

**KENDALL COUNTY BOARD AGENDA
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210
Tuesday, April 17, 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
 - A. National Law Enforcement Week Proclamation
7. Citizens to Be Heard
8. Executive Session
9. Old Business
10. New Business
 - A. Approval of settlement in County of Kendall vs. Terry and Carol Seggebruch, as Trustees, case No 2017 ED 14, for the acquisition of highway right-of-way along Grove Rd, Permanent Index No 09-31-200-002 (1.215 acres), for \$19,500
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 Petition 18-12-Request from Mary C. Auer to Revoke a Special Use Permit for a Gravel Mining Operator Awarded by Ordinance 72-08 on the East Side of Beecher Road Approximately 2.5 Miles South of Galena Road (PIN: 02-06-400-005) in Bristol Township; Property is Zoned A-1.
 2. Approval of Amended Petition 17-29-Request from the Kendall County Planning, Building and Zoning Department for Text Amendments to Section 13.08.H of the Kendall County Zoning Ordinance by Increasing the Notification Requirements for Applications for Special Use Permits on A-1 Agricultural Zoned Property to Seven Hundred Fifty Feet (750') and Clarifying that Only Adjoining Properties must be Notified on Special Use Applications for Properties Not Zoned A-1
 3. Approval of Proposal from WBK Engineering for Work Related to the Submittal of the Annual Report for the 2018 NPDES – MS 4 Requirements in an Amount of \$1,700 Plus Reimbursable Costs (Costs + 10%)
 4. Approval of Fee Ordinance for Special Use Related Applications to Reflect Transfer of Hearing Authority from the Hearing Officer to the Zoning Board of Appeals
 5. Approval of Senior Planner Job Description
 - B. Law, Justice and Legislation
 1. Approval of the release of Executive Session Minutes from September 12, 2016, April 10, 2017 and April 9, 2018
 2. Approval of Resolution Declaring Opposition of House Bill 4556
 3. Approval of Resolution Declaring Opposition of House Bill 5489
 4. Approval of Resolution Declaring Support for House Bill 4584
 - C. Administration/HR
 1. Approval of Resolution Authorizing Application for Public Transportation Financial Assistance Under Section 5311 of the Federal Transit Act of 1991, as Amended (49 U.S.C § 5311) for State Fiscal Year 2019
 2. Approval of Property, Liability, and Workers Compensation Insurance Broker RFQ
 - D. Highway
 1. Approve Resolution awarding all County and Township Motor Fuel Tax projects to the low bidders, as identified on said resolution

2. Approve Resolution appropriating funds for the payment of the County Engineer's salary of \$125,000 and authorizing IDOT to transfer \$62,500 of Federal Surface Transportation Funds in return for an equal amount of State funds

E. Facilities

1. Approve a Three (3) year contract with a One (1) year optional extension with Four Seasons Landscaping, for Landscaping maintenance at County Facilities in the amount of \$39,470.00 for years one & two and \$41,355.00 for years three & four
2. Approve 1-year contract with Call One for the Centrex Phone Circuits in the amount of \$9.00 per month base price plus usage
3. Approve three (3) year contract with Call One for the Point to Point T1 Circuit in the amount of \$500.00 per month
4. Approve three (3) year contract with Call One for the PRI T1 Circuits in the amount of \$2,124.80 per month plus usage

F. Finance

1. Approve Claims in an amount not to exceed \$ 819,528.44 and Grand Juror Claims in an amount not to exceed \$288.90
2. Approve Coroner Claims in an amount not to exceed \$1,898.71

G. Standing Committee Minutes Approval

13. Special Committee Reports

- A. VAC
- B. UCCI
- C. Historic Preservation
- D. Juvenile Justice Counsel

14. Other Business

15. Chairman's Report

16. Citizens to be Heard

17. Questions from the Press

18. Adjournment

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

**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
March 21, 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 Wednesday, March 21, 2018 at 9:00 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Lynn Cullick, Bob Davidson, Elizabeth Flowers, Judy Gilmour, Audra Hendrix, Matt Kellogg, Matt Prochaska and John Purcell (10:20am). Member absent: Tony Giles.

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

THE MINUTES

Member Hendrix moved to approve the submitted minutes from the Adjourned County Board Meetings of 2/20/18 and 2/22/18. Member Prochaska seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

THE AGENDA

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

SPECIAL RECOGNITION

Employee Service Awards

Chairman Gryder presented employees with service awards.

CORRESPONDENCE AND COMMUNICATION

IDOT Compliance Review Receipt

Member Kellogg moved to acknowledge receipt of Compliance Review #80 covering receipt and disbursement of Motor Fuel Tax Funds by Kendall County for the period beginning January 1, 2016 and ending December 31, 2017. Member Davidson seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

BREAK

RECONVENE

NEW BUSINESS

HIDTA Drone

Member Kellogg moved to authorize Sheriff, on behalf of HIDTA, to purchase a drone with thermal imaging and camera for an amount not to exceed \$29,114.74. Member Prochaska seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

HIDTA Grant

Member Flowers moved to approve HIDTA Grant G18CH0002A releasing funds in the amount of \$403,288.00. Member Hendrix 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

Sheriff Baird provided the board with a security project update. The project is coming in on time or a little ahead of schedule. They are well under budget at about \$325,000.

County Clerk**Revenue Report****2/1/18-2/28/18****2/1/17-2/28/17****2/1/16-2/28/16**

| Line Item | Fund | Revenue | | |
|------------------|--------------------------------------|----------------|--------------|-------------|
| | County Clerk Fees | \$547.50 | \$642.50 | \$617.50 |
| | County Clerk Fees - Marriage License | \$570.00 | \$810.00 | \$810.00 |
| | County Clerk Fees - Civil Union | \$0.00 | \$30.00 | \$0.00 |
| | County Clerk Fees - Misc | \$1,671.50 | \$2,017.50 | \$1,421.50 |
| | County Clerk Fees - Recording | \$18,116.00 | \$21,818.00 | \$21,373.00 |
| 01010061205 | Total County Clerk Fees | \$20,905.00 | \$25,318.00 | \$24,222.00 |
| 01010001185 | County Revenue | \$19,782.25 | \$24,301.75 | \$18,821.25 |
| 38010001320 | Doc Storage | \$11,018.50 | \$13,101.50 | \$12,629.50 |
| 51010001320 | GIS Mapping | \$18,610.00 | \$22,043.00 | \$21,278.00 |
| 37010001320 | GIS Recording | \$2,326.00 | \$2,751.00 | \$2,656.00 |
| 01010001135 | Interest | \$12.54 | \$26.26 | \$34.78 |
| 01010061210 | Recorder's Misc | \$3,325.25 | \$2,350.00 | \$4,264.75 |
| 81010001320 | RHSP/Housing Surcharge | \$9,855.00 | \$11,565.00 | \$11,115.00 |
| 37210001575 | Tax Certificate Fee | \$1,120.00 | \$1,560.00 | |
| 37210001576 | Tax Sale Fees | \$1,365.00 | \$1,470.01 | |
| 37210001577 | Postage Fees | \$893.78 | \$863.29 | |
| CK # 18407 | To KC Treasurer | \$89,213.32 | \$105,349.81 | \$95,021.28 |

County Clerk, Debbie Gillette stated that the election produced a 20% turnout.

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 THREE MONTHS ENDED 02/28/2018

| <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 | \$51,584 | 12.90% | \$76,622 | 20.71% |
| State Income Tax | \$2,470,000 | \$597,162 | 24.18% | \$499,916 | 20.83% |
| Local Use Tax | \$630,000 | \$173,369 | 27.52% | \$152,074 | 24.33% |
| State Sales Tax | \$550,000 | \$164,510 | 29.91% | \$150,362 | 31.33% |
| County Clerk Fees | \$400,000 | \$84,486 | 21.12% | \$111,378 | 33.75% |
| Circuit Clerk Fees | \$850,000 | \$137,366 | 16.16% | \$134,430 | 14.15% |

| | | | | | |
|---------------------------------|---------------------|--------------------|---------------|--------------------|---------------|
| Fines & Foreits/St Atty. | \$380,000 | \$55,729 | 14.67% | \$58,270 | 13.55% |
| Building and Zoning | \$65,000 | \$13,346 | 20.53% | \$16,375 | 26.41% |
| Interest Income | \$86,500 | \$41,561 | 48.05% | \$13,550 | 36.13% |
| Health Insurance - Empl. Ded. | \$1,299,440 | \$275,485 | 21.20% | \$304,159 | 24.02% |
| 1/4 Cent Sales Tax | \$2,950,000 | \$754,439 | 25.57% | \$715,133 | 24.49% |
| County Real Estate Transf Tax | \$440,000 | \$96,771 | 21.99% | \$106,898 | 26.97% |
| Correction Dept. Board & Care | \$832,200 | \$402,192 | 48.33% | \$140,917 | 16.10% |
| Sheriff Fees | \$245,000 | \$40,871 | 16.68% | \$50,165 | 19.67% |
| TOTALS | \$11,598,140 | \$2,888,869 | 24.91% | \$2,530,248 | 22.20% |
| Public Safety Sales Tax | \$5,068,000 | \$1,301,134 | 25.67% | \$1,258,290 | 24.83% |
| Transportation Sales Tax | \$4,750,000 | \$1,301,134 | 27.39% | \$1,258,290 | 26.49% |

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

To be on Budget after 3 month the revenue and expense should at 25.00%

Treasurer, Jill Ferko stated that they will be beginning the property collection cycle soon.

State's Attorney

State's Attorney Eric Weis informed the board that the court call schedule will be changing. They now have a Kendall County Detective/Investigator assigned to the State's Attorney's Office which will be a phenomenal help.

Coroner

| Description | ** | Month: February 2018 | Fiscal Year-to-Date | February 2017 |
|--------------------------|----|----------------------|---------------------|---------------|
| Total Deaths | | 28 | 80 | 27 |
| Natural Deaths | | 28 | 75 | 25 |
| Accidental Deaths | | 0 | 1 | 1 |
| Pending | | 0 | 2 | 0 |
| Suicidal Deaths | | 0 | 2 | 1 |
| Homicidal Deaths | | 0 | 0 | 0 |
| Toxicology | | 0 | 5 | 3 |
| Autopsies | | 0 | 5 | 3 |
| Cremation Authorizations | | 17 | 48 | 19 |

PERSONNEL/OFFICE ACTIVITY:

1. Coroner Purcell met with Health Department Director Dr. Amaal Tokars on February 8, 2018, to finalize plans for a community forum regarding the opioid epidemic and its impact on Kendall County.
2. Coroner Purcell was present and offered brief statistics at the Committee of the Whole meeting on February 15, 2018. The committee heard a proposal for Kendall County to develop a lawsuit against opioid producing pharmaceuticals.
3. Coroner Purcell provided a presentation at Oswego High School for Operation Impact on February 20, 2018.
4. Coroner Purcell and Chief Deputy Coroner Gotte attended the Kendall County Chiefs of Police luncheon on February 21, 2018.

5. Coroner Purcell provided an orientation for an intern with the Oswego Police Department on February 22, 2018.
6. Chief Deputy Coroner Gotte provided a presentation for both the morning and afternoon classes of Law Enforcement at Indian Valley Vocational Center on February 22, 2018.
7. Coroner Purcell attended the IL Coroners & Medical Examiner's Association training in Mt. Vernon, Illinois on February 26 & 27, 2018.
8. Coroner Purcell co-hosted a community forum (with the Kendall County Health Department) regarding the opioid epidemic and its impact on Kendall County on February 28, 2018. Chief Deputy Coroner Gotte and Deputy Coroner Jessica Knowles both attended the discussion.

Health Department

Dr. Tokars read a letter she received regarding brothers with mental health issues and the benefits and compassion they received through the Kendall County Health Department.

STANDING COMMITTEE REPORTS

Planning, Building and Zoning

Petition 17-33 Text Amendments

Member Davidson moved to approve Petition 17-33 request from the Kendall County Planning, Building and Zoning Committee for text amendments to Sections 4.19, 5.08, 6.07.G.2, 7.01, 8.02, 8.03, 10.01.C.27, 10.03.I and 13 of the Kendall County Zoning Ordinance transferring authority to hear applications, major amendments and revocations of special use permits from the Hearing Officer to the Kendall County Zoning Board of Appeals and related citation amendments. Member Kellogg seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 18-04 is available in the Office of the County Clerk.

Administration/HR

Voluntary Action Center of DeKalb

Member Cullick moved to approve the resolution extending the agreement with the Voluntary Action Center of DeKalb to run the Kendall Area Transit program. 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 18-15 is available in the Office of the County Clerk.

Health Insurance Broker

Member Cullick moved to approve the RFQ for Health Insurance Broker. Member Prochaska seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Executive Session Minutes

Member Cullick moved to approve the release of Admin HR Committee executive session minutes review from February 28, 2017, June 27, 2017 and March 8, 2018. Member Gilmour seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Highway

Millington Road Bridge

County Engineer Fran Klaas informed the board that the State had a letting on the Millington Road Bridge and there were 6 bidders; low bid was from D Construction \$1.52 million which was under the estimate of \$1.76 million. Both piers will be replaced and the construction expected to begin in June.

Prairie Parkway

County Engineer Fran Klaas told the board that for the last 10 years the State has what is referred to as corridor protection for the Prairie Parkway and that restricts what can be done on those properties. On February 14th the Secretary of Transportation signed an order abolishing the corridor protection.

Facilities

A/C System Replacement

Member Davidson moved to approve the Public Safety Center A/C systems replacement by the Trane Co. utilizing US Communities Contract #15-JLP-023 cooperative quote number: 30-10006-17-001 in the amount of \$699,108.00. Member Flowers seconded the motion.

Members discussed whether this needed to go back to bid. Assistant State's Attorney Leslie Johnson stated that the project exceeds \$35,000 so it would need to be competitively bid. How to go about the competitive bid can be done one of two ways; the County can issue an invitation to bid on their own or through the Joint Purchasing Act which is an agreement with another governmental entity to competitively bid. The US Communities buying program claims that they fall under the Joint Purchasing Act provision. The State utilizes the program. The board needs to decide if they want to go out for rebid or elect to do the US Communities buying program. Members discussed that the system is old and bound to go out at some point. Member Hendrix stated that she thought it would be best to do the work under the Energy Savings Performance Contracting Services. Members discussed the US Communities program.

Chairman Gryder asked for a roll call vote on the motion. Members voting aye include Davidson, Kellogg, Prochaska and Purcell. Members voting nay include Cullick, Flowers, Gilmour, Gryder and Hendrix. Motion failed 4-5.

Member Flowers moved to send the item to approve Public Safety Center A/C systems replacement by the Trane Co. utilizing US Communities Contract #15-JLP-023 cooperative quote number: 30-10006-17-001 in the amount of \$699,108.00 to the Facilities Committee to create a bid that is consistent with what Trane bid on. Member Cullick seconded the motion. Chairman Gryder asked for a roll call vote on the motion. Members voting aye include Cullick, Flowers, Gilmour, Gryder and Hendrix. Members voting nay include Davidson, Kellogg, Prochaska and Purcell. Motion carried 5-4.

Finance

CLAIMS

Member Cullick moved to approve the claims submitted in the amount not to exceed \$606,399.68, Grand Juror Claims in an amount not to exceed \$283.81, and Petit Jurors in an amount of \$938.71. Member Hendrix seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$28,400.91, B&Z \$1,526.17, CO CLK & RCDR \$251.30, ELECTION \$7,023.86, ED SRV REG \$6,112.92, SHRFF \$16,657.47, CRRCTNS \$15,718.32, EMA \$498.15, CRCT CT CLK \$123.37, JURY COMM \$1,627.74, CRCT CT JDG \$5,830.01, CRNR \$187.05, CMB CRT SRV \$693.28, PUB DFNDR \$537.09, ST ATTY \$3,722.08, TRSR \$696.82, EMPLY HLTH INS \$270.45, AUD & ACCT \$20,500.00, PPPOST \$1,155.00, OFF OF ADM SRV \$548.04, GNRL INS & BNDG \$162.00, CO BRD \$1,318.88, TECH SRV \$27,406.61, FAC MGT UTLS \$13,983.69, ECON DEV \$83.38, CO HWY \$66,629.48, CO BRDG \$13,180.85, TRANSPRT SALES TX \$61,124.40, HLTH & HMN SRV \$78,424.70, FRST PRSRV \$4,353.08, ELLIS HS \$746.49, ELLIS GRNDS \$50.00, ELLIS CMPS \$182.50, ELLIS RDNG LSSNS \$337.50, ELLIS BDAY PRTIES \$276.72, SUNRISE CNTR \$441.09, ELLIS WDDNGS \$292.14, ELLIS 5K \$295.00, HOOVER \$1,774.65, ENV ED CMPS \$24.25, ENV ED NTRL BGNNGS \$196.91, ENV ED OTHR PUB PRGMS \$75.43, ENV ED LWS OF NTR \$11.94, NTRL AREA VLNTR \$292.59, GRNDS & NTRL RSRCS \$2,363.33, ANML CNTRL EXPS \$224.10, CO RCDR DOC STRG \$5,591.79, DRG ABS EXP FND \$74.99, HIDTA \$31,293.93, CO CMSSRY FND \$17,088.45, CRT SEC FND \$603.97, LAW LBRY \$5,306.80, PRBTN SRV \$3,041.25, GIS \$116.93, KAT \$46,754.00, ENG/CNSLTG ESCRW \$924.99, PUB SFTY \$96,264.62, SHRFF FTA FND \$1,973.77, VAC \$2,606.00, CRCT CLK OPRTN/ADMN FND \$1,611.50, SHRFF VHCL FND \$75.00, FP BND PRCDs '07 \$8,149.52

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 the coroner claims in the amount not to exceed \$187.05. Member Kellogg seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Audited FY 2016-2017 Financial Statements

Member Cullick moved to accept the audited FY 2016-2017 Financial Statements and Reports by WIPFLI. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Economic Development

Strategic Plan

Member Hendrix moved to approve the Economic Development Strategic Plan. Member Flowers seconded the motion. Chairman Gryder asked for a roll call vote on the motion. Members voting aye include Cullick, Flowers, Gryder, Hendrix, Kellogg and Prochaska. Members voting nay include Davidson, Gilmour and Purcell. **Motion carried 6-3.**

STANDING COMMITTEE MINUTES APPROVAL

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

SPECIAL COMMITTEE REPORTS

VAC

No report.

Juvenile Justice Council

Member Gilmour stated that they are finalizing the plans for the SKY run.

708 Mental Health

Member Gilmour stated that the grant application form has been finalized.

Chairman's Report

Chairman Gryder stated that the preliminary results from the election is that the Aurora Election Commission will be going away.

Chairman Gryder recused himself from the next vote.

Member Purcell moved to approve the appointments. Member Prochaska seconded the motion. Vice Chairman Cullick asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Appointments

James Lee – Morgan Creek Drainage District – 3 year term – expires March 2021
Bob Stewart – Morgan Creek Drainage District – 3 year term – expires March 2021
Rodney Schobert – Morgan Creek Drainage District – 3 year term – expires March 2021
Richard "Shorty" Dickson – Raymond Drainage District – 3 year term – expires March 2021
Dale Konicek – Rob Roy Drainage District – 3 year term – expires March 2021
Steve Jorstad – Big Slough Drainage District – 3 year term – expires March 2021

EXECUTIVE SESSION

Member Gryder 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 an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. Member Flowers seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

ADJOURNMENT

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

Approved and submitted this 4th day of April, 2018.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk
Co Board 3/21/18

COUNTY OF KENDALL, ILLINOIS PROCLAMATION



RESOLUTION _____ - _____

LAW ENFORCEMENT OFFICER WEEK

To recognize National Police Week 2018 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including dedicated members of the Kendall County Sheriff's Office;

WHEREAS, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries;

WHEREAS, since the first recorded death in 1791, over 21,183 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, at least 128 federal, state, and local names of fallen law enforcement heroes are being added to the National Law Enforcement Officers Memorial this spring, sadly reminding us that public safety comes at a very steep price;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund 30th Annual Candlelight Vigil, on the evening of Sunday, May 13, 2018;

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this May 13-19, 2018;

WHEREAS, each year, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families, and U.S. flags should be flown at half-staff;

WHEREAS, the Kendall County Board is grateful for the service and dedication of the 59 Patrol Deputies, 55 Corrections Deputies, 2 K-9 Unit Dogs, 11 Auxiliary Officers and 12 Civilian Staff who serve and protect Kendall County, and for the sacrifices made by their families;

THEREFORE, BE IT RESOLVED that the Kendall County Board formally designates May 13-19, 2018, as **LAW ENFORCEMENT OFFICER WEEK** in Kendall County, and publically salutes the service of law enforcement officers in our county and in communities across the nation.

Adopted by the Kendall County Board on this 17th day of April, 2018

Approved:

Attest:

Scott R. Gryder, County Board Chair

Debbie Gillette, County Clerk & Recorder

**IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT
KENDALL COUNTY, ILLINOIS**

COUNTY OF KENDALL, an Illinois Body Politic,)

Plaintiff,)

-vs-)

Gen. No. 17 ED 14

TERRY L. SEGGEBRUCH, AS TRUSTEE OF)
TERRY L. SEGGEBRUCH TRUST DATED)
APRIL 29, 2009, CAROL R. SEGGEBRUCH, AS)
TRUSTEE OF THE CAROL R. SEGGEBRUCH TRUST)
DATED APRIL 29, 2009, FIRST MIDWEST BANK,)
UNKNOWN OWNERS & NON-RECORD CLAIMANTS,)
Defendants.)

STIPULATION FOR ENTRY OF AGREED FINAL JUDGMENT ORDER

The Plaintiff, COUNTY OF KENDALL ("County"), an Illinois body politic, by its attorney, Eric C. Weis, Kendall County State's Attorney and Defendant property owners TERRY L. SEGGEBRUCH, AS TRUSTEE OF THE TERRY L. SEGGEBRUCH TRUST DATED APRIL 29, 2009, CAROL R. SEGGEBRUCH, AS TRUSTEE OF THE CAROL R. SEGGEBRUCH TRUST DATED APRIL 29, 2009 (the "Seggebruches"), through their attorney Michael W. Ryan, do hereby stipulate and agree that the foregoing cause has been fully compromised and settled, as follows:

1. That the County has authority to exercise the right of eminent domain; that the property sought to be taken herein is subject to the exercise of such right; and that such right is not being improperly exercised in this proceeding.
2. That the parties hereto waive the right to impaneling of a jury for the viewing of the premises and for determination of just compensation and waive their right to appeal.

76 020

3. That the parties stipulate and agree that the sum of NINETEEN THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$19,500.00) constitutes the Final Award of Just Compensation to be paid by the County for a perpetual easement over the subject Parcel with Permanent Index No. 09-31-200-002 legally described in Exhibit "A" hereto, including any and all claims for damages to the remainder property, if any.

4. That, if during the course of Grove Road reconstruction, the County encounters, damages, or disturbs any field tile within the limits of the newly acquired County right-of-way with Permanent Index No. 09-31-200-002, the County will repair or replace any damaged tile, in kind, and shall install an inspection well above the tile at or near its intersection with the right-of-way line.

5. That the County will replace the existing field entrance to the Seggebruches' property from the Grove Road frontage with a wider entrance at the same location. The existing entrance from White Willow Road will remain unchanged.

6. That the parties hereto agree to the entry of an Agreed Final Judgment Order in conformity with this Stipulation, fixing full and final just compensation for the perpetual easement over that portion of the subject Parcel with Permanent Index No. 09-31-200-002, described in Exhibit "A" hereto, and setting forth the conditions and provisions of this Stipulation.

7. That the Seggebruches waive the payment of any interest on the Final Just Compensation amount awarded by the Court for the portion of the subject Parcel with Permanent Index No. 09-31-200-002 described in Exhibit "A" from the date of entry of the Agreed Final Judgment Order to the date of deposit with the County Treasurer.

8. That each party shall bear its own costs and attorneys' fees.

AGREED AND STIPULATED:

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**PLAINTIFF, THE COUNTY OF
KENDALL**

**DEFENDANTS, TERRY L.
SEGGEBRUCH, AS TRUSTEE OF THE
TERRY L. SEGGEBRUCH TRUST
DATED APRIL 29, 2009 and CAROL R.
SEGGEBRUCH, AS TRUSTEE OF THE
CAROL R. SEGGEBRUCH TRUST
DATED APRIL 29, 2009**

Carol R. Seggebruch Trustee

Terry L. Seggebruch Trustee

Office of the Kendall County
State's Attorney
Atty. No. 2000
807 W. John St.
Yorkville, IL 60560
(630) 553-4157

7/15
02

| Kendall County Clerk | | | | |
|--|--------------------------------------|-----------------------|-----------------------|-----------------------|
| Revenue Report | | 3/1/18-3/31/18 | 3/1/17-3/31/17 | 3/1/16-3/31/16 |
| Line Item | Fund | Revenue | Revenue | Revenue |
| | County Clerk Fees | \$691.00 | \$693.00 | \$673.50 |
| | County Clerk Fees - Marriage License | \$870.00 | \$990.00 | \$1,020.00 |
| | County Clerk Fees - Civil Union | \$0.00 | \$30.00 | \$0.00 |
| | County Clerk Fees - Misc | \$2,138.08 | \$2,403.42 | \$1,718.00 |
| | County Clerk Fees - Recording | \$22,931.00 | \$23,800.00 | \$23,153.00 |
| 01010061205 | Total County Clerk Fees | \$26,630.08 | \$27,916.42 | \$26,564.50 |
| 01010001185 | County Revenue | \$30,276.75 | \$25,442.50 | \$24,014.00 |
| 38010001320 | Doc Storage | \$13,822.00 | \$14,252.00 | \$13,876.50 |
| 51010001320 | GIS Mapping | \$23,344.00 | \$24,004.00 | \$23,335.00 |
| 37010001320 | GIS Recording | \$2,918.00 | \$2,996.00 | \$2,911.00 |
| 01010001135 | Interest | \$16.80 | \$25.41 | \$39.29 |
| 01010061210 | Recorder's Misc | \$2,277.00 | \$7,924.00 | \$4,215.00 |
| 81010001320 | RHSP/Housing Surcharge | \$12,438.00 | \$12,474.00 | \$12,123.00 |
| 37210001575 | Tax Certificate Fee | \$1,720.00 | \$1,720.00 | |
| 37210001576 | Tax Sale Fees | \$731.00 | \$60.00 | |
| 37210001577 | Postage Fees | \$453.56 | \$39.54 | |
| | | | | |
| CK # 18427 | To KC Treasurer | \$114,627.19 | \$116,853.87 | \$107,078.29 |
| | | | | |
| Death Certificate Surcharge sent from Clerk's office \$1,376.00 ck # 18426 | | | | |
| Dom Viol Fund sent from Clerk's office \$145.00 ck 18425 | | | | |

Office of Jill Ferko

Kendall County Treasurer & Collector
111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR FOUR MONTHS ENDED 03/31/2018

| <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 | \$86,955 | 21.74% | \$115,406 | 31.19% |
| State Income Tax | \$2,470,000 | \$735,833 | 29.79% | \$964,937 | 40.21% |
| Local Use Tax | \$630,000 | \$253,616 | 40.26% | \$231,523 | 37.04% |
| State Sales Tax | \$550,000 | \$206,320 | 37.51% | \$201,009 | 41.88% |
| County Clerk Fees | \$400,000 | \$105,391 | 26.35% | \$136,696 | 41.42% |
| Circuit Clerk Fees | \$850,000 | \$201,553 | 23.71% | \$204,719 | 21.55% |
| Fines & Foreits/St Atty. | \$380,000 | \$81,844 | 21.54% | \$94,375 | 21.95% |
| Building and Zoning | \$65,000 | \$24,339 | 37.44% | \$21,043 | 33.94% |
| Interest Income | \$86,500 | \$46,687 | 53.97% | \$21,497 | 57.32% |
| Health Insurance - Empl. Ded. | \$1,299,440 | \$365,015 | 28.09% | \$393,069 | 31.05% |
| 1/4 Cent Sales Tax | \$2,950,000 | \$1,056,161 | 35.80% | \$1,014,256 | 34.73% |
| County Real Estate Transf Tax | \$440,000 | \$116,553 | 26.49% | \$131,199 | 33.10% |
| Correction Dept. Board & Care | \$832,200 | \$513,792 | 61.74% | \$265,057 | 30.29% |
| Sheriff Fees | \$245,000 | \$59,718 | 24.37% | \$68,422 | 26.83% |
| TOTALS | \$11,598,140 | \$3,853,777 | 33.23% | \$3,863,208 | 33.90% |
| Public Safety Sales Tax | \$5,068,000 | \$1,839,740 | 36.30% | \$1,792,976 | 35.38% |
| Transportation Sales Tax | \$4,750,000 | \$1,839,740 | 38.73% | \$1,792,976 | 37.75% |

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

EXPENDITURES

All General Fund Offices/Categories

| | | | | |
|---------------------|--------------------|---------------|--------------------|---------------|
| \$28,534,189 | \$8,926,975 | 31.29% | \$9,295,922 | 33.39% |
|---------------------|--------------------|---------------|--------------------|---------------|



KENDALL COUNTY CORONER
— JACQUIE PURCELL —

| Description | ** | Month: March 2018 | Fiscal Year-to-Date | March 2017 |
|--------------------------|----|-------------------|---------------------|------------|
| Total Deaths | | 22 | 102 | 21 |
| Natural Deaths | | 21 | 96 | 19 |
| Accidental Deaths | | 0 | 1 | 1 |
| Pending | * | 1 | 3 | 0 |
| Suicidal Deaths | | 0 | 2 | 1 |
| Homicidal Deaths | | 0 | 0 | 0 |
| Toxicology | | 2 | 7 | 2 |
| Autopsies | | 2 | 7 | 2 |
| Cremation Authorizations | | 12 | 60 | 7 |

PERSONNEL/OFFICE ACTIVITY:

1. Coroner Purcell attended, on March 1, 2018, an ad hoc committee meeting of the Illinois Coroners and Medical Examiner's Association to revise the forensic autopsy protocol.
2. Coroner Purcell and Chief Deputy Coroner Gotte met, on March 2, 2018, with the nursing director at Heritage Woods to establish death reporting guidelines.
3. Coroner Purcell and Chief Deputy Coroner Gotte met, on March 2, 2018, with the nursing director at the Tiller's Nursing Home to establish death reporting guidelines.
4. Coroner Purcell and Chief Deputy Coroner Gotte attended, on March 12, 2018, a FOIA informational meeting to discuss the dynamics of new FOIA software.
5. Coroner Purcell and Chief Deputy Coroner Gotte met, on March 13, 2018, with the nursing director at Hillside Nursing Home to establish death reporting guidelines.
6. Coroner Purcell presented, on March 15, 2018, for Operation Impact at Oswego East High School.
7. Coroner Purcell provided quarterly updates at the March finance committee meeting.
8. Coroner Purcell presented, on March 23, 2018, for the Law Enforcement Class at Oswego East High School.
9. The Coroner's Office Quarterly Full Staff Meeting was held on March 28, 2018.

