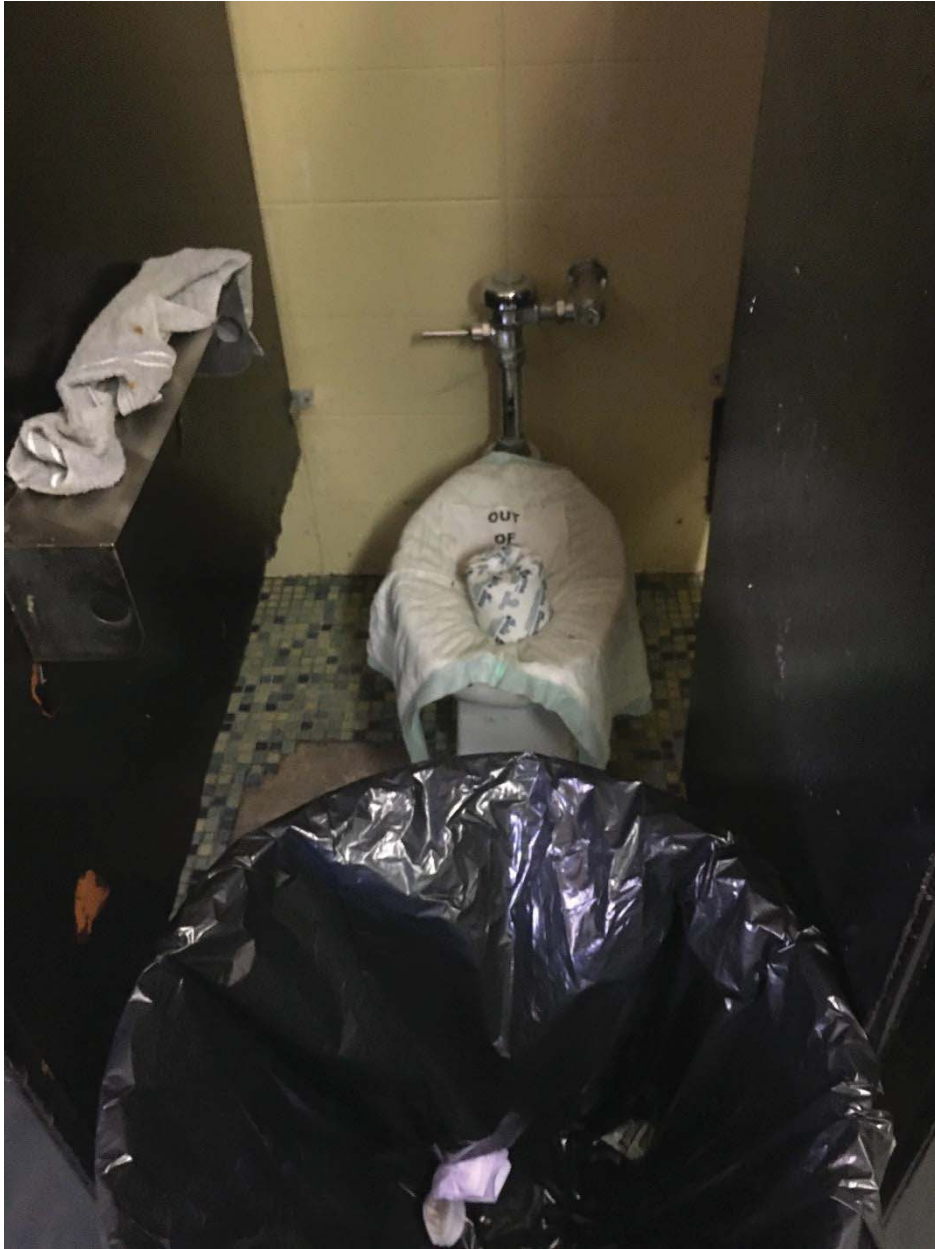


Hide Away Lakes  
8045 South Van Emmon Road, Yorkville



11/6/20 Electrical hook up site outside of recreation building

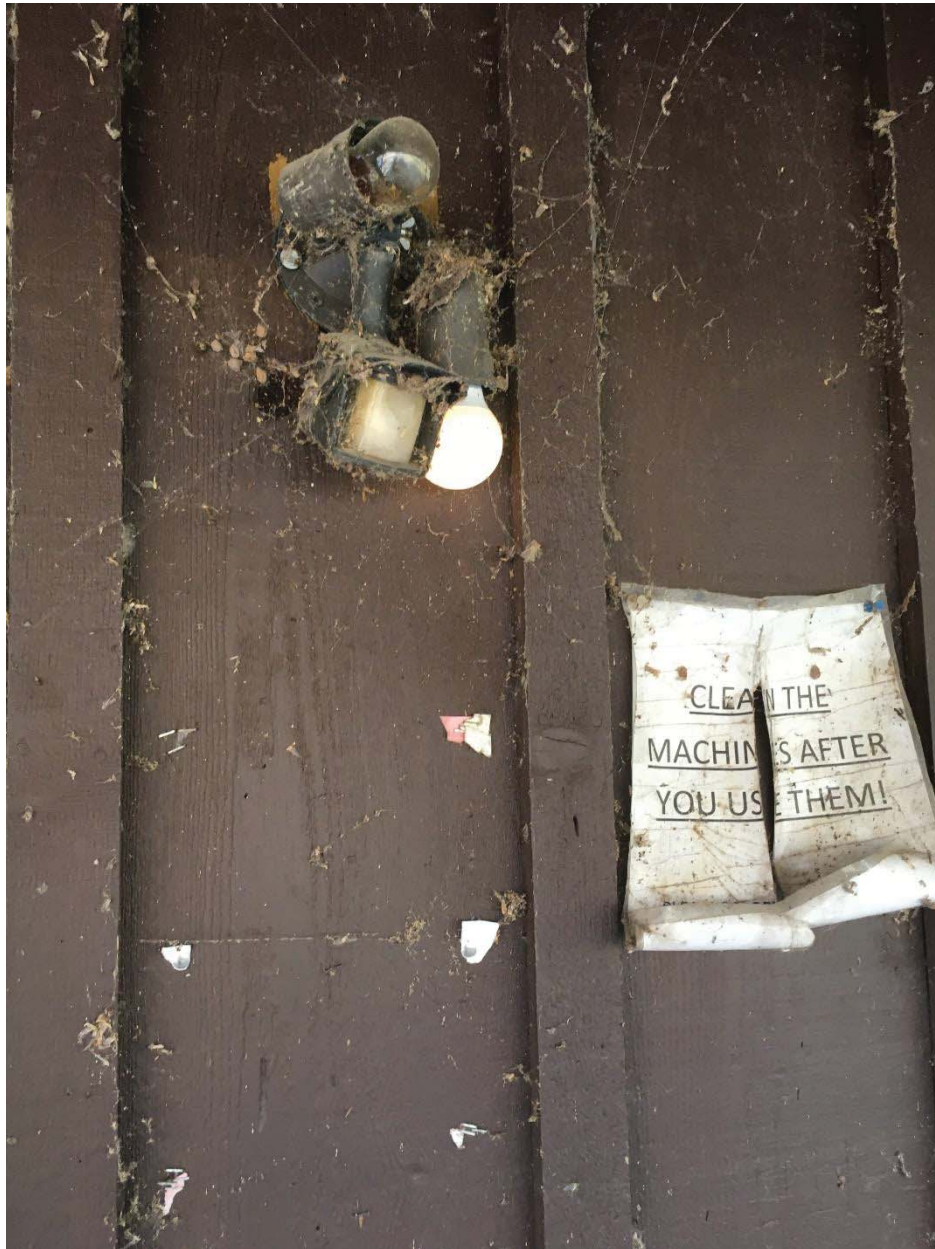
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11/6/20 Toilet in disrepair in women's bathroom in bath house



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11/6/20 Electric outside of laundry area at main bath house



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11/6/20 View of what appears to be sewage ponding near the three lift stations at the west side of the property



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11/6/20 Discharge pipe observed off Creekside Drive in Morgan Creek



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11/6/20 View of what appears to be sewage in Morgan Creek along Creekside Drive



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11/6/20 View of open pit with a water hook up and PVC pipe



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11/6/20 View of plywood covering what appears to be a tank



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11/6/20 View of a pipe discharging in the body of water south of Lakeside Drive

Notes from site visit on 11/6/20

- IDPH was on-site to determine violations that need to be corrected prior to issuing the 2021 license. While on-site, the prospective new owner, Lance Beach, communicated his intent to clean up the property and requested information on violations that would hold up the license.
- IDPH observed three 50-gallon drums that appeared to be a chemical for the beach chlorination system. These drums were unlabeled and stored in an unsecure shed.
- Multiple dumping areas were observed throughout the campground.
- IDPH plumbing inspector Andrew Thiesse noted multiple fixtures in disrepair at the main bath house.
- The well cap was missing the gasket and all bolts.
