

**KENDALL COUNTY BOARD AGENDA
ADJOURNED JUNE MEETING**

**Kendall County Office Building, Rooms 209 & 210
Tuesday, August 21, 2018 at 9:00 a.m.**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Previous Month's Minutes
5. Approval of Agenda
6. Special Recognition
 1. Approval of a Resolution Honoring Terry F. Peshia
7. Citizens to Be Heard
8. Executive Session
9. Old Business
 - A. Motion to reconsider the motion for recommendation for staff to choose an architect that the county has worked with in the recent past and/or have an agreement with to design, bid and build a system at the Public Safety Center that would encompass the chiller system and other items that need to be replaced
10. New Business
 - A. Approve HIDTA Grant G18CH0002A releasing funds in the amount of \$71,400.00
 - B. Approval of a \$225.00 per month four month loan modification trial plan, with an upfront interest and late fee payment, with Michael Manfre, James A. Manfre, and Priscilla Liberatore, borrowers under a revolving loan fund note executed on May 23, 2017
11. Elected Officials Report and Other Department Reports
 - A. Sheriff
 - B. County Clerk
 - 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. Planning, Building & Zoning
 1. Approval of a Request from the Fox Metro Water Reclamation District for a Map Amendment for 94.4 Acre +/- Parcels Located at 682 Route 31 and Identified by Parcel Identification Numbers 03-05-176-002, 03-05-302-001, 03-05-302-002, 03-05-302-003, 03-05-302-004, 03-05-353-001, 03-05-353-002, 03-05-353-003, 03-05-353-004, 03-05-353-006, 03-05-353-009, and 03-05-353-010 in Oswego Township from R-1 One Family Residential District with a Special Use Permit to M-1 Limited Manufacturing District
 2. Approval of a Request from Richard and Valvina Kaminski Revoking a Special Use Permit at 985 Harvey Road and the Property Immediately to the West of 985 Harvey Road and Identified by Parcel Identification Numbers 03-01-351-002 and 03-01-351-006 in Oswego Township; Property is Zoned A-1 Agricultural District
 3. Approval of a Request from the City of Sandwich for a Letter of Support of the City of Sandwich's Application for an Illinois Environmental Protection Agency 319 Watershed Plan Grant for the Little Rock Creek Watershed
 4. Approval of Petition 18 – 15 - Request from Nancy Harazin on Behalf of Nancy L. Harazin Trust Number 101 for a Special Use Permit for a Public or Private Utility-Other (Solar Panels) at 16400 Newark Road, Approximately 0.2 Miles East of Route 71 on the South Side of Newark Road (PIN: 07-05-400-003) in Big Grove Township
 - B. Finance
 1. Approve Claims in an amount not to exceed \$ 498,586.25
 2. Approve Coroner Claims in an amount not to exceed \$ 6,714.55
 3. Approval of Accepting Mack and Associates Bid for Accounting and Auditing Services for 3 years with the cost of \$61,450 in Year 1, \$62,900 in Year 2, and \$64,350 in Year 3
 4. Approval of the Finance Committee's recommendations of a two percent FY2019 budget decrease county-wide, and up to a three percent salary increase for non-union employees
 5. Approval of a Resolution Establishing Hiring Freeze Policy
 - C. Standing Committee Minutes Approval
13. Special Committee Reports

A. VAC

B. Historic Preservation

14. Other Business

15. Chairman's Report

Appointments

Dr. Anette K.S. Mnabhi – TB Board – 2 year term – Expires August 2020

Announcements

16. Citizens to be Heard

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.

**KENDALL COUNTY BOARD
REGULAR JUNE MEETING
July 17, 2018**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building, Room 209, in the City of Yorkville on Tuesday, July 17, 2018 at 9:10 am. The Clerk called the roll. Members present: Chairman Scott Gryder, Lynn Cullick (excused at 10:15am), Bob Davidson, Tony Giles, Judy Gilmour, Audra Hendrix, Matt Prochaska and John Purcell.

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

THE MINUTES

Member Davidson moved to approve the submitted minutes from the Adjourned County Board Meetings of 6/5/18 and 6/19/18. Member Cullick seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

THE AGENDA

Member Hendrix moved to approve the agenda. Member Cullick seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

SPECIAL RECOGNITION

Mutual Ground

Member Cullick moved to approve the Board's donation to Mutual Ground in the amount of \$1,250. Member Gilmour seconded the motion.

Member Prochaska explained that the Illinois Counties Association for years has been accepting royalty payments from the Nationwide Deferred Compensation Program, for which Kendall County is one of them. They have decided to disburse some of the reserves that have built up to the counties for them to distribute to a charity of their choice. Kendall County felt that Mutual Ground was deserving of the funds.

Appreciation for the University of Illinois Agricultural Extension

Member Purcell moved to approve the proclamation of appreciation for the University of Illinois Agricultural Extension. Member Hendrix seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

Diane Morris, Volunteer Executive Director for the Kendall County 4H Foundation and Linda Fitzgerald thanked the county board for all of their support for the many programs that extension has. Ms. Morris provided the board with a copy of the annual report.

A complete copy of IGAM 18-23 is available in the Office of the County Clerk.

John A. Shaw Day

Member Cullick moved to approve the proclamation declaring June 28, 2018 as "John A. Shaw Day". Member Hendrix seconded the motion.

A complete copy of IGAM 18-16 is available in the Office of the County Clerk.

Jessie Hafenrichter's Dedication

Member Cullick moved to approve the proclamation recognizing Jessie Hafenrichter's dedication and service to the residents of Kendall County. Member Gilmour seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

A complete copy of IGAM 18-21 is available in the Office of the County Clerk.

Honoring La Verne A. Hanson

Member Hendrix moved to approve the proclamation honoring La Verne A. Hanson. Member Cullick seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

A complete copy of IGAM 18-22 is available in the Office of the County Clerk.

RECESS

RECONVENE

CITIZENS TO BE HEARD

Todd Milliron expressed his disappointment with the City of Yorkville for not allowing the solar field project to proceed through their planning process and he suggested leveraging the RTA by placing a binding question on the ballot for the November election.

NEW BUSINESS

Appoint Judges of Elections

Member Hendrix moved to approve the resolution to appoint Judges of Elections. 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 18-37 is available in the Office of the County Clerk.

Grant Recommendations

Member Hendrix moved to approve the Kendall County 708 Community Mental Health Board Grant recommendations for FY 2019. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

HIDTA Grant

Member Hendrix moved to approve the HIDTA Grant G18CH0002A releasing funds in the amount of \$748,964.00. Member Cullick seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

No report.

County Clerk

Revenue Report		6/1/18-6/30/18	6/1/17-6/30/17	6/1/16-6/30/16
Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$836.50	\$941.00	\$864.50
	County Clerk Fees - Marriage License	\$2,190.00	\$2,190.00	\$1,830.00
	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$30.00
	County Clerk Fees - Misc	\$5,943.12	\$2,026.50	\$2,384.00
	County Clerk Fees - Recording	\$27,540.00	\$32,922.00	\$29,626.00
01010061205	Total County Clerk Fees	\$36,509.62	\$38,079.50	\$34,734.50
01010001185	County Revenue	\$49,940.25	\$47,882.75	\$33,885.00
38010001320	Doc Storage	\$16,509.50	\$18,944.00	\$17,442.50
51010001320	GIS Mapping	\$27,857.00	\$31,990.00	\$29,367.00
37010001320	GIS Recording	\$3,483.00	\$3,998.00	\$3,667.00
01010001135	Interest	\$24.36	\$27.48	\$29.09
01010061210	Recorder's Misc	\$3,239.75	\$6,178.50	\$7,169.50
81010001320	RHSP/Housing Surcharge	\$15,057.00	\$16,938.00	\$15,561.00
37210001575	Tax Certificate Fee	\$1,560.00	\$1,600.00	
37210001576	Tax Sale Fees	\$75.00	\$216.29	
37210001577	Postage Fees	\$0.00		

CK # 18485 To KC Treasurer \$154,255.48 \$165,854.52 \$141,855.59

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 SEVEN MONTHS ENDED 06/30/2018**

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2018 YTD Actual</u>	<u>2018 YTD %</u>	<u>2017 YTD Actual</u>	<u>2017 YTD %</u>
Personal Property Repl. Tax	\$400,000	\$233,415	58.35%	\$277,828	75.09%
State Income Tax	\$2,470,000	\$1,451,586	58.77%	\$1,347,197	56.13%
Local Use Tax	\$630,000	\$409,832	65.05%	\$376,781	60.28%
State Sales Tax	\$550,000	\$303,176	55.12%	\$310,150	64.61%
County Clerk Fees	\$400,000	\$189,574	47.39%	\$224,316	67.97%
Circuit Clerk Fees	\$850,000	\$402,968	47.41%	\$415,504	43.74%
Fines & Foreits/St Atty.	\$380,000	\$164,716	43.35%	\$180,713	42.03%
Building and Zoning	\$65,000	\$44,593	68.60%	\$45,712	73.73%
Interest Income	\$86,500	\$111,247	128.61%	\$49,079	130.88%
Health Insurance - Empl. Ded.	\$1,299,440	\$680,533	52.37%	\$700,290	55.31%
1/4 Cent Sales Tax	\$2,950,000	\$1,739,034	58.95%	\$1,647,976	56.44%
County Real Estate Transf Tax	\$440,000	\$220,943	50.21%	\$228,391	57.61%
Correction Dept. Board & Care	\$832,200	\$870,272	104.57%	\$603,077	68.92%
Sheriff Fees	\$245,000	\$112,154	45.78%	\$121,448	47.63%
TOTALS	\$11,598,140	\$6,934,043	59.79%	\$6,528,463	57.28%
Public Safety Sales Tax	\$5,068,000	\$2,990,050	59.00%	\$2,885,913	56.94%
Transportation Sales Tax	\$4,750,000	\$2,990,050	62.95%	\$2,885,913	60.76%

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

To be on Budget after 7 months the revenue and expense should at 58.33%

State's Attorney

No report.

Coroner

Description	**	Month: June 2018	Fiscal Year-to-Date	June 2017
Total Deaths		18	169	41/202
Natural Deaths		15	153	35
Accidental Deaths	**	2	10	4
Pending		0	0	2
Suicidal Deaths		0	4	1
Homicidal Deaths	**	1	1	0
Undetermined		0	1	0
Toxicology		3	22	5/23
Autopsies		3	20	5/22
Cremation Authorizations		7	104	22/119

**

Accidental Death(s):

- 06/19/2018 – Yorkville – 67-year-old, Male, Drowning due to AMI while swimming
- 06/24/2018 – Oswego Twp – 26-year-old, Female, Blunt Force Trauma, Pedestrian vs Auto

Homicidal Death(s):

- 06/05/2018 – Plano – 43-year-old Male, Complications of Paraplegia due to Remote Gunshot Wounds

PERSONNEL/OFFICE ACTIVITY:

- Chief Deputy Coroner Gotte attended training on Explosives Recognition on June 14. He received his individual license for handling explosives.

Health Department

Dr. Tokars reminded everyone to protect against the West Nile virus and informed the board of the Commit to be Fit program beginning on August 9th. There will be a joint Health Department/County Board meeting with the Midwest Director of Health and Human Services on July 17, 2018.

Supervisor of Assessments

Supervisor of Assessments Andy Nicoletti stated that the disabled veteran/disabled person homestead exemption renewals have been mailed out.

STANDING COMMITTEE REPORTS

Planning, Building and Zoning

Petition 18-14

Member Davidson moved to approve Petition 18 – 14 – Request from Michael and Dayle Saar for a Map Amendment Rezoning Their Property on the East Side of Route 71 Approximately 0.06 Miles Southwest of Timbercreek Drive (PIN: 05-07-328-003) in Kendall Township from A-1 to R-1. Member Purcell 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 18-11 is available in the Office of the County Clerk.

Petition 18-22

Member Hendrix moved to approve Approval of Petition 18-22 – Request from Robert M. Eby on Behalf of Southwest Community Church and Geraldine A. Mann on Behalf of Geraldine Declaration of Trust for the Revocation of a Special Use Permit for a Place of Worship as Allowed by Ordinances 2008-11 and 2008-21 at 4405 Van Dyke Road and the Property Immediately to the East of 4405 Van Dyke Road (PINs: 09-05-400-021 and 09-05-400-020) in Seward Township. Member Purcell seconded the motion.

Members discussed the land that was to be dedicated for a trail easement. Robert Eby from the Southwest Church stated that nothing has been done with the land. Craig and Geraldine Mann stated that their portion of the property should not have been included in the permit. The revoking of the special use would return the property to residential use.

Member Purcell moved to postpone consideration until they hear from the Senior Planner on the dedication issue. Member Prochaska seconded the motion. Chairman Gryder asked for a voice vote on the motion. **Motion carried.**

Administration/HR

Holiday Schedule

Member Cullick moved to approve the 2019 County Holiday Schedule. Member Gilmour seconded it. Chairman Gryder asked for a voice vote on the motion. **Motion carried.**

Adult Redeploy/Drug Court Agreement

Member Cullick moved to approve the FY19 Intergovernmental Adult Redeploy/Drug Court Agreement between the State of Illinois Criminal Justice Information Authority and Kendall County. Member Hendrix seconded it. Chairman Gryder asked for a roll call vote on the motion. **Motion carried.**

Highway

Awarding Box Culvert

Member Gryder moved to approve a resolution awarding the Ament Road box culvert construction to Riber Construction in the amount of \$237,292. Member Davidson seconded it. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution 18-36 is available in the Office of the County Clerk

Finance

CLAIMS

Member Cullick moved to approve the claims Approve Claims from 6-28-18 in an amount not to exceed \$777,697.26, Claims from 7-17-18 in an amount not to exceed \$2,440,129.77, June Petit Juror claims in an amount not to exceed \$2,726.64, Grand Juror Claims from July 2018 in an amount not to exceed \$1,266.40. Member Hendrix seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$15,543.38, B&Z \$2,290.12, CO CLK & RCDR \$780.17, ELECTION \$1,079.82, ED SRV REG \$364.33, SHRFF \$4,491.27, CRRCTNS \$13,157.11, EMA \$90.38, CRCT CT CLK \$255.74, JURY COMM \$3,150.80, CRCT CT JDG \$5,709.46, CRNR \$2,663.81, CMB CRT SRV \$12,300.73, PUB DFNDR \$2,085.00, ST ATTY \$1,206.07, EMPLY HLTH INS \$397,261.04, OFF OF ADM SRV \$570.83, GNRL INS & BNDG \$108.00, CO BRD \$61.96, TECH SRV \$5,228.47, FAC MGT UTLTS \$67,959.22, RSTRCTD ECON DEV GRNT \$300.00, CAP IMPRV FND \$14,389.82, CO HWY \$4,403.45, CO BRDG \$48,266.04, TRNSPRT SALES TX \$28,975.50, HLTH & HMN SRV \$42,750.02, FRST PRSRV \$2,989.94, ELLIS GRNDS \$379.34, ELLIS CMPS \$21.54, ELLIS RDNG LSSNS \$654.75, ELLIS BDAY PRTIES \$302.56, ELLIS PUB PRGMS \$187.50, ELLIS WDDNGS \$200.00, HOOVER \$1,951.10, GRNDS & NTRL RSRCS \$1,259.58, ANML CNTRL EXPS \$558.73, CO RCDR DOC STRG \$187.85, SHRFF PREV ALC CRM \$425.00, DRG ABS EXP \$1,282.65, HIDTA \$15,756.42, CO CMSRY FND \$209.43, COOK CO REIMB FND \$836.50, CRT SEC FND \$114.99, CHLD SUP COL EXPS \$925.66, CRNR \$518.11, PRBTN SRV \$11,422.83, KC DRG CT FND \$13,228.96, ST ATTY DRG ENFRC EXP \$911.04, TX SL AUTO EXP \$3,739.72, EMPLY BNFT PRGM \$2,234.77, PUB SFTY \$31,796.87, VAC \$3,772.68, CRNR SPCL FND \$111.86, FP BND PRCDs '07 \$9,000.98

COMBINED CLAIMS: FCLT MGMT \$28,512.31, B&Z \$1,210.30, CO CLK & RCDR \$846.75, ELECTION \$250.00, ED SRV REG \$6,112.92, SHRFF \$26,605.23, CRRCTNS \$19,233.27, MERIT \$500.00, EMA \$1,576.25, CRCT CT CLK \$124.83, JURY COMM \$1,625.50, CRCT CT JDG \$23,502.16, CRNR \$228.64, CMB CRT SRV \$481.29, PUB DFNDR \$461.75, ST ATTY \$2,121.20, TRSR \$469.30, EMPLY HLTH INS \$389,973.57, OFF OF ADM SRV \$379.53, CO BRD \$3,995.54, TECH SRV \$10,459.31, FAC MGT UTLTS \$66.18, CAP IMPRV FND \$43.00, CO HWY \$23,525.62, CO BRDG \$354,332.70, TRNSPRT SALES TX \$1,341,862.89, HLTH & HMN SRV \$34,328.77, FRST PRSRV \$1,023.69, ELLIS HS \$790.97, ELLIS BRN \$184.80, ELLIS GRNDS \$80.74, ELLIS CMPS \$559.41, ELLIS RDNG LSSNS \$880.51, ELLIS BDAY PRTIES \$344.18, ELLIS PUB PRGMS \$40.69, ELLIS WDDNGS \$1,115.93, HOOVER \$1,743.25, ENV ED SCHL \$86.54, ENV ED CMPS \$678.06, ENV ED NTRL BGNNNGS \$400.00, ENV ED OTHF PUB PRGMS \$142.50, ENV ED LWS OF NTR \$21.96, NTRL AREA VLNTR \$288.78, GRNDS & NTRL RSRCS \$3,223.02, ANML CNTRL EXPND \$257.45, ANML CNTRL EXPS \$48.77, CO RCDR DOC STRG \$5,535.76, SHRFF PREV ALCH CRM \$425.00, HIDTA \$32,277.76, CO CMSRY FND \$22,685.62, COOK CO REIMB \$274.12, CRT SEC FND \$311.36, LAW LBRY FND \$2,911.00, PRBTN SRV \$1,178.74, GIS \$126.58, KAT \$64,053.13, ENG/CNSLTG ESCRW \$618.56, CO RSRV FND \$4,484.01, PUB SFTY \$3,317.69, SHRFF FTA FND \$806.70, VAC \$4,090.01, SHRFF VHCL FND \$1,692.38, CRNR SPCL FND \$750.00, FP BND PRCDs '07 \$11,117.69

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

Coroner Claims

Chairman Gryder recused member Purcell from the vote; he shall be treated as if not here.

Member Cullick moved to Approve Coroner Claims from 6-28-18 in an amount not to exceed \$ 3,293.78 and from 7-17-18 in an amount not to exceed \$978.64. Member Kellogg seconded the motion. Chairman Hendrix asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

STANDING COMMITTEE MINUTES APPROVAL

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

SPECIAL COMMITTEE REPORTS

VAC

Member Davidson reported that the Salute to Veterans dinner was a success.

Chairman's Report

Announcements

Sarah Herbig – Historic Preservation Commission – 3 year term – Expires August 2021
Shawn Flaherty – Sheriff's Merit Commission – 3 year term – Expires August 2021
Don Marrone – Sheriff's Merit Commission – 4 year term – Expires August 2022
Cliff Fox – Zoning Board of Appeals – 5 year term – Expires August 2023

EXECUTIVE SESSION

Member Davidson made a motion to go into Executive Session for (11) litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that and action is probable or imminent. Member Prochaska seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

RECONVENE

Planning, Building and Zoning

Petition 18-22

Members discussed the trail and that a dedication was not made.

Chairman Gryder asked for a roll call vote on the motion to approve Approval of Petition 18-22 – Request from Robert M. Eby on Behalf of Southwest Community Church and Geraldine A. Mann on Behalf of Geraldine Declaration of Trust for the Revocation of a Special Use Permit for a Place Worship as Allowed by Ordinances 2008-11 and 2008-21 at 4405 Van Dyke Road and the Property Immediately to the East of 4405 Van Dyke Road (PINs: 09-05-400-021 and 09-05-400-020) in Seward Township. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 18-12 is available in the Office of the County Clerk.

ADJOURNMENT

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

Approved and submitted this 19th day of July, 2018.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

County of Kendall
Resolution 18 – _____

RESOLUTION HONORING TERRY F. PESHIA

WHEREAS, Terry F. Peshia was born on February 3, 1938 in Aurora, IL, the son of Harlan and Vera (Ohlgren) Peshia; and

WHEREAS, Terry was united in marriage on June 28, 1964 to Miss Connie Dailey and they spent the next 54 happy years together; and

WHEREAS, Terry Peshia was a 1961 graduate of Worsham College of Mortuary Science; and

WHEREAS, Terry Peshia served his country proudly as a member of the United States Army; and

WHEREAS, Terry Peshia was involved in many county and community organizations including: the Oswego Village Board, Past Chairman of the Kendall County Republican Central Committee, as Past President of the Kendall County Historical Society, and was a former Oswego Police Commissioner.

WHEREAS, Terry Peshia had served as a member of the Kendall County Board; and

WHEREAS, Terry Peshia started as an Ironworker and began his employment at Garbe Iron Works in Aurora, IL in 1964, and was currently the CEO of Garbe Iron Works; and

WHEREAS, Terry Peshia was an avid car collector, a member of the Auburn Cord Duesenberg Club and lifetime member of the ACD Museum in Auburn, In, and was a Freemason and a member of the Jerusalem Temple Lodge in Aurora, IL; and

WHEREAS, Terry Peshia was a former chairman of American Institute Steel Construction and Central Fabricators Association, and also a member of Associated Steel Erectors; and

NOW THEREFORE BE IT RESOLVED, BY THE RESIDENTS OF KENDALL COUNTY AS REPRESENTED BY THE KENDALL COUNTY BOARD, that we mourn the passing of our much honored colleague Terry Peshia and extend our sincere condolences to his family, friends, and all who knew and loved him; and

BE IT FURTHER RESOLVED, that the County Administrator create a suitable copy of this resolution to be presented to the family of Terry Peshia as an expression of our deepest sympathy.

PRESENTED and APPROVED this _____ day of August, 2018.

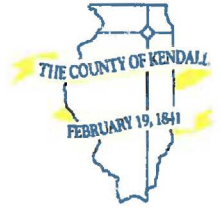
Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder



Kendall County
Office of the Sheriff



INTEROFFICE MEMORANDUM

TO: COUNTY BOARD
FROM: DWIGHT BAIRD, SHERIFF *DBB*
SUBJECT: HIDTA GRANT G18CH0002A MODIFICATION 2
DATE: AUGUST 8, 2018
CC:

Attached is modification 2 High Intensity Drug Trafficking Area, HIDTA, grant G18CH0002A, releasing funds in the amount of \$71,400.00. I am requesting the County Board approve the grant monies to be released for allowable HIDTA expenditures. The HIDTA Board would then vote to approve expenditures up to the amount of the award by Kendall County for allowable (HIDTA) expenses with the understanding that those expenditures, in the amount up to the grant award, would be reimbursed to Kendall County by the HIDTA Program. Kendall County receives 2% for acting as the fiduciary for the HIDTA grants. The total for this grant is \$1,223,652.00.

If you have any questions please do not hesitate to contact me.