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 April 9, 2018 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Bob Davidson at 6:33 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Bob Davidson (Chairman), Judy Gilmour, Scott Gryder, and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Dan Kramer, Nick Porter, Mark Antos, Jim Williams, David Lombardo, and Nate Howell

APPROVAL OF AGENDA

Motion by Member Gryder, seconded by Member Gilmour, to approve the agenda as presented. With a voice vote of five ayes, the motion carried.

APPROVAL OF MINUTES

Motion by Member Gilmour, seconded by Member Cullick, to approve the minutes of the March 12, 2018 meeting. With a voice vote of five ayes, the motion carried.

EXPENDITURE REPORT

The Committee reviewed the claims report. Mr. Asselmeier noted that a bill of Eighty-Eight Dollars and Seventy-Eight Cents (\$88.78) was on the report from Automotive Specialties, Inc. for working on the Ford truck. Mr. Asselmeier explained that a squirrel or mouse climbed under the hood and gnawed through one (1) of the electrical wires causing the ABS and parking brake lights to turn on without being engaged.

Motion by Member Gilmour, seconded by Member Cullick, to forward the claims to the Finance Committee. With a voice vote of five ayes, the motion carried.

PUBLIC COMMENT

None

PETITIONS

Petition 18-05-Keith and Kathleen Warpinski's Request for a Map Amendment Rezoning Their Property on the North Side of Walker Road Approximately 0.31 Miles East of Route 47 in Kendall Township (PIN 05-21-400-011) from A-1 to R-1

Mr. Asselmeier summarized the request. Keith and Kathleen Warpinski are requesting a map amendment rezoning the subject property from A-1 to R-1 in order to have the ability to construct a single-family home on their property located approximately zero point three one (0.31) miles east of Route 47 on the north side of Walker Road.

Two (2) houses are located east of the property; one (1) house is located to the south of the property; one (1) house is located west of the property.

Staff recommended approval of the request because the request complied with the future land use map contained in the Land Resource Management Plan.

Petition information was sent to Kendall Township on February 20, 2018. The Kendall Township Planning Commission met on February 7, 2018 and the Township Board met on February 20, 2018. Both bodies recommended denial of the request. No written reason for recommending denial was provided. Kendall Township verbally informed Staff that they would not submit a formal objection to the proposed map amendment.

Petition information was sent to the United City of Yorkville February 20, 2018. The Yorkville Planning and Zoning Commission met on March 14, 2018 and unanimously recommended approval of the proposal. The Yorkville City Council reviewed this proposal on March 27, 2018 and expressed no objections.

ZPAC met on this proposal on March 6, 2018 and unanimously recommended approval.

The Kendall County Regional Planning Commission reviewed this proposal on March 28, 2018. They asked why the petitioners were pursuing a map amendment instead of an A-1 building permit. The petitioners' attorney responded that the publication and notification requirements were stricter for map amendments. Also, the County Board had a similar petitioner in 2017 and favored the map amendment approach instead of an A-1 building permit. The Kendall County Regional Planning Commission unanimously recommended approval of the proposal.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal on April 2nd. The petitioners' attorney was the only person that testified on the proposal; no one from the public submitted comments or questions at the hearing. The Kendall County Zoning Board of Appeals unanimously recommended approval of the request.

Member Gilmour asked why Kendall Township recommended denial of the proposal. Mr. Asselmeier responded that Kendall Township did not want any more houses constructed in the area and questioned how the existing houses were allowed to be constructed.

Member Gryder discussed the farm tile that runs through the property and some neighbors had concerns about flooding.

Member Kellogg asked if the forty (40) acre property to west could divide property and create a new buildable lot. Mr. Asselmeier responded that the Plat Act allows property owners to cut five (5) acres off of a larger property. However, the Kendall County Zoning Ordinance requires two hundred feet (200') of frontage along a road. Also, because no housing allocations exist for the property, the owner would have to rezone the property in order to construct a home.

Dan Kramer, attorney for the petitioner, explained the previous versions of the forty (40) acre rule. Mr. Kramer did not believe the neighboring parcels could be subdivided without going through the subdivision process. He noted the location of the BP gas pipeline on the property; the home would need to be setback approximately two hundred feet (200'). There is small tile on the property. Easements for trails will be preserved on the north and south sides of the property.

Member Gryder asked about Yorkville's plan. Mr. Kramer noted that Yorkville's plan calls for low density residential development.

Motion by Member Gilmour, seconded by Member Gryder, to forward the petition to the County Board.

Yeas (4): Cullick, Davidson, Gilmour, and Gryder
Nays (1): Kellogg
Abstain (0): None
Absent (0): None

The motion carried. Because Kendall Township has not submitted an objection or approval in writing, this matter will go to the County Board on May 15th which is after the formal objection period ends.

Petition 18-10-LaSalle National Trust #47016 Represented by Drew Daniels Requests a Temporary Use Permit to Operate a Temporary Concrete Ready-Mix or Asphalt Plant at 11443 U.S. Route 34, Yorkville, Bristol Township (PINs: 02-30-200-023, 02-19-400-009, and 02-19-400-010)

Mr. Asselmeier summarized the request. The LaSalle National Trust #47016 owns three (3) parcels of the property on the north side of U.S. Route 34 across the street from the Fox Hill Subdivision. Plote Construction Company was awarded the Illinois Department of Transportation, U.S. Route 34 Reconstruction and Widening Project. Plote Construction Company desires to use a portion of the property owned by the LaSalle National Trust #47016 for an onsite concrete plant. At its closest point, the proposed facility will be three hundred eighteen feet (318') from the nearest occupied principal structure which required a variance because this type of facility had to be a minimum one thousand feet (1,000) from the nearest occupied structure.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on April 2nd. One (1) neighbor expressed opposition to the proposal because he believed adequate space existed to move the proposed plant the required distance from occupied principal structures without a variance. The resident also expressed concerns regarding noise and dust. A ten foot (10') noise wall will be constructed on the south side of U.S. Route 34 by the Fox Hill Subdivision. Discussion also occurred regarding setting the start time of crushing until 8:30 a.m. However, the Zoning Board of Appeals decided against that restriction due to labor costs and the noise already caused by the road project. Jason Engberg, Senior Planner for the United City of Yorkville, expressed Yorkville's support of the proposed variance.

The Kendall County Zoning Board of Appeals approved the variance, in part, because, if the variance had been denied, Plote Construction Company would do crushing in the right-of-way closer to the existing homes. The Kendall County Zoning Board of Appeals unanimously approved the requested variance subject to the following conditions:

1. The site shall be developed in accordance with the attached site plan.
2. The Petitioner shall resolve all outstanding alleged Zoning Ordinance violations prior to the commencement of operations.
3. The Petitioner shall secure all applicable permits prior to the construction and use of the proposed plant.

4. The Petitioner shall comply with any restrictions or conditions imposed as part of the temporary use permit.
5. The variance allowed by this Variance Ordinance shall expire at the same time as the temporary use permit expires.
6. Between six inches (6") and twelve inches (12") of top soil be shall hauled onto the concrete crushing area upon conclusion of operations.

Bristol Township has not submitted comments on the proposal.

The proposed use requires a temporary use permit from the Kendall County Planning, Building and Zoning Committee in addition to the proposed variance. Pursuant to Section 4.19 of the Kendall County Zoning Ordinance, the operation of a concrete ready mix or asphalt plant, when necessary or incidental to a major construction project in any Agricultural, Business, or Manufacturing District is a temporary use and must meet the following criteria or obtain a variance:

1. Each such permit shall be valid for a period of not more than one (1) year and shall not be renewed for more than two (2) successive periods at the same location.
2. The plant shall be located a minimum of one thousand (1,000) feet from any occupied principal structure. (Variance Granted 4-4-18 by Kendall County ZBA)
3. All facilities placed or located on the site shall be removed and the site restored to its original condition within the time frame of the permit. The operator of the facility shall guarantee the proper removal of all facilities with good and sufficient security as approved by the Zoning Administrator.
4. The plant shall produce product only for the specific parcel for which the temporary use is permitted. For plants constructed to support a major road project, the plant shall be located adjacent to the roadway.
5. Hours of operation must be 7am-5:30pm Monday thru Saturday unless otherwise permitted.
6. Before the issuance of the temporary use permits, the septic field shall be roped off and the water well shall be clearly staked to allow for the protection of both of these utilities. The areas shall remain marked or roped off through the duration of the project.

Because the requested variance and temporary use permit are sought to expedite a public project on a highly trafficked State-maintained highway, Staff recommended approval of the variance and temporary use permit subject to the following conditions:

1. This temporary use permit shall be valid until December 31, 2019, at the location and configuration shown on the attached site plan marked as Exhibit A.
2. The plant shall be located a minimum of three hundred eighteen feet (318') from any occupied principal structure.
3. All facilities placed or located on the site shall be removed and the site restored to its original condition on or before the expiration date of this temporary use permit. The operator of the facility shall guarantee the proper removal of all facilities with good and sufficient security as approved by the Zoning Administrator.
4. The plant shall produce product only for the U.S. Route 34 project adjacent to the subject property and Eldamain Road U.S. 34 to River Road Project.
5. The hours of operation must be 7am-5:30pm Monday thru Friday.
6. Before the issuance of the temporary use permits, the septic field shall be roped off and the water well shall be clearly staked to allow for the protection of both of these utilities. The areas shall remain marked or roped off through the duration of the project.
7. All outstanding Zoning Ordinance violations shall be resolved prior to the commencement of operations.

8. All applicable permits shall be secured prior to the construction and use of the proposed plant.
9. All restrictions imposed by the variance allowing the operations to be up to three hundred eighteen feet (318') from any occupied principal structure shall be followed.
10. If the variance allowing the operations to be up to three hundred eighteen feet (318') from any occupied principal structure is revoked, this temporary use permit shall be revoked simultaneously.

Chairman Davidson asked if the wells were capped. Nick Porter, Plote Construction Company, said the wells were sealed.

The subdivision south of Route U.S. 34 is inside Yorkville.

Member Gilmour favored the one thousand foot (1,000') distance because of the location and number of nearby homes. Discussion occurred about the noise involved with the project. Mr. Porter said that they will put the operations as far north as they are able. Plote Construction Company is not leasing the tillable area.

The permit will be valid until December 31, 2019.

The sound wall will be permanent and will go west of the subdivision.

Motion by Member Gryder, seconded by Member Kellogg to forward the proposal to the County Board. Mr. Asselmeier informed the Committee that this matter does not go to the County Board; the Committee makes the final determination on temporary use permits. Member Gryder withdrew his motion and Member Kellogg withdrew his second.

Motion by Member Gryder, seconded by Member Kellogg, to approve the temporary use permit with the conditions proposed by Staff.

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

The motion carried.

Petition 18-12-Mary C. Auer's Request for the Revocation of a Special Use Permit for a Gravel Mining Operator Awarded by Ordinance 72-08 on the East Side of West Beecher Road Approximately 2.5 Miles South of Galena Road in Bristol Township (PIN: 02-06-400-005)

Mr. Asselmeier summarized the request. On March 5, 2018, Mary Auer submitted a request to revoke a special use permit for gravel mining on her property located approximately 2.5 miles south of Galena Road on the east side of W. Beecher.

In 2017, through Ordinance 2017-24, the County Board revoked the special use permit for gravel mining on the property immediately to the east of the subject property. Mr. Asselmeier provided a map showing the area in question.

The subject property is zoned A-1 Agricultural. If the special use permit is revoked, the subject properties would retain the A-1 Agricultural zoning classification.

Motion by Member Kellogg, seconded by Member Cullick, to forward the petition to the County Board.

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

The motion carried. This matter will go to the County Board on April 17th.

Amended Petition 17-29-Kendall County Planning, Building and Zoning Committee's Request for a Text Amendment to Section 13.08.H of the Kendall County Zoning Ordinance by Increasing the Notification Requirements for Applications for Special Use Permits on A-1 Agricultural Zoned Property and Clarifying Notification Requirements for Special Use Permits on Properties not Zoned A-1 Agricultural

Mr. Asselmeier summarized the request. At the March 15th Committee of the Whole meeting, the Committee referred Petition 17-29 pertaining to increasing the notification distance for applications for special use permits on A-1 zoned property to one thousand feet (1,000') and requiring that only adjacent property owners be notified of special use applications on properties not zoned A-1 to the Planning, Building and Zoning Committee.

It is Staff's interpretation that the Committee of the Whole would like further review of the notification requirements of specific A-1 special uses. On October 24, 2017, Staff prepared a memo regarding requiring some special uses to have a larger notification area than other special uses in the A-1 Zoning District. This memo, the current list of A-1 special use permits, and maps of specific case studies used for previous meetings were reviewed by the Committee.

The current practice of Kendall County is to require notification of all property owners within five hundred (500') feet of requests for special use permits on properties zoned A-1 and that adjacent property owners are notified of applications for special use permits on properties not zoned A-1. This requirement is not listed in the Kendall County Zoning Ordinance.

On September 11, 2017, the Planning, Building and Zoning Committee originally proposed increasing the notification requirement to two thousand, six hundred feet (2,600). When ZPAC reviewed the original proposal, they requested the Planning, Building and Zoning Committee to amend their proposal. The Planning, Building and Zoning Committee amended the proposal to the proposed one thousand foot (1,000') notification requirement.

ZPAC reviewed the revised proposal on December 5th. The Kendall County Regional Planning Commission reviewed the proposal on January 24th. The Kendall County Zoning Board of Appeals held the public hearing on this proposal on January 29th. All of the advisory board unanimously recommended setting the notification requirement at five hundred feet (500') for special use permits on A-1 zoned property and only adjoining property owners be notified of special use permit applications on non-A-1 zoned property. The record of decision from this hearing and the minutes of all of the advisory committees can be found at https://www.co.kendall.il.us/wp-content/uploads/Petition_17-29.pdf.

The reasons for the recommendation were:

1. A one thousand foot (1,000') requirement was larger than neighboring counties (ZPAC).
2. The cost of Six Dollars and Seventy-Four Cents (\$6.74) to do the mailings to more people would be a burden to petitioners (ZPAC, RPC, ZBA).
3. The added time for the applicant to mail the notices (ZPAC).
4. The added time for Staff to process the additional green cards (ZPAC).
5. No method exists to notify everyone that thinks they should be notified (ZPAC)
6. Anyone could attend the hearing and the testimony of the person that received notice has equal weight as a person that did not receive the notice (ZBA).
7. Neighbors tell neighbors; social media allows neighbors to communicate and mailing the notice is not the only way neighbors find out about hearings (ZBA).

One member of the ZBA favored the proposal in agricultural areas, but did not see how the Department could separate an A-1 zoned area near residential use with an A-1 zoned property in the middle of agricultural lands.

This amended proposal was mailed to each township on December 5th and each township was notified of the recommendation of the Kendall County Zoning Board of Appeals on January 30th. No township filed a formal objection or submitted any comments on the proposal.

The Planning, Building and Zoning Committee reviewed this proposal on March 11th. The PBZ Committee, by a vote of 3-2, approved forwarding the proposal to the Committee of the Whole.

This proposal applies on only special use permit applications, major amendments to special use permits, and non-owner initiated special use revocations.

Discussion occurred about creating a new zoning district. Mr. Asselmeier said that the creation of a new zoning district would require review and update of the Land Resource Management Plan to reflect the location of the new zoning district.

Discussion occurred about reviewing and possibly amending the list of special uses in the A-1 District. The consensus of the Committee was that this review could occur at a later date.

The Committee was concerned that breaking up notification by use could be seen as arbitrary.

Motion by Member Kellogg, seconded by Member Cullick to amend the notification distance for applications for special use permits on A-1 zoned property to seven hundred fifty feet (750').

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

The motion carried.

Motion by Member Davidson, seconded by Member Cullick, to recommend the amended proposal and that the amended proposal be forwarded to the Committee of the Whole.

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

The motion carried. This matter will go to the Committee of the Whole on April 12th.

NEW BUSINESS

Request from the Kendall County Regional Planning Commission to Amend Petition 18-07 Pertaining to Establishing Procedures for Renewing Special Use Permits

Mr. Asselmeier summarized the request. The Kendall County Regional Planning Commission met on March 28th and reviewed Petition 18-07 regarding establishing procedures for renewing special use permits. The PBZ Committee previously approved initiating this text amendment on February 13th.

The Kendall County Regional Planning Commission expressed concerns that the County Board could amend special use permits at the time of renewal or review. The Commission was concerned that such changes could be arbitrary and that business owners could see a loss of their investment if the County Board changed the rules on a special use permit holder. The Commission also did not like the language regarding previous owners in the proposal. The Commission's proposed changes are attached.

The Kendall County Regional Planning Commission also requested that Staff examine the renewal procedures of neighboring counties. DeKalb, Kane, DuPage, and McHenry require renewals to go through the complete special use application process. Grundy County requires special use permits go through the entire process only if a violation occurred. If no violation occurred, then the special use permit was automatically renewed.

Chairman Davidson said that he wanted super majority votes to amend or revoke special use permits. Chairman Davidson requested the input of the Kendall County Regional Planning Commission.

The consensus of the Committee was to keep the language regarding previous owners because businesses can change their legal name or identity.

The consensus of the Committee was to have the Kendall County Regional Planning Commission provide comments and changes.

Approval of Proposal from WBK Engineering for Work Related to the Submittal of the Annual Report for the 2018 NPDES – MS4 Requirements in the Amount of \$1,700 Plus Reimbursable Costs (Costs + 10%)

Mr. Asselmeier summarized the proposal. Kendall County is required to submit certain documents annually as required by its NPDES Permit. The proposed scope of work and costs are the same as the 2017 work.

Motion by Member Gryder, seconded by Member Kellogg, to forward the proposal to the County Board.

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

The motion carried. This matter will go to the County Board on April 17th.

Approval of an Intergovernmental Agreement between the Village of Plattville 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 Plattville for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village of Plattville to the County of Kendall

Mr. Asselmeier summarized the proposal. The intergovernmental agreement between Kendall County and the Village of Plattville expires in June. The Planning, Building and Zoning Department does not propose any changes to the body of the agreement. The Planning, Building and Zoning Department proposes changes to Exhibit A to reflect the transfer of certain powers and duties of the Hearing Officer to the Zoning Board of Appeals.

Unlike the Village of Millbrook, the Village of Plattville agreed to the insurance language contained in the 2016 agreement and included in the 2017 agreement.

Motion by Member Gryder, seconded by Member Cullick, to forward the proposal to the County Board after approval of the Village of Plattville.

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

The motion carried. The proposal will be mailed to the Village of Plattville.

Review and Approval of Fees for Special Use Related Applications to Reflect Transfer of Hearing Authority from the Hearing Officer to the Zoning Board of Appeals

Mr. Asselmeier summarized the proposal. On March 21st, the County Board approved Ordinance 18-04 transferring certain powers and duties from the Hearing Officer to the Zoning Board of Appeals. The existing fee schedule of the Planning, Building and Zoning Department references the Hearing Officer for certain applications. Staff requests that the reference to the Hearing Officer be changed to the Zoning Board of Appeals.

In addition, the Zoning Board of Appeals is currently paid on a per meeting basis regardless of the length of time a hearing occurs. Staff requests that the language regarding the One Hundred Dollars (\$100) for each additional hour be removed from the fee schedule as well.

Motion by Member Kellogg, seconded by Member Gryder, to forward the proposal to the County Board.

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

The motion carried. This matter will go to the County Board on April 17th.

Approval of a Procedure for Prosecuting Ordinance Violations

Mr. Asselmeier read his memo on the subject. The State's Attorney's Office would like the Committee to approve a motion deciding whether alleged planning, building, zoning, and related

violations will go to court or to the Hearing Officer before the State's Attorney's Office starts reviewing the ordinances for corrections.

The County Administrator and the State's Attorney's Office favor sending alleged violations to court. Animal Control recently approved a motion sending their alleged violations to court.

Discussion occurred regarding the work load of the State's Attorney's Office. Administrative adjudication cases can be appealed to court.

Motion by Member Gryder, seconded by Member Cullick, to create a procedure forwarding ordinance violations to the State's Attorney's office for prosecution.

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

The motion carried.

Discussion of Holding a Training Seminar for Township Planning Commissioners and Other Interested Parties

Chairman Davidson suggested that the Planning, Building and Zoning Department hold a training session for township planning commissioners.

Four (4) townships do not have plan commissions.

The suggestion was made to make the information available to the townships instead of having a training session and doing the presentation multiple times a year.

The suggestion was made to send a letter to township supervisors asking them to appoint township planning commissioners and that the County will provide periodic training.

OLD BUSINESS

Approval of a Resolution to Release All Claims on a Bank Account Owned by Whitetail Ridge Golf Club, LLC at First National Bank in the Amount of \$3,000.00 Pursuant to Condition 18 of Ordinance 2016-11 (Granting a Special Use Permit at 9111 Ashley Road in Kendall Township to Operate a Banquet Hall)

Mr. Asselmeier summarized the request. Whitetail Ridge Golf Club, LLC established a bank account at First National Bank in the amount of Three Thousand Dollars (\$3,000) as required by Ordinance 2016-11. The owner of 9092 Ashley Road has not submitted a request for an appraisal or proof that an appraisal occurred. Whitetail Ridge Golf Club, LLC has completed the requirement of the applicable restriction imposed by Ordinance 2016-11 and the County's claims could be withdrawn. At the March meeting, the Committee gave the owners of 9092 Ashley Road an additional month to consider whether or not an appraisal would be pursued.

The consensus of the Committee was to give the owners of 9092 Ashley Road one (1) more month to decide whether or not they would like an appraisal of their property.

Motion by Member Kellogg, seconded by Member Gryder, to have the Planning, Building and Zoning Department send a registered letter to the owners of 9092 Ashley Road indicating that

the Planning, Building and Zoning Committee will issue a recommendation on this issue at the May meeting.

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

The motion carried. This matter will go to the County Board on April 17th.

The Planning, Building and Zoning Department will investigate the allegations stated in Ms. Schnabel's letter.

Approval of Amendments to Petition 17-28 Pertaining to Outdoor Target Practice and Shooting Zoning Regulations

Mr. Asselmeier distributed the email and redlined version of the proposal from the State's Attorney's Office to the Committee and noted that the document was considered attorney-client privilege.

The consensus of the Committee was to have members review the document after the meeting and bring any questions about the State's Attorney's Office comments and suggestions to the May Committee meeting.

Authorize State's Attorney to Initiate Litigation against Mark Antos and Any Other Owners for the Removal of the Culvert Crossing of Aux Sable Creek near 13360 McKanna Road, Minooka, Illinois - Committee Could Also Grant Mr. Antos' Request to Complete Bridge by the End of Spring or Summer 2018

Mr. Asselmeier read the memo from Brian Holdiman on the subject. Mr. Antos requested to have until the end of spring or summer 2018 to complete the bridge.

Mark Antos, owner, said that the weather has not allowed him to pour the deck of the new bridge. Mr. Antos requested time to construct the bridge.

Member Kellogg explained the time it takes at the State's Attorney's Office and courts to prosecute the case. He also expressed concern that the low water crossing was not constructed as originally permitted. Member Kellogg expressed his concerns about the County's liability on this matter.

Mr. Antos noted that the creek has not dried up in recent years. Mr. Antos said completion was getting the deck poured and getting the low water crossing out of the creek.

The consensus of the Committee was to give Mr. Antos until the beginning of June to remove the culvert crossing. Mr. Antos will bring an update to the June 11th Committee meeting with the intention that the project be completed by July 1st.

Planning, Building and Zoning Staffing Issues-Recommendation on Senior Planner Job Description

Mr. Asselmeier provided the redlined version of the job description of the Senior Planner. The Senior Planner would assume the duties of the Zoning Administrator and the Plat Officer. The

Senior Planner would also supervise the part-time staff of the Planning, Building and Zoning Department.

Motion by Member Gryder, seconded by Member Kellogg, to recommend approval of the job description of the Senior Planner as proposed and to place the item on the preliminary agenda at the Committee of the Whole.

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

The motion carried.

Update on 45 Cheyenne Court-Committee Could Approve Forwarding Violation to Either State's Attorney's Office or Hearing Officer

Mr. Asselmeier provided updated information on 45 Cheyenne Court. He noted that the Committee previously approved sending a letter to the owner and the owner responded to that letter. A neighbor expressed concerns regarding the time taken to complete the project.

The consensus of the Committee was to have the Planning, Building and Zoning Department send the owner of 45 Cheyenne Court a letter requesting a timeline for project completion and to invite them to the next meeting to discuss the timeline.

REVIEW VIOLATION REPORT

The Committee reviewed the Violation Report.

Mr. Asselmeier noted that the inoperable vehicle at 190 Boulder Hill Pass, Montgomery was moved the day after the March Planning, Building and Zoning Committee meeting.

REVIEW NON-VIOLATION REPORT

The Committee reviewed the Non-Violation Report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Approval of a Proclamation Declaring May Historic Preservation Month in Kendall County

Mr. Asselmeier noted that the proposed proclamation was the same as last year's proclamation with the exception of the year change. The Historic Preservation Commission would like the proclamation read at the May 1st County Board meeting.

Motion by Member Kellogg, seconded by Member Cullick, to forward the proclamation to the County Board.

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

The motion carried. The proclamation will go to the County Board on May 1st.

REVIEW PERMIT REPORT

The Committee reviewed the permit report.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report.

CORRESPONDENCE

None

PUBLIC COMMENT

Jim Williams, Boulder Hill, commended the Committee for their work. Mr. Williams discussed his efforts to get issued resolved. Discussion occurred about publicizing ordinances.

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

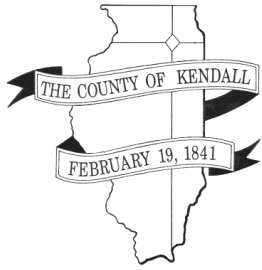
None

ADJOURNMENT

Member Cullick motioned to adjourn, seconded by Member Gilmour. With a voice vote of five ayes, Chairman Davidson adjourned the meeting at 8:40 p.m.

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

Encs.



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: April 11, 2018

Re: Petition 18-12-Partial Repeal of Special Use in for Property Located on the East Side of W. Beecher Approximately 2.5 Miles South of Galena Road in Bristol Township for Gravel Mining

On March 5, 2018, Mary Auer submitted a request to revoke a special use permit for gravel mining on her property located approximately 2.5 miles south of Galena Road on the east side of W. Beecher.

A copy of Ordinance 72-8 which granted a special use permit is attached.

In 2017, through Ordinance 2017-24, the County Board revoked the special use permit for gravel mining on the property immediately to the east of the subject property.

