

**KENDALL COUNTY BOARD AGENDA
ADJOURNED JUNE MEETING**

**Kendall County Office Building, Rooms 209 & 210
Tuesday August 15, 2017 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
7. Correspondence and Communications – County Clerk
8. Citizens to Be Heard
 - A. PADS Program – Richard Randall and Anne Engelhardt
9. Executive Session
10. Old Business
11. New Business
 - A. Approve HIDTA Investigative Support Center Co-manager agreement with Kendall County as the fiduciary agent effective August 21, 2017 through August 20, 2018
 - B. Approve Modification to HIDTA Grant releasing additional funds in the amount of \$304,581.00
 - C. Approve Modification to HIDTA Grant releasing additional funds in the amount of \$415,516.00
12. 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
13. Standing Committee Reports
 - A. Planning, Building & Zoning
 1. Approval of Petition 17-20 Granting a Special Use Permit for the Operation of a Grain Storage Business on the Property Identified by Parcel Identification Number 08-16-400-007, also known as 14676 Route 47 (Southeast Corner of the Intersection of Illinois Route 47 and US 52) in Lisbon Township
 2. Approval of Petition 17-14-Text Amendment to Section 13.01.B.9 of the Kendall County Zoning Ordinance Pertaining to the Call of Meetings of the Kendall County Zoning Board of Appeals Purpose: Amendment Would Set Guidelines for the Calling of Meetings on Items that Require a Public Hearing (Publication in a Newspaper of General Circulation in Kendall County at Least 15 Days and Not More Than 30 Days Prior to the Public Hearing) and for the Calling of Meetings on Items that do not Require a Public Hearing (Posting Notice and Agenda 48 Hours in Advance of the Meeting) as Defined by State Law.
 3. Approval of Petition 17-15-Text Amendment to Section 13.01.B.11 of the Kendall County Zoning Ordinance Reducing the Number of Votes Necessary for the Zoning Board of Appeals to Reverse any Order, Requirements or Determination of the Zoning Administrator, or to Decide in Favor of the Applicant any Matter Upon Which the Zoning Board of Appeals is Authorized to Render Decisions from Four to Three on Boards Consisting of Five Members and from Five to Four on Boards Consisting of Seven Members
 4. Approval to Sign and Send Letter RE: Illinois Noxious Weed Law to Mayors and Township Supervisors.
 - B. Law, Justice & Legislation
 1. Approval of the American Correctional Association Accreditation Contract
 - C. Administration/HR
 - D. Highway
 1. Approve bid from Corrective Asphalt Materials, LLC in the amount of \$96,601 for crack filling services on various county highways; said funds to be taken from the Transportation Sales Tax Fund
 - E. Facilities

1. Approval of Lease Agreement between the County of Kendall and Mutual Ground for room #CH01 at the Kendall County Courthouse from November 1, 2015 to October 31, 2016 with two, one year options at an amount of \$400.00 per month
2. Approval of a Memorandum of Understanding between the County of Kendall and Mutual Ground regarding rent payments and monthly donation
3. Approve Resolution Approving the First Amendment to the Kane County Office of Community Reinvestment, Workforce Development Division Lease Agreement

F. Finance

1. Approve Claims in an amount not to exceed \$ 1,082,608.73 and grand Juror Claims in an amount not to exceed \$512.07
2. Approve Coroner Claims in an amount not to exceed \$ 989.25
3. Approve the Ordinance Authorizing the Issuance of \$18,000,000 General Obligation Alternate Bonds of the County of Kendall, Illinois for the Purpose of Refunding Outstanding Alternate Bonds

G. Animal Control

1. Approval of the Animal Control 10' x 40' Mobil Office purchase from Acton Mobile Industries in the amount of \$9,800.00 from account #3401-000-6650

H. Health & Environment

I. Committee of the Whole

J. Standing Committee Minutes Approval

14. Special Committee Reports

- A. VAC
- B. Historic Preservation
- C. 708 Mental Health
- D. Boards & Commission Review Ad Hoc

15. Other Business

16. Chairman's Report

Appointments

Cheryl Maraffio – TB Board – 3 year term – Expires August 2020

Announcements

17. Citizens to be Heard

18. Questions from the Press

19. Executive Session

20. 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 JUNE MEETING
July 18, 2017**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building, Room 209, in the City of Yorkville on Tuesday, July 18, 2017 at 9:13 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Lynn Cullick, Bob Davidson, Tony Giles, Judy Gilmour, Audra Hendrix, Matt Kellogg, Matt Prochaska and John Purcell.