Kendall County Clerk				
Revenue Report		7/1/18-7/31/18	7/1/17-7/31/17	7/1/16-7/31/16
Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$814.00	\$816.00	\$826.00
	County Clerk Fees - Marriage License	\$1,920.00	\$1,650.00	\$1,980.00
	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
	County Clerk Fees - Misc	\$2,301.00	\$2,166.00	\$1,921.00
	County Clerk Fees - Recording	\$27,163.00	\$28,042.00	\$27,819.00
01010061205	Total County Clerk Fees	\$32,198.00	\$32,674.00	\$32,546.00
01010001185	County Revenue	\$43,574.25	\$41,567.75	\$32,537.50
38010001320	Doc Storage	\$16,273.00	\$16,356.00	\$16,546.00
51010001320	GIS Mapping	\$27,482.00	\$27,550.00	\$27,808.00
37010001320	GIS Recording	\$3,436.00	\$3,440.00	\$3,470.00
01010001135	Interest	\$21.77	\$18.85	\$27.69
01010061210	Recorder's Misc	\$875.50	\$1,508.00	\$4,199.75
81010001320	RHSP/Housing Surcharge	\$14,652.00	\$14,688.00	\$14,868.00
37210001575	Tax Certificate Fee	\$840.00	\$560.00	
37210001576	Tax Sale Fees	\$40.00		
37210001577	Postage Fees			
CK # 18505	To KC Treasurer	\$139,392.52	\$138,362.60	\$132,002.94
Death Certificate Surcharge sent from Clerk's office \$860.00 ck # 18503				
Dom Viol Fund sent from Clerk's office \$320.00 ck #18504				

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 EIGHT MONTHS ENDED 07/31/2018

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2018 YTD Actual</u>	<u>2018 YTD %</u>	<u>2017 YTD Actual</u>	<u>2017 YTD %</u>
Personal Property Repl. Tax	\$400,000	\$290,881	72.72%	\$342,889	92.67%
State Income Tax	\$2,470,000	\$1,666,413	67.47%	\$1,857,126	77.38%
Local Use Tax	\$630,000	\$461,608	73.27%	\$425,016	68.00%
State Sales Tax	\$550,000	\$349,748	63.59%	\$348,373	72.58%
County Clerk Fees	\$400,000	\$226,083	56.52%	\$262,395	79.51%
Circuit Clerk Fees	\$850,000	\$480,496	56.53%	\$489,099	51.48%
Fines & Foreits/St Atty.	\$380,000	\$197,009	51.84%	\$203,545	47.34%
Building and Zoning	\$65,000	\$51,037	78.52%	\$52,104	84.04%
Interest Income	\$86,500	\$128,981	149.11%	\$58,296	155.46%
Health Insurance - Empl. Ded.	\$1,299,440	\$774,896	59.63%	\$790,398	62.43%
1/4 Cent Sales Tax	\$2,950,000	\$1,982,063	67.19%	\$1,887,473	64.64%
County Real Estate Transf Tax	\$440,000	\$270,884	61.56%	\$276,274	69.69%
Correction Dept. Board & Care	\$832,200	\$874,312	105.06%	\$709,457	81.08%
Sheriff Fees	\$245,000	\$128,247	52.35%	\$140,811	55.22%
TOTALS	\$11,598,140	\$7,882,658	67.96%	\$7,843,257	68.82%

Public Safety Sales Tax	\$5,068,000	\$3,401,893	67.12%	\$3,305,036	65.21%
Transportation Sales Tax	\$4,750,000	\$3,401,893	71.62%	\$3,305,036	69.58%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 8 months the revenue and expense should at 66.67%

EXPENDITURES

All General Fund Offices/Categories

\$28,534,189	\$17,544,976	61.49%	\$18,335,706	65.86%
---------------------	---------------------	---------------	---------------------	---------------



KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	Month: July 2018	Fiscal Year-to-Date	July 2017
Total Deaths		37	206	17/219
Natural Deaths		36	189	14
Accidental Deaths	**	1	11	1
Pending		0	0	0
Suicidal Deaths		0	4	2
Homicidal Deaths		0	1	0
Undetermined		0	1	0
Toxicology		3	25	1/24
Autopsies		3	23	1/23
Cremation Authorizations		22	126	8/129

**

Accidental Death(s):

1. 07/31/2018 – Sandwich – 18-year-old, Male, Probable Overdose

PERSONNEL/OFFICE ACTIVITY:

1. On July 2, 2018, Coroner Purcell and Dr. Tokars hosted an Opioid Study Group with local law enforcement and EMS personnel.
2. On July 10-11, 2018, Chief Deputy Coroner Gotte attended training at the Cook County Medical Examiner's Office regarding medicolegal death investigations.
3. On July 14, 2018, Coroner Purcell provided a presentation for the IL Search and Rescue Council regarding identification of human bones vs. animal bones during a search operation.
4. On July 17, 2018, Coroner Purcell attended the joint health board and county board meeting regarding how the nationwide opioid epidemic affects Kendall County.
5. On July 23-27, 2018 Coroner Purcell attended the International Association of Coroners and Medical Examiner's Annual Training Symposium in Las Vegas, NV, where she received her mandatory 24-hours of continuing education hours.
6. On July 24, 2018, Chief Deputy Coroner Gotte attended training at the Manhattan Fire Protection District regarding Mass Fatality Planning & Response from Rural Communities.

— CARORUM AD CURAM —

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 & 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of August 13, 2018 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Davidson at 6:32 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick (arrived at 7:06 p.m.), Bob Davidson (Chairman), Judy Gilmour, Scott Gryder (arrived at 7:01pm), and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Jasmine Brown Watkins (Office Assistant), Linda Fosen, Steven Holcomb, Linette Holcomb, Richard Wagner, Eileen Wagner, Ray Blaszcsek, Jen Blaszcsek, Steve Larson, Kris Larson, Kurt Friestad, Scott Friestad, Scott Wallin, Dave McConnell, Bob Friestad, Greg Gaura, Greg Gaura's Wife, Tom Muth, Kristen Friestad, and Tom Horak

APPROVAL OF AGENDA

Motion by Chairman Gilmour, seconded by Member Matt Kellogg, to approve the agenda as presented. With a voice vote of three (3) ayes, the motion carried.

APPROVAL OF MINUTES

Motion by Judy Gilmour, seconded by Member Matt Kellogg, to approve the minutes of the July 9, 2018 meeting. With a voice vote of three (3) ayes, the motion carried.

EXPENDITURE REPORT

The Committee reviewed the claims report. Motion by Member Kellogg, seconded by Member Gilmour, to forward the claims to the Finance Committee. With a voice vote of three (3) ayes, the motion carried.

PUBLIC COMMENT

Kurt Friestad, Chicago Road, stated that he wanted to keep the County agricultural in the southern portion of the County and is opposed to the proposed changes. He believed the changes open the door for removing agriculture. Chairman Davidson responded that, if owners never sale their land, the proposal will not affect them. However, owners have a right to sell their land. Chairman Davidson also stated a comprehensive plan was necessary to prevent problems in the future like homes on or near a four (4) lane highway. He did not believe factories or businesses will come to the area until sewer and water is brought to the area. The comprehensive plan will be looked at every five (5) years and can be changed. Kurt Friestad responded that changing the ground from agriculture will not be beneficial now or in the long term. Member Kellogg stated the comprehensive plan gives guidance for an investor coming into the area. Also, land owners have rights and the County cannot prevent them from doing certain activities with their land. He stated that doing nothing was not a good idea. Mr. Friestad did not believe water and sewer will be coming to area in the near future.

Steven Halcomb, Sherrill Road, questioned the public policy for the Committee. He stated his household and his in-law's household did not receive any correspondence in the mail regarding the proposal. He asked what incentives exist for the county to have mining in Lisbon Township. He also asked if any study occurred examining which properties produce the greatest agricultural yields per acre and which properties have the most rock for mining.

Chairman Davidson agreed that many property owners were not notified. Mr. Asselmeier stated that, in his opinion, State law does not require notification because the zoning of the property will not change if this proposal is approved. Mr. Asselmeier also stated that nobody in Section 32 of Lisbon Township was notified by mail. Mr. Asselmeier stated that a property owner can still go to the Village of Lisbon, annex their property, and rezone their property under the Village of Lisbon's regulations, if this proposal is rejected.

Linda Fosen, Townhall Road, did not agree with the proposed changes of a half (1/2) mile corridor on Route 47 and the removal of the rural settlement classification on the map. She asked for clarification of rural settlement. Mr. Asselmeier stated there was a small area on the map that was classified as a rural settlement with agriculture surrounding it, but under the new proposal it will be classified as mixed use business.

Scott Friestad, Quarry Road, stated there is currently over one thousand two hundred (1200) acres in the mining district not including the future mining areas. He stated that the new proposal included more acres and was excessive. He encouraged the Planning, Building and Zoning Committee to vote against the proposal.

Scott Wallin, Ashley Road, was concerned about keeping the land agriculture and also changing the landscape to commercial. He stated that, if one (1) person sells their property, more people will also sell their property. He also requested the Committee to vote against the proposal.

Dave McConnell, Whitewillow Road, stated that he lives near one (1) of the quarries. He stated he understands preserving natural resource. However, this proposal is not helping preserve natural resources. He did not believe the big companies care about the neighboring property owners. Also, just because property owners are selling, it does not mean the County should invite more mining.

Bob Friestad, Whitewillow Road requested everyone in the audience opposed to the proposal to stand. He stated the number of people standing should mean something to the Committee.

Member Gryder arrived at this time (7:01 p.m.)

Linette Halcomb, Sherrill Road, stated that she comes from a family of farmers. She stated that changing the property from agriculture to mining hurts the food production that is necessary for living. Mrs. Halcomb questioned if the residents of Lisbon were aware of the proposed changes. She stated that excessive mining was not safe for the town or the residents. Furthermore, she stated the proposal was not just a comprehensive plan, but deals with changing the future. She requested board to vote no.

Member Cullick arrived at this time (7:06 p.m.)

PETITIONS

Petition 18-04- Kendall County Regional Planning Commission

Mr. Asselmeier summarized the request. The proposed changes include the following:

1. Changing the Agricultural Area West of Route 47 from Slightly South of Townhall Road to the Kendall/Grundy County Line to Mining.
2. Changing the Agricultural Area East of Route 47 from the Kendall/Grundy County Line North for a Distance of 0.50 Miles to Commercial.
3. Changing the Agricultural Area at the Northwest, Southwest, and Northeast Quadrants of the Intersection of Routes 47 and 52 to Commercial.
4. Changing the Agricultural Area at the Intersection of Route 47 and Plattville Road to Commercial.
5. Removing Rural Settlement Classification from Map.
6. Remaining Properties Along Route 47 from the Kendall/Grundy County Line to the Lisbon/Kendall Township Line Not Impacted by 1-5 Above Shall Be Changed from Agricultural to Mixed Use Business.
7. Incorporating the Village of Lisbon's Mixed Use Business and Residential Areas in Sections 16, 17, 18, 19, 20, 29, 30, 31, and 32 of Lisbon Township into the County Land Resource Management Plan.
8. Incorporate the Proposed Changes to the Lisbon Township Future Land Use Map into the Kendall County Future Land Use Map
9. Remove All Language Contained in the Narrative Portion of the Kendall County Land Resource Management Plan that Conflicts with the Changes to the Lisbon Township Future Land Use Map

Member Gilmour asked about the Village of Lisbon's sewer system. Mr. Asselmeier responded that the Village of Lisbon did not have the financial resources to assist with paying for laterals to houses; the sewer plant was not operational. Also, the Village of Lisbon relies on the tipping fees from the quarries to fund municipal operations. Chairman Davidson explained at least one (1) of the quarries was not currently active.

Member Kellogg asked if the Prairie Parkway had been abolished by the State. Chairman Davidson and Member Gryder confirmed the center line had been removed.

Member Gilmour questioned if other meetings have been held in Plattville. Mr. Asselmeier responded the meetings were held at the Kendall County Office Building for Comprehensive Land Plan and Ordinance Committee, Kendall County Regional Planning Commission, and Kendall County Zoning Board of Appeals. Also, the Village of Lisbon's Mayor and Clerk attended the Plattville meeting. Mr. Asselmeier was unaware if any of the municipalities conducted their own meeting.

Member Gilmour asked if the public was present for the Kendall County Regional Planning Commission hearing. Mr. Asselmeier responded that one (1) member of the public was present and spoke.

Member Gilmour asked how the mailing list was created. Mr. Asselmeier stated the mailing list was generated by the GIS system using the information about the properties near the corridor. Member Gilmour stated that she understood the law and, if the zoning was not changed, the

mail notification was not required. However, she was concerned that some people were not notified.

Member Gryder asked how many people objected to the proposal. Mr. Asselmeier stated all of the land owners that attended meetings objected to the proposal. Mr. Asselmeier explained that the original proposal dealt with the half (1/2) mile corridor along Route 47.

Chairman Davidson stated the State's Attorney needed to clarify the notification requirement and if the proposal can continue.

Mr. Asselmeier stated the next Planning, Building and Zoning Committee meeting is September 10th at 6:30 p.m. Subsequent meetings are on October 9th and November 13th. The public will be sent notification of when the proposal will be on the agenda for a future meeting.

Motion by Member Cullick, seconded by Member Gryder, to forward the notification question the State's Attorney's Office for review and to lay over the Petition until the meeting following receipt of the State's Attorney's opinion.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. The notification question will be forwarded to the State's Attorney's Office and the Petition will be laid over until the meeting after the State's Attorney's Office provides an opinion. The public will be notified of the next meeting date on this proposal.

Petition 18-20-Fox Metro Water Reclamation District

Mr. Asselmeier summarized the request.

The Fox Metro Water Reclamation District is considering improvements at their plant on Route 31. Rather than amending their special use permit, Fox Metro is requesting that the southern portion of the property, presently zoned R-1 with a special use permit for a sewage treatment facility, be rezoned to M-1. A wastewater treatment facility is a permitted use in the M-1 District and the rezoning would place the entire Fox Metro property in the same zoning classification. The proposed rezoning is also occurring to get the entire Fox Metro property to match the future land use shown on the County's Future Land Use Map.

If the map amendment is approved, any improvement to the Fox Metro facility would still require site plan approval per Section 13 of the Kendall County Zoning Ordinance.

The Petitioner previously received special use permits to operate a sewage treatment facility onsite through the 1974 comprehensive County rezoning and Ordinances 2011-13 and 2011-35.

The existing use of the property as a wastewater treatment facility has occurred since the 1920s. The Petitioner has no desire to change the land use of the property. Even if the Petitioner did desire to change the land use of the property, a large amount of remediation and site work would be required to transform the property into a residential or other light manufacturing use.

In addition to Kendall County's ordinances, the operations at the subject property are heavily regulated by both federal and state laws.

Because the Future Land Use Map in the Land Resource Management Plan calls for the subject property to be Mixed Use Business and the M-1 zoning classification corresponds to the Mixed Use Business designation, Staff recommends approval of the proposed map amendment. If the map amendment is approved, the special use permits and R-1 related variances granted by Ordinances 2011-13 and 2011-35 would be repealed. Any additional R-1 related variances would also be repealed upon rezoning.

Oswego Township expressed no opposition to the proposal.

The Oswego Fire Protection District expressed no opposition to the proposal.

The Village of Montgomery expressed no opposition to the request.

ZPAC unanimously recommended approval of the request.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on June 27, 2018. The Kendall County Regional Planning Commission recommended denial with a vote of three (3) in favor and five (5) in opposition. Mr. Nelson voted no because he wanted the Zoning Office to have greater authority to approve minor amendments to special use permits when small changes to site plans are proposed on a larger site. Mr. Nelson also noted that a portion of the property was used as a wastewater treatment plant before zoning was created. Several Commissioners voted no because they believed that the public should comment on expansions in the future. Ms. Zubko would have no problem approving a change to the site plan for the building expansion if it were part of a special use permit amendment. The rezoning gives great latitude over the use of the land with less oversight.

The Kendall County Zoning Board of Appeals held a public hearing on this matter on July 30, 2018. No one from the public testified in favor or in opposition to the proposal. The Zoning Board of Appeals unanimously recommended approval of the request map amendment. The record of the hearing can be found on the County's website.

Member Kellogg questioned what the difference between the proposed law and the current law. Mr. Asselmeier stated that, if the proposal was approved, any changes made to the facility would require the Fox Metro to come back to the County and change their site plan. Fox Metro would not be required to go through the special use permit amendment process every time they changed their site plan.

Chairman Davidson questioned if Fox Metro bought property west of Route 31. Mr. Asselmeier stated Fox Metro only owns the property east of Route 31.

Member Gryder questioned if the change would be consistent with Caterpillar and the zoning in the area. Mr. Asselmeier responded that the proposal only applied to the Fox Metro's property and it would be hard for the property to be converted to another use.

Member Kellogg questions the representatives from Fox Metro if major changes were needed at the facility. The representative responded that some changes were required and the company

is currently setting up a plan to deal with those changes. Also, Fox Metro would still have to go through the site plan approval process.

Member Gryder asked what are some of the things the County would not have the ability to control if the change was approved. Mr. Asselmeier explained that Fox Metro would need site plan approval from the County to make changes to the site unless they constructed one (1) house on the property.

Motion by Member Kellogg, seconded by Member Gryder, to recommend approval of the requested map amendment.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. Because Oswego Township and the Village of Montgomery have already submitted documentation expressing no opposition the proposal, the request will go to the County Board on Tuesday, August 21, 2018, at 9:00 a.m.

Petition 18-23-Richard and Valvina Kaminski

Mr. Asselmeier summarized the request.

When Kendall County did the County-wide rezoning in 1974, the Kendall County Board designated the property at 985 Harvey Road and the adjacent property west of 985 Harvey Road as A-1 with a special use permit. The specific special use was not defined, but was probably landscaping related.

The owners of the properties, Richard and Valvina Kaminski, desire to cleanup the zoning of the properties and requested that all special use permits be revoked.

If the proposed revocation is approved, both properties would be zoned A-1 Agricultural.

Motion by Member Kellogg, seconded by Member Gryder, to recommend approval of the requested revocation.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. The request will go to the County Board on Tuesday, August 21, 2018, at 9:00 a.m.

Kristen Friestad, Quarry Road, stated that changing the map would hurt her future. She stated, if someone has enough money, they can request for a map amendment and the County's hands would be tied if the Future Land Use Map said that an area should have a non-agricultural use. Chairman Davidson stated that Ms. Friestad has property rights along with anyone who buys

property. Mr. Asselmeier responded that someone could take the County to court and the judge would decide the zoning if the County rejected a map amendment request.

NEW BUSINESS

Discussion of Burning at 8055 Whitfield Road

Greg Gaura stated that the owner of 8055 Whitfield Road has a fire pit close to the complaint's home since 2016. He stated that he contacted the Code Inspector and a notice was sent to the owner, however, someone continues to bring in landscaping and burn it in the back of the property.

Member Gryder stated many residents are having similar issues. However, the Board's hands are tied. Member Gryder questioned if the County could implement a tighter property code to deal these issues. Mr. Asselmeier stated the owner would need to be caught bringing in yard waste and burning the yard waste.

Member Kellogg stated Mr. Gaura they should call the EPA or Sheriff's Office. Mr. Asselmeier stated it was difficult to prove where the waste originates. Mrs. Gaura stated the owner brought in big trucks of waste and the smell comes through her vents. The burning is causing her health problems.

Mr. Asselmeier stated, if Mr. Gaura signed an affidavit, the State's Attorney would determine if enough evidence existed to take the case to court would decide

Member Gilmour questioned how long the issue had been occurring. Mr. Gaura responded two (2) years. Inspector Brian Holdiman went to the complaint's home regarding issue.

Member Kellogg stated the owner from 8055 Whitfield Road was suppose to have a permit for burning and they should contact the Sheriff's Office and EPA.

Member Gryder questioned how the County would get the information on the complaints. Mr. Asselmeier responded that the Department, but they could obtain them from the Sheriff's Office and ask the Health Department.

Member Gilmour stated that, when the Inspector went to the property, he was told the owner was making a recreational fire.

Member Kellogg stated the EPA has more power than the County to enforce this regulation. He also suggested the Gaura's contact the Sheriff's Office.

Approval of an Intergovernmental Agreement between the Village of Millbrook and the County of Kendall to Administer the County's Ordinances for Zoning, Building Code, Subdivision Control, Comprehensive Plan and Stormwater Management within the Jurisdiction of the Village of Millbrook for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village of Millbrook to the County of Kendall

Mr. Asselmeier summarized the proposal and stated the proposal was the same as last year. Discussion occurred regarding the difference in the insurance requirements between the agreement with Plattville and Millbrook.

Motion by Member Kellogg, seconded by Member Gilmour, to recommend approval of the proposal pending comments from the Village of Millbrook.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. The Village of Millbrook will be sent the proposal. If they do not propose changes, the proposal will go to the County Board.

Approval of a Request from the City of Sandwich for a Letter of Suppose of the City of Sandwich's Application for an Illinois Environmental Protection Agency 319 Watershed Plan Grant for the Little Rock Creek Watershed-Committee Could Also Recommend that Kendall County Contribute Financially to the Required Grant Match

Tom Horak, City Engineer of City of Sandwich, requested a partnership with Kendall County for the City of Sandwich's Watershed Plan Grant application. He did not request a financial contribution at this time.

Member Kellogg questioned the percentage of the watershed in Kendall County. Mr. Horak could not provide a percentage.

Member Gryder asked Member Gilmour if the Forest Preserve was involved with this project. Member Gilmour responded that she did not believe the Forest Preserve was involved.

Chairman Davidson questioned what restrictions will be applied to the creek. Mr. Horak responded that the idea was to come up with a plan to improve the water quality and get the homeowners involved in the plan. The plan would also involve sampling that would help determine the pollutants in the creek. The goal is not to force anyone to do anything but get people to work together for the greater good of preserving clean water.

Motion by Member Kellogg, seconded by Member Gilmour, to recommend approval of the request.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. The request will go to the County Board on Tuesday, August 21, 2018, at 9:00 a.m.

OLD BUSINESS

Approval of an Agreement with Teska Associates, Inc. for Work Related to the Zoning Ordinance Consolidation Project (Project Would Unify the Zoning Ordinance into One Searchable Document, Correct Typographical Errors, and Correct Citation Errors) at a Cost Not

to Exceed \$8,000; Related Invoices to be Paid from Planning, Building and Zoning Consultant's Line Item(101-2-002-6363)-Committee Could Forward Proposal to the State's Attorney's Office for Review

Motion by Member Kellogg, seconded by Member Gryder, to forward the proposal to the State's Attorney's Office for review.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

Update on Removal of Culvert Crossing an Aux Sable Creek near 13360 McKanna Road; Property is Owned by Mark Antos

Mr. Asselmeier provided updated pictures of the bridge. He stated that Mr. Antos intended to have the low water crossing removed by the end of August. Chairman Davidson questioned if gravel on south side of bridge would also be removed. Member Kellogg stated the Committee should request the gravel to be removed. Mr. Asselmeier will contact Mr. Antos.

Update on 21 Dawn Avenue

Mr. Asselmeier provided information from Code Inspector Brian Holdiman that the lot has been restored. The complaint was submitted by Zack Christian regarding broken tile. Mr. Asselmeier stated the Department cannot prove tile was damaged. Member Gryder stated he was familiar with the property and tile did run through the property. Chairman Davidson stated the Department needed to reach out to the property owner and obtain a letter from the owner that no tile was damaged. Discussion occurred regarding a refund of the building permit fee. Mr. Asselmeier will check if the fee was refunded.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report.

Approval to Forward Violation of Section 10.01.A.2 of the Kendall County Zoning Ordinance (Lack of Required Fencing Around M-1 Zoned Property) at 790 Eldamain Road to the State's Attorney's Office

Chairman Davidson stated that the owners had one (1) year to address the problem, but have not taken any action. Mr. Asselmeier stated the Planning, Building and Zoning recommends sending the violation to the State's Attorney's Office because of lack of communication from the owner.

Motion by Member Kellogg, seconded by Member Cullick, to send the violation to State's Attorney's Office.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

REVIEW NON-VIOLATION REPORT

The Committee reviewed the non-violation report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

The letter from the Historic Preservation Commission to the U.S. Army Corps of Engineers was presented. The Historic Preservation Commission is in the early stages of planning a meeting with other historic preservation groups; the meeting is tentatively scheduled for February.

REVIEW PERMIT REPORT

The Committee reviewed the permit report.

Member Kellogg asked about the new subdivision on Route 52. Mr. Asselmeier responded that the developer was currently seeking rezoning. ZPAC reviewed the proposal at their meeting earlier in August and the proposal will be on the next agenda for the Kendall County Regional Planning Commission. Joliet and Shorewood have sent letters expressing no objection to the proposal. The proposed subdivision is approximately one hundred three (103) acres with thirty-nine (39) proposed residential lots.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report. Revenue is up compared to the same period in the previous fiscal year.

CORRESPONDENCE

None

PUBLIC COMMENT

Chairman Davidson stated that Hide-A-Way Lakes is under contract to be sold and the new owners are seeking a meeting with Staff. He stated there should be a hold on the special use renewal and amendment proposal. Member Gilmour questioned if the special use followed the owner or the property. Chairman Davidson stated the special use permit goes with the property. Mr. Asselmeier stated the proposed text amendment is currently at the townships for review. Also, the proposed text amendment was recommended for denial by the Zoning Board of Appeals and Kendal County Regional Planning Commission. Mr. Davidson stated that owners are afraid of the simple majority rule contained in the proposal. Also, even if the zoning is changed, the people already with special use permits will be grandfathered.

Steven Halcomb commended Member Cullick and Member Gilmour for their leadership.