The subject property is zoned A-1 Agricultural. If the special use permit is revoked, the subject properties would retain the A-1 Agricultural zoning classification.

The Planning, Building and Zoning Committee reviewed this proposal at their April 9th meeting. The Committee unanimously recommended forwarding the request to the County Board.

A draft ordinance is also enclosed for your consideration.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Ordinance 72-8
Map Showing Revocation Approved in Ordinance 2017-24
Draft Revocation Ordinance

A-154 after
174 zoning change

ORDINANCE

72-8

com ad ?

Pl. 02-06-400-005 -11-

Pl. 02-06-400-002

02-06-400-006

? com ad. Pl. 02-07-200-003

Pl. 02-07-200-006

AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED

WHEREAS, The old Second National Bank of Aurora, as Trustee

under trust No. 1582, Paul Schultz, August F. Schultz and

Mildred Hanks, and Feltes Gravel Co. and Feltes Land, Inc.

did petition the Zoning Board of Appeals of Kendall County for a

public hearing in the manner required by law and the ordinances

of Kendall County, Illinois for a proposed amendment to the

Kendall County Zoning Ordinance adopted May 10, 1960,

and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice

of a hearing on said proposed amendment to said Zoning Ordinance

as provided by the Statutes of the State of Illinois, and did

then hold a public hearing on said proposed amendment on the

21st day of March, A.D. 1972, on the site described in the petition

and at the conclusion of said hearing said Zoning Board of Appeals

voted in favor of recommending to the Board of Supervisors of

Kendall County, Illinois that the petition be granted and the

zoning maps and ordinance be amended in the manner required by law;

and

WHEREAS, Supervisor Ernest Zeiter did move that the findings of

the Zoning Board of Appeals be accepted and that the property

described in said petition be granted a change in classification

from "A" Agriculture to "M-3" for asphalt and redi-mix plant

and a "Special Use" under agriculture for gravel mining operation

and upon second by James Mann, roll call was taken as follows:

The following voted Aye: Keith Nichols: Harold Christian:

Howard Shoger: James Mann: Charles Sleezer; Ernest Zeiter;

Charles Whitfield: John Stewart: Robert Hacker; Russell Naden.

The following voted Naye: None

Excused: Myron Wormley.

207

M-3
A1-50
multi zoning?

see attached map

NOWTHEREFORE, BE IT ORDAINED by the Board of Supervisors of Kendall County, Illinois that the following described property be and it is hereby rezoned from "A" Agriculture to "M-3" for asphalt and redi-mix plant and a "Special Use" under agriculture for gravel mining operation and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:

PARCEL I

The East ahlf of the Northeast quarter of Section 7 and the Northwest quarter of Section 8, Township 37 North, Range 7 East of the Third Principal Meridian, all in Bristol Township, Kendall County, Illinois. Containing 240 plus acres.

PARCEL II

That part of the West half of the Northeast quarter of Section 7, Township 37 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of said West half for a point of beginning; thence South along the East line of said West half, 724.00 feet; thence West along a line which forms an angle of 89° 36' 21" measured from North to West with the last described line, 874.63 feet; thence North along a line which froms an angle of 90° 35' 33" measured from East to North with the last described line, 709.73 feet to a point in the North line of said West Half; thence East along said North line, 877.11 feet to the point of beginning, all in Bristol Township, Kendall County, Illinois. Containing 14.41 acres.

PARCEL III

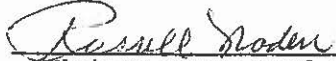
That part of the Southeast quarter of Section 6, Township 37 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of said Southeast quarter; thence East along the South line of said Southeast quearter,

442.89 feet for a point of beginning; thence North along a line which forms an angle of 89° 39' 33" measured from East to North with the easterly extension of the last described line, 1027.0 feet; thence East along a line which forms an angle of 89° 39' 48" measured from South to East with the last described line, 1730.00 feet; thence South along a line which forms an angle of 90° 29' 42" measured from West to South with the last described line, 1006.52 feet to a point in the South line of said Southeast quarter; thence West along the South line of said Southeast quarter, 1732.11 feet to the point of beginning, all in Bristol Township, Kendall County, Illinois. Containing 40.40 acres.

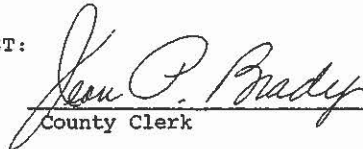
BE IT FURTHER ORDAINED that the above "Special Use" classification shall be expressly made subject to the following conditions:

1. That the foregoing "Special Use" shall be subject to further review of the Zoning Board of Appeals and the Board of Supervisors upon notice directed to the owner of the premises herein described and a proper publication as required by law not less than fifteen days prior to date of hearing.
2. That a green belt must be maintained on the west side of the West Branch of the Rob Roy Creek of a minimum of 100 feet.
3. That the petitioner cooperate with the Bristol Township Road Commissioner on the south end of the site.
4. That the petitioner be subject to an annual inspection and renewal.
5. That a bond of \$50,000 will be required until such time as the State of Illinois makes their rules governing bonding of such areas.

Passed this 11th day of April, 1972.

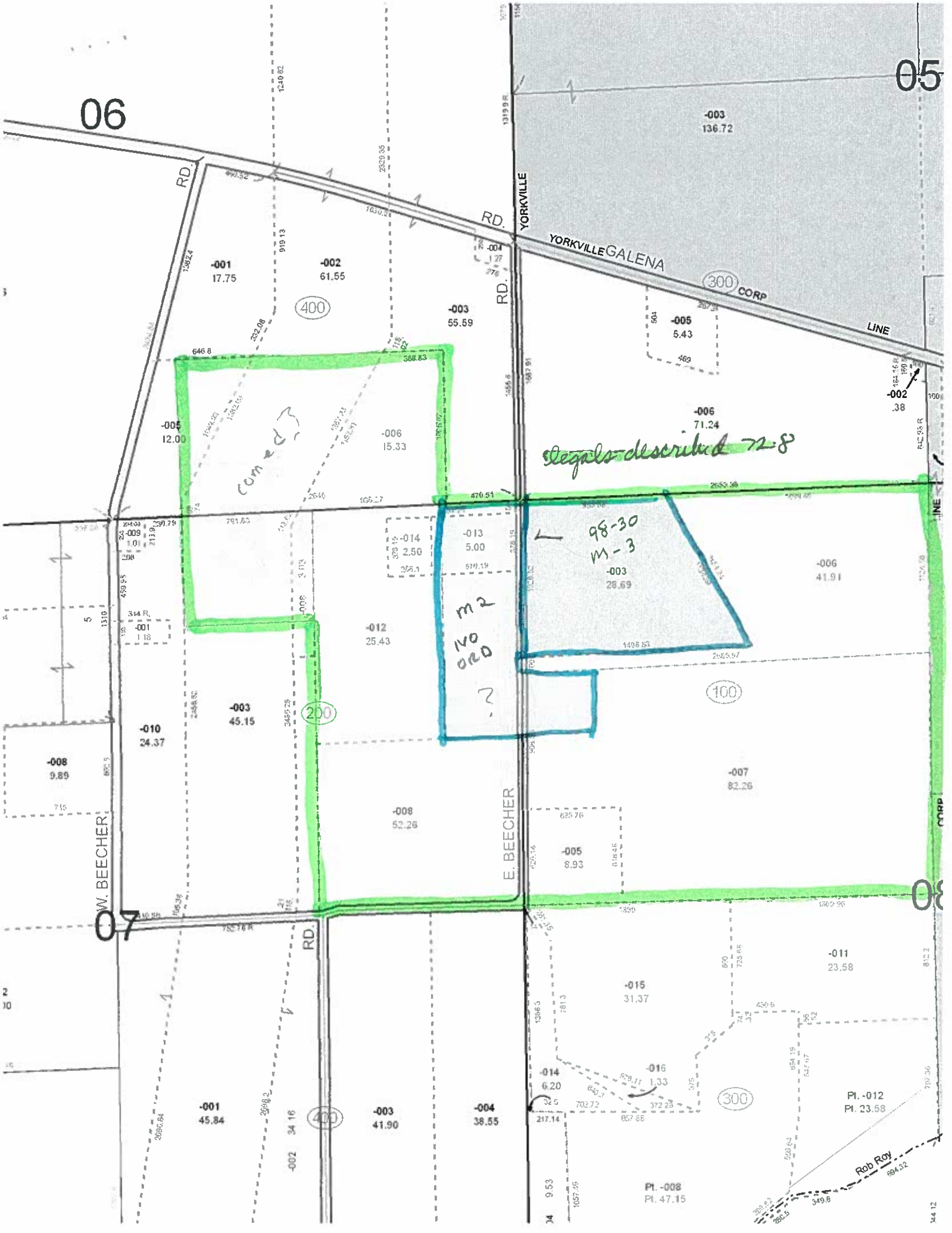

Chairman County Board of Supervisors
Kendall County, Illinois

ATTEST:


County Clerk

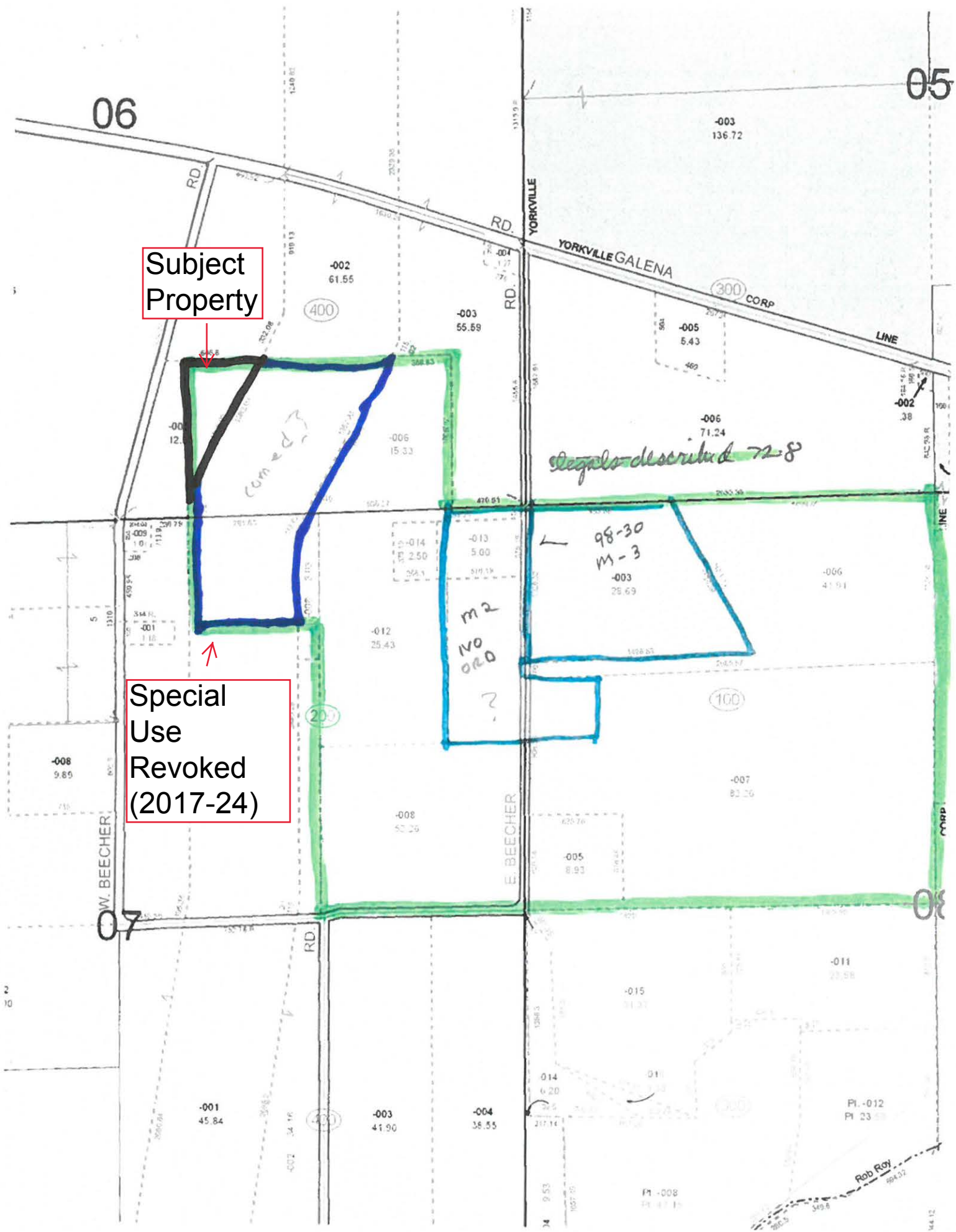
06

05



Subject
Property

Special
Use
Revoked
(2017-24)



ORDINANCE # 2018-_____

REVOKING A SPECIAL USE for
A GRAVEL MINING OPERATION ON PROPERTY OWNED BY MARY C. AUER
APPROXIMATELY 2.5 MILES SOUTH OF GALENA ROAD ON THE EAST SIDE OF
WEST BEECHER ROAD IN BRISTOL TOWNSHIP
(PARCEL ID NUMBER 02-06-400-005)

WHEREAS, the Old Second National Bank of Aurora, as Trustee under trust No. 1582, Paul Schultz, August F. Schultz and Mildred Hankes, and Feltes Gravel Co. and Feltes Land, Inc. petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a gravel mining operation in Sections 6 of Bristol Township, now identified by Parcel Identification Number 02-06-400-005; and

WHEREAS, said property is located on the east side of West Beecher Road approximately 2.5 miles south of Galena Road; and

WHEREAS, said property is legally described in attached document Exhibit “A”; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 72-8 on April 11, 1972; and

WHEREAS, restriction number 4 of the special use permit awarded by Ordinance 72-8 requires the special use be subject to annual inspection and renewal; and

WHEREAS, Mary C. Auer acquired the property in August 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, Mary C. Auer, owner, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit “B” that they voluntarily requests 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 under Ordinance 72-8 for 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 under Ordinance 72-8 for the subject property.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 17th day of April, 2018.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

that part of the Southeast Quarter of Section 6, Township 37 North, Range 7, East of the Third Principal Meridian, described as follows: Beginning at the Southwest Corner said Southeast Quarter;
thence East along the South line of said Southeast Quarter 445.59 feet; thence North along a line forming an angle of 88 degrees 16 Minutes 42 Seconds measured to the left of the last described line of said Section 6, a distance of 99.74 feet to a point which is 99.70 feet perpendicularly distant North of said South line of Section 6; thence Northeasterly along a line forming an angle of 26 degrees 56 minutes 20 seconds to the right of the prolongation of the last described line, a distance of 1049.98 feet to a point which is 1021.04 feet perpendicularly distant North of the South line of said Section 6, thence West along a line forming an angle of 117 Degrees 58 Minutes 59 Seconds to the left of the prolongation of the last described line 646.8 feet to a point on the center line of a road (presently known as West Beecher Road); thence Southwesterly along the center line of said Road, 107306 feet to the point of beginning, all in Kendall County, Illinois.

March 5, 2018

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

I, Mary Auer, am the owner of the parcel 02-06-400-005.

On April 11, 1972, the property was granted a special use (Ordinance 72-08). The special use granted in 1972 was granted for the operation of a gravel mine.

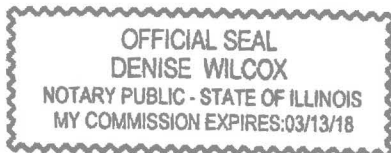
Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the 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.

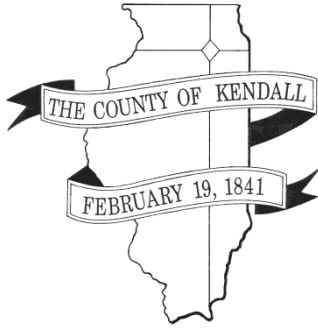
Mary C Auer
(Signature)

3/5/18
(Date)

Mary C Auer
(Printed Name)

Attest: Denise Wilcox
Notary Public





**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: April 11, 2018
Re: Amended Petition 17-29 – Proposed Text Amendments to Section 13.08.H of the Kendall County Zoning Ordinance Increasing the Notification Requirements for Applications for Special Use Permits on the A-1 Agricultural Zoned Property and Clarifying Notification Requirements for Special Use Permits on Properties not Zoned A-1 Agricultural

At the March 15th Committee of the Whole meeting, the Committee referred Petition 17-29 pertaining to increasing the notification distance for applications for special use permits on A-1 zoned property to one thousand feet (1,000') and requiring that only adjacent property owners be notified of special use applications on properties not zoned A-1 to the Planning, Building and Zoning Committee.

It was Staff's interpretation that the Committee of the Whole would like further review of the notification requirements of specific A-1 special uses. On October 24, 2017, Staff prepared the attached memo regarding requiring some special uses to have a larger notification area than other special uses in the A-1 Zoning District.

Also, attached please find the current list of A-1 special use permits. The maps of specific case studies used for previous meetings are also attached.

The Planning, Building and Zoning Committee reviewed this request at their meeting on April 9th. Discussion occurred regarding creating a new zoning district. Concerns were raised that having different notification requirements for different special use permits could be considered arbitrary. The Committee unanimously voted to amend the proposal from a one thousand foot (1,000') notification requirement to a seven hundred fifty foot (750') notification requirement for special use permit requests on properties zoned A-1.

The current practice of Kendall County is to require notification of all property owners within five hundred (500') feet of requests for special use permits on properties zoned A-1 and that adjacent property owners are notified of applications for special use permits on properties not zoned A-1. This requirement is not listed in the Kendall County Zoning Ordinance.

On September 11, 2017, the Planning, Building and Zoning Committee originally proposed increasing the notification requirement to two thousand, six hundred feet (2,600). When ZPAC reviewed the original proposal, they requested the Planning, Building and Zoning Committee to amend their proposal. The Planning, Building and Zoning Committee amended the proposal to the proposed one thousand foot (1,000') notification requirement.

ZPAC reviewed the revised proposal on December 5th. The Kendall County Regional Planning Commission reviewed the proposal on January 24th. The Kendall County Zoning Board of Appeals held the public hearing on this proposal on January 29th. All of the advisory board unanimously recommended setting the notification requirement at five hundred feet (500') for special use permits on A-1 zoned property and only adjoining property owners be notified of special use permit applications on non-A-1 zoned property. The record of decision from this hearing and the minutes of all of the advisory committees can be found at https://www.co.kendall.il.us/wp-content/uploads/Petition_17-29.pdf.

The reasons for the recommendation were:

1. A one thousand foot (1,000') requirement was larger than neighboring counties (ZPAC).
2. The cost of Six Dollars and Seventy-Four Cents (\$6.74) to do the mailings to more people would be a burden to petitioners (ZPAC, RPC, ZBA).
3. The added time for the applicant to mail the notices (ZPAC).
4. The added time for Staff to process the additional green cards (ZPAC).
5. No method exists to notify everyone that thinks they should be notified (ZPAC)
6. Anyone could attend the hearing and the testimony of the person that received notice has equal weight as a person that did not receive the notice (ZBA).
7. Neighbors tell neighbors; social media allows neighbors to communicate and mailing the notice is not the only way neighbors find out about hearings (ZBA).

One member of the ZBA favored the proposal in agricultural areas, but did not see how the Department could separate an A-1 zoned area near residential use with an A-1 zoned property in the middle of agricultural lands.

This amended proposal was mailed to each township on December 5th and each township was notified of the recommendation of the Kendall County Zoning Board of Appeals on January 30th. No township filed a formal objection or submitted any comments on the proposal.

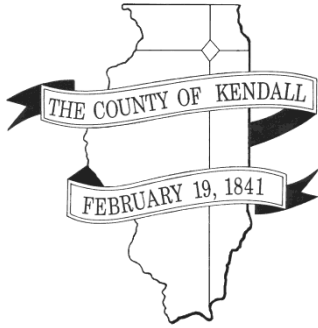
The Planning, Building and Zoning Committee reviewed this proposal on March 11th. The PBZ Committee, by a vote of 3-2, approved forwarding the proposal to the Committee of the Whole.

This proposal applies on only special use permit applications, major amendments to special use permits, and non-owner initiated special use revocations.

If you have any questions prior to the meeting on this topic, please let me know.

MHA

ENC: October 24, 2017 Memo
List of Active A-1 Special Uses
Proposed Ordinance
Map Amendments



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: October 24, 2017
Re: Distance Notification Requirements for Applications for Special Uses in A-1 Zoned Areas

At the September Planning, Building and Zoning Committee meeting, Staff was requested to create a list of special uses in the A-1 District requiring greater notification. Below please find Staff's suggestions for increased notification (i.e. 2,600 feet). The reasons for increased notification are included in parentheses. Uses shown in bold currently do not have any special use permits issued.

1. Airports and Heliports (Noise, Light and Vibrations)
2. **Animal Feed Preparation, Grinding and Mixing** (Noise, Smells and Vibrations)
3. Athletic Fields with Lights (Noise and Light)
4. **Banquet Halls** (Noise)
5. Cemeteries, Including Crematoriums and Mausoleums (Smells and Groundwater Concerns)
6. Child Daycare Facilities (Noise)
7. Communication Uses (Visual)
8. Composting of Landscape Waste and Food (Smells and Visual)
9. **Correctional Facilities** (Noise, Lights and General Safety)
10. Fertilizer Seed and Sales, Including Bulk Storage and Mixing (Smells and General Safety)
11. Grain Storage When Not Accessory to the Pursuit of Agriculture (Noise and Smells)
12. **Kendall County Sheriff's Office Shooting Range** (Noise, Lights, Vibrations and General Safety)
13. Kennels (Noise and Smells)
14. Landscaping Business (Noise and Visual)
15. Outdoor Commercial Sporting Activities Including Swimming Facilities and Motocross Sports (Noise, Lights and Vibrations)
16. Outdoor Target Practice and Shooting (Noise, Lights, Vibrations and General Safety)
17. Paintball Facilities (Noise and Light)
18. Performing Arts Centers (Noise and Light)
19. **Public or Private Telecommunication Hubs, Filtration Plants, Sewage Treatment Plants, Electric Sub-Stations and Similar Uses** (Noise, Smells and Visual)
20. Recreational Camps and Recreation Vehicle Parks (Noise and Lights)
21. Small Poultry and Small Animal Processing Plants (Noise, Smells and Lights)
22. Storage Facilities for Motor Vehicles, Boats, Trailers and Other Recreational Vehicles (Lights and Visual)
23. Telecommunication Stations (Visual)
24. **Wind Farm, Commercial** (Noise and Visual)

Staff suggests that the following uses not be required to have increased notification. Uses shown in bold currently do not have any special use permits issued.

1. **Adult Day Care or Respite Care**
2. **Agency Licensed Family Residential Care Homes – Transitional Halfway House**
3. **Agency Licensed Group Residential Care Home – Permanent**
4. Agricultural Implement Sales and Service
5. **Auction Facilities**
6. **Bait Shop with Items Not Produced on the Property**
7. Bed and Breakfast Establishments
8. Cleanup and Restoration Services
9. Golf Courses, Club Houses, Country Clubs and Membership Riding Clubs
10. Governmental Buildings and Facilities
11. **Group Homes (The 1 Group Home is Requesting Revocation of Special Use Permit)**
12. **Halfway House**
13. **Hospice**
14. **Indoor Target Practice**
15. Micro Distillery
16. **Nano Brewery (Nano Brewery is Part of Another Special Use)**
17. Office of Professional Services
18. Parks
19. **Philanthropic Institutions and Institutions Supported by Charity**
20. Places of Worship
21. **Private Clubs or Lodges Not Including Gun Clubs or Regulated Uses**
22. Production and Sale of Ciders, Jams, Jellies and Similar Uses
23. Retail or Wholesale Yards for Agricultural Products Not Grown on the Premises
24. **Retail or Wholesale Sale of Pottery, Art and Home Décor in a Tea Room or Sit-Down Food Sale Area**
25. Riding Stables and Other Horse Related Uses
26. **Service Clubs**
27. Veterinary Establishments

Member Kellogg also suggested a larger notification distance for Ready-Mix Cement Plants, Gravel Mining and Sanitary Landfill. These uses are no longer special uses in the A-1 District. The locations of these existing uses are considered lawfully non-conforming.

The A-1 Zoning Map is attached for your reference.

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

MHA

ENC: A-1 Zoning Map

ORDINANCE # 2018-_____

**TEXT AMENDMENT TO SECTION 13.08.H OF THE KENDALL COUNTY
ZONING ORDINANCE INCREASING THE NOTIFICATION REQUIREMENTS
FOR APPLICATIONS FOR SPECIAL USE PERMITS ON PROPERTIES ZONED A-
1 AGRICULTURAL DISTRICT**

WHEREAS, Kendall County historically required that property owners seeking applications for special use permits on A-1 Agricultural zoned properties notify neighboring property owners within five hundred feet (500') of the property subject to the special use application by certified mail return receipt within at least fifteen (15) days prior to the public hearing; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee requested a text amendment to Section 13.08.H of the Kendall County Zoning Ordinance related to the notification of neighboring property owners in cases of special use permit applications on A-1 Agricultural zoned properties; and

WHEREAS, the Kendall County Board amends this ordinance from time to time in the public interest; and

WHEREAS, 55 ILCS 5/5-12009.5 defines the notification requirements for hearings on special use applications; and

WHEREAS, the Kendall County Board adopted Ordinance 2011-01 on January 18, 2011 setting the notification requirement at five hundred (500') feet in cases of map amendment and text amendment applications on A-1 Agricultural zoned property;

WHEREAS, the current language of Section 13.08.H of the Kendall County Zoning Ordinance does not specifically state a notification requirement for applications for special use permits; and

WHEREAS, all administrative procedures required prior to passing text amendments to the Kendall County Zoning Ordinance have been followed, including holding a public hearing, before the Kendall County Zoning Board of Appeals, which occurred on January 29, 2018; and

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Section 13.08.H of the Kendall County Zoning Ordinance as provided:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: The second paragraph of Section 13.08.H is hereby deleted and replaced with the following:

“In addition to any other notice required by this Section, the Zoning Board of Appeals must give at least fifteen (15) days notice before the hearing to any municipality whose boundaries are within 1-1/2 miles of any part of the property proposed as a special use. If the property is zoned A-1, the applicant shall provide notice of the public hearing at least fifteen (15) days prior to the hearing date by certified mail return receipt requested to the property owner of record for all parcels within seven hundred fifty feet (750’), excluding road right-of-way, of the parcel subject to the special use permit application. For all other zoning categories, only adjacent properties must be notified via certified mail return receipt requested. The petitioner or applicant must pay the costs of the publication of the notices required by this Section.”

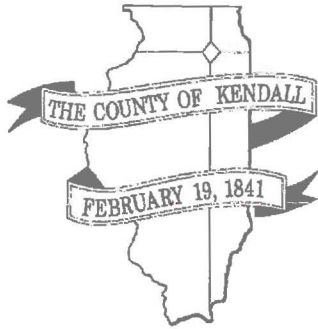
- III. Any completed application for a special use permit, major amendment to a special use permit, or non-owner initiated special use permit revocation lawfully submitted prior to the adoption of this ordinance shall follow the rules and procedures for notification of public hearings in place on the date the application was submitted.

IN WITNESS OF, this amendment to the Zoning Ordinance has been enacted by a majority vote of the Kendall County Board this 17th day of April, 2018.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder



**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: April 11, 2018
Re: Amended Petition 17-29 – Proposed Text Amendments to Section 13.08.H of the Kendall County Zoning Ordinance Increasing the Notification Requirements for Applications for Special Use Permits on the A-1 Agricultural Zoned Property and Clarifying Notification Requirements for Special Use Permits on Properties not Zoned A-1 Agricultural

At the March 15th Committee of the Whole meeting, the Committee referred Petition 17-29 pertaining to increasing the notification distance for applications for special use permits on A-1 zoned property to one thousand feet (1,000') and requiring that only adjacent property owners be notified of special use applications on properties not zoned A-1 to the Planning, Building and Zoning Committee.

It was Staff's interpretation that the Committee of the Whole would like further review of the notification requirements of specific A-1 special uses. On October 24, 2017, Staff prepared the attached memo regarding requiring some special uses to have a larger notification area than other special uses in the A-1 Zoning District.

Also, attached please find the current list of A-1 special use permits. The maps of specific case studies used for previous meetings are also attached.

The Planning, Building and Zoning Committee reviewed this request at their meeting on April 9th. Discussion occurred regarding creating a new zoning district. Concerns were raised that having different notification requirements for different special use permits could be considered arbitrary. The Committee unanimously voted to amend the proposal from a one thousand foot (1,000') notification requirement to a seven hundred fifty foot (750') notification requirement for special use permit requests on properties zoned A-1.