- Sewage was observed in Morgan Creek along with multiple discharge pipes. Per conversations with two residents, the two make-shift drum tanks observed south of the creek serve as overflow tanks that discharge raw sewage into the creek. Additionally, they communicated that Mr. Tanner has made multiple unpermitted repairs to the private sewage disposal system including duct taping a 1 ½" line carrying waste from a dwelling along Morgan Creek.
- IDPH introduced dye into the tank with a concrete lid south of the creek. Dye was later observed at the tank near the entrance to the property where the septic field is indicated to be per drawings from the Kendall County septic permit.

Recommended next steps:

- Schedule a meeting with Kendall County Health Department to discuss concerns about the private sewage disposal system and potential discharge of raw sewage into Morgan Creek which discharges to the Fox River.
  - Septic verification from a licensed Illinois septic contractor
  - Camera system
  - Dye potential sources of illegal sewage discharge
  - Contact ILEPA (done 11/9/20)
  - Red tag anything not properly connected to the private sewage disposal system or found to be discharging raw sewage to the surface of the ground or creek
- Issue a written notice of violation to Mr. Tanner
- As property improvements commence, limit occupied sites to areas where the private sewage disposal system is confirmed to be in working order.



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11/18/20 View of the pit next to the well where new distribution system piping and valves were in process of installation.

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11/18/20 Hide Away Lakes- View of one area of discharge in Morgan Creek in line with blue barrel tank prior to introducing dye. Discharge point has a steady slow flow.

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11/18/20 Hide Away Lakes- Oil like sheen observed downstream of two identified discharge points in Morgan Creek.



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11/18/20 Hide Away Lakes- Dye introduced to makeshift blue barrel tank with a 4 " inlet. Toilet paper and sewage like odor observed.