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

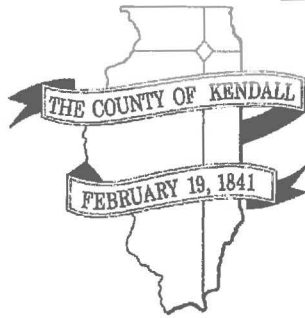
None

ADJOURNMENT

Motion by Member Gilmour, seconded by Member Cullick, to adjourn. With a voice vote of five (5) ayes the motion passed unanimously. Chairman Davidson adjourned the meeting at 8:38 p.m.

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

Enc.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 18-20**Fox Metro Water Reclamation District
Map Amendment Rezoning Property from
R-1 with a Special Use Permit to M-1****INTRODUCTION**

The Fox Metro Water Reclamation District is considering improvements at their plant on Route 31. Rather than amending their special use permit, Fox Metro is requesting that the southern portion of the property, presently zoned R-1 with a special use permit for a sewage treatment facility, be rezoned to M-1. A wastewater treatment facility is a permitted use in the M-1 District and the rezoning would place the entire Fox Metro property in the same zoning classification. The proposed rezoning is also occurring to get the entire Fox Metro property to match the future land use shown on the County's Future Land Use Map.

If the map amendment is approved, any improvement to the Fox Metro facility would still require site plan approval per Section 13 of the Kendall County Zoning Ordinance.

The Petitioner previously received special use permits to operate a sewage treatment facility onsite through the 1974 comprehensive County rezoning and Ordinances 2011-13 and 2011-35.

The existing use of the property as a wastewater treatment facility has occurred since the 1920s. The Petitioner has no desire to change the land use of the property. Even if the Petitioner did desire to change the land use of the property, a large amount of remediation and site work would be required to transform the property into a residential or other light manufacturing use.

In addition to Kendall County's ordinances, the operations at the subject property are heavily regulated by both federal and state laws.

RECOMMENDATION

Because the Future Land Use Map in the Land Resource Management Plan calls for the subject property to be Mixed Use Business and the M-1 zoning classification corresponds to the Mixed Use Business designation, Staff recommends approval of the proposed map amendment. If the map amendment is approved, the special use permits and R-1 related variances granted by Ordinances 2011-13 and 2011-35 would be repealed. Any additional R-1 related variances would also be repealed upon rezoning.

ACTION SUMMARY**OSWEGO TOWNSHIP**

Petition information was sent to Oswego Township on May 29, 2018. Oswego Township expressed no opposition to the proposal.

OSWEGO FIRE PROTECTION DISTRICT

Petition information was to the Oswego Fire Protection District on May 29, 2018. They expressed no opposition to the proposal.

VILLAGE OF MONTGOMERY

Petition information was sent to the Village of Montgomery on May 29, 2018. The Village of Montgomery expressed no opposition to the request.

ZPAC

ZPAC reviewed this proposal at their meeting on June 5, 2018. ZPAC unanimously recommended approval of the request.

KCRPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on June 27, 2018. The Kendall County Regional Planning Commission recommended denial with a vote of three (3) in favor and five (5) in opposition. Mr. Nelson voted no because he wanted the Zoning Office to have greater authority to approve minor amendments to special use permits when small changes to site plans are proposed on a larger site. Mr. Nelson also noted that a portion of the property was used as a wastewater treatment plant before zoning was created. Several Commissioners voted no because they believed that the public should comment on expansions in the future. Ms. Zubko would have no problem approving a change to the site plan for the building expansion if it were part of a special use permit amendment. The rezoning gives great latitude over the use of the land with less oversight.

ZBA

The Kendall County Zoning Board of Appeals held a public hearing on this matter on July 30, 2018. No one from the public testified in favor or in opposition to the proposal. The Zoning Board of Appeals unanimously recommended approval of the request map amendment. The record of the hearing can be found at https://www.co.kendall.il.us/wp-content/uploads/Petition_18-20.pdf. The minutes of previously held advisory committee meetings are included with the record of the hearing.

PBZ

The Planning, Building and Zoning Committee reviewed this proposal at their meeting on August 13, 2018, and unanimously recommended approval.

FINDINGS OF FACT

The Kendall County Zoning Board of Appeals unanimously approved the following findings of fact.

Existing uses of property within the general area of the property in question. Portions of the subject property have been used as a wastewater treatment plant since the 1920s. The area is a mix of industrial, single-family residential, and institutional uses.

The Zoning classification of property within the general area of the property in question. The zoning of properties in the general area include agricultural, single-family residential, commercial, and manufacturing. The Petitioner owns property in the area that is zoned M-1 and R-1 with a special use permit.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned R-1 with a special use permit. Because the site has been used as a wastewater treatment facility for almost a century, a large amount of remediation and site work would be required for other residential uses to be placed on the subject property.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The proposed amendment clarifies the existing use of the property with the zoning of the property because a wastewater treatment facility is more of a manufacturing/industrial use than a residential use.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposed amendment is consistent with the Future Land Use Map contained in the Land Resource Management Plan which calls for the subject property to be Mixed Use Business. Per the definition of Mixed Use Business, uses permitted within the M-1 Zoning District are types of Mixed Use Businesses.

PHYSICAL DATA**ENDANGERED SPECIES REPORT**

EcoCAT Report not required because the property is not agricultural.

NATURAL RESOURCES INVENTORY

The completed application for NRI was submitted on June 22, 2018. The average LESA Score was 44 indicating a low level of protection.

SITE INFORMATION

PETITIONER: Fox Metro Water Reclamation District

ADDRESS: 682 Route 31, Oswego

LOCATION: East Side of Route 31 Approximately 0.5 Miles South of Route 30

TOWNSHIP: Oswego

PARCEL #s: 03-05-176-002, 03-05-302-001, 03-05-302-002, 03-05-302-003, 03-05-302-004, 03-05-353-001, 03-05-353-002, 03-05-353-003, 03-05-353-004, 03-05-353-006, 03-05-353-009, and 03-05-353-010

03-05-127-005 and 03-05-176-001 are already zoned M-1.

LOT SIZE: 94.4 acres

EXISTING LAND USE: Wastewater Treatment Facility

ZONING: R-1 with a Special Use Permit for a Sewage Treatment Plant

LRMP:	Existing Land Use	Institutional
	Future Land Use	Mixed Use Business
	Roads	Route 31 is a State maintained highway arterial highway
	Trails	None
	Floodplain/ Wetlands	Wetlands and Floodplains are present on the property.

REQUESTED ACTION: Map Amendment Rezoning Property from R-1 with a Special Use Permit to M-1

APPLICABLE REGULATIONS: Section 13.07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Institutional (Wastewater Treatment Facility)	M-1 (County) B-2 and M-2 (Montgomery)	Mixed Use Business (County) Light Industrial and Regional Commercial (Montgomery)	M-1 (County) B-2 and M-2 (Montgomery)

South	Comed ROW, Single-Family Residential	R-1	Comed ROW and Suburban Residential	A-1 SU, R-1, R-3, R-5, R-6 R-7 R-7 SU, B-1 SU, B-2, B-2 SU,B-3, and B-4 (County) R-1 and Special Use (Oswego)
East	Fox River, Park Land, and Single-Family Residential	A-1	Open Space and Suburban Residential	A-1, R-3 SU, R-6, R-7, B-1, B-3, B-3 SU,
West	Industrial, Cemetery, and Residential	R-1, R-3, M-1,M-1 SU, M- 2	Suburban Residential and Mixed Use Business	R-3, M-1 SU, M-2, and M-2 SU (County) M-2 (Montgomery)

BUILDING CODES

Any new construction on site would be required to meet applicable building codes and other applicable federal and state laws for the operation of wastewater treatment facility.

ACCESS

The property fronts Route 31. Staff has no concerns regarding the ability of Route 31 to support the continued operations of the wastewater treatment facility at this location.

ODORS

If the wastewater treatment facility expands, additional odors may occur. Fox Metro is taking necessary precautions to reduce odors.

LIGHTING

Any new lighting would be to support the operations of the wastewater treatment plant.

SCREENING

The property is currently fenced and the existing facilities are set down approximately fifteen feet to twenty feet (15'-20') from Route 31. Existing trees on the Comed right-of-way and a row of new trees provides a buffer to the south. Any new fences would have to follow applicable regulations.

STORMWATER

The property is along the Fox River. Any new construction would have to meet the requirements of the Kendall County's Stormwater Management Ordinance.

UTILITIES

Utilities are onsite. The Petitioner would have to secure applicable permits prior to changing the layout of utilities.

ATTACHMENTS

1. Proposed Ordinance
2. Aerial with Zoning

ORDINANCE NUMBER 2018-_____

MAP AMENDMENT FOR A 94.4 ACRE +/- PARCELS LOCATED AT 682 ROUTE 31 AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 03-05-176-002, 03-05-302-001, 03-05-302-002, 03-05-302-003, 03-05-302-004, 03-05-353-001, 03-05-353-002, 03-05-353-003, 03-05-353-004, 03-05-353-006, 03-05-353-009, AND 03-05-353-010 IN OSWEGO TOWNSHIP

Rezone from R-1 with a Special Use Permit to M-1

WHEREAS, Section 13.07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the R-1 One Family Residential Zoning District a Special Use Permit for a Sewage Treatment Plant and consists of approximately 94.4 acres located at 682 Route 31 (PINs: 03-05-176-002, 03-05-302-001, 03-05-302-002, 03-05-302-003, 03-05-302-004, 03-05-353-001, 03-05-353-002, 03-05-353-003, 03-05-353-004, 03-05-353-006, 03-05-353-009, AND 03-05-353-010), in Oswego 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 the Fox Metro Water Reclamation District and shall hereinafter be referred to as "Petitioner"; and

WHEREAS, the subject property was granted a special use permit for the operation of a sewage treatment plant during the County-wide rezoning adopted by the Kendall County Board on July 9, 1974; and

WHEREAS, the special use permit for the operation of a sewage treatment plant was amended by the Kendall County Board on May 14, 2011, and December 20, 2011, through Ordinances 2011-13 and 2011-35 respectively; and

WHEREAS, on or about May 22, 2018, Petitioner filed a petition for a Map Amendment rezoning the subject property from R-1 One-Family Residential District with a Special Use Permit to M-1 Limited Manufacturing District in order to have their entire property share the same zoning classification and to have the zoning of the property conform to the land use classification shown on the Kendall County Land Resource Management Plan Future Land Use Map; and

WHEREAS, following due and proper notice by publication in the Kendall County Record not less than fifteen days prior thereto, the Kendall County Zoning Board of Appeals conducted a public hearing on July 30, 2018, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested map amendment and zero members of the public asked questions or testified in favor or testified in opposition to the request; 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 Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated July 30, 2018, 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 Map Amendment; and

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

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 Map Amendment rezoning the subject property from R-1 One-Family Residential District with a Special Use Permit to M-1 Limited Manufacturing District as depicted on the drawing attached as Exhibit C hereto and incorporated herein.
3. All ordinances and variances that are in conflict with this ordinance are hereby repealed.
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 Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 21st day of August, 2018.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Walter E. Deuchler Associates Inc.

Consulting Engineers

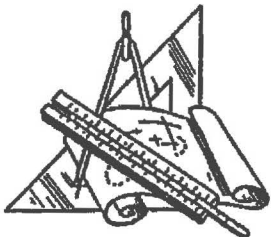
230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

CATERPILLAR TRACTOR COMPANY
TO
THE AURORA SANITARY DISTRICT
QUIT CLAIM DEED DOC. NO. 148636
5-26-65
(4.00 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North,
Range 8 East of the Third Principal Meridian, described as follows:

Beginning at a cross notch in the center line of U.S. Route #31
at a point 581.60 feet Southerly of the intersection of said center
line and the East and West quarter line of Section 5 aforesaid; thence
East along a line parallel with the North line of the Southwest Quarter
of said Section 5 and forming an angle of $95^{\circ}18'20''$ with the center
line of U.S. Route #31 (as measured from South to East) to the Thread
of the Stream of the Fox River; thence Southwesterly along the Thread
of the Stream of the Fox River to the extension Easterly of the North
line of Larson's Subdivision as presently staked out; thence West along
the extension Easterly and the North line of Larson's Subdivision to
a cross notch in the center line of U.S. Route #31; thence Northerly
along said center line and forming an angle of $84^{\circ}49'50''$ (as measured
from East to North) a distance of 215.00 feet to the place of beginning
in the Township of Oswego, Kendall County, Illinois;



Water Works and Sewerage
Streets and Street Lighting

•
•

Buildings and Structures
Investigations and Reports

•
•

Design and Construction
Project Financing

Walter E. Deuchler Associates Inc.

Consulting Engineers

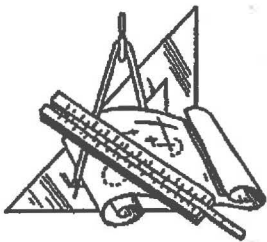
230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

WILLIAM J. AND LORRAINE M. KUSNIERZ
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED DOC. NO. 78-3241
5-24-78
(1.54 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North,
Range 8 East of the Third Principal Meridian, described as follows:

Commencing at the Northwest corner of the fractional Southwest Quarter of Section 6, Township and Range aforesaid; thence South along the West line of said Section 6, 1363.34 feet; thence South $82^{\circ}36'$ East to the West bank of the Fox River; thence North $18^{\circ}46'$ West along said river bank 237 feet; thence North $37^{\circ}16'$ West along said river bank 263 feet; thence North $9^{\circ}39'$ West along said river bank 300 feet; thence North $19^{\circ}40'$ East along said river bank 300 feet; thence North $30^{\circ}19'$ East along said river bank 102.8 feet; thence North $88^{\circ}31'$ West 864.15 feet to the center line of the original road; thence Northeasterly along the center line of said road 215 feet for the point of beginning; thence East parallel with the North line of the Southwest Quarter of said Section 5 to the West bank of Fox River; thence Northeasterly along the West bank of said Fox River to a point which is 394.88 feet South of North line of said Southwest Quarter; thence North 90° West 1074.3 feet to the center line of said road; thence Southerly along said center line 185 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois. Excepting that part of said premises conveyed to The Aurora Sanitary District by deed dated August 29, 1961 recorded January 19, 1962 as document 136551 in Book 126, page 107 and also excepting that part of said premises dedicated for road purposes, (along Illinois Route 31) as Described in Dedication dated February 7, 1959 and recorded July 14, 1959 as document 126069.



Water Works and Sewerage	•	Buildings and Structures	•	Design and Construction
Streets and Street Lighting	•	Investigations and Reports	•	Project Financing

Walter E. Deuchler Associates Inc.

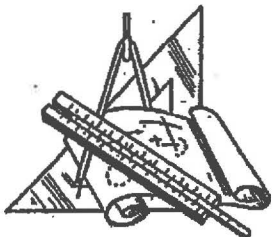
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

EVERETT L. AND TREVILLA M. ENGEL
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED DOC. NO. 136551
1-9-62
(2.56 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the fractional Southwest Quarter of Section 6, Township and Range aforesaid; thence South along the West line of said Section 6, 1363.34 feet; thence South 82° 36' East to the West bank of the Fox River; thence North 18° 46' West along said river bank 237 feet; thence North 37° 16' West along said river bank 263 feet; thence North 9° 39' West along said river bank 300 feet; thence North 19° 40' East along said river bank 300 feet; thence North 30° 19' East along said river bank 102.8 feet; thence North 88° 31' West 864.15 feet to the center line of the original road; thence North-easterly along the center line of said road 215 feet; thence East parallel with the North line of the Southwest Quarter of said Section 5, said line being the northerly line of the property owned by the Caterpillar Tractor Co., for a distance of 467.2 feet for a place of beginning; thence continuing East along the last described line to the center thread of the Fox River; thence Northeasterly along the center thread of the Fox River to a point which is 394.88 feet South of the North line of said Southwest Quarter; thence North 90° West along the southerly line of the property owned by The Aurora Sanitary District to a point which is 450 feet East of the center line of the original road (State Route No. 31); thence South to the place of beginning; in the Township of Oswego, Kendall County, Illinois, containing 2.38 acre more or less; reserving and excepting to Grantors, their heirs or assigns and their respective invitees or guests, a perpetual right-of-way for persons or vehicles across and the perpetual use of the southerly 20 feet of said property, and along the westerly bank of the Fox River for the easterly 20 feet of the southerly 20 feet of said property, for ingress, egress and access to the Fox River, and for fishing, boating, swimming and other river recreational purposes, including the right to erect a dock, wharf or similar structure on the westerly bank of the Fox River; hereby releasing and waiving rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.



Water Works and Sewerage
Streets and Street Lighting

• Buildings and Structures
• Investigations and Reports

• Design and Construction
• Project Financing

ALSO

QUIT CLAIM
DOCUMENT NO. 158942
4-11-68

The Southerly 20 feet and along the Westerly bank of the Fox River for the Easterly 20 feet of the Southerly 20 feet of the following described property:

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of the Fractional Southwest Quarter of Section 6, Township and Range aforesaid; thence South along the West line of said Section 6, 1363.34 feet; thence South 82° 36' East to the West bank of the Fox River; thence North 18° 46' West along said river bank 237 feet; thence North 37° 16' West along said river bank 263 feet; thence North 9° 39' West along said river bank 300 feet; thence North 19° 40' East along said river bank 300 feet; thence North 30° 19' East along said river bank 102.8 feet; thence North 88° 31' West 864.15 feet to the center line of the original road; thence Northeasterly along the center line of said road 215 feet; thence East parallel with the North line of the Southwest Quarter of said Section 5, said line being the northerly line of the property owned by the Caterpillar Tractor Co., for a distance of 467.2 feet for a place of beginning; thence continuing East along the last described line to the center thread of the Fox River; thence Northeasterly along the center thread of the Fox River to a point which is 394.88 feet South of the North line of said Southwest Quarter; thence North 90° West along the southerly line of the property owned by The Aurora Sanitary District to a point which is 450 feet East of the center line of the original road (State Route No. 31); thence South to the place of beginning; in the Township of Oswego, Kendall County, Illinois.

Walter E. Deuchler Associates Inc.

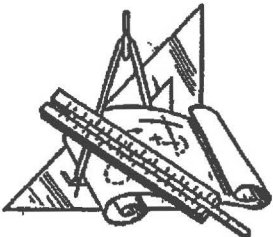
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

E. GARRETTA ELLIOTT
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED 10-29-54
(3.02 ACRES)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the point of intersection of the Easterly right-of-way line of the Chicago, Burlington and Quincy Railroad with the North line of said Southwest Quarter; thence East along said North line 235.7 feet to the center line of the original road; thence Southerly along said center line 273.5 feet for the point of beginning; thence Southerly along said center line 123.1 feet; thence East 450 feet; thence North 122.57 feet; thence West 438.55 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois.



Water Works and Sewerage
Streets and Street Lighting

•

Buildings and Structures
Investigations and Reports

•

•

Design and Construction
Project Financing

Walter E. Deuchler Associates Inc.

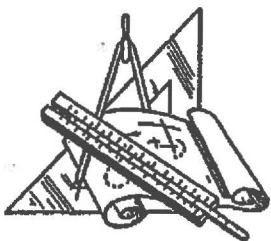
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

EMMA MICHELS
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED 2-15-45
(3.02 Acres)

That part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at a point in the north line of said Southwest Quarter, where said North line is intersected by the center line of the Northerly and Southerly highway running through said Southwest Quarter section; thence South 5°12' West along the center line of said highway 327.4 feet to an iron stake for a place of beginning; thence South 5°12' West along the center line of said highway, 69.2 feet; thence East 1072.4 feet to the meander line of Fox River; thence North 43° East 167.6 feet to a large iron bolt; thence West 1134.5 feet; thence South 45°29' West to the place of beginning, containing 3.02 acres more or less; situated in the County of Kendall and State of Illinois.



Water Works and Sewerage
Streets and Street Lighting

•

Buildings and Structures
Investigations and Reports

•

Design and Construction
Project Financing

Walter E. Deuchler Associates Inc.
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
 897-4651

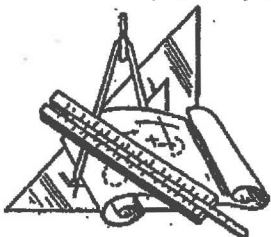
ELWYN A. AND JESSIE B. BERNBROCK
 TO
 THE AURORA SANITARY DISTRICT
 QUIT-CLAIM DEED 10-24-27
 (26.84 ACRES)

TRACT "A"

Part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at a point in the north line of said Southwest Quarter where said north line is intersected by the center line of the highway running northerly through said quarter; thence South 5° 12' West along the center line of said highway 327.4 feet to an iron stake for a place of beginning; thence South 5° 12' West along the center line of said highway 69.2 feet to an iron stake; thence North 90° East parallel to the North line of said Southwest Quarter 1088.3 feet to an iron stake on the Westerly bank of the Fox River; thence North 42° 41' East along said Westerly bank 177.1 feet; thence North 32° 15' East along the Westerly bank of said river 313.5 feet to an iron stake on the North line of said Southwest Quarter; thence South 90° West along said North line 1037.4 feet to an iron stake on the Easterly right-of-way line of the Aurora, Elgin and Chicago Railway Company; thence South 45° 29' West along said Easterly right-of-way line 465.6 feet to the place of beginning, containing ten acres more or less.

Excepting therefrom, however, all that part thereof heretofore conveyed by Albert L. Treman to George Michels by Warranty Deed dated September 12, 1925 and recorded September 19, 1925, in Book 75 of Warranty Deeds on Page 372 in the Recorder's Office of Kendall County, Illinois, which portion so excepted contains 3.02 acres more or less and is particularly described as follows:

Commencing at a point in the North line of said Southwest Quarter where said North line is intersected by the center line of the Northerly and Southerly highway running through said Southwest Quarter; thence South 5° 12' West along the center line of said highway 327.4 feet to an iron stake for place of beginning; thence South 5° 12' West along the center line of said highway 69.2 feet; thence East 1072.4 feet to the meander line of Fox River; thence North 43° East 167.6 feet to a large iron bolt; thence West 1134.5 feet; thence South 45° 29' West to the place of beginning; containing 3.02 acres more or less as aforesaid.



Water Works and Sewerage	•	Buildings and Structures	•	Design and Construction
Streets and Street Lighting	•	Investigations and Reports	•	Project Financing

ELWYN A. AND JESSIE B. BERNBROCK, PAGE 2

TRACT "B"

All that part of the following described lands which are east of the center line of the North and South highway running through the West half of Section 5 and commonly known as the Oswego and Aurora Road and also known as State Highway Route No. 18, to-wit:

Part of the North half of Section 5 and 6, Township 37 North, Range 8 East of the Third Principal Meridian bounded as follows to-wit:

Beginning at the Northwest corner of the Southwest Quarter of said Section 6; thence North 37 rods and 12 feet; thence East 344 rods to the West shore of Fox River; thence South along the West shore of said river 37 rods 12 feet; thence West along the north line of the South half of said Sections 5 and 6, 344 rods to the place of beginning; excepting the rights-of-way of the Chicago, Burlington and Quincy Railroad Company and the Aurora, Elgin and Chicago Railway Company; the piece of land hereby intended to be described containing 17 acres of land more or less;

All of said lands being situated in the County of Kendall, State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Walter E. Deuchler Associates Inc.
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

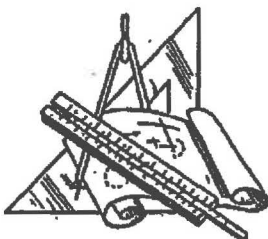
Area Code 312
897-4651

AURORA, ELGIN AND FOX RIVER ELECTRIC COMPANY
TO
THE AURORA SANITARY DISTRICT
QUIT CLAIM DEED 6-18-28
(1.87 ACRES)

1. Part of the Northwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian described as follows: to-wit: Commencing at the point of intersection of the center line of the Aurora-Oswego Highway on the West side of the Fox River and the South line of said Northwest Quarter of Section 5; thence East along said South line 232.9 feet; thence North $53^{\circ} 51'$ East 1144.7 feet to the point of beginning; thence North $53^{\circ} 51'$ East 84.0 feet to the westerly right-of-way line of the Chicago, Burlington and Quincy Railroad; thence Southeasterly along said right-of-way line 41.35 feet; thence South $53^{\circ} 51'$ West 19.7 feet; thence West 69.0 feet to the point of beginning, containing 0.05 acres.

2. Part of the Northwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: to-wit: Commencing at the point of intersection of the center line of the Aurora-Oswego Highway on the West side of the Fox River and the South line of said Northwest Quarter of Section 5; thence East along said South line 232.9 feet to the point of beginning; thence North $53^{\circ} 51'$ East 1144.7 feet; thence East 69.00 feet; thence South $53^{\circ} 51'$ West 1144.7 feet to said South line of the Northwest Quarter of Section 5; thence West 69.00 feet to the point of beginning, containing 1.05 acres.