The current practice of Kendall County is to require notification of all property owners within five hundred (500') feet of requests for special use permits on properties zoned A-1 and that adjacent property owners are notified of applications for special use permits on properties not zoned A-1. This requirement is not listed in the Kendall County Zoning Ordinance.

On September 11, 2017, the Planning, Building and Zoning Committee originally proposed increasing the notification requirement to two thousand, six hundred feet (2,600). When ZPAC reviewed the original proposal, they requested the Planning, Building and Zoning Committee to amend their proposal. The Planning, Building and Zoning Committee amended the proposal to the proposed one thousand foot (1,000') notification requirement.

ZPAC reviewed the revised proposal on December 5th. The Kendall County Regional Planning Commission reviewed the proposal on January 24th. The Kendall County Zoning Board of Appeals held the public hearing on this proposal on January 29th. All of the advisory board unanimously recommended setting the notification requirement at five hundred feet (500') for special use permits on A-1 zoned property and only adjoining property owners be notified of special use permit applications on non-A-1 zoned property. The record of decision from this hearing and the minutes of all of the advisory committees can be found at https://www.co.kendall.il.us/wp-content/uploads/Petition_17-29.pdf.

The reasons for the recommendation were:

1. A one thousand foot (1,000') requirement was larger than neighboring counties (ZPAC).
2. The cost of Six Dollars and Seventy-Four Cents (\$6.74) to do the mailings to more people would be a burden to petitioners (ZPAC, RPC, ZBA).
3. The added time for the applicant to mail the notices (ZPAC).
4. The added time for Staff to process the additional green cards (ZPAC).
5. No method exists to notify everyone that thinks they should be notified (ZPAC)
6. Anyone could attend the hearing and the testimony of the person that received notice has equal weight as a person that did not receive the notice (ZBA).
7. Neighbors tell neighbors; social media allows neighbors to communicate and mailing the notice is not the only way neighbors find out about hearings (ZBA).

One member of the ZBA favored the proposal in agricultural areas, but did not see how the Department could separate an A-1 zoned area near residential use with an A-1 zoned property in the middle of agricultural lands.

This amended proposal was mailed to each township on December 5th and each township was notified of the recommendation of the Kendall County Zoning Board of Appeals on January 30th. No township filed a formal objection or submitted any comments on the proposal.

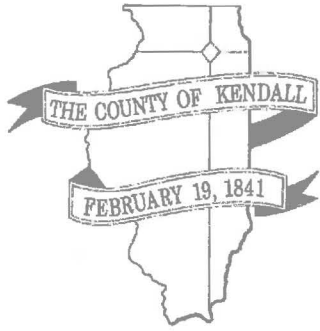
The Planning, Building and Zoning Committee reviewed this proposal on March 11th. The PBZ Committee, by a vote of 3-2, approved forwarding the proposal to the Committee of the Whole.

This proposal applies on only special use permit applications, major amendments to special use permits, and non-owner initiated special use revocations.

If you have any questions prior to the meeting on this topic, please let me know.

MHA

ENC: October 24, 2017 Memo
List of Active A-1 Special Uses
Proposed Ordinance
Map Amendments



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: PBZ Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: October 24, 2017
Re: Distance Notification Requirements for Applications for Special Uses in A-1 Zoned Areas

At the September Planning, Building and Zoning Committee meeting, Staff was requested to create a list of special uses in the A-1 District requiring greater notification. Below please find Staff's suggestions for increased notification (i.e. 2,600 feet). The reasons for increased notification are included in parentheses. Uses shown in bold currently do not have any special use permits issued.

1. Airports and Heliports (Noise, Light and Vibrations)
2. **Animal Feed Preparation, Grinding and Mixing** (Noise, Smells and Vibrations)
3. Athletic Fields with Lights (Noise and Light)
4. **Banquet Halls** (Noise)
5. Cemeteries, Including Crematoriums and Mausoleums (Smells and Groundwater Concerns)
6. Child Daycare Facilities (Noise)
7. Communication Uses (Visual)
8. Composting of Landscape Waste and Food (Smells and Visual)
9. **Correctional Facilities** (Noise, Lights and General Safety)
10. Fertilizer Seed and Sales, Including Bulk Storage and Mixing (Smells and General Safety)
11. Grain Storage When Not Accessory to the Pursuit of Agriculture (Noise and Smells)
12. **Kendall County Sheriff's Office Shooting Range** (Noise, Lights, Vibrations and General Safety)
13. Kennels (Noise and Smells)
14. Landscaping Business (Noise and Visual)
15. Outdoor Commercial Sporting Activities Including Swimming Facilities and Motocross Sports (Noise, Lights and Vibrations)
16. Outdoor Target Practice and Shooting (Noise, Lights, Vibrations and General Safety)
17. Paintball Facilities (Noise and Light)
18. Performing Arts Centers (Noise and Light)
19. **Public or Private Telecommunication Hubs, Filtration Plants, Sewage Treatment Plants, Electric Sub-Stations and Similar Uses** (Noise, Smells and Visual)
20. Recreational Camps and Recreation Vehicle Parks (Noise and Lights)
21. Small Poultry and Small Animal Processing Plants (Noise, Smells and Lights)
22. Storage Facilities for Motor Vehicles, Boats, Trailers and Other Recreational Vehicles (Lights and Visual)
23. Telecommunication Stations (Visual)
24. **Wind Farm, Commercial** (Noise and Visual)

Staff suggests that the following uses not be required to have increased notification. Uses shown in bold currently do not have any special use permits issued.

1. **Adult Day Care or Respite Care**
2. **Agency Licensed Family Residential Care Homes – Transitional Halfway House**
3. **Agency Licensed Group Residential Care Home – Permanent**
4. Agricultural Implement Sales and Service
5. **Auction Facilities**
6. **Bait Shop with Items Not Produced on the Property**
7. Bed and Breakfast Establishments
8. Cleanup and Restoration Services
9. Golf Courses, Club Houses, Country Clubs and Membership Riding Clubs
10. Governmental Buildings and Facilities
11. **Group Homes (The 1 Group Home is Requesting Revocation of Special Use Permit)**
12. **Halfway House**
13. **Hospice**
14. **Indoor Target Practice**
15. Micro Distillery
16. **Nano Brewery (Nano Brewery is Part of Another Special Use)**
17. Office of Professional Services
18. Parks
19. **Philanthropic Institutions and Institutions Supported by Charity**
20. Places of Worship
21. **Private Clubs or Lodges Not Including Gun Clubs or Regulated Uses**
22. Production and Sale of Ciders, Jams, Jellies and Similar Uses
23. Retail or Wholesale Yards for Agricultural Products Not Grown on the Premises
24. **Retail or Wholesale Sale of Pottery, Art and Home Décor in a Tea Room or Sit-Down Food Sale Area**
25. Riding Stables and Other Horse Related Uses
26. **Service Clubs**
27. Veterinary Establishments

Member Kellogg also suggested a larger notification distance for Ready-Mix Cement Plants, Gravel Mining and Sanitary Landfill. These uses are no longer special uses in the A-1 District. The locations of these existing uses are considered lawfully non-conforming.

The A-1 Zoning Map is attached for your reference.

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

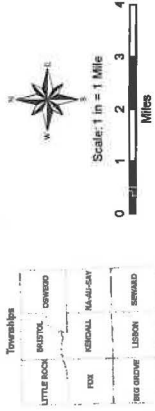
MHA

ENC: A-1 Zoning Map

ZONING MAP : A1-SU & A1-SU-BP KENDALL COUNTY

- 2016 -

<http://www.co.kendall.il.us>

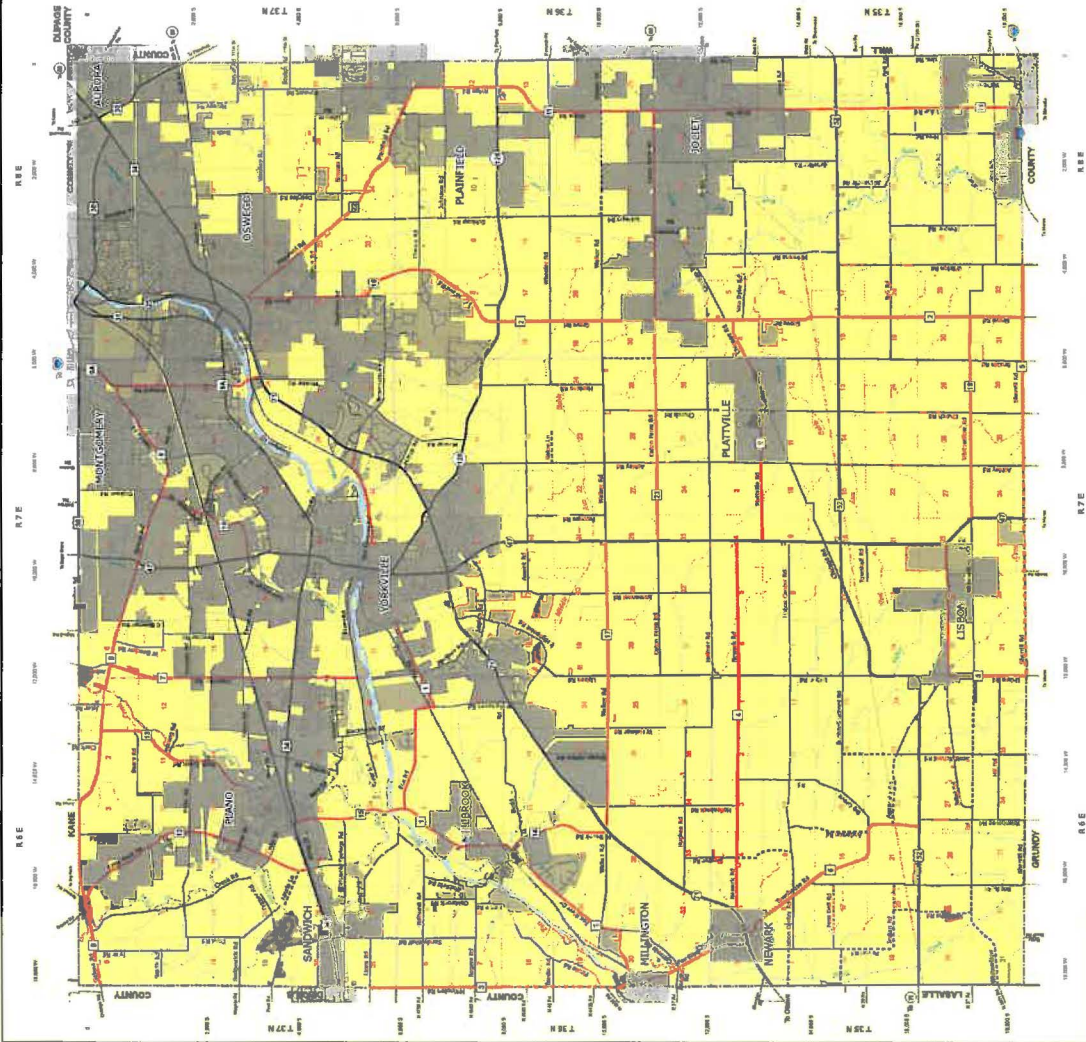


Legend

- ADJACENT COUNTY
- COUNTY
- INTERSTATE
- STATE
- NATIONAL
- STATE
- LOCAL
- RAILROAD
- AIRPORT
- POLITICAL TERRITORY
- COUNTY FOREST PRESERVE
- STATE PARK
- A1-SU-A1-SU-BP
- All Other Comprehensive

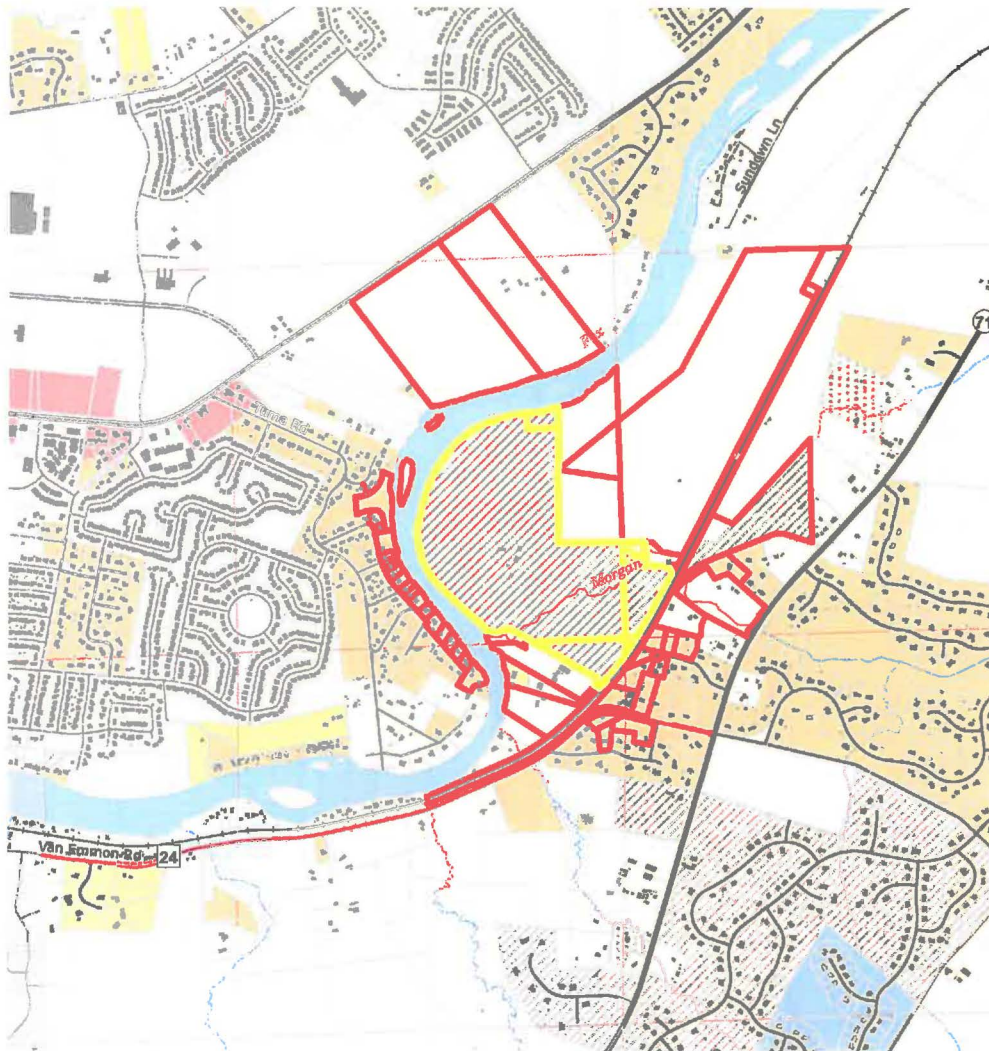


Kendall County GIS
111 West Park Drive • Bloomington, IL 61709
Phone: 309-234-4000



| # of them | Type of Special Use |
|-----------|--|
| 0 | Adult Day Care or Respite Care |
| 0 | Agency Licensed Family Residential Care Homes - Transitional Halfway house |
| 0 | Agency Licensed Group Residential Care Home- Permanent |
| 8 | Agricultural Implement Sales and Service |
| 8 | Airports and Heliports (Public and Private) Including Aircraft Hangers, Tie Downs and Aircraft Service and Repair |
| 0 | Animal Feed; Preparation, Grinding, Mixing and Storage |
| 1 | Athletic Field with Lights |
| 0 | Auction Facility |
| 0 | Bait Shop with Items Not Produced on the Property |
| 5 | Banquet Halls |
| 2 | Bed and Breakfast Establishments |
| 4 | Cemeteries, Including Crematoriums and Mausoleums |
| 2 | Child Day Care Facilities |
| 1 | Clean Up and Restoration Services |
| 3 | Communication Use |
| 1 | Composting of Landscape Waste and Food Waste |
| 0 | Correctional Facilities |
| 3 | Fertilizer and Seed Sales, Including Bulk Storage and Mixing |
| 1 | Golf Courses, Club Houses, Country Clubs, and Membership Riding Clubs |
| 3 | Governmental Buildings and Facilities |
| 3 | Grain Storage, When Not Accessory to the Pursuit of Agriculture. |
| 0 | Group Homes |
| 0 | Halfway House |
| 0 | Hospice |
| 0 | Indoor Target Practice |
| 0 | Kendall County Sheriff's Office Shooting Range |
| 5 | Kennels |
| 9 | Landscaping Business |
| 2 | Micro Distillery |
| 0 | Nano Breweries |
| 1 | Offices of Architects, Brokers, Engineers, Insurance Agents, Lawyers, Real Estate Agents, Planners and Other Professionals, Medical and Dental Practitioners, Clergy, Salesmen, Sales Representatives or Manufacturing Representatives |
| 2 | Outdoor Commercial Sporting Activities Including but not limited to Swimming Facilities and Motocross Sports. |
| 3 | Outdoor Target Practice or Shooting |
| 1 | Paintball Facilities |
| 1 | Parks |
| 1 | Performing Arts Center |
| 0 | Philanthropic Institutions and Institutions Supported by Charity |
| 12 | Places of Worship |
| 0 | Public or Private Utilities and Service uses: Telecommunication Hub, Filtration Plant, Sewage Treatment Plant, Electric Substations and Similar Uses |
| 0 | Private Clubs or Lodges Not Including Indoor or Outdoor Gun Clubs and Regulated Uses |
| 1 | Production and Sale of Sweet Cider, Hard Cider, Wine, Jams, Wine Jams, Jellies, Pies, Pickles, Honey, Sauces and Similar Items Utilizing Crops Grown on the Same Property or in Combination with Crops Grown Off-Site Where Such Production Takes Place on the Premises. |
| 5 | Recreational Camps and Recreational Vehicle Parks |
| 9 | Retail or Wholesale Sales Yards for Agricultural Products That Are Not Grown on the Premises |
| 0 | Retail or Wholesale Sale of Pottery, Art, or Home Décor Products, Alone or Together with the Operation of a Tea room, Sit-Down Food Sale Area for Food Sales On-Premises Incidental to the Operation of the Primary Retail Sales Use |
| 10 | Riding Stables and Other Horse Related Uses |
| 0 | Service Clubs |
| 2 | Small Poultry & Small Animal Processing Plant |
| 4 | Storage Facilities for Motor Vehicles, Boats, Trailers, and Other Recreational Vehicles |
| 6 | Telecommunications Stations |
| 1 | Veterinary establishments |
| 0 | Wind Farms, Commercial |
| 2 | Auto, Truck and Tractor Repair |
| 2 | Ag Labor Housing |
| 1 | Watchman's Quarters |
| 2 | Residential Use |
| 1 | Electromagnetic Compatibility Testing |
| 1 | Training Facility for AT&T |
| 1 | Farmers Market, Winery, Bakery and Corn Maze |
| 1 | For Profit Business |
| 2 | Gas Distribution Facility |
| 1 | Manufacture of Plaster or Cement Mantels |
| 1 | Ready-Mix Cement Plant |
| 9 | Private School |
| 1 | Truck Driving School |
| 1 | Radio Testing Facility |
| 9 | Gravel Mining |
| 1 | Mink Housing |
| 1 | Industrial Uses |
| 1 | Welding |
| 1 | Museum (Farnsworth House) |
| 1 | Sanitary Landfill |
| 6 | Unknown |

154 Total
Updated 1/26/18



Created using ArcView Desktop 3.2a through 1/23/2017

Buffer Scenario **500 ft** **Bristol Twp** **KENDALL COUNTY** **- 2018 -**

<http://www.co.kendall.il.us>



Townships



Scale: 1 in = 700 feet



Legend

- Subject Property
- 500 ft - 63 Parcels x \$6.74=\$424.62



Kendall County GIS
 121 West Van Buren - Room 248
 Yorkville, Illinois 60550-1105
 609.562.6622

00000 00/00/2014

**Buffer Scenario
1000 ft
Bristol Twp
KENDALL COUNTY**

- 2018 -

<http://www.co.kendall.il.us>



Scale: 1 in = 700 feet



Legend

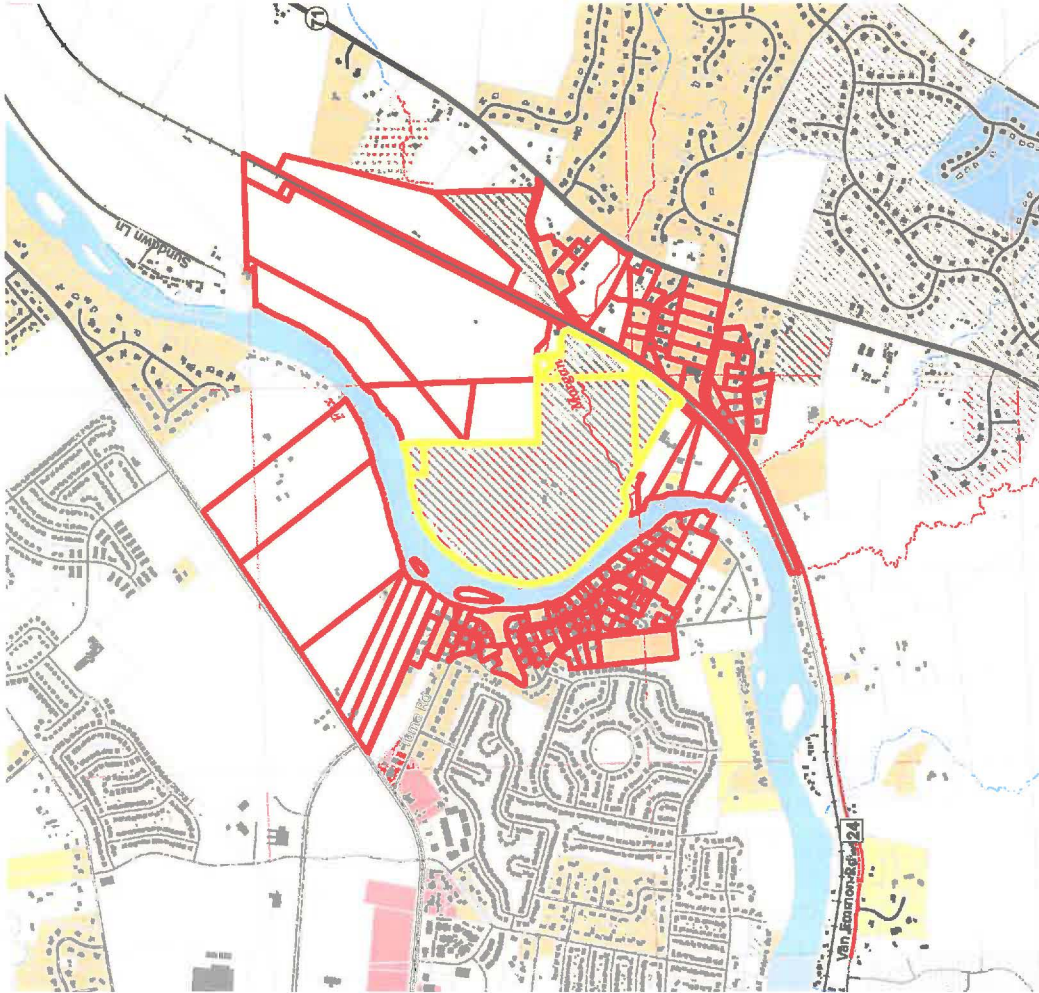
- Subject Property
- 1000 ft - 155 Parcels x \$8.74=\$1,044.70



Kendall County GIS
111 West Park Street, Suite 100
Mokena, IL 60459
(815) 486-2000

Created: 10/15/2018

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Buffer Scenario
2600 ft
Bristol Twp
KENDALL COUNTY

- 2018 -

<http://www.co.kendall.il.us>



Scale: 1 in = 700 feet



Legend

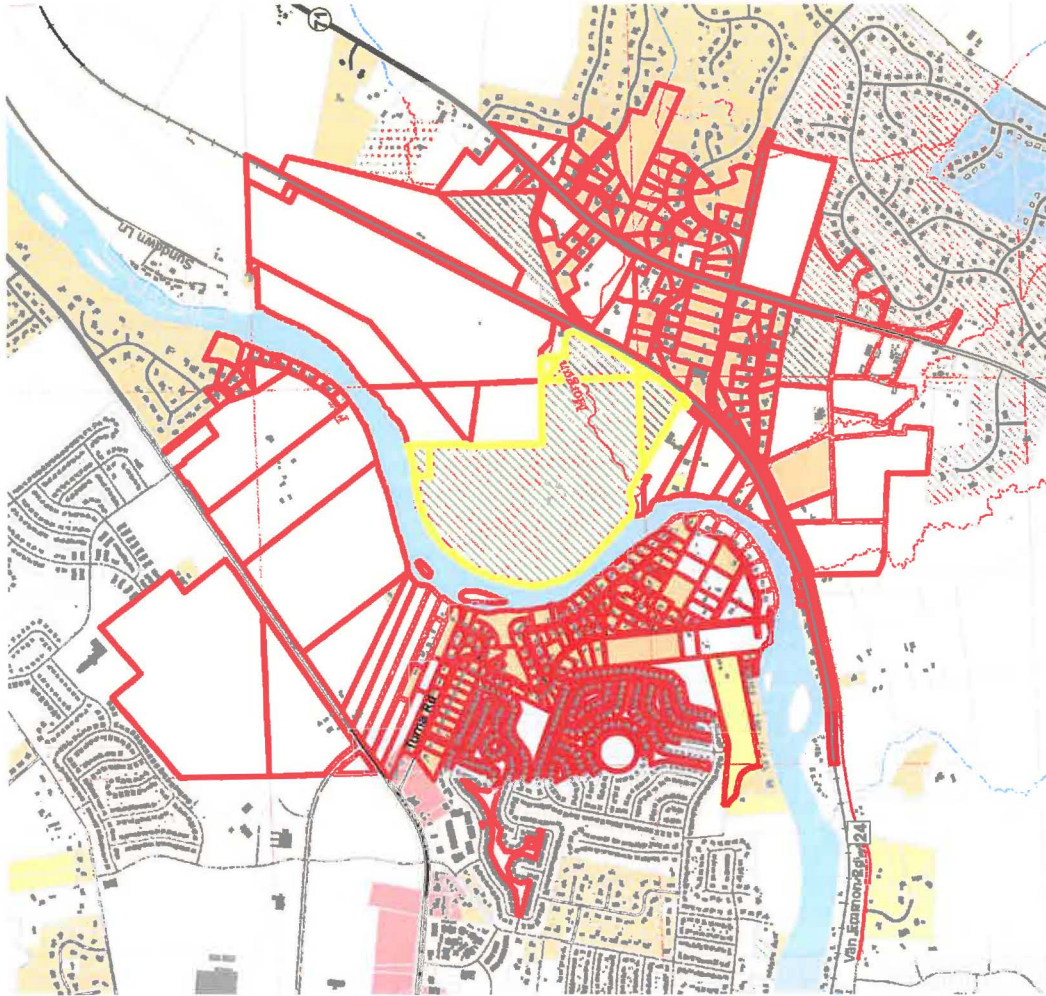
- Subject Property
- 2600 ft - 537 Parcels x \$6.74-\$3,619.38



Kendall County GIS
 115 West Washington Street, 2nd Floor
 Joliet, IL 61780
 815.724.2000