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

THE MINUTES

Member Prochaska moved to approve the submitted minutes from the Adjourned County Board Meeting of 6/20/17. Member Cullick seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

THE AGENDA

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

NEW BUSINESS

Public Hearing

Chairman Gryder opened the public hearing regarding Resolution 2017- , resolution repealing Ordinance 05-48, entitled "Ordinance Adopting and Implementing the Kendall County Agricultural Conservation Easement and Farmland Protection Program," and Ordinance 08-43 entitled "Ordinance Revising the Kendall County Agricultural Conservation easement and farmland Protection Program (Revised October 21, 2008)." No one was present to testify at the hearing. Chairman Gryder closed the public hearing.

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Under Sheriff Martin informed the board that the Sheriff's Office received a grant for the SRT Team from IPMG in the amount of \$5,417 which paid for some ballistic vests and helmets. The Sheriff's Office has a total of \$141,850 of deducts from the contract with SAS.

County Clerk

Revenue Report		6/1/17-6/30/17	6/1/16-6/30/16	6/1/15-6/30/15
Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$941.00	\$864.50	\$840.00
	County Clerk Fees - Marriage License	\$2,190.00	\$1,830.00	\$1,770.00
	County Clerk Fees - Civil Union	\$0.00	\$30.00	\$0.00
	County Clerk Fees - Misc	\$2,026.50	\$2,384.00	\$2,391.00
	County Clerk Fees - Recording	\$32,922.00	\$29,626.00	\$28,350.00
01010061205	Total County Clerk Fees	\$38,079.50	\$34,734.50	\$33,351.00
01010001185	County Revenue	\$47,882.75	\$33,885.00	\$26,115.00
38010001320	Doc Storage	\$18,944.00	\$17,442.50	\$17,294.00
51010001320	GIS Mapping	\$31,990.00	\$29,367.00	\$29,241.00
37010001320	GIS Recording	\$3,998.00	\$3,667.00	\$3,655.00
01010001135	Interest	\$27.48	\$29.09	\$43.74

01010061210	Recorder's Misc	\$6,178.50	\$7,169.50	\$7,901.45
81010001320	RHSP/Housing Surcharge	\$16,938.00	\$15,561.00	\$15,120.00
37210001575	Tax Certificate Fee	\$1,600.00		
37210001576	Tax Sale Fees	\$216.29		
37210001577	Postage Fees			
CK # 18272	To KC Treasurer	\$165,854.52	\$141,855.59	\$132,721.19

Treasurer

Kendall County General Fund
QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR SEVEN MONTHS ENDED 06/30/2017

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2017 YTD Actual</u>	<u>2017 YTD %</u>	<u>2016 YTD Actual</u>	<u>2016 YTD %</u>
Personal Property Repl. Tax	\$370,000	\$277,828	75.09%	\$229,474	56.46%
State Income Tax	\$2,400,000	\$1,347,197	56.13%	\$1,560,676	58.89%
Local Use Tax	\$625,000	\$376,781	60.28%	\$488,409	103.92%
State Sales Tax	\$480,000	\$310,150	64.61%	\$219,344	40.21%
County Clerk Fees	\$330,000	\$224,316	67.97%	\$190,865	53.31%
Circuit Clerk Fees	\$950,000	\$415,504	43.74%	\$522,940	55.05%
Fines & Foreits/St Atty.	\$430,000	\$180,713	42.03%	\$217,010	45.69%
Building and Zoning	\$62,000	\$45,712	73.73%	\$36,946	62.09%
Interest Income	\$37,500	\$49,079	130.88%	\$21,944	73.15%
Health Insurance - Empl. Ded.	\$1,266,058	\$700,290	55.31%	\$635,867	50.86%
1/4 Cent Sales Tax	\$2,920,000	\$1,647,976	56.44%	\$1,615,682	59.88%
County Real Estate Transf Tax	\$396,420	\$228,391	57.61%	\$195,471	49.31%
Correction Dept. Board & Care	\$875,000	\$603,077	68.92%	\$310,240	40.47%
Sheriff Fees	\$255,000	\$121,448	47.63%	\$146,396	41.24%
TOTALS	\$11,396,978	\$6,528,463	57.28%	\$6,391,263	56.01%
Public Safety Sales Tax	\$5,068,000	\$2,885,913	56.94%	\$2,824,645	58.85%