3. Part of the Southwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described as follows: to-wit: Beginning at the point of intersection of the center line of the Aurora-Oswego Highway on the West side of the Fox River and the North line of said Southwest Quarter of Section 5; thence East along said North line 301.9 feet to the center line of the Aurora-Oswego Road; thence North $5^{\circ} 12'$ East along the center line of said road 327.4 feet to the point of beginning, containing 1.13 acres, situated in the County of Kendall in the State of Illinois,



Water Works and Sewerage
Streets and Street Lighting

•

Buildings and Structures
Investigations and Reports

•

Design and Construction
Project Financing

Walter E. Deuchler Associates Inc.

Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60508

Area Code 312
897-4651

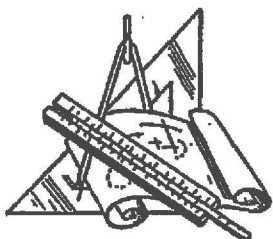
(UNDIVIDED 2/9ths INTEREST)

ELIZABETH HALL, GUARDIAN OF THE ESTATE OF JOHN W. BRICKERT, A MINOR
TO

THE AURORA SANITARY DISTRICT
GUARDIAN'S DEED DOC. NO. 157622

12-13-67
(14.69 ACRES)

An undivided two ninths (2/9ths) interest in, of and to: That part of the Northwest quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at the Southwest corner of the Northwest Quarter of Section 6, Township 37 North, Range 8 East of the Third Principal Meridian; thence North $0^{\circ} 07' 30''$ West along the West line of the Northwest Quarter of said Section 6, 532.67 feet (8.07 chains); thence South $89^{\circ} 49' 12''$ East 4502.1 feet to the Easterly line of the right-of-way of the Chicago Burlington and Quincy Railroad Company's main line for a point of beginning; thence North $31^{\circ} 17' 48''$ East along said Easterly line 1007.52 feet to the South line of lands formerly owned by Rufus Gray; thence East along said South line 441.08 feet to the Westerly line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company's branch line; thence Southerly along said Westerly line an arc distance of 833.49 feet to the Northwesterly line of the former Aurora, Elgin and Morris Railroad; thence South $55^{\circ} 42' 25''$ West along said Northwesterly line 84.00 feet to a line drawn South $89^{\circ} 49' 12''$ East from the point of beginning; thence North $89^{\circ} 49' 12''$ West along said line 1025.54 feet to the point of beginning, in the Town of Oswego, Kendall County, Illinois, being 14.6878 acres.



Water Works and Sewerage
Streets and Street Lighting

•

Buildings and Structures
Investigations and Reports

•

Design and Construction
Project Financing

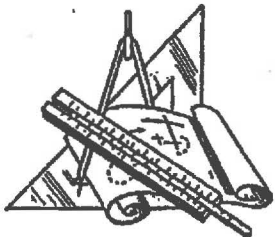
Walter E. Deuchler Associates Inc.
Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

(UNDIVIDED 5/9ths INTEREST)
ELIZABETH AND HERBERT HALL
TO
THE AURORA SANITARY DISTRICT
WARRANTY DEED DOC. NO. 157620
12-13-67
(14.69 ACRES)

That part of the Northwest Quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at the Southwest corner of the Northwest Quarter of Section 6, Township 37 North, Range 8 East of the Third Principal Meridian; thence North $0^{\circ} 07' 30''$ West along the West line of the Northwest Quarter of said Section 6, 532.67 feet (8.07 chains); thence South $89^{\circ} 49' 12''$ East 4502.1 feet to the Easterly line of the right-of-way of the Chicago, Burlington and Quincy Railroad Company's main line for point of beginning; thence North $31^{\circ} 17' 48''$ East along said Easterly line 1007.52 feet to the South line of lands formerly owned by Rufus Gray; thence East along said South line 441.08 feet to the Westerly line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company's branch line; thence Southerly along said Westerly line an arc distance of 833.49 feet to the Northwesterly line of the former Aurora, Elgin and Morris Railroad; thence South $55^{\circ} 42' 25''$ West along said Northwesterly line 84.00 feet to a line drawn South $89^{\circ} 49' 12''$ East from the point of beginning; thence North $89^{\circ} 49' 12''$ West along said line 1025.54 feet to the point of beginning, in the Town of Oswego, Kendall County, Illinois, being 14.6878 acres.



Water Works and Sewerage
Streets and Street Lighting

• Buildings and Structures
• Investigations and Reports

• Design and Construction
• Project Financing

Walter E. Deuchler Associates Inc.

Consulting Engineers

230 WOODLAWN AVENUE, AURORA, ILLINOIS 60506

Area Code 312
897-4651

(UNDIVIDED 2/9ths INTEREST)

ELIZABETH HALL

GUARDIAN OF THE ESTATE OF LINDA SUE BRICKERT, A MINOR

TO

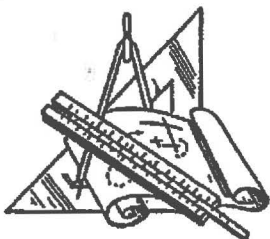
THE AURORA SANITARY DISTRICT

GUARDIAN'S DEED DOC. NO. 157621

12-13-67

(14.69 ACRES)

An undivided two ninths (2/9ths) interest in, of and to: That part of the Northwest quarter of Section 5, Township 37 North, Range 8 East of the Third Principal Meridian, described by commencing at the Southwest corner of the Northwest Quarter of Section 6, Township 37 North, Range 8 East of the Third Principal Meridian; thence North 0° 07' 30" West along the West line of the Northwest Quarter of said Section 6, 532.67 feet (8.07 chains); thence South 89° 49' 12" East 4502.1 feet to the Easterly line of the right-of-way of the Chicago Burlington and Quincy Railroad Company's main line for a point of beginning; thence North 31° 17' 48" East along said Easterly line 1007.52 feet to the South line of lands formerly owned by Rufus Gray; thence East along said South line 441.08 feet to the Westerly line of the right-of-way of the Chicago, Burlington & Quincy Railroad Company's branch line; thence Southerly along said Westerly line an arc distance of 833.49 feet to the Northwesterly line of the former Aurora, Elgin and Morris Railroad; thence South 55° 42' 25" West along said Northwesterly line 84.00 feet to a line drawn South 89° 49' 12" East from the point of beginning; thence North 89° 49' 12" West along said line 1025.54 feet to the point of beginning, in the Town of Oswego, Kendall County, Illinois, being 14.6878 acres.



Water Works and Sewerage
Streets and Street Lighting

•

Buildings and Structures
Investigations and Reports

•

Design and Construction
Project Financing

FOX METRO WATER RECLAMATION DISTRICT
PROPERTY ACQUISITION
PROPERTY LYING NORTH OF EXISTING TREATMENT PLANT SITE

LEGAL DESCRIPTION

THAT PART OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 00° 07' 30" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 6 FOR 532.67 FEET (8.07 CHAINS); THENCE SOUTH 89° 49' 12" EAST, 4502.1 FEET TO THE EASTERLY LINE OF THE RIGHT-OF-WAY OF THE FORMER CHICAGO BURLINGTON AND QUINCY RAILROAD COMPANY MAIN LINE; THENCE NORTH 31° 17' 48" EAST ALONG SAID EASTERLY LINE, 1007.52 FEET TO THE POINT OF BEGINNING ON THE SOUTH LINE OF LANDS FORMERLY OWNED BY RUFUS GRAY; THENCE CONTINUING NORTH 31° 17' 48" EAST ALONG SAID EASTERLY LINE, 1396.03 FEET; THENCE SOUTH 90° 00' 00" EAST, 55.87 FEET TO THE WESTERLY LINE OF THE FORMER OTTAWA, OSWEGO AND FOX RIVER VALLEY RAILROAD; THENCE SOUTH 19° 37' 07" WEST ALONG SAID WESTERLY LINE, 683.22 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG SAID WESTERLY LINE, BEING ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1954.59 FEET FOR 562.28 FEET TO SAID SOUTHERLY LINE OF LANDS FORMERLY OWNED BY RUFUS GRAY; THENCE SOUTH 90° 00' 00" WEST ALONG SAID SOUTHERLY LINE, 441.14 FEET TO THE POINT OF BEGINNING, CONTAINING 6.002 ACRES IN KENDALL COUNTY, ILLINOIS.

**LEGAL DESCRIPTION
MARCH 21, 2011**

PARCEL ONE:

LOT ONE (1) OF LARSON SUBDIVISION, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS (EXCEPTING THEREFROM ANY PORTION THEREOF ZONED R-1 SPECIAL USE ON MARCH 18, 2011).

PARCEL TWO:

LOT 2 (EXCEPT THE SOUTHERLY 45 FEET, MEASURED ALONG THE WESTERLY LINE) IN LARSON SUBDIVISION IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL THREE:

THAT PART OF LOTS 2 AND 3 OF LARSON'S SUBDIVISION DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3 BEING ON THE CENTERLINE OF STATE ROUTE NO. 31; THENCE SOUTH 7° 01' WEST ALONG SAID CENTERLINE, 46.58 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 7° 01' EAST ALONG SAID CENTERLINE, 91.58 FEET; THENCE SOUTH 88° 31' EAST PARALLEL WITH THE NORTH LINE OF SAID LOT 3, 781.87 FEET TO THE EASTERLY LINE OF SAID LOT 2; THENCE SOUTH 19° 40' WEST ALONG THE EASTERLY LINES OF LOTS 2 AND 3, 106.9 FEET; THENCE SOUTH 9° 39' EAST ALONG THE EASTERLY LINE OF SAID LOT 3, 70.83 FEET TO A LINE DRAWN SOUTH 82° 36' EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 3, FROM THE PLACE OF BEGINNING; THENCE NORTH 82° 36' WEST ALONG SAID PARALLEL LINE, 775.16 FEET TO THE PLACE OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

Exhibit A, Page 15
**FOX METRO SOUTH PLANT EXPANSION
REQUEST FOR ZONING VARIANCE**

**LEGAL DESCRIPTION
APRIL 28, 2011**

PARCEL ONE:

THAT PART OF LOT 3 OF LARSON SUBDIVISION, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT, BEING ON THE CENTERLINE OF STATE ROUTE NO. 31; THENCE SOUTHERLY ALONG SAID CENTERLINE, 46.58 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 82° 36' EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, 775.16 FEET TO THE EASTERLY LINE OF SAID LOT; THENCE SOUTH 9° 39' EAST ALONG SAID EASTERLY LINE, 229.17 FEET; THENCE SOUTH 37° 16' EAST, 35.20 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 82° 36' WEST ALONG THE SOUTHERLY LINE OF SAID LOT, 867.3 FEET TO THE CENTERLINE OF SAID STATE ROUTE NO. 31; THENCE NORTHERLY ALONG SAID CENTERLINE, 250.52 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 6, 1363.34 FEET; THENCE SOUTH 82° 36' EAST, 5298.7 FEET TO THE WESTERLY BANK OF FOX RIVER; THENCE NORTH 18° 46' WEST ALONG SAID WESTERLY BANK, 192.5 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 18° 46' WEST ALONG SAID WESTERLY BANK, 44.35 FEET; THENCE NORTH 37° 16' WEST ALONG SAID WESTERLY BANK, 227.8 FEET; THENCE NORTH 82° 36' WEST, 867.3 FEET TO THE CENTERLINE OF THE ORIGINAL ROAD; THENCE SOUTHERLY ALONG SAID CENTERLINE, 200 FEET TO A LINE DRAWN NORTH 82° 36' WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 82° 36' EAST, 1014.21 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS (*AKA LOT 4 OF LARSON SUBDIVISION).

PARCEL THREE:

TRACT ONE:

LOT 5 OF LARSON'S SUBDIVISION, TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

TRACT TWO:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTERLINE OF ILLINOIS STATE ROUTE NUMBER 31; THENCE NORTH $6^{\circ} 44'$ EAST ALONG SAID CENTERLINE, 745.75 FEET; THENCE SOUTH $82^{\circ} 30'$ EAST, 100 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH $82^{\circ} 30'$ EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH $82^{\circ} 30'$ EAST FOR THE POINT OF BEGINNING; THENCE NORTH $82^{\circ} 30'$ WEST TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL FOUR:

THAT PART OF THE SOUTH HALF OF THE WEST PART OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES EAST OF THE CENTERLINE OF STATE ROUTE NO. 31 AND SOUTH OF A LINE EXTENDING SOUTH $82^{\circ} 30'$ EAST FROM A POINT IN THE SAID CENTERLINE OF SAID HIGHWAY THAT IS NORTH $6^{\circ} 44'$ EAST, 745.75 FEET FROM THE SOUTH LINE OF SAID SECTION TO THE CENTER THREAD OF THE FOX RIVER (EXCEPT THE RIGHT OF WAY OF THE SAID STATE ROUTE NO. 31 AND A STRIP IN THE NORTHWEST CORNER 67 FEET WIDE AND 325 FEET LONG MEASURED ALONG THE EASTERLY LINE OF SAID HIGHWAY, USED FOR CEMETERY PURPOSES, AND ALSO EXCEPT THAT PART LYING SOUTH OF THE NORTH LINE OF PREMISES CONVEYED TO THE COMMONWEALTH EDISON COMPANY BY WARRANTY DEED RECORDED OCTOBER 9, 1959 AS DOCUMENT 127020 AND ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTERLINE OF ILLINOIS STATE ROUTE NO. 31; THENCE NORTH 6° 44' EAST ALONG SAID CENTERLINE, 745.75 FEET; THENCE SOUTH 82° 30' EAST 100 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 82° 30' EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82° 30' EAST FROM THE POINT OF BEGINNING; THENCE NORTH 82° 30' WEST TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THEREFROM THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 31 WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTERLINE OF SAID ROAD; THENCE NORTH 6° 03' 17" EAST ALONG SAID CENTERLINE, 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF 87° 43' 10" MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE, 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 169° 46' 24" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET; THENCE NORTHERLY AT AN ANGLE OF 142° 32' 41" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF 148° 08' 36" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF 106° 13' 20" MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 859.60 FEET, MORE OR LESS, TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER, 302.20 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF COMMONWEALTH EDISON LANDS DESCRIBED IN DOCUMENT NO. 127020 AT THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING), IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL FIVE:

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 31, WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTERLINE OF SAID ROAD; THENCE NORTH $06^{\circ} 03' 17''$ EAST ALONG SAID CENTERLINE, 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF $87^{\circ} 43' 10''$ MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF $169^{\circ} 46' 24''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET; THENCE NORTHERLY AT AN ANGLE OF $142^{\circ} 32' 41''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF $148^{\circ} 08' 36''$ MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF $106^{\circ} 13' 20''$ MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 1010.40 FEET, MORE OR LESS, TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER, 320 FEET MORE OR LESS, TO THE NORTHERLY LINE OF THE COMMONWEALTH EDISON COMPANY LANDS DESCRIBED IN DOCUMENT 127020 AT THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

g:\11\11012-00\2LEGAL-04-19-11

Exhibit B
FINDINGS OF FACT

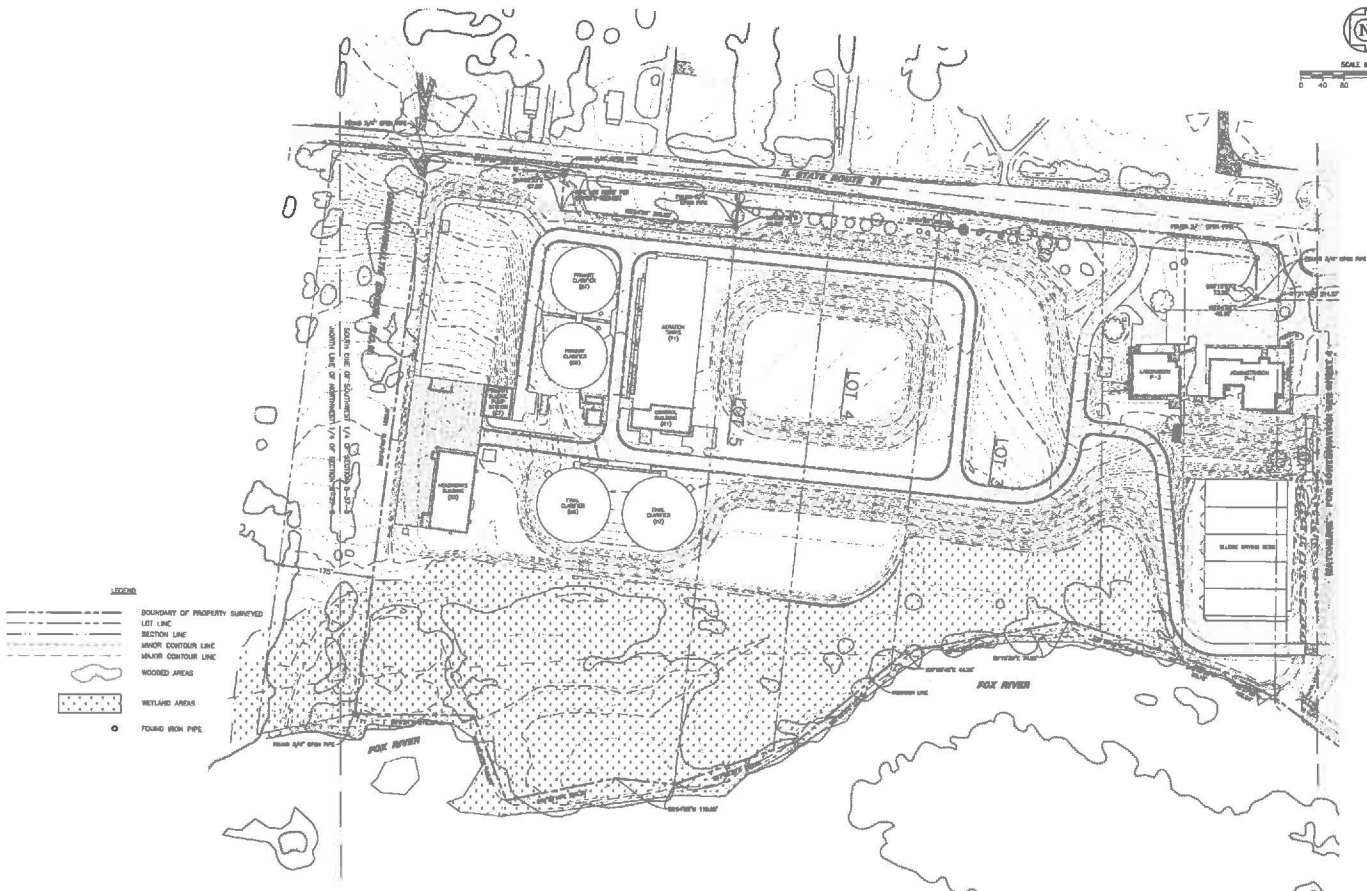
Existing uses of property within the general area of the property in question. Portions of the subject property have been used as a wastewater treatment plant since the 1920s. The area is a mix of industrial, single-family residential, and institutional uses.

The Zoning classification of property within the general area of the property in question. The zoning of properties in the general area include agricultural, single-family residential, commercial, and manufacturing. The Petitioner owns property in the area that is zoned M-1 and R-1 with a special use permit.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned R-1 with a special use permit. Because the site has been used as a wastewater treatment facility for almost a century, a large amount of remediation and site work would be required for other residential uses to be placed on the subject property.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The proposed amendment clarifies the existing use of the property with the zoning of the property because a wastewater treatment facility is more of a manufacturing/industrial use than a residential use.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposed amendment is consistent with the Future Land Use Map contained in the Land Resource Management Plan which calls for the subject property to be Mixed Use Business. Per the definition of Mixed Use Business, uses permitted within the M-1 Zoning District are types of Mixed Use Businesses.



WALTER E. DEUCHLER ASSOCIATES, INC.
Consulting Engineers - Aurora, Illinois

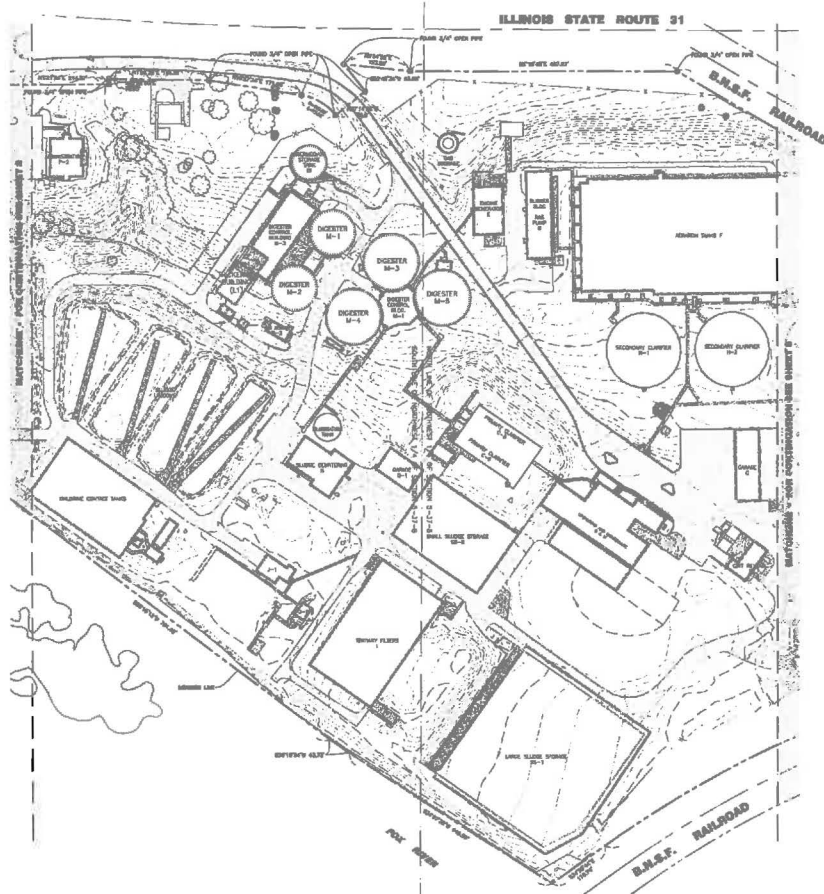
1.
2.
3.

4.
5.
6.

DATE	5/20/2018	DESIGNED	EPG
SCALE	AS SHOWN	DRAWN	EPG
JOB NO.	111-18018-00	APPROVED	EPG
FIELD BOOK NO. 251			

FOX METRO WATER RECLAMATION DISTRICT
PLAT OF SURVEY
PARTIAL PLAN - SOUTH

SHEET
3
OF
5



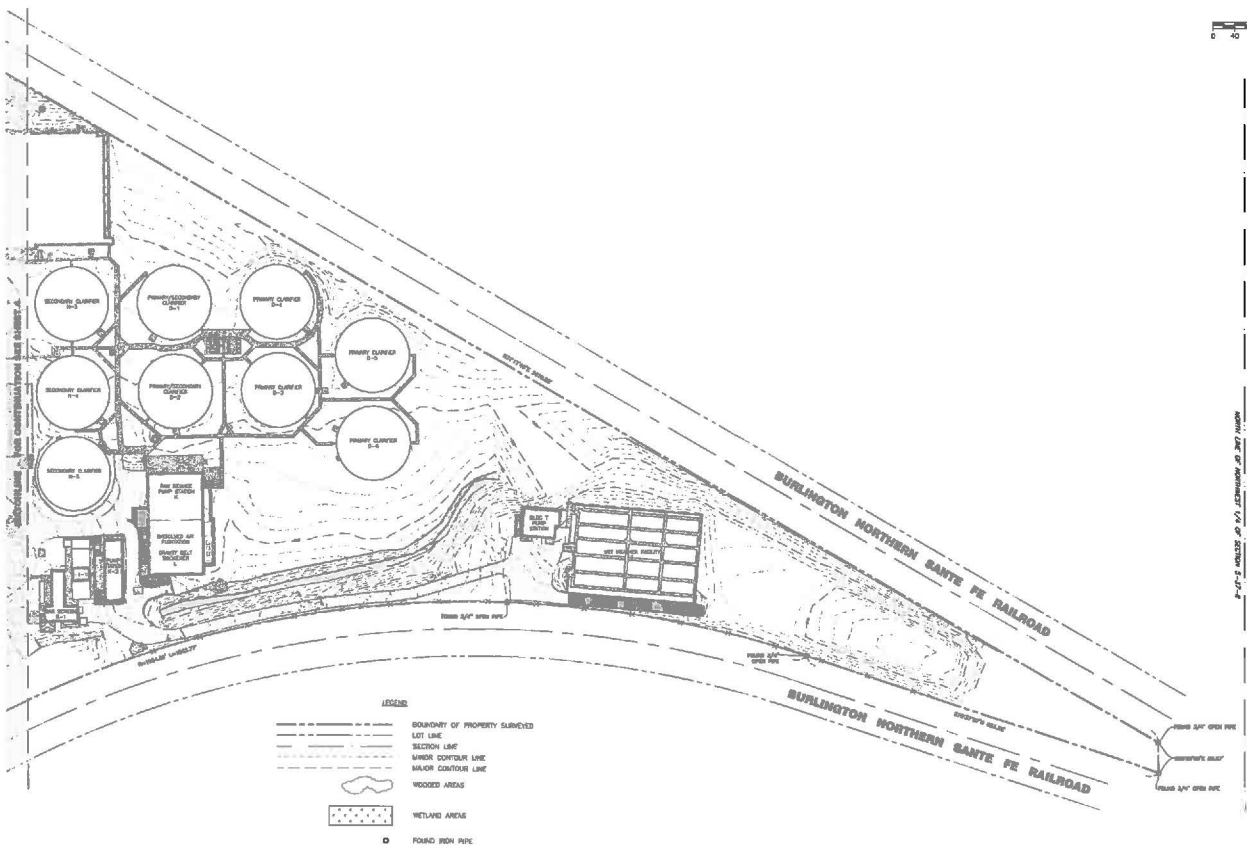
WALTER E. DEUCHLER ASSOCIATES, INC.
Consulting Engineers - Aurora, Illinois

1.
2.
3.
4.
5.
6.