06/07/2018 10:00 AM

Created by: GIS/Map Services, Date: 06/07/2018

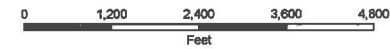


**Buffer Scenario
500 ft
Oswego Twp
KENDALL COUNTY
- 2018 -**

<http://www.co.kendall.il.us>

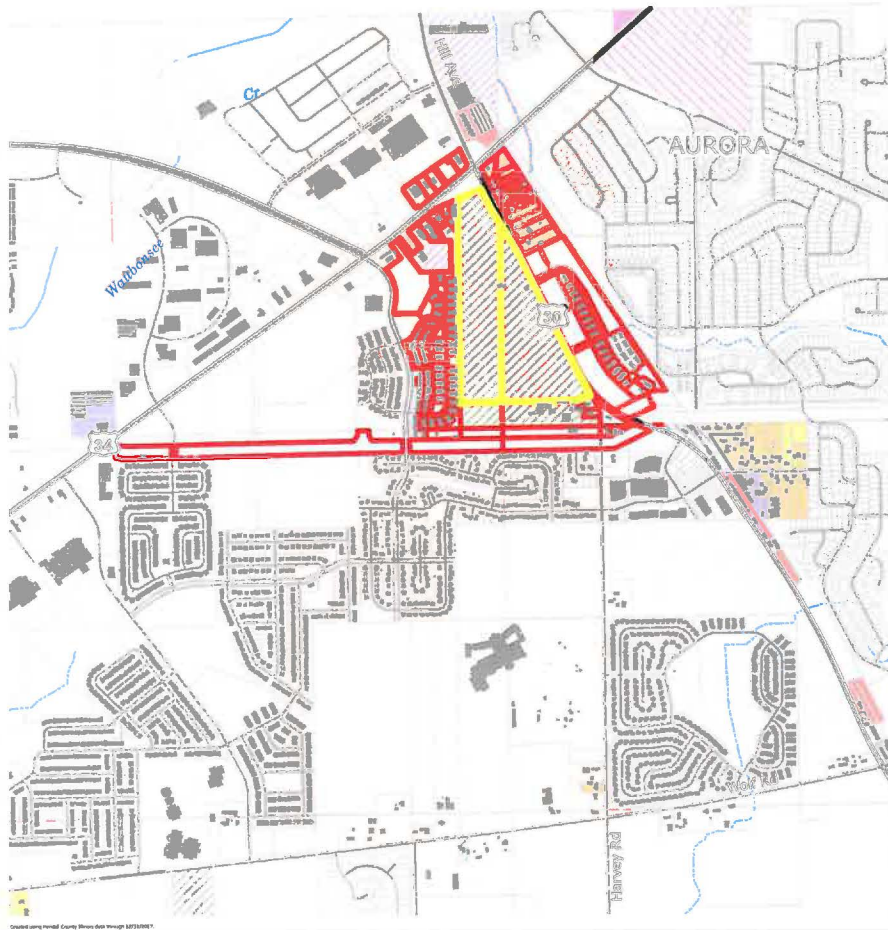


Scale: 1 in = 700 feet



Legend

- Subject Property
- 500 ft - 341 Parcels x \$6.74=\$2,298.34



Kendall County GIS

111 West Main Street - Room 200
Yorkville, Illinois 62550-1100
618.282.4000

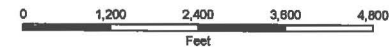
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**Buffer Scenario
1000 ft
Oswego Twp
KENDALL COUNTY
- 2018 -**

<http://www.co.kendall.il.us>

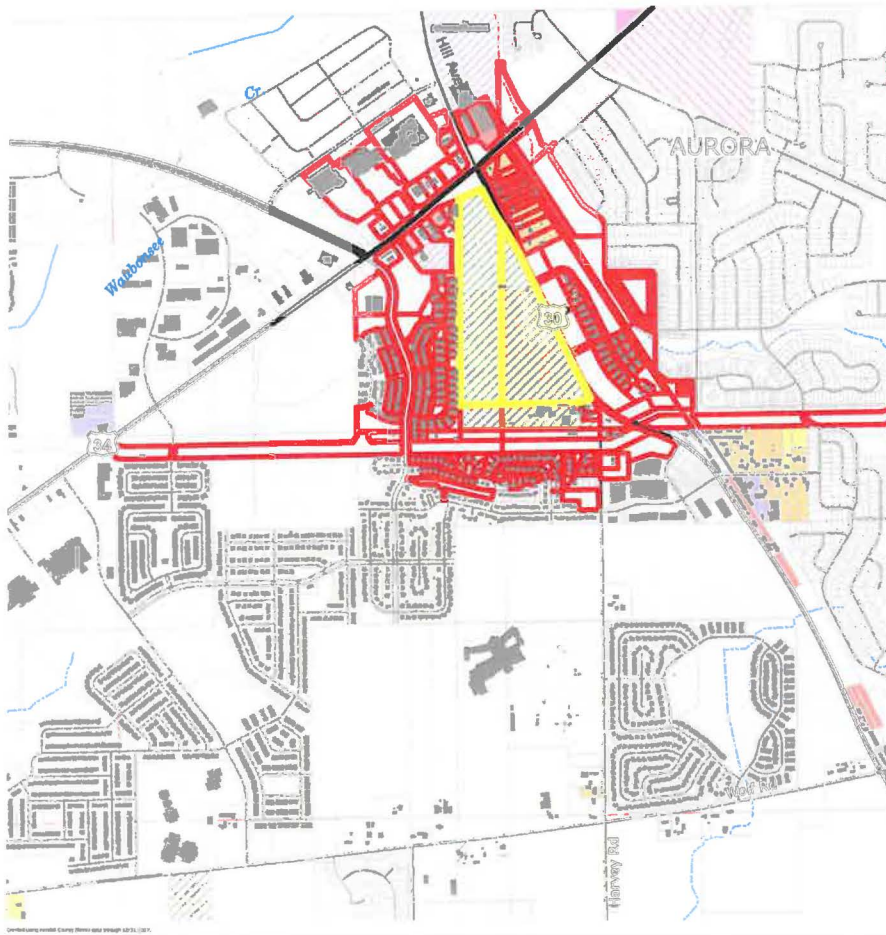


Scale: 1 in = 700 feet



Legend

- Subject Property
- 1000 ft - 598 Parcels x \$6.74=\$4,030.52



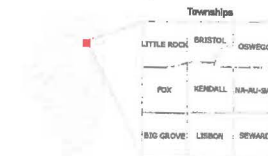
Kendall County GIS

111 West Pike Street - Room 200
Yorkville, Illinois 62450-1400
618.838.6600

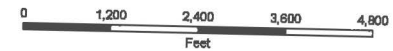
DATE: 10/20/2018

**Buffer Scenario
2600 ft
Oswego Twp
KENDALL COUNTY
- 2018 -**

<http://www.co.kendall.il.us>

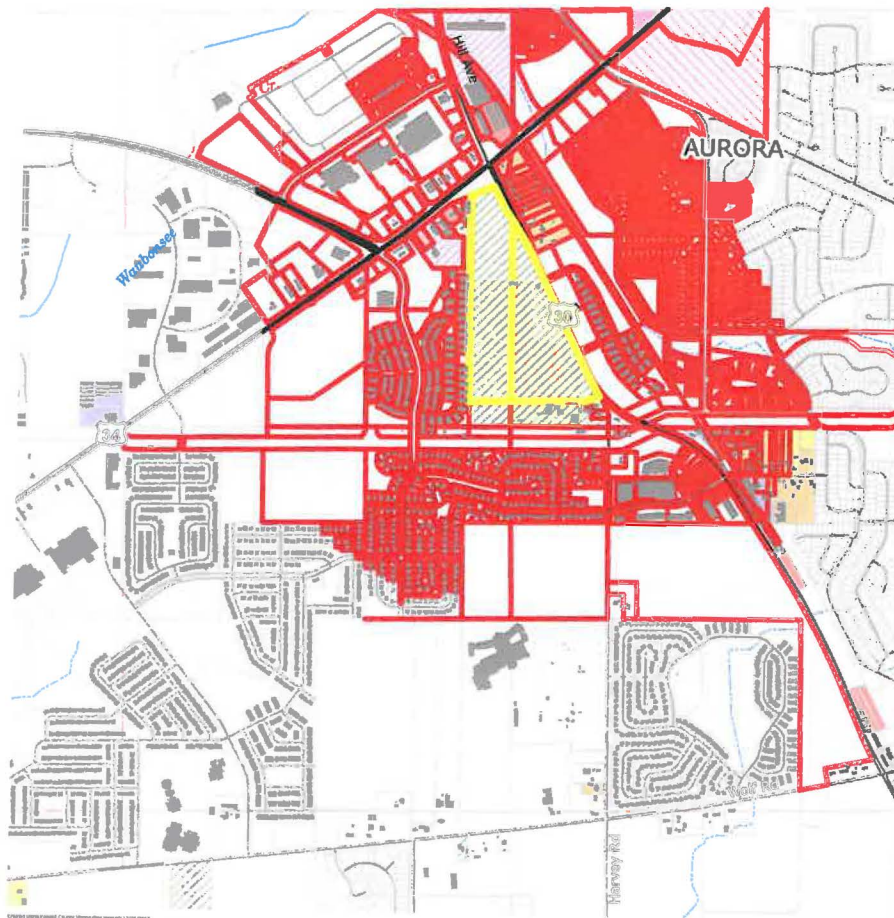


Scale: 1 in = 700 feet



Legend

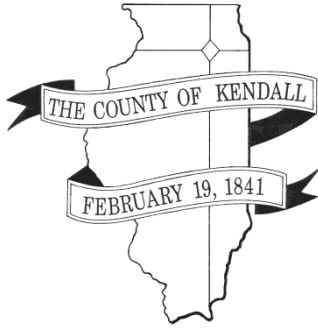
- Subject Property
- 2600 ft - 1829 Parcels x \$6.74=\$12,327.46



Kendall County GIS

111 West First Street • Room 300
Yorkville • Illinois 60550-1408
608.552.4000

000000 000000



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: County Board
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: April 11, 2018
Re: Work Related to NPDES Annual Report

Kendall County is required to submit certain documents annually as required by its NPDES Permit. Attached please find the proposal from WBK for this work. The scope of work and costs are the same as 2017.

The Planning, Building and Zoning Committee reviewed this proposal at their meeting on April 9th and unanimously recommended forwarding the proposal to the County Board.

If you have any questions, please let me know.

MHA

ENC: WBK Proposal

Proposal for NPDES MS-4 Annual Report

Kendall County | Yorkville, Illinois

March 16, 2018

Mr. Matthew Asselmeier
Kendall County Planning, Building and Zoning
111 W. Fox Street
Yorkville, Illinois 60560

Dear Mr. Asselmeier:

WBK Engineering, LLC (WBK) is pleased to provide this proposal to Kendall County (Client) for professional services related to submittal of the 2018 Annual Report to the IEPA in conformance with NPDES – MS-4 requirements under ILR40. WBK looks forward to the opportunity to assist Kendall County on the preparations of the Annual Report. Included below is our understanding of the assignment, scope of services, project assumptions, and estimate of fee.

Understanding of the Assignment

It is our understanding that the client has a current Notice of Intent (NOI) that was submitted to the IEPA in 2016 for the 2016-2017 permitting year (Year 1). We further understand the County needs to file an Annual Report with the IEPA for the 2018-2019 permitting year (Year 3) for the renewal of the MS-4 ILR40 permit and is seeking assistance with preparation of the report. The annual report will be prepared utilizing the most current IEPA forms and submitted in accordance with IEPA requirements.

Scope of Services

Task 1 | Preparation of 2018 MS-4 Annual Report

WBK will prepare the MS-4 Annual Report in accordance with IEPA requirements and utilizing IEPA format for NPDES – MS-4. We will review the six minimum control measures with the County and document goals and objectives towards compliance. We expect to interview the Senior Planner and to inventory existing activities that demonstrate compliance with NPDES MS-4 requirements. We will identify activities performed by County Departments and report the same. A complete submittal will be prepared and submitted to the IEPA on behalf of the County with all supporting documentation.

Estimate of Fees

We propose to bill you a lump sum fee of \$1,700 for the scope of services described above, plus reimbursable expenses. We establish our contract in accordance with the attached General Terms and Conditions. These General Terms and Conditions are expressly incorporated into and are made an integral part of this contract for professional services.

Please note that preparing this proposal requires the exercise of professional knowledge and judgment, and as such, this proposal remains the proprietary instrument of service of the firm WBK Engineering, LLC. No portion of this proposal may be shared with another firm providing similar services without our permission.



If this proposal is acceptable, please return one (1) signed copy to us for our files to serve as a notice to proceed. Thank you for the opportunity to provide service to Kendall County. If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Kelsey", with a long horizontal stroke extending from the end.

Patrick Kelsey, CPSS/SC
Resource Management Practice Principal

Encl: General Terms and Conditions—Kendall County (April 4, 2016)

THIS PROPOSAL AND GENERAL TERMS & CONDITIONS ACCEPTED FOR KENDALL COUNTY:

BY: _____

TITLE: _____

DATE: _____

WBK ENGINEERING, LLC
GENERAL TERMS AND CONDITIONS WITH KENDALL COUNTY, ILLINOIS

1. Relationship Between Engineer and Client: WBK ENGINEERING, LLC (Engineer) shall serve as Client's professional engineer consultant in those phases of the Project to which this Agreement applies. This relationship is that of a buyer and seller of professional services and as such the Engineer is an independent contractor in the performance of this Agreement and it is understood that the parties have not entered into any joint venture or partnership with the other. The Engineer shall not be considered to be the agent of the Client. Nothing contained in this Agreement shall create a contractual relationship with a cause of action in favor of a third party against either the Client or Engineer.

Furthermore, causes of action between the parties to this Agreement pertaining to acts or failures to act shall be deemed to have accrued and the applicable statute of limitations shall commence to run not later than the date of substantial completion.

2. Responsibility of the Engineer: Engineer will strive to perform services under this Agreement in accordance with generally accepted and currently recognized engineering practices and principles, and in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. No other representation, express or implied, and no warranty or guarantee is included or intended in this Agreement, or in any report, opinion, document, or otherwise.

Notwithstanding anything to the contrary which may be contained in this Agreement or any other material incorporated herein by reference, or in any Agreement between the Client and any other party concerning the Project, the Engineer shall not have control or be in charge of and shall not be responsible for the means, methods, techniques, sequences or procedures of construction, or the safety, safety precautions or programs of the Client, the construction contractor, other contractors or subcontractors performing any of the work or providing any of the services on the Project. Nor shall the Engineer be responsible for the acts or omissions of the Client, or for the failure of the Client, any architect, engineer, consultant, contractor or subcontractor to carry out their respective responsibilities in accordance with the Project documents, this Agreement or any other agreement concerning the Project. Any provision which purports to amend this provision shall be without effect unless it contains a reference that the content of this condition is expressly amended for the purposes described in such amendment and is signed by the Engineer.

3. Changes: Client reserves the right by written change order or amendment to make changes in requirements, amount of work, or engineering time schedule adjustments, and Engineer and Client shall negotiate appropriate adjustments acceptable to both parties to accommodate any changes, if commercially possible. It is understood by Engineer that this agreement is with a government entity. As such, any further price adjustments must be provided to the County in advance for approval and voted upon by the County Board prior to acceptance and expenditure. Client understands that the project schedule will be adjusted to accommodate the formal County procedure. The Engineer is not obligated to begin any additional work until County Board approval.
4. Suspension of Services: Client may, at any time, by written order to Engineer (Suspension of Services Order) require Engineer to stop all, or any part, of the services required by this Agreement. Upon receipt of such an order, Engineer shall immediately comply with its terms

and take all reasonable steps to minimize the costs associated with the services affected by such order. Client, however, shall pay all costs incurred by the suspension, including all costs necessary to maintain continuity and for the resumption of the services upon expiration of the Suspension of Services Order. Any costs greater than the “not to exceed” fee referenced herein and by attachments must be provided to the County in advance for approval and voted upon by the County Board prior to acceptance and expenditure. Engineer will not be obligated to provide the same personnel employed prior to suspension, when the services are resumed, in the event that the period of suspension is greater than thirty (30) days.

5. Termination: This Agreement may be terminated by either party upon thirty (30) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. This Agreement may be terminated by Client, under the same terms, whenever Client shall determine that termination is in its best interests. Cost of termination, including salaries, overhead and fees, incurred by Engineer and directly resulting from the project at issue, before the termination date shall be reimbursed by Client. Upon receipt of a termination notice, Engineer shall immediately comply with its terms and take all reasonable steps to minimize the costs associated with termination of services. Client shall not be liable for those costs and expenses resulting from Engineer's failure to mitigate such losses. Further, Client shall not be responsible for salaries, overhead and fees accrued after Agreement's termination.
6. Documents Delivered to Client: Drawings, specifications, reports, and any other Project Documents prepared by Engineer in connection with any or all of the services furnished hereunder shall be delivered to the Client for the use of the Client. Engineer shall have the right to retain originals of all Project Documents and drawings for its files. Furthermore, it is understood and agreed that the Project Documents such as, but not limited to reports, calculations, drawings, and specifications prepared for the Project, whether in hard copy or machine readable form, are instruments of professional service intended for one-time use in the construction of this Project. These Project Documents are and shall remain the property of the Engineer. The Client may retain copies, including copies stored on magnetic tape or disk, for information and reference in connection with the occupancy and use of the Project.

When and if record drawings are to be provided by the Engineer, Client understands that information used in the preparation of record drawings is provided by others and Engineer is not responsible for accuracy, completeness, nor sufficiency of such information. Client also understands that the level of detail illustrated by record drawings will generally be the same as the level of detail illustrated by the design drawing used for project construction. If additional detail is requested by the Client to be included on the record drawings, then the Client understands and agrees that the Engineer will be due additional compensation for additional services.

It is also understood and agreed that because of the possibility that information and data delivered in machine readable form may be altered, whether inadvertently or otherwise, the Engineer reserves the right to retain the original tapes/disks and to remove from copies

provided to the Client all identification reflecting the involvement of the Engineer in their preparation. The Engineer also reserves the right to retain hard copy originals of all Project Documentation delivered to the Client in machine readable form, which originals shall be referred to and shall govern in the event of any inconsistency between the two.

The Client understands that the automated conversion of information and data from the system and format used by the Engineer to an alternate system or format cannot be accomplished without the introduction of inexactitudes, anomalies, and errors. In the event Project Documentation provided to the Client in machine readable form is so converted, the Client agrees to assume all risks associated therewith.

The Client recognizes that changes or modifications to the Engineer's instruments of professional service introduced by anyone other than the Engineer may result in adverse consequences which the Engineer can neither predict nor control.

7. Reuse of Documents: All Project Documents including but not limited to reports, opinions of probable costs, drawings and specifications furnished by Engineer pursuant to this Agreement are intended for use on the Project only. They cannot be used by Client or others on extensions of the Project or any other project. Any reuse, without specific written verification or adaptation by Engineer, shall be at Client's sole risk.
8. The Engineer shall have the right to include representations of the design of the Project, including photographs of the exterior and interior, among the Engineer's promotional and professional materials. The Engineer's materials shall not include the Client's confidential and proprietary information if the Client has previously advised the Engineer in writing of the specific information considered by the Client to be confidential and proprietary.
9. Standard of Practice: The Engineer will strive to conduct services under this agreement in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions as of the date of this Agreement.
10. Compliance with Laws: The Engineer will strive to exercise usual and customary professional care in his/her efforts to comply with those laws, codes, ordinance and regulations which are in effect as of the date of this Agreement. With specific respect to prescribed requirements of the Americans with Disabilities Act of 1990 or certified state or local accessibility regulations (ADA), Client understands ADA is a civil rights legislation and that interpretation of ADA is a legal issue and not a design issue and, accordingly, retention of legal counsel (by Client) for purposes of interpretation is advisable.

Further to the law and code compliance, the Client understands that the Engineer will strive to provide designs in accordance with the prevailing Standards of Practice as previously set forth, but that the Engineer does not warrant that any reviewing agency having jurisdiction will not for its own purposes comment, request changes and/or additions to such designs. In the event such design requests are made by a reviewing agency, but which do not exist in the form of a written regulation, ordinance or other similar document as published by the

reviewing agency, then such design changes (at substantial variance from the intended design developed by the Engineer), if effected and incorporated into the project documents by the Engineer, shall be considered as Supplementary Task(s) to the Engineer's Scope of Service and compensated for accordingly. However, Engineer acknowledges that any such compensation will be contingent upon prior submittal of costs to the County for review and approval by the Kendall County Board.

11. Affirmative Action: The Engineer is committed to the principles of equal employment opportunity. Moreover, as a government contractor bound by Executive Order 11246, Engineer takes its affirmative action obligations very seriously. Engineer states as its Policy of Affirmative Action the following:

It will be the policy of the Engineer to recruit, hire, train and promote persons in all job titles without regard to race, color, religion, sex, age, disability, veteran status, national origin, or any other characteristic protected by applicable law.

All employment decisions shall be consistent with the principle of equal employment opportunity, and only job-related qualifications will be required.

All personnel actions, such as compensation, benefits, transfers, tuition assistance, social and recreational programs, etc. will be administered without regard to race, color, religion, sex, age, disability, veteran status, national origin, or any other characteristic protected by applicable law.

12. Indemnification: Engineer shall indemnify, hold harmless and defend with counsel of Kendall County's own choosing, Client Kendall County, its officials, officers, employees, including their past, present, and future board members, elected officials and agents from and against all liability, claims, suits, demands, proceedings and actions, including costs, reasonable fees and expense of defense, arising from, to, any loss, damage, injury, death, or loss or damage to property (collectively, the "Claims"), to the extent such Claims result from the Engineer's negligent or willful acts, errors or omissions in its performance under this Agreement. Nothing contained herein shall be construed as prohibiting Kendall County, its officials, directors, officers, agents and employees, from defending through the selection and use of their own agents, attorneys and experts, any claims, suits, demands, proceedings and actions brought against them. Pursuant to Illinois law, 55 ILCS 5/3- 9005, any attorney representing the County, under this paragraph, shall be approved by the Kendall County State's Attorney and shall be appointed a Special Assistant State's Attorney, as provided in 55 ILCS 5/3-9005. Kendall County's participation in its defense shall not remove Engineer's duty to indemnify and hold the County harmless, as set forth above.

In the event of joint or concurrent negligence of Engineer and Client, each shall bear that portion of the loss or expense that its share of the joint or concurrent negligence bears to the total negligence (including that of third parties), which caused the personal injury or property damage.

Engineer shall not be liable for special, incidental or consequential damages, including, but not limited to loss of profits, revenue, use of capital, claims of customers, cost of purchased or replacement power, whether based on contract, tort, negligence, strict liability or otherwise, by reasons of the services rendered under this Agreement.

13. Opinions of Probable Cost: Since Engineer has no control over the cost of labor, materials or equipment, or over the Contractor(s) method of determining process, or over competitive bidding or market conditions, his/her opinions of probable Project Construction Cost provided for herein are to be made on the basis of his/her experience and qualifications and represent his/her judgement as a design professional familiar with the construction industry, but Engineer cannot and does not guarantee that proposal, bids or the Construction Cost will not vary from opinions of probable construction cost prepared by him/her. If prior to the Bidding or Negotiating Phase, Client wishes greater accuracy as to the Construction Cost, the Client shall employ an independent cost estimator Consultant for the purpose of obtaining a second construction cost opinion independent from Engineer.
14. Governing Law & Dispute Resolutions: This Agreement shall be governed by and construed in accordance with Articles previously set forth by (Item 9 of) this Agreement, together with the laws of the **State of Illinois**.

Any claim, dispute or other matter in question arising out of or related to this Agreement, which cannot be mutually resolved by the parties of this Agreement, shall be subject to mediation as a condition precedent to the institution of legal or equitable proceedings by either party. If such matter relates to or is the subject of a lien arising out of the Engineer's services, the Engineer may proceed in accordance with applicable law to comply with the lien notice or filing deadlines prior to resolution of the matter by mediation or by arbitration.

The Client and Engineer shall endeavor to resolve claims, disputes and other matters in question between them by mediation which, unless the parties mutually agree otherwise, shall be in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect. Requests for mediation shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. Mediation shall proceed in advance of legal or equitable proceedings, which shall be stayed pending mediation for a period of 60 days from the date of filing, unless stayed for a longer period by agreement of the parties or court order.

The parties shall share the mediator's fee equally. The mediation shall be held in the county where the Project is located, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

15. Successors and Assigns: The terms of this Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns: provided, however, that neither party shall assign this Agreement in whole or in part without the prior written approval of the other.

16. Waiver of Contract Breach: The waiver of one party of any breach of this Agreement or the failure of one party to enforce at any time, or for any period of time, any of the provisions hereof, shall be limited to the particular instance, shall not operate or be deemed to waive any future breaches of this Agreement and shall not be construed to be a waiver of any provision, except for the particular instance.
17. Entire Understanding of Agreement: This Agreement represents and incorporates the entire understanding of the parties hereto, and each party acknowledges that there are no warranties, representations, covenants or understandings of any kind, matter or description whatsoever, made by either party to the other except as expressly set forth herein or within the Proposal for Engineering Services and the Schedule of Charges, which are herein incorporated by reference. Client and the Engineer hereby agree that any purchase orders, invoices, confirmations, acknowledgments or other similar documents executed or delivered with respect to the subject matter hereof that conflict with the terms of the Agreement, Proposal for Engineering Services and the Schedule of Charges shall be null, void and without effect to the extent they conflict with the terms of this Agreement.
18. Amendment: This Agreement shall not be subject to amendment unless another instrument is duly executed by duly authorized representatives of each of the parties and entitled "Amendment of Agreement".
19. Severability of Invalid Provisions: If any provision of the Agreement shall be held to contravene or to be invalid under the laws of any particular state, county or jurisdiction where used, such contravention shall not invalidate the entire Agreement, but it shall be construed as if not containing the particular provisions held to be invalid in the particular state, country or jurisdiction and the rights or obligations of the parties hereto shall be construed and enforced accordingly.
20. Force Majeure: Neither Client nor Engineer shall be liable for any fault or delay caused by any contingency beyond their control including but not limited to acts of God, wars, fires, natural calamities.
21. Subcontracts: Engineer may subcontract portions of the work, but each subcontractor must be approved by Client in writing. Engineer hereby waives any claim of lien against subject premises on behalf of Engineer, its officers, insurers, employees, agents, suppliers and/or sub-contractors employed by this Agreement. Upon completion of the project and as a condition prior to payment in full, Engineer shall tender to Client a final waiver of lien for all subcontractors and/or suppliers.
22. Access and Permits: Client shall arrange for Engineer to enter upon public and private property and obtain all necessary approvals and permits required from all governmental authorities having jurisdiction over the Project. Client shall pay costs (including Engineer's employee salaries, overhead and fee) incident to any effort by Engineer toward assisting Client in such access, permits or approvals, if Engineer performs such services. Should such services be necessary, Engineer shall provide a written quote to Client in advance for approval.

23. Designation of Authorized Representative: Each party (to this Agreement) shall designate one or more persons to act with authority in its behalf in respect to appropriate aspects of the Project. The persons designated shall review and respond promptly to all communications received from the other party.
24. Notices: Any notice or designation required to be given to either party hereto shall be in writing, and unless receipt of such notice is expressly required by the terms hereof shall be deemed to be effectively served when deposited in the mail with sufficient first class postage affixed, and addressed to the party to whom such notice is directed at such party's place of business or such other address as either party shall hereafter furnish to the other party by written notice as herein provided.

In the case of notice to Kendall County, County Administrator, County of Kendall, 111 West Fox Street, Room 316, Yorkville, IL 60560, Fax (630) 553-4214 with copy sent to: Kendall County State's Attorney, 807 John Street, Yorkville, Illinois 60560, fax (630) 553-4204. And, in the case of Engineer, to: P.J. Fitzpatrick, WBK Engineering, LLC, 116 W. Main Street, Suite 201, St. Charles, IL 60174

25. Limit of Liability: The Client and the Engineer have discussed the risks, rewards, and benefits of the project and the Engineer's total fee for services. In recognition of the relative risks and benefits of the Project to both the Client and the Engineer, the risks have been allocated such that the Client agrees that to the fullest extent permitted by law, the Engineer's total aggregate liability to the Client for any and all injuries, claims, costs, losses, expenses, damages of any nature whatsoever or claim expenses arising out of this Agreement from any cause or causes, including attorney's fees and costs, and expert witness fees and costs, shall not exceed those amounts that are equal to what Engineer has retained insurance coverage for at the time of contracting. Said insurance limits at the time of contracting include: Professional Liability of \$2,000,000.00 each occurrence and \$4,000,000.00 general aggregate; General Liability of \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate; Automobile Liability of \$1,000,000.00; and an Excess/Umbrella of \$10,000,000.00 per occurrence. Engineer understands that said limits on liability are based upon the coverage amounts that may be paid by his insurer and such liability limits are set irrespective of whether the insurer(s) actually pay such limits on Engineer's behalf. Engineer further understands that should insurance not provide the coverage amounts above, Engineer shall still be responsible for its liability up to the amounts listed. Such causes included but are not limited to the Engineer's negligence, errors, omissions, strict liability or breach of contract. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law.
26. Client's Responsibilities: The Client agrees to provide full information regarding requirements for and about the Project, including a program which shall set forth the Client's objectives, schedule, constraints, criteria, special equipment, systems and site requirements.

The Client agrees to furnish and pay for all legal, accounting and insurance counseling services as may be necessary at any time for the Project, including auditing services which

the Client may require to verify the Contractor's Application for Payment or to ascertain how or for what purpose the Contractor has used the money paid by or on behalf of the Client.

The Client agrees to require the Contractor, to the fullest extent permitted by law, to indemnify, hold harmless, and defend the Engineer, its consultants, and the employees and agents of any of them from and against any and all claims, suits, demands, liabilities, losses, damages, and costs ("Losses"), including but not limited to costs of defense, arising in whole or in part out of the negligence of the Contractor, its subcontractors, the officers, employees, agents, and subcontractors of any of them, or anyone for whose acts any of them may be liable, regardless of whether or not such Losses are caused in part by a party indemnified hereunder. Specifically excluded from the foregoing are Losses arising out of the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs, or specifications, and the giving of or failure to give directions by the Engineer, its consultants, and the agents and employees of any of them, provided such giving or failure to give is the primary cause of Loss. The Client also agrees to require the Contractor to provide to the Engineer the required certificate of insurance.