Chief Deputy Treasurer Bob Jones spoke about changes due to the new Illinois budget. In fiscal year 18 there will be 14 payments for income tax, there will be a 10% decrease in income tax that they county will be getting and they also implemented a 2% admin fee of for the public safety tax.

State's Attorney

Assistant State's Attorney Leslie Johnson reminded the board that the anti-harassment training is available online and they are going to add various training modules in the future.

Coroner

Description	**	Month: June 2017	Fiscal Year-to-Date	June 2016
Total Deaths		41	202	26
Natural Deaths		35	179	23
Accidental Deaths				
Overdose	*	1	7	2
Motor Vehicle	*	3	4	0
Other		0	2	0
Pending		2	3	0
Suicidal Deaths		0	6	1
Homicidal Deaths		0	1	0
Toxicology		5	23	3/16
Autopsies		5	22	2/10
Cremation Authorizations		22	119	13/88

**

Accidental Death(s) (Overdose)

- 06/02/2017 – Yorkville – 33yo Male, Combined Drug (Heroin, Alprazolam, Diphenhydramine, Mitrogynine, Amphetamine) Toxicity

Accidental Death(s) (Motor Vehicle)

- 06/18/2017 – I-80/Seward Twp – 25yo Male, Multiple Blunt Force Injuries due to Motor Vehicle Collision
- 06/30/2017 – Ridge Road/Minooka – 27yo Female, Blunt Force Injuries due to Motor Vehicle Collision
- 06/30/2017 – Ridge Road/Minooka – 20+ week Female Fetus, Fetal Demise due to Death of Mother due to Motor Vehicle Collision

PERSONNEL/OFFICE ACTIVITY:

- On June 30, we upgraded the database to Forensic Filer Online.
- Gift of Hope Update: To date: Long bones, soft tissues (tendons/ligaments), corneas, heart valves have been donated and helped an estimated 50-100 people.

Health Department

Dr. Tokars announced that the summer newsletter is available and reminded the board about the electronics recycling event registration.

Supervisor of Assessments

Andy Nicoletti stated that they sent out disabled veterans / disabled persons renewal forms; roughly totaling 800.

STANDING COMMITTEE REPORTS

Planning, Building and Zoning

Village of Millbrook Agreement

Member Davidson stated that the Village of Millbrook came in and discussed the insurance.

Law, Justice & Legislation

Request for Proposal

Member Prochaska made a motion approve the request for proposal for bids for the Sheriff's Office Squad Car/Vehicle Maintenance contract. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Administration/HR

County Administrator Job Description

Member Cullick moved to approve the County Administrator Job Description. Member Purcell seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Post the County Administrator Position

Member Cullick moved to approve the posting of the County Administrator position opening. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Deputy County Administrator Job Description

Member Cullick moved to approve the Deputy County Administrator Job Description. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Administration Office Organizational Chart

Member Cullick moved to approve the Administration Office organization chart. Member Gilmour seconded the motion.

Members discussed the hiring of the Deputy Administrator after the Administrator has been hired and the fact that the Budget Coordinator should be on the organizational chart.

Member Cullick withdrew her motion. Member Gilmour withdrew the second.

Member Cullick moved to approve the Administration Office organization chart effective upon the hiring of the Deputy County Administrator. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Highway

Eminent Domain

Member Kellogg moved to approve the Resolution authorizing the use of eminent domain to acquire certain parcels of land for roadway purposes along Grove Road from Sherrill Road to US Route 52, Kendall County, Illinois. Member Davidson seconded the motion.