DATE: 8/30/2018
DRAWN: JPC
CHECKED: JPC
APPROVED: JPC
FIELD BOOK NO.: 851

FOX METRO WATER RECLAMATION DISTRICT
PLAT OF SURVEY
PARTIAL PLAN - MIDDLE

4
5



SOUTH LINE OF SOUTHWEST 1/4 OF SECTION 21-35-8
NORTH LINE OF NORTHWEST 1/4 OF SECTION 3-37-8

WALTER E. DEUCHLER ASSOCIATES, INC.
Consulting Engineers - Aurora, Illinois

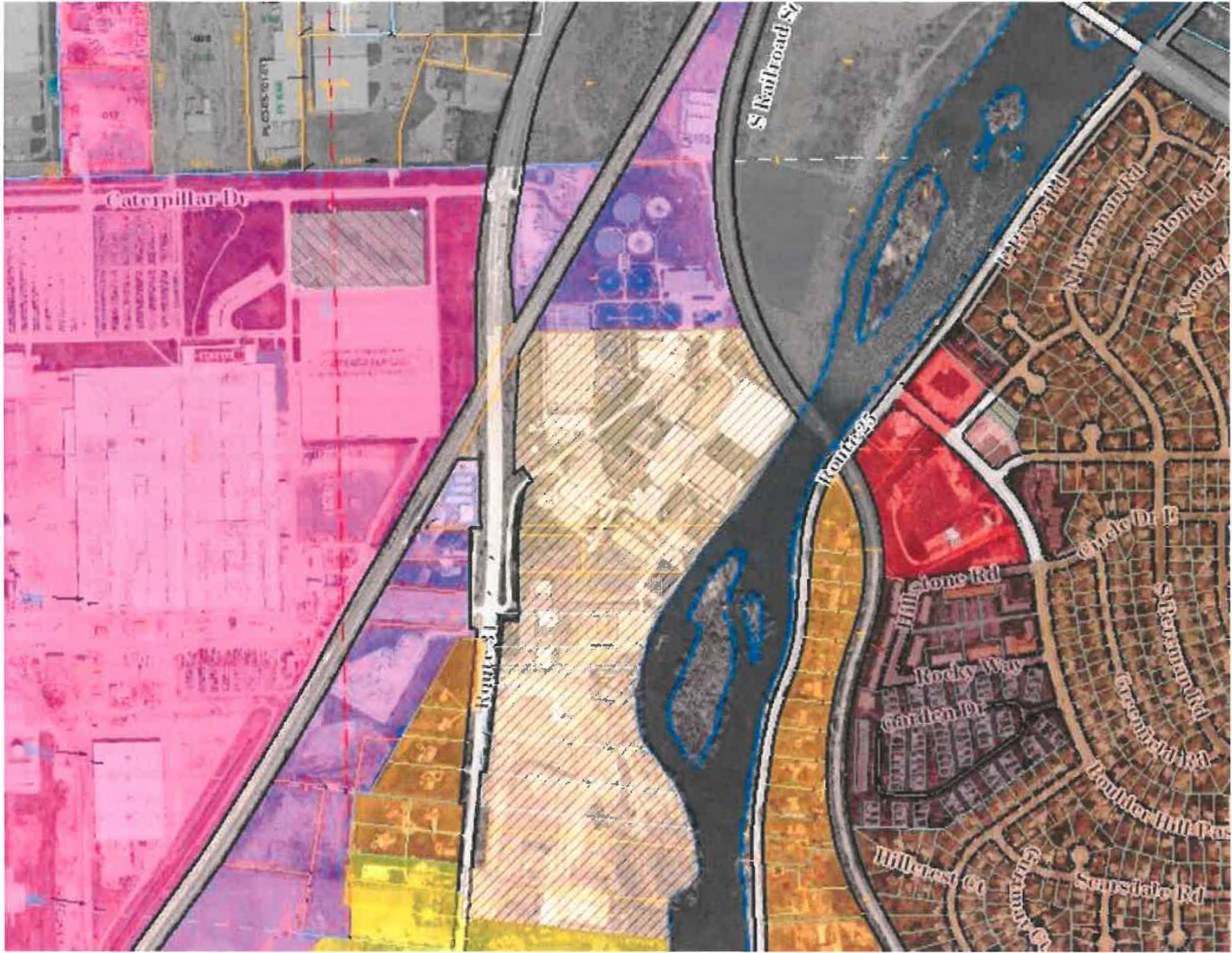
1	2	3
---	---	---

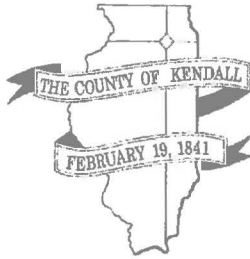
4
5
6

DATE: 5/20/2010	DEVELOPER: DPS
SCALE: AS SHOWN	DRAWN: AS SHOWN
JOB NO. 111-18018-00	APPROVED: DPS
FIELD BOOK NO.: 251	

**FOX METRO WATER RECLAMATION DISTRICT
PLAT OF SURVEY
PARTIAL PLAN - NORTH**

5





DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: County Board

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: August 14, 2018

Re: Petition 18-23-Repeal of Special Use at 985 Harvey Road and the Property Immediately to the West of 985 Harvey Road

When Kendall County did the County-wide rezoning in 1974, the Kendall County Board designated the property at 985 Harvey Road and the adjacent property west of 985 Harvey Road as A-1 with a special use permit. The specific special use was not defined, but was probably landscaping related.

The owners of the properties, Richard and Valvina Kaminski, desire to cleanup the zoning of the properties and requested that all special use permits be revoked.

If the proposed revocation is approved, both properties would be zoned A-1 Agricultural.

A map of the area is attached.

At their meeting on August 13th, the Planning, Building and Zoning Committee unanimously recommended approval of the revocation request.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Draft Revocation Ordinance
Area Map

ORDINANCE # 2018-_____

REVOKING A SPECIAL USE for

AT 985 HARVEY ROAD AND THE PROPERTY IMMEDIATELY TO THE WEST OF 985 HARVEY ROAD (PARCEL ID NUMBERS 03-01-351-002 AND 03-01-351-006) IN OSWEGO TOWNSHIP

WHEREAS, the Kendall County Board adopted a County-Wide Zoning Ordinance and Official Zoning Maps for Kendall County and Oswego Township on July 9, 1974; and

WHEREAS, the property now known as 985 Harvey Road and the property immediately to the west of 985 Harvey were zoned A-1 and designated as having a special use permit on the Official Zoning Maps of Kendall County and Oswego Township as adopted on July 9, 1974; and

WHEREAS, the property now known as 985 Harvey Road and the property immediately to the west of 985 Harvey Road are located in Oswego Township and are identified by Parcel Identification Numbers 03-01-351-002 and 03-01-351-006;

WHEREAS, said property is legally described in the attached Exhibit "A"; and

WHEREAS, Richard and Valvina Kaminski purchased said property from James D. and Janet K. Meyers on or about July 26, 1996; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Richard and Valvina Kaminski, owners, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit "B" that they voluntarily request that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted as shown on the Official Zoning Map of Kendall County and Oswego Township dated July 9, 1974, at the subject property be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted at the subject property.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of August, 2018.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit "A"

PARCEL I:

That part of the South West 1/4 of Section 1, Township 37 North, Range 8, East of the Third Principal Meridian, described as follows: Commencing at the South West corner of said South West 1/4; thence North 89 degrees, 53 minutes, 00 seconds East along the South line of said Quarter Section, 718.60 feet; thence North 0 degrees, 01 minutes 00 seconds East 334 feet; thence North 89 degrees, 53 minutes, 00 seconds East 266.20 feet; thence North 67 degrees, 13 minutes, 00 seconds East 116.68 feet for the point of beginning; thence North 67 degrees, 13 minutes, 00 seconds East 138.57 feet to the center line extended Southerly of U.S. Route 30, thence South 25 degrees, 21 minutes, 00 seconds East along said extended center line, 223.61 feet; thence South 89 degrees, 53 minutes, 00 seconds West 195.95 feet; thence North 5 degrees, 32 minutes, 00 seconds West 28.28 feet; thence North 51 degrees, 12 minutes, 00 seconds West 31 feet to a point South 0 degrees, 23 minutes, 0 seconds East from the point of beginning; thence North 0 degrees, 23 minutes 0 seconds West 101.26 feet to the point of beginning, in the Township of Oswego, Kendall County, Illinois.

PARCEL II:

That part of the Southwest Quarter of Section 1, Township 37 North, Range 8, East of the Third Principal Meridian described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence Easterly along the South line of said Southwest Quarter 718.60 feet; thence Northerly along a line which forms an angle of 89 degrees 52 minutes 00 seconds with said South line, measured from East to North, 334.00 feet; thence Easterly parallel with said South line, 271.52 feet to an iron stake monumenting an angle point in the South line of lands owned by the Lincoln Highway Cemetery Company; thence Northeasterly along a line hereinafter referred to as "Line A", which forms an angle of 157 degrees 20 minutes 00 seconds with the last described course, measured clockwise therefrom, 60.60 feet for a point of beginning; thence Southerly along a line which forms an angle of 60 degrees 00 minutes 00 seconds with the last described course, measured counter-clockwise therefrom, 87.58 feet; thence Easterly at right angles to the last described course 90.0 feet to an angle point in the Westerly line of a tract of land conveyed to James D. and Betty A. Meyers by a warranty deed dated February 7, 1974 and recorded February 27, 1974 as Document No. 74-778; thence Northwesterly along a West line of said tract, which forms an angle of 31 degrees 35 minutes 00 seconds with the last described course, measured clockwise therefrom 33.17 feet; thence Northerly along a West line of said tract, 99.13 feet to a line A extended Northeasterly; thence Southwesterly along said Line A extended 56.07 feet to the point of beginning, in Oswego Township, Kendall County, Illinois.

Month Day, Year

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139 Fax: 630.553.4179

We, Richard and Valvina Kaminski, own the property commonly known as 985 Harvey Road, Oswego, IL 60543 and identified by Parcel Identification Numbers 03-01-351-002 and 03-01-351-006.

On July 9, 1974, the property was granted a special use permit. The special use granted in 1974 is unknown but was probably for a landscaping business.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, we hereby voluntarily request that Kendall County revoke my special use permits on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use permits. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

Valvina L. Kaminski
(Signature)

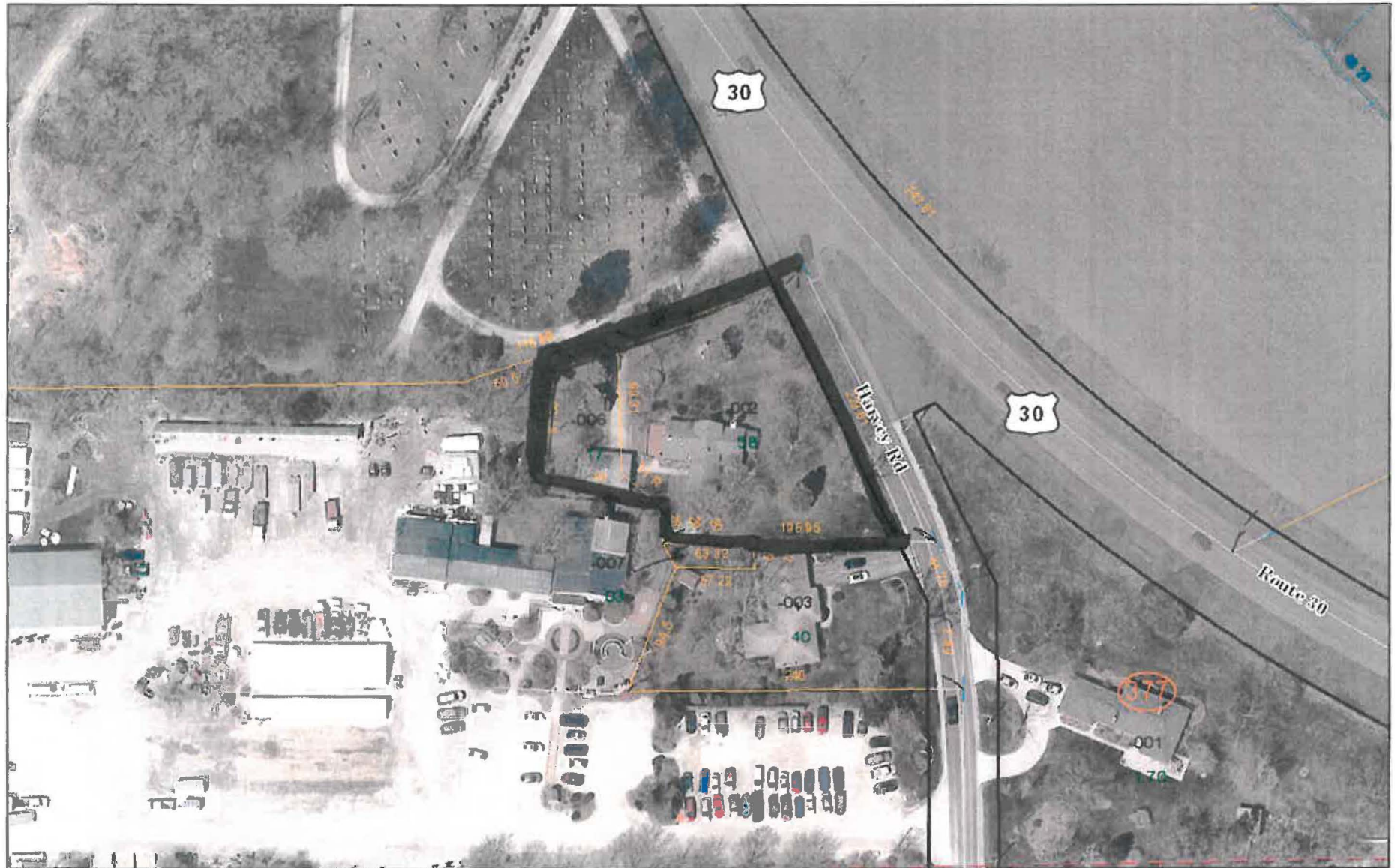
July 10/2018
(Date)

Valvina L. Kaminski
(Printed Name)

Attest: Catherine A. Cyprian
Notary Public

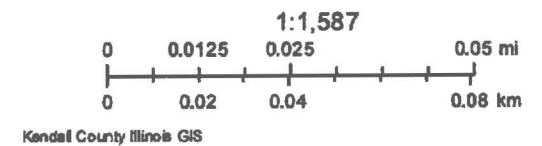


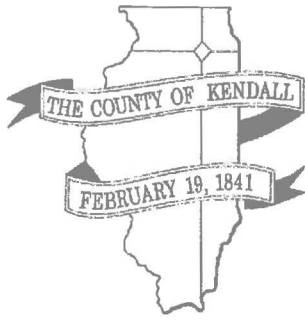
985 Harvey Road



July 12, 2018

- | | | |
|--------------|--------------|--------------|
| — Arrow 100 | — FromTo 400 | — Tip 100 |
| — Arrow 400 | — Hook 100 | — Tip 400 |
| — FromTo 100 | — Hook 400 | — Road Names |





DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: County Board
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: August 14, 2018
Re: Request from the City of Sandwich for a Letter of Support for IEPA 319 Watershed Planning Grant for the Little Rock Creek Watershed

Kendall County received the attached request from the City of Sandwich regarding an application to the Illinois Environmental Protection Agency for a watershed planning grant for the Little Rock Creek Watershed. A sample letter of support is also included.

The Planning, Building and Zoning Committee reviewed this proposal at their meeting on August 13th and unanimously recommended approval of the request.

Tom Horak, City Engineer for the City of Sandwich, will be in attendance at the August 21st County Board meeting to discuss the project.

If you have any questions, please let me know.

MHA

ENC: 7-16-18 Email from Tom Horak
Sample Letter of Support

Matt Asselmeier

From: Andrez Beltran
Sent: Monday, July 16, 2018 1:41 PM
To: Matt Asselmeier
Cc: KCAAdmin
Subject: FW: City of Sandwich 319 Grant Application for Little Rock Creek Watershed Plan - Request for Support
Attachments: Draft Letter of Support - Little Rock Creek.docx; DRAFT Little Rock Creek Watershed Proposal 06 29 18.pdf

Hey Matt,

Giving you a heads up this might come your way.

Andrez

From: Thomas Horak <city.engineer@sandwich.il.us>
Sent: Monday, July 16, 2018 1:02 PM
To: KCAAdmin <KCAAdmin@co.kendall.il.us>
Subject: City of Sandwich 319 Grant Application for Little Rock Creek Watershed Plan - Request for Support

Hello Mr. Koeppe,

The City of Sandwich is applying for a grant for an IEPA 319 Watershed Plan. As a part of the application process, the City is advised to gather community support. The City is working with Applied Ecological Services to develop the grant application and eventually the Little Rock Creek Watershed Plan. The City of Sandwich asks that Kendall County be a partner in the watershed planning process. As a supporting partner, Kendall County would be asked to attend the future watershed planning meetings. Watershed planning meetings would proceed every other month beginning in September 2019 through November 2020.

Kendall County may also consider becoming a financial partner as well. The cost to prepare the Little Rock Creek Watershed Plan is \$70,000.00. The IEPA grant is projected to cover \$42,000.00. The remaining \$28,000.00 will be the responsibility of the City of Sandwich and its partners. At this time, the DeKalb County Community Foundation is generously considering financial participation of half the City's remaining requirement.

I have attached a draft letter of support for the project and a copy of the watershed proposal. If Kendall County wishes to be a supporting partner, then I would ask that you return the letter of support to me prior to July 23rd. The grant application is required to be submitted with the letters of support prior to August 1st. If Kendall County wishes to also support the plan financially, that money does not appear to be required to be disbursed until mid-2019 (as best that I can tell). Thank you for your consideration. Please let me know if you have any questions.

Sincerely,
Thomas R. Horak, P.E.
Director of Public Works
City of Sandwich
144 E. Railroad Street
Sandwich, IL 60548-2168
815.786.8802
fax 815.786.7012
city.engineer@sandwich.il.us

PROJECT UNDERSTANDING & APPROACH

Applied Ecological Services, Inc (AES) will work closely with the City of Sandwich, Watershed Coordinator and stakeholders to develop an IEPA-approved Watershed Based Plan for Little Rock Creek watershed (HUC 071200070306). A map depicting the Little Rock Creek Watershed boundary is included on the following page. The final product of this work will be a user friendly Watershed-Based Plan that can be used by stakeholders for a variety of planning strategies and for identifying potential water quality projects eligible for IEPA 319 Program grant funding. The AES Team's general watershed planning approach is as follows:

- Attend Little Rock Creek Watershed stakeholder meetings during the planning process to initiate the project, streamline planning, to present information and receive input;
- Assist in developing goals and objectives during stakeholder meetings;
- Conduct an on-the-ground inventory looking for water quality improvement projects (Management Measures) that will be included in the Action Plan section of the watershed plan report;
- Conduct a remote watershed inventory & summary using available watershed data;
- Identify causes and sources of pollution and "Critical Areas" following on-the-ground & remote inventories;
- Identify potential Management Measures, or Best Management Practices (BMPs) to address water quality, flooding, and natural resource objectives;
- Perform a pollutant loading analysis and estimate of pollutant reductions based on implementation of water quality Management Measures (BMPs);
- Complete a Prioritized Action Plan that identifies appropriate Management Measures (BMPs) with associated costs, funding sources, pollutant reduction, technical assistance, and schedule for implementing recommendations in the plan;
- Develop a watershed plan evaluation Report Card that includes measureable milestones & criteria that can be evaluated over time and develop a monitoring component to complement this;
- Assist the Watershed Coordinator and stakeholders in development of a Watershed Education & Outreach Plan.
- Prepare a final Watershed-Based Plan report and Executive Summary.

AES will satisfy the USEPA 9 Elements and complete a plan consistent with USEPA watershed based plan guidance dated October 23, 2003 (as revised), Chicago Metropolitan Agency for Planning's "Guidance for Developing Watershed Action Plans in Illinois" dated June 2007, total maximum daily load (TMDL) implementation plan requirements, and current watershed planning principles.



I. SCOPE OF SERVICES

A) Watershed Planning Meetings

Task 1. Project Meetings and Goal & Objectives Development

The AES Project Manager will attend a kick-off meeting with the Little Rock Creek Watershed Coordinator and Technical Committee (if appointed) to discuss the project in its entirety and develop a realistic plan for efficiently completing the watershed plan report on schedule. Report style and figure formats will also be agreed upon during the kick-off meeting. Up to seven additional stakeholder meetings will likely be required of AES to communicate and present findings of the watershed inventory, recommended Management Measures, and final presentation of findings at stakeholder meetings. Setting goals and objectives should be the focus of the fourth stakeholder meeting. AES will work with the Watershed Coordinator to develop and finalize goals and objectives.

In addition, the Watershed Coordinator will be responsible for bringing stakeholders together at regularly scheduled meetings and developing meeting minutes.

B) Review Existing Studies and Collect Data

Task 2. Data Gathering

AES will gather and analyze existing GIS data and other information relevant to Little Rock Creek watershed. Data sharing agreements will be completed as part of this task, as necessary. We understand there is a large amount of existing information to be gathered from the Counties, SWCDs, Comprehensive Plans, and County and municipal officials. AES will also consult with local experts, engineers and researchers who have worked within the watershed to gather information.

C) Watershed Resource Inventory

Task 3. Watershed Management Measure/Best Management Practice (BMP) Inventory

AES will conduct a windshield survey to accurately document various reaches of the watershed and to verify land use and wetland mapping. The AES Team will spend on-the-ground time looking for potential Management Measure projects (BMPs) that primarily address water quality but with secondary benefits for flood protection and natural resource improvement. We will look specifically at projects such as stream/riparian corridor projects, agricultural best management practices, detention basin retrofits, and open space restoration/ acquisitions. "Critical Area" projects, as defined under the USEPA 9 Elements, will also be identified during this process. Project details will be noted on location maps and corresponding datasheets that will be included in the Appendix of the Watershed- Based Plan. AES will also contact municipalities and other stakeholders requesting information about potential project locations and to obtain needed data such as detention basin locations in the watershed. It is important to

note that this is not a complete inventory of all the stream reaches, detention basins, etc. in the watershed but a means to identify potential projects that will be included in the Action Plan section of the final Watershed-Based Plan.

Task 4. Summarize Introduction, Climate, Topography, Geology, Soils

AES will summarize information relevant to the Introduction Section of the plan including scope and project approach, USEPA Watershed Based Plan requirements (9 Elements), planning process, and how to use the Watershed Plan.

The geologic history of Little Rock Creek watershed and climate of the study area will be described and discussed and related back to the formation of the watershed. Available topographic data (2-foot) will be used to create a Digital Elevation Model of the watershed and to delineate watershed and subwatershed boundaries.