The Client further agrees to require the Contractor to name the Engineer, its agents and consultants as additional insureds on the Contractor's policy or policies of comprehensive or commercial general liability insurance. Such insurance shall include products and completed operations and contractual liability coverages, shall be primary and noncontributing with any insurance maintained by the Engineer or its agents and consultants, and shall provide that the Engineer be given thirty days, unqualified written notice prior to any cancellation thereof.

When Contract Documents prepared under the Scope of Services of this contract require insurance(s) to be provided, obtained and/or otherwise maintained by the Contractor, the Client agrees to be wholly responsible for setting forth any and all such insurance requirements. Furthermore, any document provided for Client review by the Engineer under this Contract related to such insurance(s) shall be considered as sample insurance requirements and not the recommendation of the Engineer. Client agrees to have their own risk management department review any and all insurance requirements for adequacy and to determine specific types of insurance(s) required for the project. Client further agrees that decisions concerning types and amounts of insurance are specific to the project and shall be the product of the Client. As such, any and all insurance requirements made part of Contract Documents prepared by the Engineer are not to be considered the Engineer's recommendation, and the Client shall make the final decision regarding insurance requirements.

27. Information Provided by Others: The Engineer shall indicate to the Client the information needed for rendering of the services of this Agreement. The Client shall provide to the Engineer such information as is available to the Client and the Client's consultants and contractors, and the Engineer shall be entitled to rely upon the accuracy and completeness thereof. The Client recognizes that it is impossible for the Engineer to assure the accuracy, completeness and sufficiency of such information, either because it is impossible to verify,

or because of errors or omissions which may have occurred in assembling the information the Client is providing.

28. Payment: Client shall be invoiced once each month for work performed during the preceding period. Payment shall be made in accordance with the Illinois Local Government Prompt Payment Act, as amended (50 ILCS 505/1 et seq.)
29. When construction observation tasks are part of the service to be performed by the Engineer under this Agreement, the Client will include the following clause in the construction contract documents and Client agrees not to modify or delete it:

Kotecki Waiver: Contractor (and any subcontractor into whose subcontract this clause is incorporated) agrees to assume the entire liability for all personal injury claims suffered by its own employees, including without limitation claims under the **Illinois** Structural Work Act, asserted by persons allegedly injured on the Project; waives any limitation of liability defense based upon the Worker's Compensation Act, court interpretations of said Act or otherwise; and to the fullest extent permitted by law, agrees to indemnify and hold harmless and defend Owner and Engineer and their agents, employees and consultants (the "Indemnitees") from and against all such loss, expense, damage or injury, including reasonable attorneys' fees, that the Indemnitees may sustain as a result of such claims, except to the extent that **Illinois** law prohibits indemnity for the Indemnitees' own negligence. The Owner and Engineer are designated and recognized as explicit third-party beneficiaries of the Kotecki Waiver within the general contract and all subcontracts entered into in furtherance of the general contract.

30. Job Site Safety/Supervision & Construction Observation: The Engineer shall neither have control over or charge of, nor be responsible for, the construction means, methods, techniques, sequences of procedures, or for safety precautions and programs in connection with the Work since they are solely the Contractor's rights and responsibilities. The Client agrees that the Engineer has no responsibility to supervise and direct the work; and that the Contractor shall be solely responsible for the means, methods, techniques, sequences and procedures of construction and safety at the job site. The Client agrees that this intent shall be carried out in the Client's contract with the Contractor. The Client further agrees that the Contractor shall be contracted with to be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the work; and that the Contractor shall be required to take all necessary precautions for the safety of, and shall provide the necessary protection to prevent damage, injury or loss to all employees on the subject site and all other persons who may be affected thereby. The Engineer shall have no authority to stop the work of the Contractor or the work of any subcontractor on the project. Nothing within this paragraph shall be construed to constitute a warranty or guarantee as to the safety of the services the Contractor shall perform or to intimate the existence of a duty for providing indemnification or shared liability on behalf of the County for any actions, inactions or failures of contractors to provide proper safety precautions in the performance of their work.

When construction observation services are included in the Scope of Services, the Engineer shall visit the site at intervals appropriate to the stage of the Contractor's operation, or as otherwise agreed to by the Client and the Engineer to: 1) become generally familiar with and to keep the Client informed about the progress and quality of the Work; 2) to strive to bring to the Client's attention defects and deficiencies in the Work and; 3) to determine in general if the Work is being performed in a manner indicating that the Work, when fully completed, will be in accordance with the Contract Documents. However, the Engineer shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. If the Client desires more extensive project observation, the Client shall request that such services be provided by the Engineer as Additional and Supplemental Construction Observation Services in accordance with the terms of this Agreement.

The Engineer, and the Client, shall not be responsible for any acts or omissions of the Contractor, subcontractor, any entity performing any portions of the Work, or any agents or employees of any of them. The Engineer and the Client do not guarantee the performance of the Contractor and shall not be responsible for the Contractor's failure to perform its Work in accordance with the Contract Documents or any applicable laws, codes, rules or regulations.

When municipal review services are included in the Scope of Services, the Engineer (acting on behalf of the municipality), when acting in good faith in the discharge of its duties, shall not thereby render itself liable personally and is, to the maximum extent permitted by law, relieved from all liability for any damage that may accrue to persons or property by reason of any act or omission in the discharge of its duties. The Engineer shall be entitled to all defenses and municipal immunities that are, or would be, available to the Client.

31. Insurance and Indemnification: The Engineer and the Client understand and agree that the Client will contractually require the Contractor to defend and indemnify the Engineer and/or any subconsultants from any claims arising from the Work. The Engineer and the Client further understand and agree that the Client will contractually require the Contractor to procure commercial general liability insurance naming the Engineer as an additional named insured with respect to the work. The Contractor shall be required to provide to the Client certificates of insurance evidencing that the contractually required insurance coverage has been procured. However, the Contractor's failure to provide the Client with the requisite certificates of insurance shall not constitute a waiver of this provision by the Engineer.

32. Hazardous Materials/Pollutants: Unless otherwise provided by this Agreement, the Engineer and Engineer's consultants shall have no responsibility for the discovery, presence, handling, removal or disposal of or exposure of persons to hazardous materials/pollutants in any form at the Project site, including but not limited to mold/mildew, asbestos, asbestos products, polychlorinated biphenyl (PCB) or other toxic/hazardous/pollutant type substances.

Furthermore, Client understands that the presence of mold/mildew and the like are results of prolonged or repeated exposure to moisture and the lack of corrective action. Client also understands that corrective action is an operation, maintenance and repair activity for which the Engineer is not responsible.

33. Non-Discrimination: Engineer, its officers, employees, and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations.
34. Compliance With State and Federal Laws: Engineer agrees to comply with all applicable federal, state and local laws and regulatory requirements and to secure such licenses as may be required for its employees and to conduct business in the state, municipality, county and location. Such obligation includes, but is not limited to, environmental laws, civil rights laws, prevailing wage and labor laws.
35. Authority To Execute Agreement: The County of Kendall and Engineer each hereby warrant and represent that their respective signatures set forth in the attached Proposal for Engineering Services have been and are on the date of this Agreement duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.
36. Venue: The parties agree that the venue for any legal proceedings between them shall be the Circuit Court of Kendall County, Illinois, Twenty-Third Judicial Circuit, State of Illinois.
37. Non-Appropriation: In the event Kendall County is in default under the Agreement because funds are not appropriated for a fiscal period subsequent to the one in which the Agreement was entered into which are sufficient to satisfy all or part of the County's obligations under this Agreement during said fiscal period, the County agrees to provide prompt written notice of said occurrence to Engineer. In the event of a default due to nonappropriation of funds,

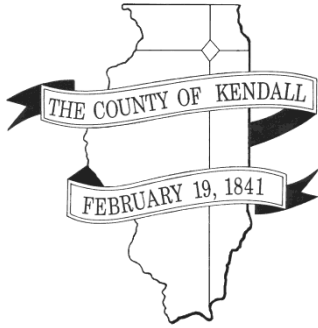
both parties have the right to terminate the Agreement upon providing thirty (30) days written notice to the other party. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.

38. Insurance. Engineer will obtain and continue in force, during the term of this Agreement, all insurance as set forth below. Each insurance policy shall not be cancelled or changed without thirty (30) days prior written notice, given by the insurance carrier to Kendall County at the address set forth herein. Before starting work hereunder, Engineer shall deposit with Subscriber certificates evidencing the insurance it is to provide hereunder: (a) Worker's Compensation and Occupational Disease Disability insurance, in compliance with the laws of the jurisdiction where the work is being performed, (b) Employer's comprehensive general liability insurance for both personal injury and property damage

in the minimum amount of \$1,000,000 per occurrence, and \$2,000,000 per aggregate per project, (c) Comprehensive business automobile liability insurance in the minimum amount of \$1,000,000 combined single limit, (d) Minimum umbrella occurrence insurance of \$5,000,000 per occurrence and \$5,000,000 aggregate, (e) Professional liability insurance in the minimum amount of \$1,000,000 combined single limit. Kendall County shall be named as Additional Insureds on a Primary and Non-Contributory basis with respect to the general liability, business auto liability and excess liability insurance, as well as a waiver of subrogation with respect to the general liability and workers' compensation in favor of Kendall County. Also, Kendall County and shall be designated as the certificate holders.

39. Certification: Engineer certifies that Engineer, its parent companies, subsidiaries, and affiliates are not barred from entering into this Agreement as a result of a violation of either 720 ILCS 5/33E-3 or 5/33E-4 (bid rigging or bid rotating) or as a result of a violation of 820 ILCS 130/1 et seq. (the Illinois Prevailing Wage Act).
40. Drug Free Workplace: Engineer and its consultants, employees, contractors, subcontractors, and agents agree to comply with all provisions of the Substance Abuse Prevention on Public Works Act, 820 ILCS 265/1 et seq. and the Illinois Drug Free Workplace Act, 30 ILCS 580/1 et seq.
41. Prevailing Wage: To the extent that this Agreement calls for the construction, demolition, maintenance and/or repair of a "public work" as defined by the Illinois Prevailing Wage Act, 820 ILCS 130/01 et seq. ("the Act"), such work shall be covered under the Act. The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing covered work on public works projects no less than the "prevailing rate of wages" (hourly cash wages plus fringe benefits) in the county where the work is performed. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website at: <http://www.state.il.us/agency/idol/rates/rates.html>. All contractors and subcontractors rendering services under this Agreement must comply with all requirements of the Act, including, but not limited to, all wage, notice and record-keeping duties.
42. Both parties affirm no Kendall County officer or elected official has a direct or indirect pecuniary interest in WBK or this Agreement, or, if any Kendall County officer or elected official does have a direct or indirect pecuniary interest in WBK or this Agreement, that interest, and the procedure followed to effectuate this Agreement has and will comply with 50 ILCS 105/3.

43. Employment of Illinois Workers on Public Works Act. If at the time the Contract Documents are executed, or if during the term of the Contract Documents, there is a period of excessive unemployment in Illinois as defined in the Employment of Illinois Workers on Public Works Act, 30 ILCS 570/0.01 et seq., (hereinafter referred to as “the Act”), Engineer, its consultants, contractors, subcontractors and agents agree to employ Illinois laborers on this Project in accordance with the Act. Engineer understands that the Act defines (a) “period of excessive unemployment” as “as any month following two consecutive calendar months during which the level of unemployment in the State of Illinois has exceeded 5%, as measured by the United States Bureau of Labor Statistics in its monthly publication of employment and unemployment figures”, and (b) “Illinois laborer” as “any person who has resided in Illinois for at least thirty (30) days and intends to become or remain an Illinois resident.” See 30 ILCS 570/1. Engineer understands and agrees that its failure to comply with this provision of the Contract Documents may result in immediate termination of the Contract Documents.
44. Engineer agrees to comply with The Davis Bacon Act – 40 U.S. C. 3141 et seq. as may be necessary. The Davis-Bacon and Related Acts, apply to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. The Davis-Bacon Act directs the Department of Labor to determine such locally prevailing wage rates. The DavisBacon Act prevailing wage provisions apply to the “Related Acts,” under which federal agencies assist construction project through grants, loans, loan guarantees, and insurance. Examples of the related Acts are the American Recovery and Reinvestment Act of 2009, the Federal-Aid Highway Acts, the Housing and Community Development Act of 1974, and the Federal Water Pollution Control Act.



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: April 11, 2018

Re: Proposed Fee Changes for the Planning, Building and Zoning Department

On March 21, 2018, the County Board approved Ordinance 2018-04 which transferred certain hearing authority from the Hearing Officer to the Kendall County Zoning Board of Appeals.

As a result of the passage of Ordinance 2018-04, the fee schedule of the Planning, Building and Zoning Department requires the following amendments:

1. The reference to the "Hearing Officer" should be replaced with "Zoning Board of Appeals".
2. The Hearing Officer charged an additional One Hundred Dollars (\$100) per hour after the first hour. The Zoning Board of Appeals charges a flat fee for their hearings, regardless of the length of time the hearing occurs.

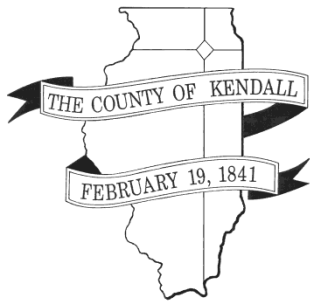
A redlined version of the fee schedule and a proposed ordinance are attached for your consideration.

The Planning, Building and Zoning Committee reviewed this proposal at their meeting on April 9th and unanimously recommended forwarding this proposal to the County Board.

If you have any questions, please let me know.

MHA

ENCs.: Redlined Fee Schedule
Proposed Ordinance



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

ZONING APPLICATION FEES

MAP AMENDMENTS

Any amount of acreage \$500.00

SPECIAL USE PERMITS, PLANNED UNIT DEVELOPMENTS/ RESIDENTIAL PLANNED DEVELOPMENTS AND MAJOR AMENDMENTS TO SPECIAL USES

*The following fee amounts include a processing fee, a fee for recording the special use in the recorder's office for 10 pages and a cost for a **Hearing Officer Zoning Board of Appeals** at a rate of \$350.00 **for the first hour. If required, an additional \$100.00 for each additional hour of the Hearing Officer's time shall be invoiced to the petitioner and shall be paid to the PBZ Department prior to approval of the Special Use.***

All acreage zoned as A-1 \$1,155

All Other Zoning Districts

0.0-5.00 acres \$1,155

5.01-10.00 acres \$1,905

10.01-50.00 acres \$2,255 + \$50/acre or part thereof over 10 acres

50.01-100.00 acres \$4,755 + \$35/acre or part thereof over 50 acres

100.01-500.00 acres \$6,505 + \$20/acre or part thereof over 100 acres

500.01+ \$14,505 + \$15/acre or part thereof over 500 acres

MINOR AMENDMENT TO SPECIAL USE *(includes a processing fee and a fee for recording the minor amendment to the special use in the recorder's office)*

Any amount of acreage \$150.00

VARIANCE *(includes a processing fee and a fee for recording the variance in the recorder's office)*

As part of Special Use \$100

Not part of Special Use \$425 for first Variance Request of petition and \$50 for each additional request to be included in the same petition

ADMINISTRATIVE VARIANCE *(includes a processing fee and a fee for recording the minor amendment to the special use in the recorder's office)*

Any amount of acreage \$150.00

PRELIMINARY PLAT

Residential \$1,000.00 + \$50.00/acre or part of an acre

Other \$1,000.00 + \$100.00/acre or part of an acre

| | |
|---|--|
| FINAL PLAT | |
| All Final Plats | \$50.00/acre or part of an acre (\$500.00 minimum) |
| OTHER PLAT (Vacation, Dedication, etc.) | |
| All Other Plat Actions | \$50.00/acre or part of an acre (\$500.00 minimum) |
| ADMINISTRATIVE APPEAL | \$1,000.00 ¹ |
| TEXT AMENDMENT | \$500.00 |
| SITE PLAN REVIEW | \$375.00 |
| A-1 CONDITIONAL USE | \$100.00 |
| TEMPORARY USES | \$100.00 |

No waiver and no refund shall be made for any fee paid pursuant to this Ordinance without the approval of the Planning Building and Zoning Committee of the County Board

All fees for actions or activities by Kendall County or the Kendall County Forest Preserve District are hereby waived and all fees for non-profit organizations shall be charged half of the normal fees for zoning petitions; provided they show proof of non-profit status and that the permit be used only by the organizations itself*

¹In the event that ruling by the Zoning Board of Appeals favors the appealing party, the submitted fee for an administrative appeal shall be refunded to the applicant.

All payments shall be made payable to Kendall County Treasurer

ZONING FEES ESTABLISHED BY KENDALL COUNTY ORDINANCE EFFECTIVE
8/19/2014

State of Illinois
County of Kendall

ORDINANCE # 2018-_____
DEVELOPMENT FEE ORDINANCE

WHEREAS, the County of Kendall on September 21, 1999 by Ordinance 99-30 adopted a Development Fee Ordinances; and

WHEREAS, the County adopted amendments to the Development Fee Ordinance by Ordinance 00-51 passed on December 19, 2000, amended by Ordinance 04-17 on May 18, 2004, amended by Ordinance 2010-08 passed on April 20, 2010, and amended by Ordinance 2012-19 passed on September 18, 2012, and Ordinance 2014-23 passed on August 19, 2014; and

WHEREAS, the County adopted Ordinance 2018-04 on March 21, 2018 which transferred certain powers and duties from the Hearing Officer to the Zoning Board of Appeals; and

WHEREAS, the County desires to amend the Development Fee Schedule of the Planning, Building and Zoning Department to reflect the transfer of duties allowed in Ordinance 2018-04; and

WHEREAS, from time to time property owners or agents representing landowners request changes in the ordinances as they affect their property and approval of various development proposals; and

WHEREAS, it is the policy of Kendall County to have those persons requesting changes in the ordinances, regulations, and maps and the approval of development requests pay for the costs associated with their requests; and

WHEREAS, from time to time the County of Kendall revises the development fees as costs change and desire to change the Development Fee Ordinance as it relates to Map Amendments, Planned Unit Developments, Special Uses, Major and Minor Amendments to Special Uses, Variances, Administrative Variances, Plats, Appeals, Text Amendments, Site Plan Reviews, Agricultural Conditional Uses and Temporary Uses.

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

SECTION 1: THE FEE SCHEDULE REGARDING ZONING FEES INVOLVING MAP AMENDMENTS, PLANNED UNIT DEVELOPMENTS, SPECIAL USES, MAJOR AND MINOR AMENDMETNS TO SPECIAL USES, VARIANCES, ADMINISTRATIVE VARIANCES, PLATS, APPEALS, TEXT AMENDMENTS, SITE PLAN REVIEWS AND AGRICULTURAL CONDITIONAL USES IS HEREBY AMENDMENT TO INCLUDE THE FOLLOWING:

MAP AMENDMENTS

| | |
|-----------------------|----------|
| Any amount of acreage | \$500.00 |
|-----------------------|----------|

SPECIAL USE PERMITS, PLANNED UNIT DEVELOPMENTS/ RESIDENTIAL PLANNED DEVELOPMENTS AND MAJOR AMENDMENTS TO SPECIAL USES

The following fees include a processing fee, a fee for recording the special use in the recorder's office for 10 pages and a cost for the Zoning Board of Appeals at a rate of \$350.00 shall be imposed on ALL Special Uses

| | |
|--------------------------|---------|
| All acreage zoned as A-1 | \$1,155 |
|--------------------------|---------|

| | |
|--|---------|
| All Other Zoning Districts 0.0-5.00 acres | \$1,155 |
|--|---------|

| | |
|------------------|---------|
| 5.01-10.00 acres | \$1,905 |
|------------------|---------|

| | |
|-------------------|---|
| 10.01-50.00 acres | \$2,255 + \$50/acre or part thereof over 10 acres |
|-------------------|---|

| | |
|--------------------|---|
| 50.01-100.00 acres | \$4,755 + \$35/acre or part thereof over 50 acres |
|--------------------|---|

| | |
|---------------------|--|
| 100.01-500.00 acres | \$6,505 + \$20/acre or part thereof over 100 acres |
|---------------------|--|

| | |
|---------|---|
| 500.01+ | \$14,505 + \$15/acre or part thereof over 500 acres |
|---------|---|

| | |
|--------------------------------|----------|
| MINOR AMENDMENT TO SPECIAL USE | \$150.00 |
|--------------------------------|----------|

VARIANCE

| | |
|-------------------------|---|
| As part of Special Use | \$100 |
| Not part of Special Use | \$425 for first Variance Request of petition and \$50 for each additional request to be included in the same petition |

| | |
|-------------------------|----------|
| ADMINISTRATIVE VARIANCE | \$150.00 |
|-------------------------|----------|

PRELIMINARY PLAT

| | |
|-------------|---|
| Residential | \$1,000.00 + \$50.00/acre or part of an acre |
| Other | \$1,000.00 + \$100.00/acre or part of an acre |

FINAL PLAT

| | |
|-----------------|---|
| All Final Plats | \$50.00/acre or part of an acre (\$500.00 minimum) |
|-----------------|---|

OTHER PLAT (Vacation, Dedication, etc.)

| | |
|------------------------|---|
| All Other Plat Actions | \$50.00/acre or part of an acre (\$500.00 minimum) |
|------------------------|---|

| | |
|-----------------------|-------------------------|
| ADMINISTRATIVE APPEAL | \$1,000.00 ¹ |
|-----------------------|-------------------------|

| | |
|---------------------|----------|
| TEXT AMENDMENT | \$500.00 |
| SITE PLAN REVIEW | \$375.00 |
| A-1 CONDITIONAL USE | \$100.00 |
| TEMPORARY USES | \$100.00 |

SECTION 2: WAIVERS AND REFUNDS

No waiver and no refund shall be made for any fee paid pursuant to this Ordinance without the approval of the Planning Building and Zoning Committee of the County Board, EXCEPT all fees for actions or activities by Kendall County or the Kendall County Forest Preserve District are hereby waived and all fees for non-profit organizations shall be charged half of the normal fees for zoning petitions; provided they show proof of non-profit status and that the permit be used only by the organizations itself.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 17th day of April, 2018.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Kendall County Job Description

TITLE: Senior Planner/Zoning Administrator
DEPARTMENT: Planning Building and Zoning
SUPERVISED BY: County Administrator
FLSA STATUS: Exempt
APPROVED: 4/17/2018

I. Position Summary:

Under general direction of the County Administrator, performs work of considerable difficulty related to the management and general operations of the Kendall County Planning, Building and Zoning Department; and develops, administers and coordinates processes related to land use development and planning to ensure orderly development, redevelopment and growth in the unincorporated areas of Kendall County.

II. Essential Duties and Responsibilities:

- A. The primary duty is the performance of office or non-manual work directly related to the management or general operations of the Kendall County Planning, Building and Zoning Department, which includes the exercise of discretion and independent judgment with respect to matters of significance.
- B. Serves as project manager for all petitions for variances, rezoning, special uses, subdivision plat approval, and Planned Unit Developments in the unincorporated areas of Kendall County by performing various duties including, but not limited to:
 - 1. In-depth application and plan review to confirm that all petitions, plans drawings and supporting documents are complete and compliant with all applicable codes, statutes and ordinances;
 - 2. Coordinates with applicants to obtain additional information and project changes;
 - 3. Schedules and conducts pre-application meetings for zoning, subdivision and development applications;
 - 4. Prepare legal notices and post the same on relevant property sites;
 - 5. Conduct all necessary background research;
 - 6. Prepare staff reports;
 - 7. Prepares correspondence and coordinates review of site development permits and engineering plans and petitions with other staff and outside review agencies;
 - 8. Prepares reports and recommendations to various boards and committees involved in the development review process and oversees preparation of informational handouts and packets for distribution to the various boards and committees;
 - 9. Provides recommendations to the applicable committees, commissions and County Board related to the applications and plans;
 - 10. Manages and schedules petitions for required hearings and review by the various committees, commissions and boards involved in the review process; and
 - 11. Prepares draft ordinances and resolutions for review by the applicable committees, commissions and boards.
- C. Serves as Kendall County's liaison and works with outside agencies and consultants in the development of long range plans and development reviews, updating and administering codes related to land regulation and development, and the County's Land Resource Management and Transportation Plans.
- D. Assists Kendall County's consultants in the preparation of specialized planning studies and reports.

Kendall County Job Description

- E. Provides staff support to a variety of committees, commissions and Boards; attends and makes presentations to various commissions and boards such as the Kendall County ZPAC, Plan Commission, and Zoning Board of Appeals.
- F. Serves as Kendall County Zoning Administrator (responsibilities outlined in Kendall County Zoning Ordinance).
- G. Serves as the Plat Officer for Kendall County (responsibilities outlined in the Kendall County Subdivision Control Ordinance).
- H. Supervise part-time Planning, Building, and Zoning staff.
 - 1. Conducts regular performance evaluations for part-time positions.
 - 2. Conducts interviews for part-time Planning, Building, and Zoning Department positions.
 - 3. Approve time off requests and time sheets.
 - 4. Makes recommendations to the County Administrator with regard to discipline, hiring and firing for all part-time employees assigned to the Planning, Building, and Zoning Department, which recommendations are given particular weight by the County Administrator.
- I. Interprets and applies Federal and State statutes, regulations and rules to ensure that the public and private projects are in compliance with the same.
- J. Interprets, applies, and enforces provisions of applicable Kendall County ordinances related to development, zoning, subdivision, soil erosion, storm water management, floodplain and nuisance.
- K. Interacts and communicates with a variety of individuals and groups who contact the Kendall County Planning, Building and Zoning Department for the purpose of obtaining or providing information, coordinating activities, processing projects, negotiating plan changes, and formulating recommendations.
- L. Oversees the maintenance of petition records, allocation registration reviews, and data base development etc.
- M. Performs zoning compliance review of building permits as requested by Planning, Building and Zoning Department staff and provides recommendations regarding the same.
- N. Operates Kendall County vehicle and safety equipment.
- O. Makes recommendations for improving processes and procedures of the department.
- P. Assist staff, consultants and others with Kendall County ordinance enforcement and compliance by performing duties including, but not limited to, investigating alleged ordinance violations and complaints received by the Kendall County Planning, Building and Zoning Department; determining whether ordinance violations exist; and providing testimony and administrative support necessary for the prosecution of ordinance violations.
- Q. Authorize reduction and release of bonds, letters of credit and other security for public improvements and land cash contributions.
- R. Calculates school and park/forest preserve land cash contributions, and recommends fee adjustments.
- S. Maintains escrow accounts for site development permits.
- T. Serve as alternate Program Compliance Oversight Monitor (PCOM) for the County's Kendall Area Transit program.
- U. As needed, assist Kendall County Liquor Control Commissioner with processing and maintaining new liquor licenses for unincorporated portions of the County as well as renewal license applications.
- V. Adheres to all work and safety policies and procedures.
- W. Attends conferences, seminars, training and various Kendall County meetings.
- X. Maintains regular attendance and punctuality.

Kendall County Job Description

- Y. Other duties as assigned.

III. Qualifications:

To perform this job successfully, an individual must be able to perform all essential duties satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the position.

A. LANGUAGE SKILLS:

- Ability to research, read and interpret documents, plans, statutes, regulations and ordinances.
- Ability to prepare documents, presentations, reports and correspondence.
- Ability to communicate effectively both orally and in writing with the public, employees, consultants, developers, attorneys, and elected officials.
- Requires good knowledge of the English language, spelling and grammar.

B. MATHEMATICAL SKILLS:

- Ability to add, subtract, multiply and divide in all units of measure, using whole numbers, common fractions, and decimals.
- Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

C. REASONING ABILITY:

- Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
- Ability to deal with problems involving several concrete variables in standardized situations.
- Ability to read and interpret Blueprints, plats of survey, and similar documents and drawings.

D. CERTIFICATES, LICENSES, REGISTRATIONS:

- A current and valid driver's license.
- AICP designation preferred.
- Any and all certificates and registrations as required for the specific duties performed.

E. OTHER SKILLS, KNOWLEDGE AND ABILITIES:

- Strong organizational skills.
- Computer knowledge of MS Word, Excel, Outlook, Access, Power Point.
- Basic knowledge of engineering and construction practices and GIS systems.
- Ability to multi-task and simultaneously manage several projects.
- Ability to participate in and facilitate group meetings.
- Ability to listen, understand information and ideas and work effectively with County personnel, local elected officials, and local economic development officials.
- Understanding of all applicable statutes, regulations and ordinances as well as zoning and subdivision administration.

F. EDUCATION AND EXPERIENCE:

- Bachelor's Degree required with preference for degree from an accredited college or university in Land Use Planning, Urban Planning, Landscape Architecture or Public Policy. AICP designation may substitute for Bachelor's Degree requirement.
- Master's Degree in planning, public policy or public administration preferred.