Soils provide the key to the wetland restoration potential, water holding capacity, infiltration capabilities and erosion potential of a site. Hydric soils are important because they indicate the presence of existing or drained wetlands. AES will map and summarize available DeKalb and Kendall County Soil Survey data in the watershed related to hydric soils/wetland restorations and hydrologic soil groups related to groundwater recharge. Soil types will also be evaluated and used when determining pollutant reductions resulting from implementation of potential Management Measures.

Task 5. Summarize Jurisdictions & Demographics

AES will map municipal, township, forest preserve, and park district boundaries (where available in GIS) and discuss the roles of each in protecting the watershed. These results will be used in the Action Plan section when discussing potential areas for interjurisdictional cooperation/coordination to complete recommended BMPs.

AES will use DeKalb and Kendall County forecast data to assist in mapping and summarizing the demographics data within the watershed. Maps will be created that show population, households, and employment change projected to occur or similar based on available data.

Task 6. Open Space (Green Infrastructure) and Natural Area Inventories

AES will identify and map (via GIS) open and partially open space parcels (Open Space Inventory) in the watershed. An open parcel is one that is not developed and is often set aside for conservation or recreation purposes while partially open parcels include minimally developed land. The Open Space Inventory is the basis for developing a Green Infrastructure Network for Little Rock Creek watershed. The Open Space Inventory will be completed early on in the project schedule as many other components of the plan are linked to this data.

Open space is expected to include large tracts of remaining vacant agricultural land, riparian greenways, corridor connections, wetlands, and public land including forest preserves, Illinois Nature Preserves or Natural Areas. The mapping and/or data for this task can be done at many levels depending on available time and budget. The parcel-based Open Space Inventory results and associated parcel data will include:

- General Map (in GIS) showing the results of the parcel based Open Space Inventory;
- Maps (in GIS) identifying private versus public and protected versus unprotected status of open space parcels;
- Map (in GIS) identifying prioritized open space, potential greenway connections, and trails as a Green Infrastructure Network.

As part of the open space identification process, AES will create a personalized GIS parcel prioritization model specific to Little Rock Creek watershed that will assess current and potential quality of open space parcels (identified above) for improving water quality with secondary benefits to reduce flooding and enhance natural resources. This will be based on applying values/points to each open space parcel based on how important each parcel is in meeting a set of green infrastructure criteria.

Task 7. Existing and Future Land Use and Transportation Network Summary

Careful completion of this task is important as the resulting data is used in various other sections of the watershed plan including the assessment of existing and future impervious cover impacts on water quality and pollutant loading/reduction. AES will complete this task as described below:

- a) Use approved land use maps to produce a current land use map/data for the watershed. Uncertainties in current land use will be verified through the most recent aerial photography available in DeKalb and Kendall Counties or via field inspections. Municipal comprehensive plan documents and stakeholder knowledge will also be used to refine land uses.
- b) Collect future development plans from municipal comprehensive planning documents and land use projections to accurately map projected future land use in the watershed and how it compares to existing land use.
- c) Map the existing and any proposed transportation networks (roads, trails, etc) in the watershed. This information is useful to determine how the natural features of the watershed are or may be fragmented and how existing trails can be connected to other existing or planned trails.
- d) Compute percent impervious coverage for existing and future land use conditions at the subwatershed scale using GIS data created in a and b above. AES proposes to calculate imperviousness based on USDA's TR55 land use data and associated impervious rates. The results of this analysis ultimately lead to the creation of a future land use vulnerability map revealing the location of Priority Protection Areas and other potential Management Measures. In addition, AES will discuss how increased impervious surfaces impacts water quality, hydrology, flooding, and aquatic habitat.

Task 8. Streams, Lakes, Detention Basins, Wetlands Summary

AES will map all streams, lakes, detention basins, and wetlands in the watershed using existing data and data gathered under Task 3. The condition of these resources will be characterized on maps and summarized. The results will lead to the identification of potential stream and riparian corridor restoration projects, lake projects, and detention basin retrofit projects. It is likely that additional stakeholder input will be required in order to obtain the best information to complete this task.

AES will obtain the majority of wetland data from the Counties and use it to summarize and map the existing locations and conditions of wetlands. As part of this wetlands inventory, AES will also analyze the DeKalb and Kendall County soil surveys to estimate the historical extent of wetlands and amount of wetlands that have been lost as a result of human activities. AES will then map potential wetland restoration and/or wetland mitigation sites by using an overlay method in GIS. Each potential wetland restoration/mitigation site will then be included in the Action Plan section of the report.

Task 9. Water Quality Inventory

AES will obtain all water quality data available for Little Rock Creek watershed. The Watershed Coordinator will assist in this task by meeting with individuals such as municipal representatives or lake associations to obtain additional information. AES will then analyze and summarize all available water quality data. Data is expected from local stakeholders, IEPA permit and discharge records, and IDNR/IEPA water quality & biological records.

The results of the water quality inventory and watershed characterization will be used to identify potential causes and sources of problematic pollutants to water quality and impairments to "Designated Uses" of aquatic resources such as Aquatic Life Support. "Critical Areas" for application of Management Measures will be determined using the water quality analyses, stakeholder input, and information gathered via the watershed inventory. Critical Areas will likely include critical stream reaches, critical pollutant load subwatersheds, critical drained wetlands, critical detention basins, and critical priority protection areas. The Action Plan section of the Watershed Based-Plan will include detailed information and specific locations where water quality Management Measures would most likely benefit the watershed's water quality and reduce pollutant loads to target values.

Task 10. Groundwater Summary

AES understands that groundwater issues are not the primary focus of this watershed plan but that groundwater recharge is becoming an important topic in Illinois, especially for counties that rely on groundwater for public use. AES will gather and use existing data from agencies such as the Illinois State Water Survey, CMAP, and DeKalb and Kendall Counties to map and describe important recharge areas in the watershed. The Action Plan section of the report will ultimately include recommendations aimed at promoting the infiltration of stormwater such as open space protection and incorporating open space into new development. The Watershed Coordinator will also be asked to help gather information related to groundwater issues

D) Pollutant Loading Analysis

Task 11. Pollutant Loading Model

Many different pollutant loading models are available to identify pollutant loading in watersheds. AES has experience with several pollutant loading models from simple spreadsheet analyses to complex spatially-distributed models. AES plans to use a modeling tool called STEPL (Spreadsheet Tool to Estimate Pollutant Loads) to estimate the existing nonpoint source load of nutrients (nitrogen & phosphorus) and sediment of the Little Rock Creek watershed. The results of this analysis will be used to; 1) estimate the total watershed load for nitrogen, phosphorus, and sediment and identify and map pollutant load "Critical Area" SMU's. The STEPL model satisfies USEPA's 9 Element requirements for pollutant load and removal projections.

In addition, AES is aware that pollutant loading can be done at different scales such as by stormsewershed, subwatershed, and/or watershed. AES will use subwatershed boundaries developed under Task 4 to produce the pollutant loading model. Pollutant loading analyses done by subwatershed will be accurate to identify problem areas or "Critical Areas" and will allow for Management Measure selection to address pollutants arising from "Critical Areas."

Task 12. Pollutant Reduction Needs/Targets

AES will develop pollutant load reduction needs & targets for Little Rock Creek watershed. Reduction targets will be identified following an analysis of all the data gathered for the watershed. Some pollutant problems will be identified after running the Pollutant Loading Model (Task 11 above). Many other pollution problems will be discovered via the analysis of water quality and other data obtained from various sources. The key to meeting reduction targets is to identify the "Critical Areas" that are contributing to high pollutant loading. "Critical Areas" will be identified under various other tasks. Additional information about "Critical Areas" is discussed under Task 13 below.

Task 13. Selection of Management Measures (BMPs) to Reduce Pollutant Loading

AES will identify and select Management Measures (BMPs) from the Action Plan section of the plan to reduce pollutant loading from "Critical Areas" then estimate the amount of pollutant reduction resulting from implementation of selected measures. AES will be responsible for identifying pollutant load "Critical Areas" via the pollutant loading model, information provided by stakeholders, and information gathered during the watershed inventory assessment. AES plans to evaluate pollutant load reduction based on efficiency calculations developed for the USEPA's Region 5 Model. This model uses "Pollutants Controlled Calculation and Documentation for Section 319 Watersheds Training Manual" to provide estimates of sediment and nutrient load reductions from the implementation of agricultural Management Measures. Estimate of sediment and nutrient load reduction from implementation of urban Management Measures will be based on efficiency calculations developed by Illinois EPA via the STEPL model used in Task 12. The resulting information will be used to verify if load reduction targets identified in Task 12 are met or if additional BMPs will be required.

E) Watershed Action Plan

This task involves identifying and describing the Management Measure recommendations for Little Rock Creek watershed. AES will work with the Watershed Coordinator & stakeholders to develop a user friendly Action Plan that can later be used by stakeholders to identify projects and obtain grant funding to implement these projects. The Action Plan will include a Programmatic Action Plan and Site Specific Action Plan. The AES Team will use its knowledge of the watershed and data collected during the planning process to outline programmatic and site specific recommendations with tables and complimentary GIS maps that show the specific location of projects if applicable.

At a minimum the IEPA requires the site specific Action Plan to identify the costs and funding sources associated with implementing recommendations, an implementation schedule; units (number, feet, acres) for projects, costs of implementation, estimated pollutant reduction, priority, and responsible entity. The IEPA also requires that the plan contain a table identifying watershed-wide composite totals for the units (number, feet, acres), cost, and estimated pollutant load reduction of each Management Measure type recommended for implementation.

Task 14. Programmatic Action Plan

Programmatic actions (remedial, preventative, & maintenance actions) applicable throughout the watershed will be developed for each of the plan goals and objectives developed with input from stakeholders. These actions will be listed in tables that include the primary goal/objective addressed, priority (H, M, L), lead and supporting entities, and technical assistance needs.

Task 15. Site-Specific Action Plan

Site specific Management Measures will be developed using information gathered during the watershed inventory and other information provided by stakeholders. Recommended measures will be summarized in tables and categorized by municipality and/or other stakeholder jurisdiction. An example table is shown below. GIS maps that locate the site specific recommendations will accompany the tables. Site specific measures will primarily address water quality improvement but also address flooding and natural resource protection and enhancement.

Site specific Management Measures will likely include guidelines for stabilizing streambanks and shorelines, riparian corridor/floodplain improvements, restoring wetlands, retrofitting existing detention facilities, and Priority Protection Area recommendations. Other potential projects such as rain gardens and habitat restorations will be identified during the watershed inventory and included in the Action Plan.

F) Plan Implementation and Monitoring Success

Task 16. Water Quality Monitoring Plan & Evaluation Criteria

AES will develop a basic water quality monitoring plan using environmental (chemical, physical, biological), social, and programmatic/administrative criteria to track plan progress and evaluate how implemented Management Measures affect the overall condition of Little Rock Creek watershed's water quality over time. These criteria will be expressed using measurable indicators and target values that track progress made toward meeting project milestones and water quality

standards developed in other sections of the report. AES will discuss the criteria and develop a table that outlines all of the indicators and targets to meet applicable water quality goals/objectives developed by stakeholders. AES will then map recommended locations where water quality sampling should occur in the watershed and discuss who could conduct the sampling and how often it should be conducted. This will be followed by descriptions of the monitoring protocol used for collecting specific water quality indicator data.

Task 17. Goal Milestones & Progress Evaluation Report Cards

This task is an integral component needed to evaluate how and if the watershed plan and recommendations are achieving goals and objectives over time. It is also required under the USEPA 9 Elements. AES will develop a list of stakeholder implementation roles and coordination responsibilities as well as milestones for each of the major plan goals developed by the watershed stakeholders. AES will do this by creating a "Score Card" for the short term (1-5 years), medium term (5-10 years), and long term (10+ years) objectives. Measurable milestones will be developed for each interim period and evaluated using criteria developed for each major plan goal.

Each "Score Card" will include a short description of the current conditions and problems related to the goal being addressed, recommended indicators and criteria for tracking progress, milestones for each interim period, recommended monitoring needs/efforts to evaluate the indicators, and a list of remedial actions should implementation efforts fail to meet the grade.

G) Education Component/Plan

Task 18. Information & Education Plan

AES will work with the Watershed Coordinator and stakeholders to develop an information/education component to the Watershed-Based Plan. The education component will enhance public understanding of Little Rock Creek watershed and encourage the early and continued participation in selecting, designing, and implementing non-point source pollution control measures. The Watershed Coordinator will be asked to provide support in developing this plan.

The education component will include a brief summary of the educational & outreach development process and a table that outlines the recommended education actions, primary goal/objective addressed, recommended target audience, best package (vehicle) for distributing the message, lead/ supporting agencies involved in assisting with education efforts, and desired outcome/behavior change expected from the target audience.

H) Watershed-Based Plan Executive Summary and Report Preparation

Task 19. Prepare Draft & Final Executive Summary Document

AES will work closely with the Watershed Coordinator to compile major plan findings and other information/recommendations into a brief Executive Summary document that will be used to inform watershed stakeholders and local decision makers. The executive summary will contain

appropriate photos, graphics, and maps in an aesthetically pleasing and user friendly format using a professional design layout.

AES will submit an electronic copy of the draft Executive Summary to the City for review. The final Executive Summary will be submitted in electronic format to the City prior to the final grant deadline. The City is responsible for submitting three (3) paper copies and one (1) electronic copy of the final Executive Summary to the IEPA by the final grant deadline.

The City is responsible for producing hard copies for submission to IEPA and later use and distribution.

Task 20. Prepare Draft & Final Watershed Based Plan Report

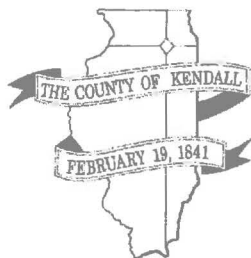
AES will summarize all watershed data and analyses in draft report form including tables, maps, and other graphics where appropriate. Draft submissions shall be in electronic format. All sources for the reference section and work for appendices shall also be submitted in electronic form. The final report will contain appropriate photos, graphics, and maps in an aesthetically pleasing and user friendly format.

The draft report will be submitted to the Watershed Coordinator. The Coordinator/Technical Committee shall have four weeks to review and comment on the draft report and submit back to AES to address comments. AES will address the comments and then submit an electronic copy of the draft plan to the City who will be responsible for submitting two (2) copies of the draft plan to IEPA.

AES will then address all draft report comments provided by IEPA and finalize the report. The final Little Rock Creek Watershed-Based Plan will be submitted in electronic format to the City prior to the IEPA grant deadline. The City will be responsible for submitting three (3) paper copies and one (1) electronic copy of the final plan to IEPA by that deadline. All sources for the reference section and work for appendices shall also be submitted in electronic form. All electronic information such as GIS data will also be provided with the final plan.

The City will be responsible for producing hard copies for distribution to IEPA and later use and distribution.

TOTAL LUMP SUM FEE TASKS 1-20: \$70,000



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

August 21, 2018

Illinois Environmental Protection Agency
Bureau of Water, Watershed Management Section
Nonpoint Source Unit
1021 North Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276

Re: Little Rock Creek Watershed-Based Plan, Sandwich, IL – CWA 319 Grant
Application

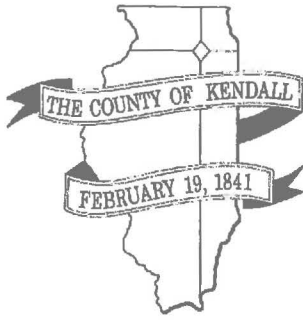
Dear Bureau of Water,

The County of Kendall and the City of Sandwich are committed to restoring the health of Little Rock Creek watershed in DeKalb and Kendall Counties, IL. The Little Rock Creek watershed includes 10,451 acres in a predominantly agricultural landscape with few agricultural best management practices in place, heavily channelized streams with little in-stream habitat, almost no vegetated stream buffers, urbanized areas in and around the City of Sandwich, and little remaining open space at the headwaters of the Lower Fox River. A restoration plan for this watershed is critical to the health of not only Little Rock Creek, but also for the health of the larger Lower Fox River watershed.

I am pleased to inform you that the County of Kendall fully supports the development of a USEPA Nine Element Watershed Plan for Little Rock Creek. Our staff will work with the City of Sandwich, Applied Ecological Services, and watershed partners to develop a watershed-based plan that engages residents, the agricultural community, businesses, and local governments to address nonpoint source pollution in Little Rock Creek and restore health to the watershed.

Sincerely,

Scott R. Gryder, Chairman
Kendall County Board
111 W. Fox Street
Yorkville, IL 60560



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: Kendall County Board
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: August 17, 2018
Re: Petition 18-15 – Request from Nancy Harazin on Behalf of Nancy L. Harazin Trust Number 101 for a Special Use Permit for a Public or Private Utility-Other (Solar Panels) at 16400 Newark Road, Approximately 0.2 Mile East of Route 71 on the South Side of Newark Road, Big Grove Township (PIN 07-05-400-003); Property is Zoned A-1

Following the Committee of the Whole meeting on August 16th, the following changes were made to the proposed ordinance granting a special use permit for solar panels at 16400 Newark Road. The changes are shown in bold:

1. Restriction C was changed to read, "The landscaping shall occur in accordance with the Landscaping Plan attached hereto as Exhibit C. The owner and/or operation shall plant arborvitaes at least ~~six (6')~~ **seven feet (7')** in height as measured from the top of the root ball at the time of planting along the north side of the property to block the visibility of the solar panels from the property north of the subject property. The arborvitaes shall be planted in sufficient numbers to create a complete buffer within five (5) years of the approval of this special use permit. Damaged or dead arborvitaes shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department."
2. Restriction H was changed to read, "The property owner or operator shall have six (6) months from the date of the vote of the Kendall County Board to initiate the Decommissioning Plan **and to complete the Decommissioning Plan and remove the solar panels and related equipment from the property.**"
3. Restriction P was changed to read, "The property owner or operator shall repair and if necessary re-route any drain tile damaged as a result of the installation, decommissioning, maintenance, or operation of the solar panels and related supporting infrastructure on a timeline approved by the Kendall County Planning, Building and Zoning Department. The site plan shall show a plan to address sheet erosion on the northern and eastern portions of the property **with a prairie mix as shown on the Site Plan attached hereto as Exhibit C.**" **As of the writing of this memo, the Petitioner has not submitted a revised site plan showing the new plantings to address sheet erosion. If there is a revised site plan, Staff will provide this information to the County Board as soon as it is available.**

The proposed conditions and restrictions are as follows:

- A. The site will be developed in accordance with the Site Plan attached hereto as Exhibit C.
- B. Lighting will be installed in accordance with the Site Plan attached hereto as Exhibit C. Lighting shall not be visible from neighboring properties.
- C. The landscaping shall occur in accordance with the Landscaping Plan attached hereto as Exhibit C. The owner and/or operation shall plant arborvitaes at least seven feet (7') in height as measured from the top of the root ball at the time of planting along the north side of the property to block the visibility of the solar panels from the property north of the subject property. The arborvitaes shall be planted in sufficient numbers to create a complete buffer within five (5) years of the approval of this special use permit. Damaged or dead arborvitaes shall be replaced on a timeframe approved by the Kendall County

Planning, Building and Zoning Department.

- D. Replacement of dead and/or damaged vegetation shall occur on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Department.
- E. Signage shall be installed as described in Exhibit C. In addition, at least one (1) sign shall be placed at the vehicle access gate stating emergency contact information.
- F. The site shall be decommissioned in accordance with the Decommissioning Plan attached hereto as Exhibit C. In the event the Decommissioning Plan changes, the property owner shall supply the Kendall County Planning, Building and Zoning Department with revised plans as soon as they are available. The owner or operator shall establish a decommissioning bond in the amount of Two Hundred Thirty-Thousand Dollars (\$230,000). Said bond shall be maintained for the duration of the special use permit.
- G. The Decommissioning Plan shall be initiated by a simple a majority vote of the Kendall County Board if the solar panels are not used for ninety (90) consecutive days.
- H. The property owner or operator shall have six (6) months from the date of the vote of the Kendall County Board to initiate the Decommissioning Plan and to complete the Decommissioning Plan and remove the solar panels and related equipment from the property.
- I. On or before February 1st of each year, the owner or operator shall provide the Kendall County Planning, Building and Zoning Department with a report outlining the amount of energy produced at the property during the previous year.
- J. In addition to other applicable fees, the following fees should be paid to the County prior to the installation of the solar panels:
Building Permit Fees

0-10 KW	\$150
51-100	\$300
101-500	\$600
501-1000	\$1200
1001-1500	\$2750
1501-2000	\$6000

Over 2000 KW \$200 for Each Additional 0-100 KW
Fees Double if Construction Commences before Obtaining Building Permit.
- K. The property owner or operator shall maintain current liability policy covering bodily injury and property damage at least Three Million Dollars per occurrence and Five Million Dollars in aggregate and must have policy for the duration of the special use permit, such insurance may be provided pursuant to a plan of self-insurance by a party with a net worth of Twenty Million Dollars or more and the County shall be named as additional insured to the extent that the County is entitled to indemnification.
- L. The property owner or operator shall indemnify, and hold harmless the County and its officials, employees, and agents (collectively and individually, the "Indemnified Parties") from and against any and all claims, demands, losses, suits, causes of actions, damages, injuries, costs, expenses, and liabilities whatsoever, including reasonable attorney's fees, except to the extent arising in whole or part out of negligence or intentional acts of such Indemnified Parties (such liabilities together known as "liability") arising out of Applicant, Owner, or Operators selection, construction, operation, and removal of the solar energy system and affiliated equipment including, without limitation, liability for property damage or personal injury (including death), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence). This general indemnification shall not be construed as limited or qualifying the County's other indemnification rights

available under the law.

- M. Within sixty (60) days of the approval of this special use permit ordinance, the owner shall dedicate a fifteen foot (15') wide strip along the northern portion of the property in accordance with the Site Plan attached hereto as Exhibit C to Kendall County to be used as Newark Road right-of-way.
- N. The property owner or operator shall be responsible for ensuring that the operations of the solar panels allowed by this special use permit comply with all applicable Federal, State, and Local laws.
- O. Damaged or non-functioning solar panels shall be replaced or repaired on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Committee. If no timetable is agreed to between the property owner and the Kendall County Planning, Building and Zoning Committee within ninety (90) days of Kendall County's written request for a timetable, then the Kendall County Board may vote to initiate the Decommissioning Plan.
- P. The property owner or operator shall repair and if necessary re-route any drain tile damaged as a result of the installation, decommissioning, maintenance, or operation of the solar panels and related supporting infrastructure on a timeline approved by the Kendall County Planning, Building and Zoning Department. The site plan shall show a plan to address sheet erosion on the northern and eastern portions of the property with a prairie mix as shown on the Site Plan attached hereto as Exhibit C.
- Q. If requested by the Newark Fire Protection District, the owner and/or operator shall provide at their sole expense training to address any fire related or public health issues caused by the issuance of this special use permit. The training topics and the timeframe for the training shall be approved by the Newark Fire Protection District.
- R. Failure to comply with the above conditions or restrictions could result in the amendment or revocation of the special use permit or the initiation the Decommissioning Plan by the Kendall County Board.
- S. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The proposed ordinance is attached to this memo.

All of the information previously provided regarding this petition, including the documents given to the Committee of the Whole by the members of the public at the August 16th meeting, can be found at https://www.co.kendall.il.us/wp-content/uploads/Petition_18-15.pdf.

If you have any questions regarding this proposal, please let me know.