Kendall County Job Description

- Minimum of three years experience in Planning and Zoning field.

IV. Physical Demands:

While performing the duties of this job, the employee must be able to:

- Frequently sit for hours in meetings or office;
- Occasionally lift and/or move up to 50 pounds;
- Stand and walk on uneven ground at development sites;
- Use hands to finger, handle, or feel;
- Reach, push and pull with hands and arms;
- Bend over at the waist and reach with hands and arms;
- Climb and balance at development sites;
- Stoop, kneel, crouch, and/or crawl;
- Talk and hear in person and via use of telephone;
- Operate County vehicles and safety equipment;
- Specific vision abilities include close and distance vision, depth perception and distance vision; and
- Travel independently to development sites, public hearings and other meetings and other locations both within and outside Kendall County, Illinois.

V. Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is subject to the following working conditions:

- Inside and outside environmental conditions.
- Will be exposed to occasional driving and onsite construction conditions.
- The noise level in the work environment varies from quiet to noisy outside.
- The employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours.
- Employee may be exposed to stressful situations while working with elected officials, consultants, attorneys, applicants, and the general public.
- Employee may be required to provide own transportation to travel to and from meetings, training, conferences, etc.

By signing my name below, I hereby affirm that I received a copy of this job description.

Employee Receipt Acknowledgement & Signature

Date

Signature of Supervisor

cc: personnel file, employee

Date

COUNTY OF KENDALL, ILLINOIS
Law, Justice and Legislation Committee
Monday, April 9, 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.**

Member Hendrix and Member Purcell left the meeting at 3:45p.m.

Others Present: Sheriff Dwight Baird, Public Defender Vicky Chuffo, EMA Director Joe Gillespie, Undersheriff Harold Martin, Presiding Judge Tim McCann, Chief Deputy Mike Peters, Judge Robert Pilmer, Chief Deputy Coroner Levi Gotte, Facilities Director Jim Smiley

Approval of the Agenda – Member Hendrix made a motion to approve the agenda, second by Member Giles. **With five members present in agreement with the amendment, the motion carried.**

Approval of Minutes – Member Hendrix made a motion to approve the March 12, 2018 Meeting Minutes, second by Member Giles. **With five members present in agreement, the motion carried.**

Public Comment – None

Coroner – Chief Deputy Coroner Gotte reviewed the office statistics for the month of March, including meeting with three area nursing home facilities regarding death reporting guidelines, and presentations to local high schools.

Circuit Clerk – No report

Courthouse – Judge McCann reported that the new Court Administrator will begin on April 11, 2018. Judge McCann thanked the Public Defender and Probation support staff for their assistance in the interim.

Judge McCann also stated that they will be shuffling judge court calls on April 16th, which is usually done every 2-3 years.

Court Services – No report

EMA – Written report provided. Director Joe Gillespie reported that a Search and Rescue Initial Operations Course was given on March 1 and 8 with sixty-nine Sheriff's Office Deputies attending. Director Gillespie also reported that they conducted a multi-agency Search and Rescue training on UTM at the Plano Police Department on March 10th, with thirty-seven professionals from nine area agencies in attendance.

Sire, STARCOM and WSPY EAS testing was conducted as usual on the first Tuesday of the month. Written report provided.

KenCom – No report

Public Defender – Vicky Chuffo provided a written report. Ms. Chuffo reported that her office was appointed to the second sexually violent person commitment filed in our county to date, which is a civil case and will involve a great deal of additional work.

State's Attorney – No report

Sheriff's Report

- a. Operations Division – Written report provided
- b. Corrections Division – Written report provided
- c. Records Division – Written report provided

Old Business - None

New Business - None

❖ Legislative Update

Approval of a Resolution Declaring Opposition of HB 2628 – There was consensus by the committee to not take any action on this item.

Approval of a Resolution Declaring Opposition of HB 4556 – After discussion on the proposed changes to the Sexually Dangerous Persons Act, Member Purcell made a motion to forward the item to the County Board for approval, second by Member Hendrix. **With five members voting aye, the motion carried.**

Approval of a Resolution on Declaring Opposition of HB 4581- Discussion on the recommended delinquent minor including a minor prior to his or her 21st birthday. **There was consensus to postpone consideration of this item until the May meeting, pending additional information.**

Approval of a Resolution Declaring Opposition of HB 5489- Discussion on the bill to amend the Illinois Vehicle Code to provide distinctive registration plates for non-highway vehicles (example of vehicles not designed for highway use such as golf carts, lawnmowers, ATV's). Member Gilmour made a motion to forward the item to the County Board for approval, second by Member Giles. **With three members voting aye, the motion carried.**

Approval of a Resolution Declaring Support for HB 4584 – Discussion on the bill that would amend the State Finance Act, the Motor Fuel Tax Law, the Emergency Telephone System Act, the Riverboat Gambling Act, and the Video Gamin Act. Member Gilmour made a motion to forward the item to the County Board for approval, second by Member Giles. **With three members voting aye, the motion carried.**

Public Comment - None

Items for the April 17, 2018 County Board meeting agenda

Approval of a Resolution Declaring Opposition of HB 4556

Approval of a Resolution Declaring Opposition of HB 5489

Approval of a Resolution Declaring Support for HB 4584

EXECUTIVE SESSION – Member Gilmour made a motion to enter into Executive Session for the purpose of the review of discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06, 5ILCS 120-2, second by Member Giles.

Roll Call: Member Giles – yes, Member Gilmour – yes, Member Prochaska - yes. **With three members present voting aye, the committee entered into Executive Session at 3:56p.m.**

Members Hendrix and Purcell were absent

| Date of Executive Session | Retained | Released |
|--|-----------------|-----------------|
| February 10, 1997 | X | |
| April 7, 1997 | X | |
| May 12, 1997 | X | |
| June 9, 2014 | X | |
| April 13, 2015 | X | |
| September 12, 2016 (Minutes Review) | | X |
| April 10, 2017 (Minutes Review) | | X |
| April 9, 2018 (Minutes Review) | | X |

The committee reconvened in Open Session at 3:59p.m.

Adjournment – Member Giles made a motion to adjourn the meeting, second by Member Gilmour. **With all in agreement, the meeting adjourned at 4:03 p.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Secretary

County of Kendall
Resolution 18 – _____

RESOLUTION DECLARING OPPOSITION OF HB 4556

WHEREAS, the Illinois House has introduced HB 4556 that would amend the Sexually Dangerous Persons Act (“Act”) to provide that litigation costs, including expert fees and the cost of representation by counsel for an indigent respondent for any purpose under the Act, including a trial or a hearing, shall be paid by the county in which the proceeding is brought.

WHEREAS, it would provide that the Director of Corrections, as guardian, shall only be responsible for costs of providing care and treatment of sexually dangerous persons while he or she is committed in a facility of the Department of Corrections.

WEREAS, it would provide that if a sexually dangerous person is released subject to conditions ordered by a court, the Director shall not be responsible for any costs of the sexually dangerous person, including, but not limited to, care, treatment, medical expenses, living expenses, and supplemental income and rent.

WHEREAS, it provide that the Director shall still provide supervision over the sexually dangerous person through parole agents if ordered; and

WHEREAS, Kendall County supports efforts to safe guard communities from sexually dangerous persons; and

WHEREAS, HB 4556 is well intentioned, but would incur significant new costs in providing services as required by the “Act”; and

WHEREAS, the State of Illinois is not providing new funds to cover the additional required services; and

WHEREAS, Kendall County opposes all unfunded mandates from the State of Illinois;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to not pass HB 4556; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

County of Kendall
Resolution 18 – _____

RESOLUTION DECLARING OPPOSITION OF HB 5489

WHEREAS, the Illinois House has introduced HB 5489 that would amend the Illinois Vehicle Code to provide that the Secretary of State shall issue distinctive registration plates for non-highway vehicles.

WHEREAS, it would provide that the Secretary shall issue these plates only to non-highway vehicles that are insured and have brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear, a headlight that emits a white light, a tail lamp that emits a red light, brake lights, and turn signals.

WHEREAS, it would provide that every owner of a non-highway vehicle that drives upon a roadway with a posted speed limit of 35 miles per hour or less shall pay the Secretary an annual registration fee of \$76. Provides that the registration fee shall be distributed as follows: \$1 to the State Treasurer, for deposit into the State Police Service Fund; \$30 to the State Treasurer, for deposit into the Road Fund; and \$45 to the Treasurer of the county of residence of the owner of the non-highway vehicle, for deposit into the road fund of the county.

WHEREAS, it finally provides that vehicles with a registration plate may be operated on any street, highway, or roadway where the posted speed limit is 35 miles per hour or less or any county highway where the posted speed limit is 55 miles per hour or less and may make a direct crossing upon or across certain roads; and

WHEREAS, Kendall County takes steps to ensure the safety of its citizens; and

WHEREAS, Kendall County takes steps to provide for the greatest quality of life for all of its citizens; and

WHEREAS, HB 5489 would endanger the health and safety of citizens driving the non-highway vehicles at near highway speeds; and

WHEREAS, HB 5489 would allow non-highway vehicles to disrupt the flow of traffic on all roads in Kendall County;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to not pass HB 5489; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

County of Kendall
Resolution 18 – _____

RESOLUTION DECLARING SUPOORT FOR HB 4584

WHEREAS, the Illinois House has introduced HB 4584 that would amend the State Finance Act, the Motor Fuel Tax Law, the Emergency Telephone System Act, the Riverboat Gambling Act, and the Video Gaming Act to provide that, in the absence of an appropriation for any State fiscal year, moneys that are required to be distributed to units of local government and other entities from the State and Local Sales Tax Reform Fund, the Motor Fuel Tax Fund, the State Gaming Fund, the Local Government Video Gaming Distributive Fund, and the Statewide 9-1-1 Fund are subject to a continuing appropriation; and

WHEREAS, the State of Illinois has been delinquent in its duty to create a budget and appropriate funds; and

WHEREAS, the funds are required by law to perform necessary services at the local government level;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to pass HB 4584; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, the sponsor and chief co-sponsor of HB 4584, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

COUNTY OF KENDALL, ILLINOIS
ADMINISTRATION HUMAN RESOURCES COMMITTEE
Meeting Minutes
Thursday, March 27, 2018

CALL TO ORDER - Committee Chair Lynn Cullick called the meeting to order at 5:33p.m.

ROLL CALL

| Board Member | Status | Arrived | Left Meeting |
|---------------------|---------------|----------------|---------------------|
| Judy Gilmour | Here | | |
| Matthew Prochaska | Here | | |
| Lynn Cullick | Here | | |
| Elizabeth Flowers | Present | | |
| John Purcell | | 5:37p.m. | |

With three members present a quorum was established to conduct committee business.

Staff Present: Matt Asselmeier, Latreese Caldwell, Matt Kinsey, Mike Neuenkirchen (Kendall Area Transit)

APPROVAL OF AGENDA

Motion: Member Prochaska
Second: Member Gilmour
RESULT: The agenda was approved by a 4-0 Voice Vote

APPROVAL OF MINUTES – March 5, 2018

Motion: Member Flowers
Second: Member Prochaska
RESULT: Approved with a 4-0 Voice Vote

WINE SERGI UPDATE – Rich Ryan provided an update on the first quarter statistics and stated that he can provide a claims review in April or early May to see where the trend is continuing.

Discussion on the Dental Office in the Health Department, and any additional liability due to the installation of electrical, bio-hazard, water pipes, donated equipment, professionals, nurses, or hygienists. Mr. Ryan stated that professionals (Doctors or dentists) are not covered, and that they have to provide their own, nurses are covered under the County's policy, and that he will check on the coverage for hygienists. Mr. Ryan said that the property is covered under the County policy, but there needs to be confirmation of the value of the donated equipment, and what the property limits are on the County policy. Ms. Cullick will research the value that was assessed to the donated equipment and contact Mr. Ryan.

DEPARTMENT HEAD AND ELECTED OFFICIAL REPORTS

Administration Department – Latreese Caldwell introduced new Technology Services Director to the Committee.

COMMITTEE BUSINESS

- *Approval of Resolution Authorizing Application for Public Transportation Financial Assistance Under Section 5311 of the Federal Transit Act of 1991, as Amended (49 U.S.C § 5311) for State Fiscal Year 2019* – Mike Neuenkirchen, Kendall Area Transit Director explained that this resolution is approved annually by the County Board. Discussion on the resolution, the contribution by the County, and the possible participation of the Village of Montgomery.

Member Purcell made a motion to forward the item to the County Board for approval, second by Member Flowers. **With five members voting aye, the motion carried.**

- *Announce Public Hearing for April 17, 2018 at County Board meeting to obtain public comment and consider economic, social, and environmental effects of the application for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. §5311)* – Mr. Neuenkirchen stated this was a requirement for applying for Public Transportation Financial Assistance.
- *Discussion and Approval of Part-Time Office Assistant (Building) Job Description* – Matt Asselmeier explained that this position would be 25 hours a week, and would primarily be responsible for providing clerical assistance, ordering supplies, maintain code books, research of documents, publications and public documents, and customer service for any building or issuing of permits. This position currently is scheduled from 8:00a.m. to 1:00p.m. After discussion, there was consensus by the committee to remove Section III A, “GIS Experience preferred”, “FOIA knowledge”, and “Public Notary preferred”, and from Section III. C, remove “a minimum of at least one year in the construction and building field”.

Member Prochaska made a motion to forward the item, with requested changes, to the County Board for approval, second by Member Flowers. **With five members voting aye, the motion carried.**

- *Discussion and Approval of Part-Time Office Assistant (Zoning) Job Description* – Mr. Asselmeier stated that this is a new position that would assist the department with recording and transcribing meeting minutes, attending meetings (most at night), research, assist with taking pictures, filing of complaints, and clerical support/back-up as needed. After discussion, there was consensus by the committee to remove from Section III A, GIS Experience preferred”, “FOIA knowledge”, and “Public Notary preferred”, and from Section III C, “a minimum of at least one year

in construction, building, clerical, legal” and “Municipal or county planning, zoning, historic preservation, engineering or public administration field preferred”.

Member Purcell made a motion to forward the item, with requested changes, to the County Board for approval, second by Member Flowers. **With five members voting aye, the motion carried.**

- *Discussion and Approval of Property, Liability, and Workers Compensation Insurance Broker RFQ* – Ms. Caldwell briefed the committee on the proposed RFQ. The committee requested that page 4, section 3J example be changed to read “service providers”. The committee also requested that page 4, section 15, number 11 be changed to read “Experience with Governmental Insurance Pools”, and page 5, Section 2.0 be changed to read “Provide Proposer’s experience with Governmental Insurance Pools”.

Member Prochaska made a motion to forward the item, with requested changes, to the County Board for approval, second by Member Flowers. **With five members voting aye, the motion carried.**

- *Discussion of Property, Liability, and Workers Compensation Insurance Broker RFQ Calendar* – Discussion on the timeline, and the dates that need to be added to the RFQ prior to approval and posting.
- *Review of Employee Handbook Revisions* – Discussion on the IMRF Policy that is included in the Employee Handbook. There was consensus by the committee to remove “are budgeted to” under Section 5.7, paragraph 2. **Ms. Caldwell will contact IMRF for clarification of “year” terminology and report back to the committee.**

Member Purcell made a motion to forward the item to the County Board for approval, second by Member Prochaska. **With five members voting aye, the motion carried.**

ACTION ITEMS FOR APRIL 3, 2018 COUNTY BOARD AGENDA

Approval of Resolution Authorizing Application for Public Transportation Financial Assistance Under Section 5311 of the Federal Transit Act of 1991, as Amended (49 U.S.C § 5311) for State Fiscal Year 2019

Approval of Part-Time Office Assistant (Building) Job Description

Approval of Part-Time Office Assistant (Zoning) Job Description

Approval of Property, Liability, and Workers Compensation Insurance Broker RFQ

ITEMS FOR THE APRIL 12, 2018 COMMITTEE OF THE WHOLE – None

PUBLIC COMMENT – None

EXECUTIVE SESSION – Not needed

MEETING ADJOURNMENT

| |
|---|
| Motion: Member Prochaska Second: Member Flowers RESULT: Approved with a Unanimous Voice Vote |
|---|

This meeting was adjourned at 7:35p.m.

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Secretary

County of Kendall, Illinois
Resolution 18 – _____

**RESOLUTION AUTHORIZING APPLICATION FOR PUBLIC TRANSPORTATION FINANCIAL
ASSISTANCE UNDER SECTION 5311 OF THE FEDERAL TRANSIT ACT OF 1991,
AS AMENDED (49 U.S.C § 5311) FOR STATE FISCAL YEAR 2019**

WHEREAS, the provision of public transit service is essential to the people of Illinois; and

WHEREAS, 49 U.S.C. § 5311 (“Section 5311”), makes funds available to the State of Illinois to help offset certain operating deficits and administrative expenses of a system providing public transit service in non-urbanized areas; and

WHEREAS, the State of Illinois, acting by and through the Illinois Department of Transportation, is authorized by 30 ILCS 740/3-1 et seq. to provide the Section 5311 grant; and

WHEREAS, grants for said funds will impose certain obligations upon the recipient, including the provision by it of the local share of funds necessary to cover costs not covered by funds provided under Section 5311;

WHEREAS, a public hearing was held on April 17, 2018 to obtain public comment on the environmental and economic impacts of the application for public transportation financial assistance.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF KENDALL COUNTY:

Section 1. That KENDALL COUNTY finds that the Kendall Area Transit project is consistent with official plans for developing the community.

Section 2. That an application be made to the Office of Intermodal Project Implementation, Department of Transportation, State of Illinois, for a financial assistance grant under Section 5311 for fiscal year 2019, for the purpose of off-setting a portion of the Public Transportation Program operating expenses and deficits of KENDALL COUNTY.

Section 3. That while participating in said operating assistance program KENDALL COUNTY will provide required local matching funds.

Section 4. That the Kendall County Board Chairman of KENDALL COUNTY is hereby authorized to provide Applicants Certificate of Intent, Restriction on Lobbying Certification, Affirmation of Applicant, and the State’s Attorney is authorized to provide Affirmation of the Applicant’s Attorney for Federal Transit Administration Certifications and Assurances.

Section 5. That the Kendall County Board acknowledges the Acceptance of Special Warranty, and understands as a condition of receipt of funds under 49 U.S.C. § 5311 funds, that 49 U.S.C. § 5333(b) requires fair and equitable arrangements must be made to protect the interests of employees affected by such assistance.

Section 6. That the County Administrator of KENDALL COUNTY is hereby authorized and directed to execute and file on behalf of KENDALL COUNTY such application.

Section 7. That the County Administrator of KENDALL COUNTY is authorized to furnish such additional information as may be required by the Office of Intermodal Project Implementation and the Federal Transit Administration in connection with the aforesaid application for said grant.

Section 8. That the County Administrator of KENDALL COUNTY is hereby authorized to provide such information and to file such documents as may be required to perform the Agreement and to receive the grant for fiscal year 2019.

PRESENTED and ADOPTED by the County Board, this 17th day of April 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder



Kendall County, Illinois

REQUEST FOR QUALIFICATIONS

Insurance Brokerage Services

Property, Liability, and Workers Compensation

April 2018

This Request for Qualifications (“RFQ”) is for the purpose of evaluating the qualifications of a qualified firm to provide Insurance Brokerage services. Kendall County may, but is not required to, enter into a professional working relationship with a qualified firm as a result of this RFQ.

GENERAL REQUIREMENTS:

Proposers are to submit 1 original proposal and (11) Copies. Firms may be notified that they have been selected for further evaluation. Selected Proposer interviews will be scheduled on June 12th and June 14th 2018. Interview attendance is required.

SUBMISSION LOCATION:

Kendall County Administration
111 W. Fox St
Yorkville, IL 60560

SUBMISSION DATE:

May 15th, 2018 by **4:00 p.m.**
Responses received after the time specified will not be opened.

CONTACT QUESTIONS:

Submit questions via email to: Kendall County Administration, attention Scott Koeppel, County Administrator, at skoeppel@co.kendall.il.us. Questions are required no less than three (3) business days prior to the RFQ opening date. **Absolutely no informal communication shall occur regarding this RFQ, including requests for information or speculation between Proposers or any of their individual members and any Kendall County elected official or employee. All questions will be answered with a copy of the question and answer to each Proposer that the County is aware of and may be answered by addendum.**

CONTENTS:

The following sections, including this cover sheet, shall be considered integral parts of this solicitation:

- Notice of RFQ
- General Terms and Conditions
- Project Overview
- Submission Requirements
- References

GENERAL TERMS AND CONDITIONS

1. **Negotiations:**
Kendall County reserves the right to negotiate specifications, terms and conditions, which may be necessary or appropriate to the accomplishment of the purpose of this RFQ. Nothing in this RFQ is intended as a contract or as any kind of promise or commitment to enter into an agreement.
2. **Confidentiality:**
RFQs and responses thereto are subject to the Illinois Freedom of Information Act ("FOIA").
3. **Reserved Rights:**
Kendall County reserves the right, at any time and for any reason, to cancel this RFQ, or any portion thereof, or to reject any or all RFQs. The County reserves the right to waive any immaterial defect in any RFQ. The County may seek clarification from a Proposer at any time, after the submission date, and failure to respond promptly is cause for rejection.
4. **Incurred Costs:**
Kendall County will not be liable for any costs incurred by respondents in replying to this RFQ.
5. **Award:**
The Human Resources and Administration Committee of the Kendall County Board will review all of the proposals and make a recommendation to the full County Board for final approval.
6. **Discussion of RFQ:**
Kendall County may conduct discussions with any Proposer who submits a response to this RFQ. During the course of such discussions, the County shall not disclose any information derived from one Proposer to any other Proposer.
7. **Time and Effort:**
Time is of the essence. The Proposer shall be able to devote sufficient resources to Kendall County.
8. **Responsibility and Default:**
The Proposer shall be required to assume responsibility for all items listed in this RFQ. The successful Proposer shall be considered the sole point of contact with Kendall County for purposes of this agreement.
9. **Interpretations or Correction of Request for Qualifications:**
Proposer shall promptly notify Kendall County of any ambiguity, inconsistency or error that they may discover upon examination of the RFQ. Interpretation, correction and changes to the RFQ will be made by written addendum. Interpretation, corrections or changes made in any other manner will not be binding.
10. **Addenda:**
Addenda are written instruments issued by the County prior to the date of receipt of qualifications, which modify or interpret the RFQ by addition, deletions, clarifications, or corrections. Each Proposer shall ascertain prior to submitting a qualifications packet that all addenda issued have been received, and by submission of a qualification packet, such act shall be taken to mean that such Proposer has received and understands fully the contents of the addenda.
11. **Federal, State, and Local Laws:**
Proposer shall follow all Federal, State, and Local laws.
12. **Insurance: *Please submit certificate with your proposal***
The Proposer must obtain insurance issued by a company or companies qualified to do business in the State of Illinois and provide the County with evidence of credible insurance. Insurance in the following types and amounts is necessary:
 - Professional Liability to include, but not be limited to, coverage for Errors and Omissions to

respond to claims for loss therefrom:

- General Aggregate Limit \$1,000,000
- Each Occurrence Limit \$ 500,000

Proposer agrees that with respect to the above required insurance, Kendall County shall:

- Be named as additional insured **by endorsement** as their interest may appear;
- Be provided notice within thirty (30) days, in writing, of cancellation or material change to said policy;
- Be provided with Certificates of Insurance evidencing the above-required insurance, prior to commencement of any working relationship and thereafter with certificates evidencing renewals or replacement of said policies of insurance at least fifteen (15) days prior to the expiration of cancellation of any such policies.

13. Change in Status:

The Proposer shall notify Kendall County immediately of any changes in its status resulting from any of the following: (a) Proposer is acquired by another party; (b) Proposer becomes insolvent; (c) Proposer, voluntarily or by operation of law, becomes subject to the provisions of any chapter of the Bankruptcy Act; (d) Proposer ceases to conduct its operations in normal course of business. Kendall County shall have the option to terminate any professional working relationship with the Proposer immediately on written notice based on any such change in status.

14. Precedence:

Where there appears to be variances or conflicts, the following order of precedence shall prevail: Kendall County Request for Qualifications; and the Proposers Response to RFQ.

15. Submittal and Evaluation Factors:

The most promising responses as determined by Kendall County will be evaluated in detail. Additional information may be sought from Proposer(s). Proposers may be asked to present and explain their proposals. The key person to be assigned to this project must be present at this interview. The County reserves the right to waive non-material deficiencies in any proposal.

Proposals will be evaluated by the County. The County reserves the right to reject any or all proposals and is not and shall not be bound to select one or more Proposer to provide services to the County.

The County also reserves the right to exercise its discretion and be the sole judge of all proposals.

Criteria includes but is not limited to the following:

1. Understanding of the work required as evidenced by the proposal and the ability of the Broker to commence work in a timely manner. Completeness of proposal will be critical.
2. The qualifications of the company;
3. The scope of the services offered;
4. Ability to work with and relationship with and access to major health insurance carriers;
5. Completeness and responsiveness to the requirements of the RFQ;
6. Experience, qualifications and competency in providing insurance agency /Brokerage and consulting services to units of local government in the State of Illinois;
7. Experience of the individual and/or team that will be assigned to the County;
8. Experience in evaluating operations and making recommendations that are feasible;
9. Understanding of the project's objectives and scope as evidenced by the quality of the proposal submitted;

10. Good service and good value shall weigh heavily in the selection process.
11. Experience with governmental insurance pools.
12. Firm compensation assessment.

PROJECT OVERVIEW

1. Intent:

Kendall County may enter into a service agreement with a qualified firm to provide Property, Liability, and Workers Compensation Insurance Brokerage services for Kendall County.

2. Background:

Kendall County (population of approximately 124,000) employs over 320 employees. Kendall County is seeking Property, Liability, and Workers Compensation Insurance.

3. Project Scope of Services:

The purpose of this Request for Qualifications (“RFQ”) is to select a Firm qualified to represent the insurance interests of the County. As this is an Agent/Broker RFQ, insurance/risk management consultants and carriers will not be considered. The selected Firm is expected to provide qualified and expert professional services, including but not limited to:

- a. Once a month (or as requested), review the County’s current insurance program in person and provide reports to the Human Resources and Administration Committee or other committees as assigned by the Kendall County Board.
- b. Annual recommendations concerning changes in terms, conditions and limits of coverage; based on best industry practices, the need for ancillary insurance services, additional coverage and modifications, updating or upgrading of existing coverage (s).
- c. Upon approval by the County, annual marketing of County’s property, liability, and workers compensation insurance program, including, a negotiation of carrier contract extension or change (s). This service will include comprehensive assistance and guidance in completing the insurance application process in a timely fashion.
- d. Solicitation of proposals from qualified insurance carriers on an annual or as needed basis who are experienced and familiar with units of local government in Illinois.
- e. Development of bid specifications to be submitted to the insurance marketplace for which proposals are sought.
- f. Evaluation of proposals submitted by insurance carriers relative to compliance with insurance specifications, cost and ability of each carrier to perform as required including relative solvency.
- g. Detailed report of solicited policy renewal options available to the County.
- h. Examination and approval of issued policies and bonds for conformance with the County’s specifications and the carrier’s proposal.
- i. Provision of an annual stewardship report, including insurance schedule, policy summaries, review of past year’s activities and outlook for coming year’s market conditions.
- j. Assistance to the County in drafting insurance specifications for contracts and agreements as requested (Example – service providers).
- k. Advice to the County on new developments in the field of insurance.
- l. The selected broker/consultant will be expected to work in partnership with the County staff to perform the following services:
 - Provide recommendation for the proposed benefit components, specifically in the area of design, funding, cost and administration.
 - Conduct renewal negotiations with the carrier(s) and vendors and prepare a complete and detailed accounting of all claim costs, provider access fees, administrative expenses, risk charges, etc.
 - Provide general problem solving throughout the plan year.
 - Promptly assist staff with the resolution claim issues.
 - Any other duties critical to the proper formation of a property, liability, and workers compensation plan and its optimal operation and participation.

4. Submission Requirements:

Section 1.0 – Executive Summary

Provide a brief summary which describes and highlights your firm's experience, qualifications, and expertise and why your team would be the best brokerage choice for the Kendall County. Please state your firm's business organization type (sole proprietor, partnership, corporation, etc.).

Section 2.0 – Relevant Experience

Provide a detailed description for other clients you currently serve. Emphasis should be placed on work completed within the last five years by the specific personnel being proposed to work on this project. Provide Proposer's experience with governmental insurance pools.

Section 3.0 – Project Design and Management Team

Provide an organization chart graphically illustrating how your firm would staff and structure your proposed team for brokerage services.

Section 4.0 – Compensation and Term

Provide desired contract length and Proposer compensation for broker services.