Thanks,

MHA

ENC: Proposed Ordinance

ORDINANCE NUMBER 2018-_____

GRANTING A SPECIAL USE PERMIT ON PROPERTY ZONED A-1 AGRICULTURAL FOR A PUBLIC OR PRIVATE UTILITY – OTHER (SOLAR PANELS) FOR A 60.0 ACRE +/- PARCEL LOCATED APPROXIMATELY 0.2 MILES EAST OF ILLINOIS ROUTE 71 ON THE SOUTH SIDE OF NEWARK ROAD AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 07-05-400-003 AND ALSO KNOWN AS 16400 NEWARK ROAD IN BIG GROVE 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, 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 60.0 acres located on the south side of Newark Road approximately 0.2 miles east of Illinois Route 71 (PIN: 07-05-400-003) and is also known as 16400, Newark Road, in Big Grove 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 the Nancy L. Harazin Trust Number 101 and is represent by Nancy L. Harazin and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about April 17, 2018, Petitioner filed a petition for a Special Use Permit allowing the placement of a Public or Private Utility – Other (Solar Panels) on the subject property and the energy generated from the proposed use would be consumed offsite; and

WHEREAS, following due and proper notice by publication in the Kendall County Chronicle not less than fifteen days prior thereto, the Kendall County Zoning Board of Appeals conducted a public hearing on June 4, 2018, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and representatives from the solar company presented evidence, testimony, and exhibits in support of the requested special use permit and two members of the public testified in opposition to the request and one member of the public asked questions about the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended denial 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 June 4, 2018, 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 County Zoning Ordinance; and

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 allowing the placement of a Public or Private Utility – Other (Solar Panels) to be placed on the subject property subject to the following conditions:
 - A. The site will be developed in accordance with the Site Plan attached hereto as Exhibit C.
 - B. Lighting will be installed in accordance with the Site Plan attached hereto as Exhibit C. Lighting shall not be visible from neighboring properties.
 - C. The landscaping shall occur in accordance with the Landscaping Plan attached hereto as Exhibit C. The owner and/or operation shall plant arborvitae at least seven feet (7') in height as measured from the top of the root ball at the time of planting along the north side of the property to block the visibility of the solar panels from the property north of the subject property. The arborvitae shall be planted in sufficient numbers to create a complete buffer within five (5) years of the approval of this special use permit. Damaged or dead arborvitae shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department.
 - D. Replacement of dead and/or damaged vegetation shall occur on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Department.
 - E. Signage shall be installed as described in Exhibit C. In addition, at least one (1) sign shall be placed at the vehicle access gate stating emergency contact information.
 - F. The site shall be decommissioned in accordance with the Decommissioning Plan attached hereto as Exhibit C. In the event the Decommissioning Plan changes, the property owner shall supply the Kendall County Planning, Building and Zoning Department with revised plans as soon as they are available. The owner or operator shall establish a decommissioning bond in the amount of Two Hundred Thirty-Thousand Dollars (\$230,000). Said bond shall be maintained for the duration of the special use permit.
 - G. The Decommissioning Plan shall be initiated by a simple a majority vote of the Kendall County Board if the solar panels are not used for ninety (90) consecutive days.
 - H. The property owner or operator shall have six (6) months from the date of the vote of the Kendall County Board to initiate the Decommissioning Plan and to complete the Decommissioning Plan and remove the solar panels and related equipment from the property.
 - I. On or before February 1st of each year, the owner or operator shall provide the Kendall County Planning, Building and Zoning Department with a report outlining the amount of energy produced at the property during the previous year.

- J. In addition to other applicable fees, the following fees should be paid to the County prior to the installation of the solar panels:
- Building Permit Fees
- | | |
|-----------|--------|
| 0-10 KW | \$150 |
| 51-100 | \$300 |
| 101-500 | \$600 |
| 501-1000 | \$1200 |
| 1001-1500 | \$2750 |
| 1501-2000 | \$6000 |
- Over 2000 KW \$200 for Each Additional 0-100 KW
Fees Double if Construction Commences before Obtaining Building Permit.
- K. The property owner or operator shall maintain current liability policy covering bodily injury and property damage at least Three Million Dollars per occurrence and Five Million Dollars in aggregate and must have policy for the duration of the special use permit, such insurance may be provided pursuant to a plan of self-insurance by a party with a net worth of Twenty Million Dollars or more and the County shall be named as additional insured to the extent that the County is entitled to indemnification.
- L. The property owner or operator shall indemnify, and hold harmless the County and its officials, employees, and agents (collectively and individually, the "Indemnified Parties") from and against any and all claims, demands, losses, suits, causes of actions, damages, injuries, costs, expenses, and liabilities whatsoever, including reasonable attorney's fees, except to the extent arising in whole or part out of negligence or intentional acts of such Indemnified Parties (such liabilities together known as "liability") arising out of Applicant, Owner, or Operators selection, construction, operation, and removal of the solar energy system and affiliated equipment including, without limitation, liability for property damage or personal injury (including death), whether said liability is premised on contract or on tort (including without limitation strict liability or negligence). This general indemnification shall not be construed as limited or qualifying the County's other indemnification rights available under the law.
- M. Within sixty (60) days of the approval of this special use permit ordinance, the owner shall dedicate a fifteen foot (15') wide strip along the northern portion of the property in accordance with the Site Plan attached hereto as Exhibit C to Kendall County to be used as Newark Road right-of-way.
- N. The property owner or operator shall be responsible for ensuring that the operations of the solar panels allowed by this special use permit comply with all applicable Federal, State, and Local laws.
- O. Damaged or non-functioning solar panels shall be replaced or repaired on a timetable agreed to between the property owner and the Kendall County Planning, Building and Zoning Committee. If no timetable is agreed to between the property owner and the Kendall County Planning, Building and Zoning Committee within ninety (90) days of Kendall County's written request for a timetable, then the Kendall County Board may vote to initiate the Decommissioning Plan.
- P. The property owner or operator shall repair and if necessary re-route any drain tile damaged

as a result of the installation, decommissioning, maintenance, or operation of the solar panels and related supporting infrastructure on a timeline approved by the Kendall County Planning, Building and Zoning Department. The site plan shall show a plan to address sheet erosion on the northern and eastern portions of the property with a prairie mix as shown on the Site Plan attached hereto as Exhibit C.

- Q. If requested by the Newark Fire Protection District, the owner and/or operator shall provide at their sole expense training to address any fire related or public health issues caused by the issuance of this special use permit. The training topics and the timeframe for the training shall be approved by the Newark Fire Protection District.
 - R. Failure to comply with the above conditions or restrictions could result in the amendment or revocation of the special use permit or the initiation the Decommissioning Plan by the Kendall County Board.
 - 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. 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 21st day of August, 2018.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

THAT PART OF THE EAST HALF OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE NORTH 00 DEGREES 30 MINUTES 06 SECONDS EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 588.72 FEET TO AN EXISTING FENCE LINE; THENCE SOUTH 89 DEGREES 18 MINUTES 45 SECONDS WEST, ALONG SAID FENCE LINE, 712.10 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 36 SECONDS WEST, 1273.42 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 1266.62 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 50 SECONDS WEST, 774.88 FEET TO THE CENTER LINE OF NEWARK ROAD; THENCE NORTH 89 DEGREES 10 MINUTES 47 SECONDS EAST ALONG SAID CENTER LINE, 1266.50 FEET; THENCE SOUTH 00 DEGREES 56 MINUTES 36 SECONDS EAST, 793.01 FEET TO THE POINT OF BEGINNING; IN BIG GROVE TOWNSHIP, KENDALL COUNTY, ILLINOIS.

Exhibit B

Findings of Fact

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Provided that the site is developed in accordance with an approved site plan, provided that the landscaping plan and fencing as presented is implemented, provided the decommissioning plan is followed, and provided that the property owner or operation maintains, repairs, and or replaces damaged solar panels, the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the community. The proposed special use may be detrimental to the morals and comfort of the neighbors.

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 Petitioner provided evidence that the installation of solar panels does not negatively impact property values or harm the environment. Appropriate restrictions (including requiring an updated decommissioning plan, a landscaping plan, and fencing requirements) can ensure the proposed use does not adversely impact adjacent uses.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, adequate utilities, access roads and points of ingress and egress are provided. Appropriate conditions (including the dedication of land for additional right-of-way and developing the site in accordance with the submitted site plans and landscaping plans) can ensure that adequate drainage infrastructure will be provided.

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. True, the proposed use conforms to the setback, height, and development requirements of the A-1 Agricultural Zoning District.

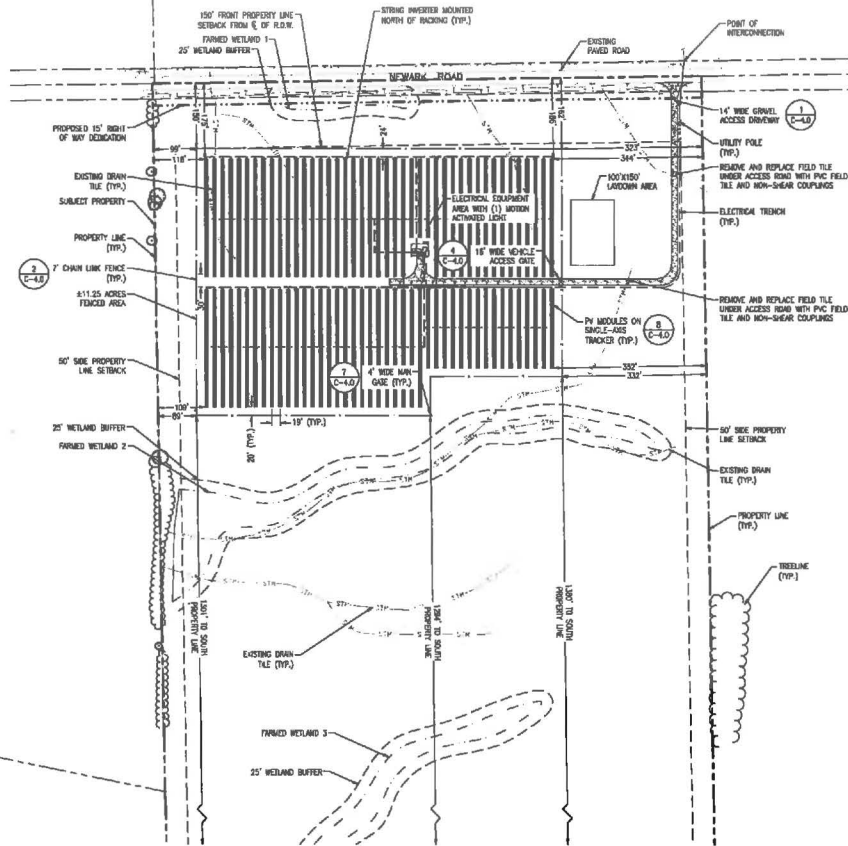
That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with Section 3.3.G of the Kendall County Land Resource Management Plan which states as an objective: "support the public and private use of sustainable energy systems (examples include wind, solar, and geo-thermal)" (Page 3-4).

T-1
TITLE PAGE



SCALE: 1" = 150'

C-1.0
EXISTING CONDITIONS PLAN



LAYOUT AND MATERIALS PLAN

SCALE: 1" = 100'



FORNINO DELTA
 31 WINDING ROAD, SUITE 100
 LANSING, MI 48205
 313.487.2000
 WWW.FORNINO.COM

Planning.com
 800.800.8000
 10000 10th Ave. N.
 Minneapolis, MN 55412

NOT FOR
CONSTRUCTION



1. **NAME** _____
 2. **ADDRESS** _____
 3. **CITY** _____
 4. **STATE** _____
 5. **ZIP** _____

1

0,

SITE USE PLANS
8400 NEWARK ROAD
NEWARK, IL 60541

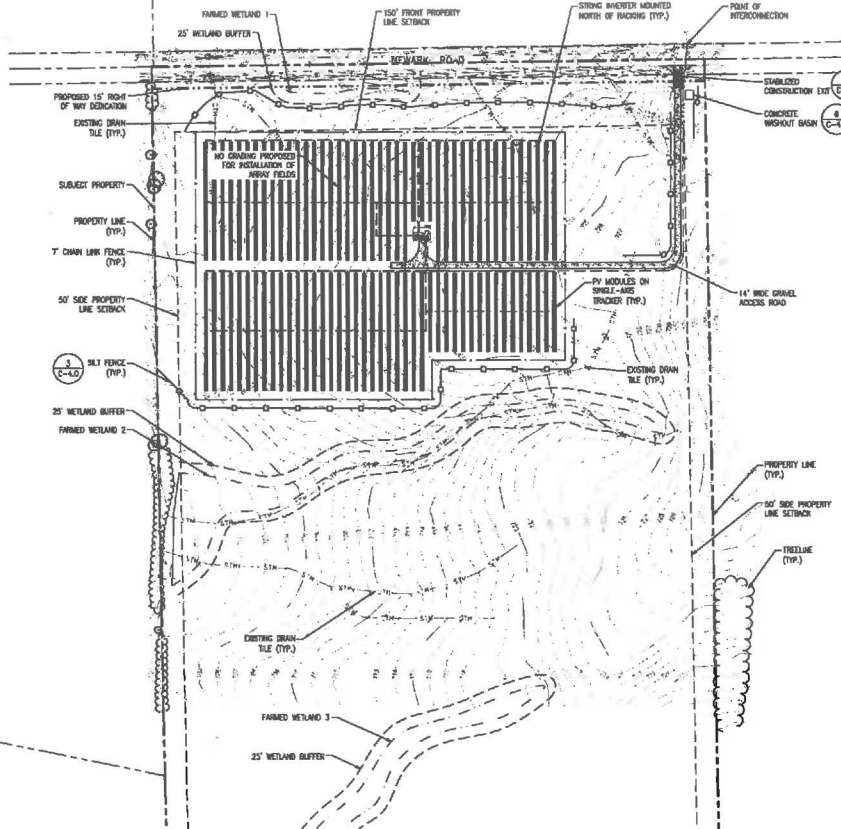
PROJECT NUMBER: 907-0142

[illegible]

40% WOOD SHEDDING PLASTER
APPLY TO 50" x 20"

C-2.0

LAYOUT AND MATERIALS
PLAN



GRADING AND EROSION CONTROL PLAN

SCALE: 1" = 100'



Professional Engineer
State of New Jersey
No. 12-12345
Exp. 12/31/2025

NOT FOR
CONSTRUCTION



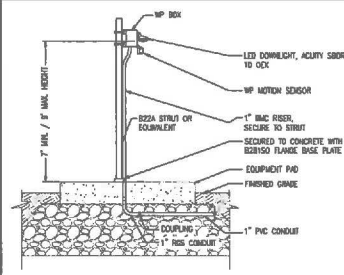
Professional Engineer
State of New Jersey
No. 12-12345
Exp. 12/31/2025

SITE USE PLANS
16400 NEWARK ROAD,
NEWARK, N.J. 08104

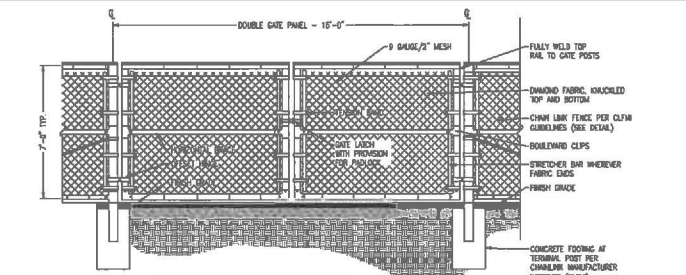
PROJECT NUMBER:
807-0142

NO.	DATE	BY	CHKD.	DESCRIPTION
1	10/1/2024	JL	JK	PRELIMINARY PLAN SET
2	10/15/2024	JL	JK	FINAL PLAN SET

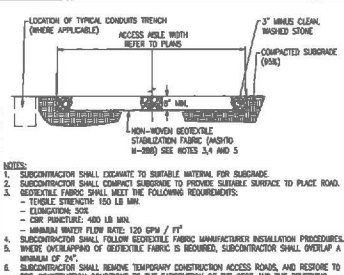
C-3.0
GRADING AND EROSION
CONTROL PLAN



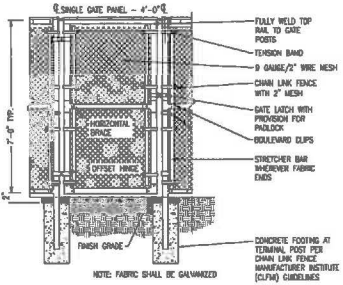
8 LIGHTING MOUNTING - DOWNLIGHT



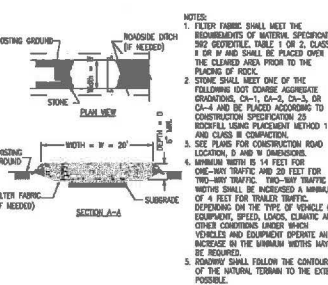
4 VEHICLE GATE



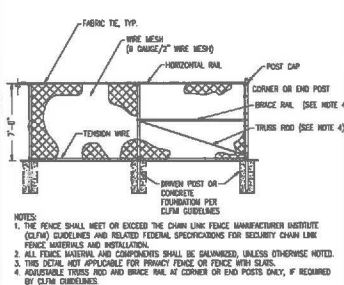
1 GRAVEL ACCESS ROAD



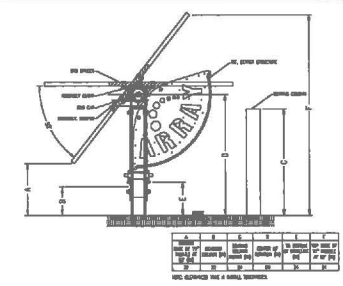
7 4' MAN GATE



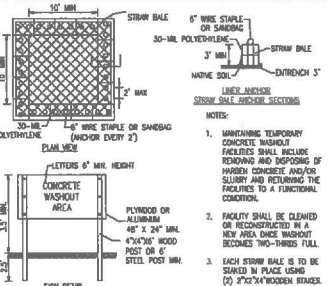
5 STABILIZED CONSTRUCTION ENTRANCE



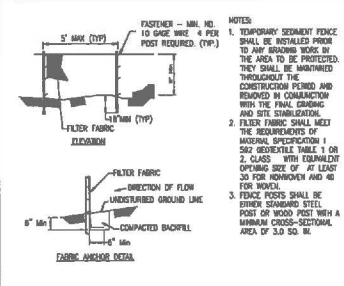
2 CHAIN LINK FENCE



8 VERTICAL MOUNT MOTOR CLEARANCES



6 CONCRETE WASHOUT



3 SILT FENCE

NOT FOR CONSTRUCTION

16000 NEWARK ROAD, NEWARK, IL 60541

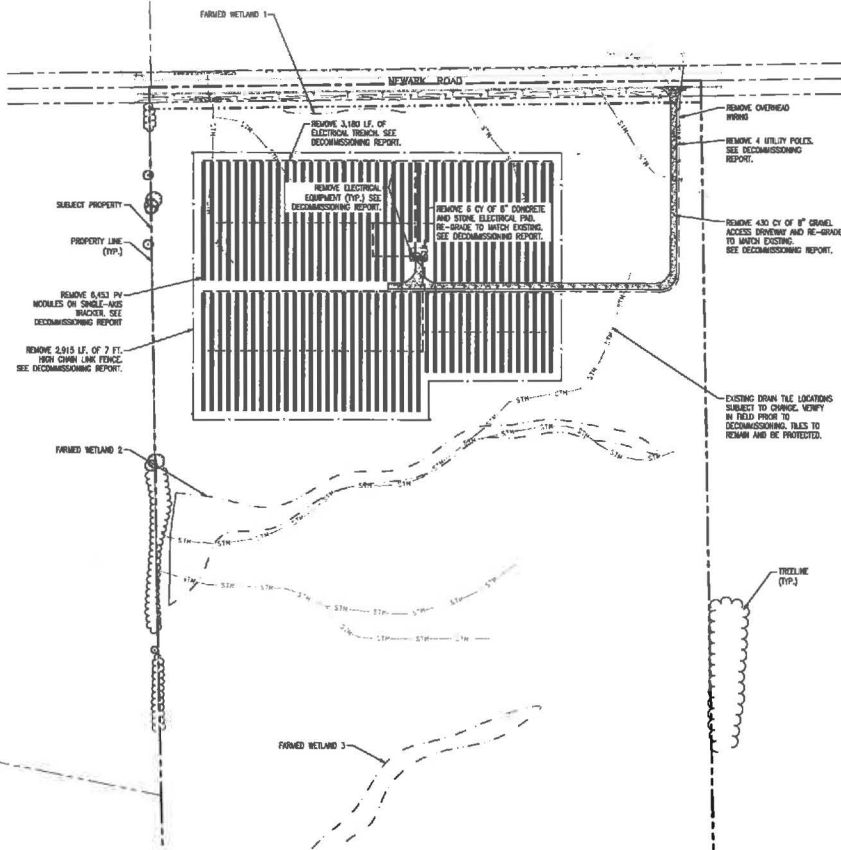
PROJECT NUMBER: 16000-0142

DATE: 11/11/11

SCALE: 1/4" = 1'-0"

CHIEF: C-4.0

DATE: 11/11/11



DECOMMISSIONING PLAN

SCALE: 1" = 100'



NOT FOR CONSTRUCTION

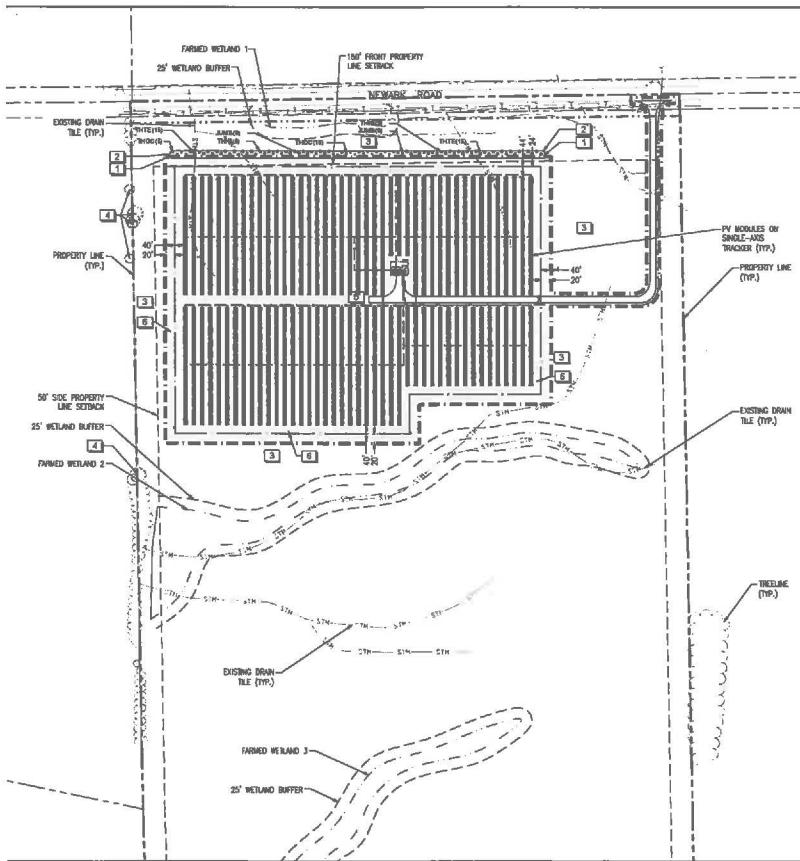


SITE USE PLANS
19400 NEWARK ROAD,
NEWARK, IL 60441

PROJECT NUMBER:
907-0142

NO.	DATE	REVISION	BY	CHKD	APP'D
1	01/01/2018	ISSUED FOR PERMIT	JD	JD	JD
2	01/01/2018	FOR CONSTRUCTION	JD	JD	JD

ATTEST: J. L. PETERSON
NOTARY PUBLIC
C-5.0
DECOMMISSIONING PLAN



REFERENCE NOTES SCHEDULE

12. "DEPTH MEASUREMENTS HAVE BEEN TAKEN AT SEVEN POINTS IN THE CREEK CHANNELS TO DETERMINE THE DEPTH OF THE CHANNELS."
13. "CULVERTS HAVE BEEN INSPECTED AND FOUND TO BE IN GOOD CONDITION."
14. "DRAINAGE SYSTEMS HAVE BEEN INSPECTED AND FOUND TO BE IN GOOD CONDITION. NO SIGNIFICANT PROBLEMS WERE IDENTIFIED."
15. "DRAINAGE SYSTEMS HAVE BEEN INSPECTED AND FOUND TO BE IN GOOD CONDITION. NO SIGNIFICANT PROBLEMS WERE IDENTIFIED."
16. "DRAINAGE SYSTEMS HAVE BEEN INSPECTED AND FOUND TO BE IN GOOD CONDITION. NO SIGNIFICANT PROBLEMS WERE IDENTIFIED."
17. "DRAINAGE SYSTEMS HAVE BEEN INSPECTED AND FOUND TO BE IN GOOD CONDITION. NO SIGNIFICANT PROBLEMS WERE IDENTIFIED."
18. "DRAINAGE SYSTEMS HAVE BEEN INSPECTED AND FOUND TO BE IN GOOD CONDITION. NO SIGNIFICANT PROBLEMS WERE IDENTIFIED."
19. "DRAINAGE SYSTEMS HAVE BEEN INSPECTED AND FOUND TO BE IN GOOD CONDITION. NO SIGNIFICANT PROBLEMS WERE IDENTIFIED."
20. "DRAINAGE SYSTEMS HAVE BEEN INSPECTED AND FOUND TO BE IN GOOD CONDITION. NO SIGNIFICANT PROBLEMS WERE IDENTIFIED."