Section 5.0 – Firm Differentiation

This section represents one of the most important sections for the selection of the short listed firms. Please respond to the individual questions carefully and succinctly.

Team Leadership

- Who on your team will provide consistent day-to-day service to the County of Kendall?
- What are your expectations for performance of this individual with regard to providing Kendall County with high quality insurance brokerage services?
- List and rank ten (10) key attributes or abilities this firm possesses that Kendall County is seeking.

Budget

How does your firm maximize and maintain the lowest possible insurance quotes for your clients? Cite examples of specific things that you have done with your other clients to meet this objective.

Section 6.0 – References

Provide three (3) company references and three (3) references for the proposed primary insurance broker. Local government references are preferred.

HIGHWAY COMMITTEE MINUTES

DATE: April 10, 2018
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Matt Kellogg, Scott Gryder, Judy Gilmour, Lynn Cullick and Bob Davidson
STAFF PRESENT: Ginger Gates, Fran Klaas and John Burscheid
ALSO PRESENT: PJ Fitzpatrick, Kelly Farley, and Nathan Holmer

The committee meeting convened at 4:02 P.M. with roll call of committee members. All present. Quorum established.

Motion Cullick; second Gilmour to approve the agenda as presented. Motion approved unanimously.

Motion Cullick; second Gilmour to approve the Highway Committee meeting minutes from February 13, 2018. Motion approved unanimously.

Bid opening was held on April 6, 2018 for 21 County road and bridge construction projects as well as Township motor fuel tax projects. Bid results were presented to the Committee. Motion Gryder; second Cullick to recommend approval of a resolution awarding contracts to the lowest responsible bidder for each of the projects bid. Average low bids for all projects were about 17% below engineer's estimates. County projects were about 13% below estimates. Gryder asked why certain bidders did not bid on some projects. Klaas indicated it was mostly related to geography. Motion to send the resolution to the County Board carried unanimously. Gryder requested that bid sheet should also be provided in the County Board packet.

IGA with Village of Plattville and Seward Road District was not yet ready to bring before the Board. Kellogg suggested that the IGA could go straight to County Board and not necessarily come back through Committee.

Klaas presented information and photos regarding damage and deterioration of Whitfield Road north of Rogers Road. It is likely that additional traffic on Whitfield has contributed to the recent deterioration. Even though Whitfield Road is not the signed detour route, significant additional traffic is using Whitfield Road because of the Millington Bridge closure. Klaas discussed the possibility of partnering with Village of Millbrook and Fox Road District to repair Whitfield Road by placing an asphalt overlay from the retaining wall north of Rogers Road, north to Millhurst Road. Estimated cost is \$76,000, and the suggested split would be 50% for the County and 50% for the Village and Road District. Kellogg and Davidson both confirmed that they have noticed a lot more traffic on Whitfield. Committee was generally in favor of moving forward with the improvement, which would likely happen in the late summer or fall. An IGA will be required with the 3 agencies.

PJ Fitzpatrick provided an update on the Collins Road project. Davidson asked if Oswego was going to purchase the necessary right-of-way for the project. Klaas stated that no one could begin land acquisition until the project development report is approved by IDOT and FHWA. And with

federal money in the project, land acquisition becomes much more complicated. Gryder stated that he has not discussed this matter with the new Village President, but he has spoken with the planning staff, and they indicated that they are ready to go. The County will need to reach out to the Village to determine how the land acquisition will move forward. Kellogg asked whether the Village had a land plan for this area. Fitzpatrick indicated that they did have a plan and the Collins Road Extension is in it. Gryder suggested talking to Rod Zenner about the project. Fitzpatrick indicated that it might be 3 months before design approval on the project. Then plats and legals would need to be created. So it could be at least 6 months before any negotiation could take place. And Klaas stated that it would likely take 2 years to complete all the acquisitions.

Gryder said that he had finally noticed that the little shed at Caton Farm Road and Ridge Road had been removed. Evidently the Joliet Historical Society had removed the shed.

Joint meeting with Grundy County Highway Committee will be postponed until the County hires a new County Engineer.

Klaas requested a revision to some County Highway numbers because of inconsistencies, and provided an exhibit showing proposed revisions. IDOT has indicated that the County can change any of the county highway numbers, and recommended that the County approve a resolution indicating the desired changes. The Committee discussed numbering and jurisdiction of Collins Road, and possible future limits of this road. Because of some of the uncertainty of the future limits, Klaas wanted to reserve County Highway 21 for Collins Road. A resolution will be brought back to a future Committee meeting.

Motion Cullick; second Gryder to forward Highway Department bills for the month of April in the amount of \$324,907.12 to the Finance Committee for approval. Motion approved unanimously.

Motion Gilmour; second Cullick to go into executive session for collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. Motion approved unanimously.

Regular session resumed at 4:53 P.M. with no action taken.

Motion Cullick; second Gryder to adjourn the meeting at 4:53 P.M. Motion carried unanimously.

Respectfully submitted,



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

Action Items

1. Resolution awarding all County and Township Motor Fuel Tax projects to the low bidders, as identified on said resolution.

KENDALL COUNTY

Resolution No. _____

WHEREAS, bids were received at the County Highway Office on April 6, 2018 on the following listed projects:

Sec. 16-00134-00-BR, Galena Road Bridge, C. H. #9, approve the low bid of D Construction, Inc. in the amount of \$1,164,861.82.

Sec. 17-00140-00-BR, Little Rock Road Culvert, C. H. #12, approve the low bid of D Construction, Inc. in the amount of \$641,384.03.

Sec. 18-00000-00-GM, Little Rock Road, HMA Resurfacing, C.H. #12, approve the low bid of Builders Paving, LLC in the amount of \$531,888.00.

Sec. 18-00000-01-GM, Grove Road, HMA Resurfacing, C.H. #16, approve the low bid of D Construction, Inc. in the amount of \$629,376.05.

Sec. 18-01000-00-GM, Big Grove Road District, Gr. 1 Seal Coat, approve the low bid of Civil Construction, Inc. in the amount of \$42,523.60. Gr.2 Aggregate Central Limestone in the amount of \$6,250.00 and LaFarge North America in the amount of \$6,000.00. Both bids approved.

Sec. 18-02000-00-GM, Bristol Road District, HMA Resurfacing, approve the low bid of D Construction, Inc. in the amount of \$191,702.20.

Sec. 18-03000-00-GM, Fox Road District, HMA Resurfacing, approve the low bid of D Construction, Inc. in the amount of \$68,559.00.

Sec. 18-04000-00-GM, Kendall Road District, HMA Resurfacing, approve the low bid of D Construction, Inc. in the amount of \$117,820.45.

Sec. 18-05000-00-GM, Lisbon Road District, HMA Resurfacing, approve the low bid of D Construction, Inc. in the amount of \$111,861.00.

Sec. 18-06000-00-GM, Little Rock Road District, Seal Coat, approve the low bid of Steffens 3-D Construction in the amount of \$68,148.80.

Sec. 18-07000-00-GM, Na-Au-Say Road District, HMA Resurfacing, approve the low bid of D Construction, Inc. in the amount of \$122,553.50.

Sec. 18-08000-00-GM, Oswego Road District, HMA Resurfacing, approve the low bid of D Construction Inc. in the amount of \$328,676.05.

Sec. 18-09000-00-GM, Seward Road District, HMA Resurfacing, approve the low bid of D Construction, Inc. in the amount of \$102,375.50.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Kendall County award the above listed projects to the lowest responsible bidders as listed above.

This resolution approved by the County Board of Kendall County, State of Illinois.

Scott Gryder - Kendall County Board Chairman

I, Debbie Gillette, County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the 17th day of April, 2018.

Debbie Gillette - County Clerk

(SEAL)

Kendall County Highway Department Bid Opening - April 6, 2018

| Section | Project | Funding | Low Bidder | 2nd | 3rd | 4th | 5th |
|----------------|--|------------------------------|---|---|---|---|---|
| 17-00140-00-BR | Little Rock Rd. Culvert Engr. Estimate: \$657,929 | County Sales Tax | D Construction, Inc. \$641,384.03 | Copenhaver Construction \$778,479.46 | Alliance Contractors \$823,622.12 | Swallow Construction \$1,067,405.43 | |
| 18-00000-00-GM | Little Rock Rd. Resurfacing Engr. Estimate: \$624,705 | County Motor Fuel Tax | Builders Paving LLC \$531,888.00 | D Construction, Inc. \$539,874.55 | Geneva Construction Co. \$543,978.25 | | |
| 18-00000-01-GM | Grove Rd. Resurfacing Engr. Estimate: \$738,335 | County Motor Fuel Tax | D Construction, Inc. \$629,376.05 | Builders Paving LLC \$652,888.00 | Geneva Construction Co. \$697,405.80 | P.T. Ferro Construction \$700,646.74 | Gallagher Asphalt Corp. \$814,013.80 |
| 16-00134-00-BR | Galena Br. over Blackberry Cr Engr. Estimate: \$1,410,584 | County Bridge & Sales Tax | D Construction, Inc. \$1,164,861.82 | Riber Construction \$1,420,551.83 | Copenhaver Construction \$1,659,792.95 | | |
| 18-01000-00-GM | Big Grove Twp. Seal Coat Engr. Estimate: \$55,160 | Township Motor Fuel Tax | Civil Constructors, Inc. \$42,523.60 | Steffens 3D Construction \$43,939.20 | AC Pavement Striping \$49,108.00 | | |
| 18-01000-00-GM | Big Grove Twp. Aggregate Engr. Estimate: \$7,000 | Township Motor Fuel Tax | LaFarge North America \$6,000.00 | Central Limestone Co. \$6,250.00 | | | |
| 18-02000-00-GM | Bristol Twp. Resurfacing Engr. Estimate: \$238,785 | Township MFT & Other | D Construction, Inc. \$191,702.20 | Builders Paving LLC \$199,495.70 | Geneva Construction Co. \$221,724.70 | | |
| 18-03000-00-GM | Fox Twp. Resurfacing Engr. Estimate: \$69,880 | Township MFT & Other | D Construction, Inc. \$68,559.00 | Builders Paving LLC \$73,588.00 | | | |
| 18-03000-01-GM | Fox Twp. Seal Coat Engr. Estimate: \$29,185 | Township Non-MFT | Steffens 3D Construction \$22,188.40 | Civil Constructors, Inc. \$23,673.00 | AC Pavement Striping \$25,246.00 | | |
| 18-04000-00-GM | Kendall Twp. Resurfacing Engr. Estimate: \$144,670 | Township MFT & Other | D Construction, Inc. \$117,820.45 | Geneva Construction Co \$123,909.20 | Builders Paving LLC \$132,835.70 | Gallagher Asphalt Corp. \$190,079.20 | |
| 18-04000-01-GM | Kendall Twp. Seal Coat Engr. Estimate: \$97,750 | Township Non-MFT | Steffens 3D Construction \$74,320.00 | Civil Constructors, Inc. \$77,525.00 | AC Pavement Striping \$82,430.00 | | |
| 18-04000-02-GM | Kendall Twp. Road Seal Engr. Estimate: \$31,800 | Township Non-MFT | Denier, Inc. \$19,595.00 | | | | |
| 18-05000-00-GM | Lisbon Twp. Resurfacing Engr. Estimate: \$138,580 | Township MFT & Other | D Construction, Inc. \$111,861.00 | PT Ferro Construction \$140,665.00 | Gallagher Asphalt Corp. \$148,638.50 | | |
| 18-06000-00-GM | Little Rock Twp. Seal Coat Engr. Estimate: \$92,056 | Township MFT & Other | Steffens 3D Construction \$68,148.80 | Civil Constructors, Inc. \$71,390.80 | AC Pavement Striping \$75,581.20 | | |

Kendall County Highway Department Bid Opening - April 6, 2018

| Section | Project | Funding | Low Bidder | 2nd | 3rd | 4th | 5th |
|----------------|---|-------------------------|--------------------------------------|--------------------------------------|---|---------------------------------------|---|
| 18-06000-01-GM | Little Rock Twp. Paving Engr. Estimate: \$238,870 | Township Non-MFT | Builders Paving LLC \$186,888.00 | D Construction, Inc. \$211,093.70 | Geneva Construction Co. \$219,943.70 | | |
| 18-07000-00-GM | Na-Au-Say Twp. Resurfacing Engr. Estimate: \$154,490 | Township MFT & Other | D Construction, Inc. \$122,553.50 | Geneva Construction \$129,913.50 | Builders Paving LLC \$134,634.00 | PT Ferro Construction \$148,153.50 | Gallagher Asphalt Corp. \$168,553.50 |
| 18-07000-01-GM | Na-Au-Say Twp. Road Seal Engr. Estimate: \$40,600 | Township Non-MFT | American Road Maint. \$41,684.00 | | | | |

| | | | | | | | |
|----|----------------|---|-------------------------|--|--|---|--|
| 18 | 18-07000-02-GM | Na-Au-Say Twp. Seal Coat Engr. Estimate: \$228,898 | Township Non-MFT | Civil Constructors, Inc. \$173,773.60 | Steffens 3D Construction \$175,961.50 | AC Pavement Striping \$197,989.70 | |
| 19 | 18-08000-00-GM | Oswego Twp. Resurfacing Engr. Estimate: \$399,368 | Township MFT & Other | D Construction, Inc. \$328,676.05 | Builders Paving LLC \$344,778.55 | Geneva Construction Co. \$345,608.55 | |
| 20 | 18-08000-01-GM | Oswego Twp. resurfacing-BH Engr. Estimate: \$777,827 | Township Non-MFT | Builders Paving LLC \$572,459.15 | Geneva Construction \$606,265.05 | D Construction, Inc. \$622,326.05 | |
| 21 | 18-09000-00-GM | Seward Twp. Resurfacing Engr. Estimate: \$135,684 | Township MFT & Other | D Construction, Inc. \$102,375.50 | PT Ferro Construction \$117,002.17 | Gallagher Asphalt Corp. \$135,127.75 | |

Sum of all Engr.
Estimates:

\$6,312,156.00

Sum of all
Low Bids:

\$5,218,638.15

17.3 % below Engineers Estimates

County Projects
Only:

\$3,431,553.00

Sum of all
Low Bids:

\$2,967,509.90

13.5 % below Engineers Estimates



Resolution No MFT Salary Section No Section No

WHEREAS, the County Board of Kendall County has adopted a resolution establishing the salary of the County Engineer to be 107% of the recommended salary for the County Engineer as determined annually by the Illinois Department of Transportation, and percentage

WHEREAS, the County Board of Kendall County has entered into an agreement from 03/27/18 to 03/26/24 with the Illinois Department of Transportation for transfer of Federal Surface Transportation Program funds to pay one-half of the salary paid to the County Engineer.

NOW, THEREFORE, BE IT RESOLVED, by the Kendall County Board that there is hereby appropriated the sum of One hundred and twenty five thousand Dollars (\$125,000) from the County's

Highway funds for the purpose of paying the County Engineer's salary from 05/20/18 to 05/19/19 and, Fund beginning date ending date

BE IT FURTHER RESOLVED, that the Kendall County Board hereby authorizes the Department of Transportation, State of Illinois to transfer Sixty two thousand five hundred Dollars

(\$62,500) of Federal Surface Transportation Program funds allocated to Kendall County to the Department of Transportation in return for an equal amount of State funds; and County

BE IT FURTHER RESOLVED, by the Kendall County Board that there is hereby appropriated the sum of _____ Dollars (_____) from the County's

_____ funds for the purpose of paying the County Engineer's expenses from _____ to _____ Fund beginning date ending date

I Debbie Gillette County Clerk in and for said County of Kendall in the State of Illinois, and Name of Clerk County keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete original of a resolution adopted by the County Board of Kendall at a meeting held on 04/17/18 County date

I certify that the correct TIN/FEIN number for Kendall County is 366006598 Legal Status: Governmental. County TIN/FEIN Number

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of _____ Day Month, Year

(SEAL)

Clerk Signature

For resolutions not involving a transfer of STR funds:
Regional Engineer, IDOT Date

APPROVED
STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION

For resolutions involving a transfer of STR funds:

Randall S Blankenhorn
Secretary of Transportation

Date

BY: Priscilla A Tobias

Director, Office of Program Development

Date

COUNTY OF KENDALL, ILLINOIS
FACILITIES MANAGEMENT COMMITTEE
MEETING MINUTES
MONDAY April 2, 2018

Committee Chair Bob Davidson called the meeting to order at 4:00 p.m.

Roll Call: Members Present: Bob Davidson, Matt Kellogg, Audra Hendrix, Judy Gilmour
Members Absent: Tony Giles

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

Others Present: Facilities Management Director Jim Smiley, County Administrator Scott Koppel, Sheriff Dwight Baird.

Approve the March 5, 2018 Facilities Committee Meeting Minutes – there were no changes to the March 5, 2018 minutes; Member Gilmour made a motion to approve the minutes, second by Member Hendrix. **With enough present members voting aye, the minutes were approved.**

Public Comment – None

Motion by Member Gilmour to move Old Business agenda item number 3 to be item 1 second by Member Hendrix. **With all present members voting aye, the agenda changes were approved.**

Old Business/Projects

1. *Healy Bender, 111 W. Fox St. Part I Analysis* – Director Smiley stated that a meeting with the department heads, elected officials and their security consultant will be set up for next week. Jim stated that after those meetings are complete, Healy Bender will put together the final report.
2. *Establish a policy for Requests to Film on County Properties* – Jim stated the State's Attorney's Office started reviewing the proposed policy. They suspended the review after realizing that several other forms were going to be needed to go along with the policy. Scott Koppel's recommendation is to have one (1) form with check boxes. The Committee stated to make the changes and bring it back to the Committee. The policy will be resubmitted to the State's Attorney's Office after the proper form(s) are created.
3. *PSC H.V.A.C. & Controls Improvements RFP Bids* – Chairman Davidson reminded the Committee the only way the project could move forward is if at the next County Board meeting a vote to reconsider is proposed by one of the "no" votes from the previous meeting. Chairman Davidson asked Jim Harbaugh from DuPage County Facilities to speak to the Committee about his experience with using the US Communities program. Dwight Baird, Kendall County Sheriff provided current statistics on the jail population. Sheriff Baird also stated it is important to upgrade the control system because reports are needed from time to time on the conditions in the jail cells. Vanessa Iorio from Trane answered questions about the project and how it was put together as well as what other companies could do the same work. County Administrator Scott Koppel informed the Committee that he and Director Smiley met with Mike Kluber and staff to discuss the master A/E contract. Mr. Kluber later informed Scott and Jim the contract with Kluber had expired in 2016, but had renewal language built in. The fee for a project in the price range we have been projecting using Kluber for A/E design and project management would cost 10.36% of the total project cost. Mr. Koppel also stated it is possible that Kluber could propose a totally different design.
4. *Review Dr. Tokars request for lobby improvements at the Health & Human Services Facility* – Mr. Smiley stated this project was brought to the Finance Committee on March 15, 2018. Finance briefly discussed the project and decided to refer back to Facilities for further discussion. The Consensus of the Committee is for Mr. Smiley to send a letter to Dr. Tokars to inform her of the process to budget and get the project approved for the next budget year.
5. *Bailiff's Office Construction* – Mr. Smiley informed the Committee the drywall has been prime coated, ceiling grid has been installed and the walls should be painted this week. Jim stated that the carpet installation has been requested and will be scheduled as soon as the background screens are completed. Mr. Smiley believes the project will be completed within the next couple of weeks.

New Business/Projects

1. Chairman's Report

- a. *Solar Project Update* – Chairman Davidson stated key dates for the City of Yorkville Solar Field meetings are: Planning Commission April 12th at 9:00 am, Economic Development Committee May 1st, Planning Commission May 9th and the City Counsel vote is May 22nd.
 - b. *Maintenance Tech Level 1 Medical Leave* – Mr. Smiley informed the Committee that one of the KCFM Tech's will be on Medical Leave for 6 – 8 weeks. Jim stated that there is no funding for a temporary employee. The Consensus of the Committee is to inform the Finance Committee of the situation as overtime is already over for the year due to the harsh winter.
 - c. Housing Authority submitted a letter requesting more space. Chairman Davidson stated that VAC would also like to move. Member Hendrix requested this item be added to the next Facilities meeting agenda for discussion.
2. *Approve Four Seasons Landscaping for Landscaping maintenance for a three (3) year contract with a One (1) year optional extension for \$39,470.00 for year one & two & \$41,355.00 for year three & four* – Motion by Member Kellogg to send the contracts to the County Board for approval. Second by Member Hendrix. **All members present voting aye. Motion Carried.**
3. *Approve for vote at the April 17, 2018 county Board Meeting:* Motion by Member Kellogg to send the contracts to the County Board for approval. Second by Member Hendrix. **All members present voting aye. Motion Carried.**
- a. *Approve 1-year contract with Call One for the Centrex Phone Circuits in the amount of \$9.00 per Month base price plus usage.*
 - b. *Approve three (3) year contract with Call One for the Point to Point T1 Circuit in the amount of \$500.00 per month.*
 - c. *Approve three (3) year contract with Call One for the PRI T1 Circuits in the amount of \$2,124.80 per month.*
4. *OSHA Safety Training at Waubensee Community College* – Director Smiley attended a one day class at the suggestion of County Administrator Scott Koeppel. Mr. Smiley stated topics included: employee engagement, workplace safety, workplace violence and hazard assessments and control.
5. *Court Call Phone Addition to Courtroom #113* – Mr. Smiley informed the Committee that Juge McCann requested a Court Call phone be installed in courtroom 113. KCFM staff extended the line from the Public Safety Center across campus to the Courthouse. The line was tested with no issues. **Project Complete**
6. *Public Safety Center U.P.S. system Preventative Maintenance I* – Jim stated that the system was tested and no issues were found. Jim did state that batteries will need to be replaced and he put money in the budget this year to do this. **Project Complete**

Staffing/Training/Safety

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

Other Items of Business

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

Questions from the Media – None

Executive Session – Member Gilmour made a motion to enter into Executive Session for the purpose of 5 ILCS 120/2 (c)(21), Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06, second by Member Hendrix.

Roll Call Vote: Members Present: Bob Davidson, Matt Kellogg, Audra Hendrix, Judy Gilmour **With all members in attendance voting aye, the committee entered into Executive Session at 5:17 p.m.**

Others Present: Scott Koeppel, County Administrator, Jim Smiley, Director of Facilities, Matt Prochaska, Christina Wald.

Member Kellogg made a motion to return to Open Session, second by Member Gilmour. **With all members present voting aye, the committee returned to Open Session at 5:20 p.m.** The committee decided to keep the Executive session minutes sealed at this time.

Adjournment – Chairman Davidson asked if there was a motion to adjourn. Member Gilmour made a motion to adjourn the meeting, second by Member Hendrix. **With all members present voting aye, the meeting adjourned at 5:26 p.m.**

Respectfully submitted,

Christina Wald
Administrative Assistant

Kendall County Landscaping bid breakdown 2018-2021

Summary of Costs

Yearly Combined Cost

| Twin Oaks Landscaping | 4 Seasons Landscaping | Beverly Environmental, LLC | Semper FI Land Inc |
|-----------------------|-----------------------|----------------------------|--------------------|
| \$ 61,923.00 | \$ 39,470.00 | \$ 53,050.00 | \$ 45,752.00 |
| \$ 61,923.00 | \$ 39,470.00 | \$ 53,050.00 | \$ 45,772.00 |
| \$ 61,923.00 | \$ 41,355.00 | \$ 53,050.00 | \$ 45,772.00 |
| \$ 63,105.00 | \$ 41,355.00 | \$ 53,050.00 | \$ 45,772.00 |
| \$ 248,874.00 | \$ 161,650.00 | \$ 212,200.00 | \$ 183,068.00 |

4 Year Combined Costs

Combines Services (Annual)

Lawn Cutting & Tree, plantings and beds maintenace

COUNTY OF KENDALL, ILLINOIS
BUDGET & FINANCE COMMITTEE
Meeting Minutes for Thursday, March 29, 2018

Call to Order

Committee Chair John Purcell called the Budget and Finance Committee meeting to order at 5:33 p.m.

Roll Call

| Attendee | Status | Arrived | Left Meeting |
|-------------------|--------|---------|--------------|
| John Purcell | Here | | |
| Lynn Cullick | Here | | |
| Bob Davidson | Yes | | |
| Matt Kellogg | Here | | |
| Matthew Prochaska | ABSENT | | |

Staff Members Present: Latreese Caldwell, Robert Jones

Approval of Agenda – Member Kellogg made a motion to approve the agenda, second by Member Cullick. **With four members present voting aye, the agenda was approved by a vote of 4-0.**

Approval of Claims – Member Kellogg made a motion to forward the Approval of Claims in an amount not to exceed \$873,099.33, Coroner Claims in an amount not to exceed \$5,273.94, March 2018 Petit Juror Claims in an amount not to exceed \$1,725.00, March 26, 2018 Grand Juror Claims in an amount not to exceed \$233.42, and Elections Judge Claims for March 20, 2018 in an amount not to exceed \$51,768.71 to the County Board, second by Member Cullick.

Member Davidson had a question about a Coroner expense in the Coroner supply line item as it was a significant amount. Member Cullick likewise had a question in the Health Department expenses for tuition reimbursement. The Committee directed staff to reach out to Coroner Purcell and Dr. Tokars on the items.

With four members present voting aye, the claims were approved by a vote of 4-0.

Department Head and Elected Official Reports - None

Reports from Other Committees

Facilities Committee – Member Davidson stated as per direction of the County Board, the Facilities Committee would move forward on creating a new RFP for replacing the HVAC system at the County Jail. He noted that the costs will be higher than predicted before due to added engineering and possible loss of tax credits.

Items of Business

- *Credit Card Update* – Bob Jones, County Treasurer's Office - Mr. Jones stated that the Treasurer's Office compiled a list credit cards used by the County across departments and

offices. The Treasurer's Office has been working on an updated credit card policy. Finally, they are hoping to look at only one credit card provider, hoping to get additional savings.

The Committee thanked Mr. Jones, and offered the recommendation to send out to the Department heads across the County for feedback. Mr. Jones said he would.

- *Approval of Credit Card for Technology services Director Matthew Kinsey with a limit of \$5,000* – Member Davidson inquired about the level. Ms. Caldwell stated that it was because some bills had to be paid with a credit card due to timing. Mr. Jones added that it was the same level under Mr. Koepfel when he was the Technology Director, and it was raised because of the bill payments. Member Cullick made a motion to approve. Member Kellogg seconded. **With four members present voting aye, the agenda was approved by a vote of 4-0.**
- *Approval of an Ordinance Abating the Taxes Levied for the Year 2017 Payable 2018 to Pay Debt Service on General Obligation Bonds (Alternate Revenue Source) Series 2010, 2011, 2016, and 2017 of the County of Kendall, Illinois* – Chair Purcell stated this was for the bonds for the Courthouse. Though the bonds are paid for out of the Public Safety Fund, by law they must be backed by property taxes in case of shortfall. When not used, as with the County, they must be abated every year. Member Cullick made the motion to approve, Member Kellogg seconded. **With four members present voting aye, the agenda was approved by a vote of 4-0.**
- *Review of Senior Levy Applications and discussion of Presentation* – Chair Purcell asked the Committee if they wished to have presentation for Senior Levy this year. He stated that the levy is short this year compared to last year. There was discussion amongst the Committee of giving the same amount as last year to each applicant, using the fund balance from the previous year to make up the difference. The Committee decided to hold presentations due to operational changes that the applicants may have had from previous years, and wanted to be able to consider them.

The Committee decided to hold them on April 13, 2018 at 1 pm.

Mr. Purcell also stated the Committee would have set Elected Official Salary for the offices getting elected in November before the end of May. The Committee decided to look at all elected official, including County Board, salary and compensation.

Public Comment – None

Questions from the Media – None

Items for the April 12, 2018 Committee of the Whole Agenda - None

Items for the April 3, 2018 County Board Agenda

Approval of Claims in an amount not to exceed \$873,099.33, Coroner Claims in an amount not to exceed \$5,273.94, March 2018 Petit Juror Claims in an amount not to exceed \$1,725.00, March 26, 2018 Grand Juror Claims in an amount not to exceed \$233.42, and Elections Judge Claims for March 20, 2018 in an amount not to exceed \$51,768.71

Approval of Credit Card for Technology services Director Matthew Kinsey with a limit of 5,000

Approval of an Ordinance Abating the Taxes Levied for the Year 2017 Payable 2018 to Pay Debt Service on General Obligation Bonds (Alternate Revenue Source) Series 2010, 2011, 2016, and 2017 of the County of Kendall, Illinois

Executive Session – Not needed

Adjournment – Member Davidson made a motion to adjourn the Budget and Finance Committee meeting, second by Member Cullick. **The meeting was adjourned at 6:58p.m. by a 4-0 vote**

Respectfully submitted,
Andrez Beltran
Economic Development and Special Projects Coordinator