PLANT SCHEDULE

SYMBOL	CODE	SIZ	BOTANICAL NAME	COMMON NAME	CONT	HEIGHT
	JMBC	15	<i>Juniperus chinensis</i> 'Maurandiae'	Maurandiae's Chinese Juniper	3-5	5' H. Min.
	THSD	20	<i>Thuja occidentalis</i> 'Hollandia'	Hollandia Cedar	3-5	6 H. Min.
	THSD	15	<i>Thuja occidentalis</i> 'Tussock'	Tussock Arborvitae	3-5	5' H. Min.
	WHTE	30	<i>Thuja occidentalis</i> 'Warreni'	Warreni Arborvitae	3-5	5' H. Min.

SHRUB HEIGHT MEASUREMENTS ARE TO BE AS MEASURED FROM TOP OF ROOTBALL (TYP.)

SEED LIST

- NO MOW LAWN SEED MIX WITH EROSION CONTROL (BLANK) (#12.85 ea)
CONTACT INFORMATION FOR NO MOW LAWN SEED MIX ONLY:
PINEHURST NURSERY, INC.
P.O. BOX 306
WINDFIELD, IN 45884
1-800-478-9463

NO. 100M LAMM DESIGNED BY:

- NO MOW LAWN IS A SUSTAINABLE ALTERNATIVE TO THE TRADITIONAL, HIGH RESOURCE-INPUT LAWN.
- NO MOW LAWN IS A SPECIALLY DESIGNED BLEND OF CREEPING PERENNIALS THAT INTERLOCK WITH SLIGHT-FORMING PERENNIALS TO FORM A DENSE SOIL THAT INHIBITS WEED GROWTH WITH ITS DENSE ROOT SYSTEM.
- NO MOW LAWN ESTABLISHES QUICKLY AND ONCE ESTABLISHED, NO MOW GRASS IS A SLOW GROWING, LOW MAINTENANCE LAWN.
- NO MOW LAWN REQUIRES NO FERTILIZERS, CHEMICAL TREATMENT, OR HERBICIDES.

PERMANENT GRASS CHART

SPECIES	LBS./ACRE	LBS./1000 FT. ²
HO NOD LAMN SEED MIX	110	2.5
SEED MIX:		
HARD FESCUE	(FESTUCA BREVIPILO)	
SHEEP FESCUE	(FESTUCA OVINA)	
CHENOPIDS FESCUE	(FESTUCA RUBRA SUBS. FALLAX)	
RED FESCUE	(FESTUCA RUBRA)	
CREEPING RED FESCUE	(FESTUCA RUBRA VAR. RUBRA)	

TEMPORARY SEEDING

SPECIES	LBS./ACRE	LBS./1000 FT. ²	SEEDING DATES
QAIS	90	2	EARLY SPRING - JULY 1
CEREAL RYE	90	2	EARLY SPRING - SEPT. 30
WHEAT	90	2	EARLY SPRING - SEPT. 30
PERENNIAL RYEGRASS	25	0.6	EARLY SPRING - SEPT. 30



LANDSCAPE PLAN

SCALE: 1" = 100'



NOT FOR
CONSTRUCTION

**SITE USE PLANS
16400 NEWARK ROAD,
NEWARK, IL 60541**

PROJECT NUMBER:
907-0142

[illegible]

C-6.0
LANDSCAPE PLAN



- 2 EROSION CONTROL BLANKET (ONLY IF ALONG STEEP SLOPES)
NOT TO SCALE



1. GRAPHIC SYMBOLS TAKE PRECEDENCE OVER WRITTEN QUANTITIES AND KEYS ON PUN.

- [illegible]



COUNTY OF KENDALL, ILLINOIS
SPECIAL BUDGET & FINANCE COMMITTEE
Meeting Minutes for Thursday, August 9, 2018

Call to Order

Committee Chair John Purcell called the Special Budget and Finance Committee meeting to order at 6:00 p.m.

Roll Call

Attendee	Status	Arrived	Left Meeting
John Purcell	Here	5:46p.m.	
Lynn Cullick	Here	6:09 pm	
Bob Davidson		6:07p.m.	
Matt Kellogg	Yes		
Matthew Prochaska	Here		

Staff Members Present: Latreese Caldwell, Bob Jones

Elected Officials present: Treasurer Jill Ferko

Approval of Agenda – Member Kellogg made a motion to approve the agenda, second by Member Prochaska. **With three members present voting aye, the agenda was approved by a vote of 3-0.**

Accounting and Auditing Company Presentation

6:15 p.m. Mack and Associates, P.C – Tawnya Mack

Ms. Mack stated that she has experience with the County, having been the auditor from 1998-2013. She noted that she also does KenCom's audit. In addition, she does other counties such as Livingston, LaSalle, and Grundy. She closed that her firm has the experience and proficiency while being able to give the small firm attention to the County.

The meeting recessed at 6:30 p.m.

The meeting returned from recess at 6:39 p.m.

6:40 pm Wermer, Rogers, Doran, and Ruzon, LLC – David Meyer

Mr. Meyer stated the WRDR started in the late 1950's, and he has been with the company for thirteen years. It is a company of four partners with around twenty-five employees out of Joliet. Currently audit around twenty governments but currently no counties. They have audited will and Kane County. Finally, they have helped many clients get the CAFR award from GFOA.

7:14 p.m. Sikich, LLP – Anthony Cervini

Mr. Cervini introduced his team members: Raymond Krouse, Brian LeFevre, Daniel Berg, Jason Askin, and Lindsey Fish. He stated that Sikich has the experience and expertise for audits. Also stated was that the firm audit process is built on three pillars – accounting, technology, and advisory, and all three are part of the process.

Chairman Purcell asked Member Cullick if she had a ranking. She stated Sikich first, WRDR, and then Mack.

Chair Purcell asked Member Davidson his ranking. Member Davidson asked for Treasurer Ferko and Ms. Caldwell's opinions. Ms. Ferko stated she would rank Mack first, then Sikich, then WRDR. Ms. Caldwell agreed. Member Davidson agreed with those rankings.

Chair Purcell asked Member Prochaska. He stated Sikich first, Mack second, and WRDR third.

Chair Purcell asked Member Kellogg. He stated Mack first, WRDR second, and Sikich third.

Chair Purcell said he could go with either Mack or Sikich. Chair Purcell asked if there was a motion.

Member Davidson made the motion to move to the County Board accepting Mack and Associates Bid for Accounting and Auditing Services for 3 years with the cost of \$61,450 in Year 1, \$62,900 in Year 2, and \$64,350 in Year 3. Member Kellogg seconded. Member Purcell called a roll call vote. Davidson – aye, Prochaska – no, Kellogg – aye, Cullick – no, Purcell – aye. **3-2, motion carried.**

Public Comment – None

Questions from the Media – None

Items for the August 7, 2018 County Board Agenda

- *Approval of Accepting Mack and Associates Bid for Accounting and Auditing Services for 3 years with the cost of \$61,450 in Year 1, \$62,900 in Year 2, and \$64,350 in Year 3.*

Executive Session – Not needed

Adjournment – Member Prochaska made a motion to adjourn the Special Budget and Finance Committee meeting, second by Member Kellogg. **The meeting was adjourned at 8:08p.m. by a 4-0 vote.**

Respectfully submitted,

Andrez Beltran
Economic Development and Special Projects Coordinator

County of Kendall
Resolution 18 – _____

RESOLUTION ESTABLISHING HIRING FREEZE POLICY

WHEREAS, the current financial status of Kendall County (hereinafter “the County”) coupled with the uncertainty of funding from the State of Illinois indicates that the County may be unable to sustain current levels of staffing within the available resources of the County; and

WHEREAS, the Kendall County Board (hereinafter “Board) prefers to make reductions in staffing without the necessity of terminating the employment of existing employees; and

WHEREAS, the Board desires to cooperate with the Department Heads and Elected Officials to maintain staffing levels which allow for services to provide for the safety and welfare of Kendall County residents; and

WHEREAS, the Board understands that its budgetary authority is limited to the appropriation of aggregate or lump-sum dollar amounts for the budgets of elected officials and the Board has no power to restrict these elected officials in the use of the budgeted amounts so long as the expenditure is within the amount of the appropriation for the fiscal year, but the Board desires to cooperate with these elected officials to plan for future appropriations;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, it shall be the policy that the following procedure shall be followed upon the vacation of any current full or part-time employment position:

1. The position shall remain open and unfilled for three (3) months from the date of the vacating employee’s last day worked. The Department Head/Elected Official shall maintain the duties of the vacant position as best as reasonably possible with remaining staff.
2. After the three (3) month time period referenced above has elapsed or at any time during that three (3) month period, if the Department Head/Elected Official believes the vacant position is critical to the operations of the department/office, the Department Head/Elected Official may submit to the Finance Committee a request to fill the vacant position. The Finance Committee shall take into consideration the following:
 - a. Whether the work performed by the vacant position is essential to Kendall County;
 - b. Whether the Department Head/Elected Official has examined possible alternatives to filling the position;
 - c. Whether the elimination of the vacant position is necessary considering a projection of future revenue and possible future reductions of budget allocations for the department in question;
 - d. Any other information relevant to the decision.
3. The Finance Committee shall determine, by a simple majority vote whether the position shall be filled.
4. The County Treasurer’s Office will provide a monthly report to the Finance Committee that includes all personnel changes (i.e. new hires, salary changes, terminations, stipends, ecta).
5. This policy shall not grant any member of the Board a role in determining the successful candidate for any vacant position.
6. This policy shall not prohibit the replacement of employees with credentials which are deemed

necessary by statute, regulation or ordinance to conduct the business of the department in question or any position which is required by statute or regulation.

7. This policy shall not infringe upon the authority of any other board given hiring and/or budgetary authority over employees of Kendall County, by statute, regulation or ordinance, including, but not limited to, the Board of Health.

PRESENTED and APPROVED this _____ day of August, 2018.

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

COUNTY OF KENDALL, ILLINOIS
Law, Justice and Legislation Committee
Monday, August 13, 2018
Meeting Minutes

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

Roll Call: Member Prochaska, Member Hendrix, Member Purcell, Member Giles and Member Gilmour were present. **With five members present voting aye, a quorum was determined to conduct business.**

Others Present: Sheriff Dwight Baird, Chief Deputy Mike Peters, Undersheriff Harold Martin, Coroner Jacquie Purcell, Chief Deputy Coroner Levi Gotte, Presiding Judge Tim McCann, State's Attorney Eric Weis, EMA Director Joe Gillespie, Court Services Director Alice Elliott

Approval of the Agenda –Member Hendrix made a motion to approve the agenda, second by Member Giles. **With four members present voting aye and one nay, the motion carried.**

Approval of Minutes – Member Henrix made a motion to approve the July 9, 2018 meeting minutes, second by Member Giles. **With five members present voting aye, the motion carried.**

Public Comment – None

Status Reports

Coroner –Coroner Purcell reviewed the monthly report with the committee, and reported 37 deaths for July, 36 natural, and 1 still being determined.

Circuit Clerk – Written report provided.

Courthouse – Judge McCann stated the State had selected Kendall County to test out a system that allowed litigants in civil court to appear by video call instead of attending. It is the pilot program in Illinois.

Court Services – Alice Elliott introduced herself and stated that there was around \$11,000 in revenue.

EMA – Written report provided. They continued the Siren, STARCOM and WSPY EAS testing.

KenCom – Member Gilmour had nothing to report.

Public Defender – Written report provided.

State's Attorney – No report

Sheriff's Report

- a. Operations Division – Written report provided. Chief Deputy Mike Peters stated they engaged the community at two events in July, including the County Fair and National Night Out. In addition, they participated in multijurisdictional Sex Offender verification.
- b. Corrections Division – Written report provided. Undersheriff Martin reported that they held a mock jail evacuation, and it went well. The jail passed the Federal inspection with high marks. Finally, the jail is looking at acquiring tablets for inmates to help pursue reintegration courses. They would be paid for out of the commissary fund.
- c. Records Division – Written report provided.

Old Business - None

New Business

Approval of Resolution Supporting Extending Metra Commuter Rail Service to Kendall County as High Priority in Chicago Metropolitan Agency for Planning ON TO 2050 Plan

The Committee discussed the option of having Metra rail extended into Kendall County. Members in favor of the initiative stated increased economic opportunities as well as citing a current grant for the study to determine viability. Members not in favor cited the possibility of joining the RTA and the increased taxation forthwith as well as stating the study would continue whether or not this resolution was passed.

Member Hendrix made the motion to approve and send to the County Board; Member Giles seconded. Chair Prochaska called for a roll call. Giles –yes, Gilmour – no, Hendrix – Yes, Purcell – no, Prochaska – yes. **Motion passed 3-2.**

Resolution Honoring Terry F. Peshia

Chair Prochaska stated that just for discussion purposes he included a resolution honoring the late Terry F. Peshia. He was once a board member and was a long time pillar of the community. The Chair asked if there no objections he would ask County Board Chairman Gryder to include on the August 21 meeting. There was none.

Legislative Update – No report

Public Comment - None

Items for August 21, 2018 County Board meeting agenda

Approval of Resolution Supporting Extending Metra Commuter Rail Service to Kendall County as High Priority in Chicago Metropolitan Agency for Planning ON TO 2050 Plan

Executive Session – Not needed

Adjournment – Member Hendrix made a motion to adjourn the meeting, second by Member Giles.

With all in agreement, the meeting adjourned at 3:58 p.m.

Respectfully Submitted,

Andrez Beltran
Economic Development and Special Projects Coordinator

COUNTY OF KENDALL, ILLINOIS
ADMIN HR MEETING
Tuesday, August 14, 2018

CALL TO ORDER - The meeting was called to order by Committee Chair Lynn Cullick at 5:32 p.m.

ROLL CALL

Attendee	Status	Arrived	Left Meeting
Lynn Cullick	Here		
Elizabeth Flowers	ABSENT		
Judy Gilmour	Here		
Matthew Prochaska	Here		
John Purcell		5:42p..m.	

APPROVAL OF AGENDA – Motion made by Member Prochaska, second by Member Gilmour to approve the agenda. **With three members voting aye, the agenda was approved.**

APPROVAL OF MINUTES – Motion made by Member Prochaska, second by Member Gilmour to approve the July 31, 2018 minutes. **With three members voting aye, the minutes were approved.**

DEPARTMENT HEAD AND ELECTED OFFICIAL REPORTS

Treasurer Department – Written report provided. Bob Jones updated the committee on the FSA and HAS member cards now available through The Horton Group, and also on employee options with EyeMed for the next four years. Mr. Jones will contact The Horton Group to see what other options for vision coverage might be available to County employees, and report at the next committee meeting.

Administration Department – Scott Koeppel informed the committee of the possibility of The Horton Group, State's Attorney's Office, Treasurer's Office, and Administrative Services Office meeting with union representatives to discuss the increases of the Health Insurance benefits. Mr. Koeppel will keep the committee updated.

Mr. Koeppel also informed the committee of the need for additional GIS work on the KenCom CAD project, and said with the vacancy in GIS that project work has fallen behind. Mr. Koeppel presented the request for additional time for a GIS employee by KenCom, and recommendations from the County Administrator for having a non-exempt GIS employee perform additional work on weekends, on a temporary, short-term basis. Discussion on amount of time available, the hours, pay for the non-exempt employee, and his continued status as a County employee, and not a KenCom contractor, and establishing clear guidelines for this verbal agreement with KenCom until the CAD project is completed by the end of this fiscal year.

PUBLIC COMMENT - None

COMMITTEE BUSINESS

- *Discussion of Employee Performance Reviews* – Member Cullick asked the committee to review the current evaluation tool already approved for use by Department Heads. Discussion on when the evaluation should be conducted each year, using the evaluation tool regarding employee salary increases and justification of salary increases.
- *Discussion of 4 Tier Employee Health Insurance Option* – Mr. Koeppel reviewed the 4 Tiers, the costs on each level, and the potential savings to employees that would qualify for the two new levels. Discussion on the impact to the County, risks involved, and the need for additional information from The Horton Group at the September 10, 2018 committee meeting.
- *Discussion and Recommendation for Property, Casualty and Liability Insurance Broker RFQ* – Discussion on the broker presentations that were held on June 12, 2018, the possible recommendation of two brokerage firms to the Board, and the need for further discussion and a decision at the upcoming County Board meeting on June 21, 2018.

EXECUTIVE SESSION – Not needed

ITEMS FOR COMMITTEE OF THE WHOLE – None

ACTION ITEMS FOR COUNTY BOARD - None

ADJOURNMENT – Member Prochaska made a motion to adjourn the meeting, second by Member Gilmour. **With four members voting aye, the meeting was adjourned at 7:14p.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Secretary

KENDALL COUNTY ILLINOIS

Economic Development Committee

Meeting Minutes Monday, July 20, 2018

Call to Order

The meeting was called to order by Chair Audra Hendrix at 9:00 a.m.

Roll Call

Committee Members Present: Chair Audra Hendrix, Lynn Cullick, Scott Gryder, Matt Prochaska
Committee Members Absent: Matt Kellogg,

Elected Officials Present:

Staff Present: Andrez Beltran, Economic Development and Special Projects Coordinator

Members of the Public:

Approval of Agenda – Member Gryder made the motion to approve the agenda. It was seconded by Member Cullick. **Approved 4-0.**

Approval of Meeting Minutes – Member Cullick made a motion to approve the meeting minutes from the May 18, 2018 meeting and May 22, 2018 Special meeting. Seconded by Member Gryder. **Approved 4-0.**

Committee Business - None

Updates and Reports

Economic Indicator Dashboard

Mr. Beltran gave a brief overview of the FY18Q2 Economic Indicator Dashboard in the packet. He noted that for greater clarity, the Dashboard would be named for the quarter published in rather than the one represented. He continued that the numbers were similar to previous years.

Revolving Fund Loans

- *Monthly Loan Statements*

Mr. Beltran stated that the statements were not ready this month as their preparation will now be done by Administrative Services. He would have statements read for the next month.

- *Prairie State Legal FOIA*

Mr. Beltran stated they had received a FOIA request from Prairie State Legal regarding the Revolving Loan program. He was working with the State's Attorney's Office to respond appropriately.

Chair's Report

Chair Hendrix continued discussion of creating a county-wide event. As time was short for the meeting, she asked the committee to continue considering locations as well branding efforts.

Chair Hendrix also elaborated on her orientation for the Workforce Development Board and the programs of benefit there.

KENDALL COUNTY ILLINOIS

Economic Development Committee

Public Comment – None

Executive Session - None

Adjournment

At 9:32 a.m., Member Prochaska made to adjourn. Member Cullick seconded. With no objections, the meeting adjourned.

Respectfully Submitted,

Andrez P. Beltran
Economic Development and Special Projects Coordinator

COUNTY OF KENDALL, ILLINOIS
COMMITTEE OF THE WHOLE
Thursday, August 16, 2018

CALL TO ORDER AND PLEDGE OF ALLEGIANCE - The meeting was called to order at 4:01p.m. by Chair Scott Gryder who led the committee in the Pledge of Allegiance to the American Flag.

ROLL CALL

Attendee	Status	Arrived	Left Meeting
Scott Gryder	Here		
Lynn Cullick	Here		
Bob Davidson	Here		
Elizabeth Flowers	ABSENT		
Tony Giles	Here		
Judy Gilmour	Here		
Audra Hendrix		4:06p.m.	4:35p.m.
Matt Kellogg	Yes		
Matthew Prochaska	Here		
John Purcell	ABSENT		

Others present: Matt Asselmeier, Jill Ferko, Scott Koeppel, Raeann VanGundy, Assistant State's Attorney Jim Webb

APPROVAL OF AGENDA – Motion made by Member Cullick with the amendment to move the Public Comment section to follow the Approval of the agenda, second by Member Prochaska. **With seven members present voting aye, the motion carried by a vote of 7-0.**

PUBLIC COMMENT – Tom and Mary Bromeland, Newark, IL; Bonnie Johnson, Newark, IL; Alex Bromeland, Newark, IL; Andy Bromeland, Newark, IL; Joan Cardwell, Newark, IL

COMMITTEE BUSINESS

From PBZ Committee:

- *Petition 18 – 15 - Request from Nancy Harazin on Behalf of Nancy L. Harazin Trust Number 101 for a Special Use Permit for a Public or Private Utility-Other (Solar Panels) at 16400 Newark Road, approximately 0.2 Miles East of Route 71 on the South Side of Newark Road (PIN: 07-05-400-003) in Big Grove Township* - Mr. Asselmeier briefed the committee on the Special Use Permit request, reviewing the County Ordinance, the site plan, signage, fencing, the term of the lease, the Decommissioning Plan, the specific requirements for construction, applicable building codes, federal, state and County law and permit requirements, liability, safety fire, and public health issues and training for the Newark Fire District, drainage issues, aesthetics of the solar field, the sheet erosion concerns and landscaping around the solar field to address the issue, repair and replacement of broken panels, and the property value study conducted by Borrego Solar Systems.

Mr. Asselmeier also shared the process, and various committees and boards that reviewed the request, site plan and proposal for the solar field, and any changes that each board or committee recommended.

The request was reviewed by the Village of Newark, Big Grove Township, the Newark Fire Protection District, the County ZPAC Committee, the County Planning, Building and Zoning Committee, the County Zoning Board of Appeals, and the County State's Attorney's Office. **The County Board will vote on the issue at the August 21, 2018 County Board meeting.**

Discussion and Recommendation for Accounting and Auditing Company RFP – Lynn Cullick informed the committee about discussions at the Admin HR Committee meeting, and the three companies that were selected as potential candidates to provide auditor services to the County. Discussion on the three bidders, the auditing process, the proposed fees, and the proposed number of hours that would be committed to the County for providing auditing services. Members from the Finance Committee also provided the pros and cons determined for the three bidders. The recommendation from the Finance Committee was to approve the acceptance of the bid from Mack and Associates for Accounting and Auditing Services for 3-years with the cost of \$61,450 in year 1, \$62,900 in year 2, and \$64,350 in year 3. **The County Board will vote on the issue at the August 21, 2018 County Board meeting.**

- *Discussion and Recommendation for Property, Casualty and Liability Insurance Broker RFQ* – Member Cullick reported that there was discussion at the Admin HR Committee meeting, and stated that the committee wanted full-board input prior to giving staff direction as far as proceeding with contract negotiations. Mr. Koeppel reported that just today, he received an email from Alliant-Mesirow today proposing a fixed annual cost of \$49,000 per year, for a 5-year contract. This information was not provided in their bid proposal or offered during the bidder's presentation at the Admin HR COW meeting in June 2018.

Discussion on the risk management pool and participation by all three companies, concerns and questions by members following the presentations, the term length and possible options for extension of the contract, and pros and cons for each applicant.

There was consensus by the committee to direct administrative staff to proceed with negotiations with Alliant-Mesirow for a 3-year contract with the possibility of two 1-year extensions.

- *FY2019 Budget Discussion* – Chair Gryder stated that there were a number of topics that County Board members had questions regarding the budget, at the last County Board meeting. Mr. Koeppel stated that the County won't have final Health Insurance increase numbers until mid-September, and that the Finance Committee would like to hold Budget Presentations in September if possible, but that Elected Officials and Department Heads would need time to prepare their budgets for Budget Presentations in September. Discussion on funds used to balance the budget last year, lower new construction revenues, decreased CPI, decreased revenues, salary increases for non-union personnel, elected official and department head input on the budget, and a potential budget decrease of 2-percent county-wide.

QUESTIONS FROM THE MEDIA – None

CHAIRMANS REPORT – None

REVIEW BOARD ACTION ITEMS – Chair Gryder asked the committee to review the draft County Board agenda for August 21, 2018.

EXECUTIVE SESSION – Member Prochaska made a motion to enter into Executive Session for the purpose of Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that 5ILCS 120/2 (11), second by Member Davidson.

ROLL CALL:

Attendee	Status	Attendee	Status
Scott Gryder	Yes	Judy Gilmour	Yes
Lynn Cullick	Yes	Audra Hendrix	ABSENT
Bob Davidson	Yes	Matt Kellogg	Yes
Elizabeth Flowers	ABSENT	Matthew Prochaska	Yes
Tony Giles	Yes	John Purcell	ABSENT

With seven members voting aye, the committee entered into Executive Session at 5:56p.m. and reconvened into Open Session at 6:03p.m.

ADJOURNMENT – Member Prochaska made a motion to adjourn the meeting, second by Member Giles. **With seven members voting aye, the meeting was adjourned at 6:05p.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Secretary