County Engineer Fran Klaas explained that the board would be authorizing eminent domain on parcels that they have been trying to negotiate on but it does not officially request filing of the eminent domain action on the parcels.

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

A complete copy of Resolution 17-21 is available in the Office of the County Clerk.

Facilities

Architectural Services Proposal

Member Davidson moved to approve Part 1 of the Healy, Bender & Associates, Inc. Architectural Services Proposal in an amount not to exceed \$22,500. Member Prochaska seconded the motion.

Members discussed what the proposal involves. The proposal would give a cost factor for security for the county office building and the market value of the building. Members discussed consulting other companies and some ideas for the security of the building.

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

Finance

CLAIMS

Member Cullick moved to approve the claims submitted in the amount not to exceed \$1,496,707.47 and Health Department Claims in an amount not to exceed \$ 43,882.65. Member Kellogg seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$30,031.50, B&Z \$3,164.67, CO CLK & RCDR \$1,672.50, ELECTION \$765.10, ED SRV REG \$5,900.17, SHRFF \$22,025.44, CRRCTNS \$750.25, MERIT \$130.00, EMA \$1,258.99, CRCT CT CLK \$226.49, JURY COMM \$12.68, CRCT CT JDG \$3,898.58, CRNR \$265.90, CMB CRT SRV \$457.36, PUB DFNDR \$4,051.92, ST ATTY \$1,971.19, FRMLND RVW BRD \$119.40, TRSR \$30.23, EMPLY HLTH INS \$1,875.00, OFF OF ADM SRV \$388.15, GNRL INS & BNDG \$54.00, CO BRD \$120.00, TECH SRV \$11,069.45, ECON DEV \$821.95, RSTRCTD ECON DEV GRNT \$1,953.00, CO HWY \$15,200.61, CO BRDG \$75,679.82, TRANSPRT SALES TX \$363,304.94, FRST PRSRV \$1,008.93, ELLIS HS \$533.81, ELLIS BRN \$143.82, ELLIS CMPS \$4.71, ELLIS RDNG LSSNS \$668.76, ELLIS PUB PRGMS \$21.63, ELLIS WDDNGS \$2,195.03, HOOVER \$1,768.54, ENV ED CMPS \$491.69, ENV ED NTRL BGNNGS \$191.90, NTRL AREA VLNTR \$718.56, GRNDS & NTRL RSRC \$4,009.53, ANML CNTRL EXPS \$544.97, CO RCDR DOC STRG \$5,500.00, DRG ABS EXP \$941.49, HIDTA \$18,682.93, CMSRY FND \$23,598.10, COOK CO REIMB FND \$686.80, CRT SEC FND \$252.94, LAW LBRY \$1,054.00, CRCT CT DOC STRG \$191.88, PRBTN SRV EXP FND \$4,465.32, KC DRG CT FND \$1,216.66, GIS \$60.00, TX SL AUTO EXP \$8,412.98, KAT \$332,585.72, ENG/CNSLTG ESCRW \$3,612.53, PUB SFTY \$513,016.77, SHRFF FTA FND \$1,971.63, VAC \$15,921.05, FP BND PRCD \$5,035.50, HLTH & HMN SRV \$43,882.65

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

Coroner Claims

Member Cullick moved to approve the coroner claims in the amount not to exceed \$ 265.90. Member Kellogg seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Purcell who abstained. **Motion carried.**

Animal Control

Revision of the Standard Operating Procedure

Member Cullick moved to approve the revision made to the Standard Operating Procedure following the changes made by the Illinois Department of Agriculture Animal Control Act – Animal Bites Section 510 ILCS 5/13 including the section regarding persons bitten by a police dog or a search and rescue dog. Member Kellogg seconded the motion.

Members discussed situations where someone is bitten in a person's home and the fact that the dog must be confined.

Member Purcell moved to amend the revision made to the Standard Operating Procedure following the changes made by the Illinois Department of Agriculture Animal Control Act – Animal Bites Section 510 ILCS 5/13 to remove the section regarding when a person is bit by a police dog or a search and rescue dog . Member Hendrix seconded the motion.

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

Chairman Gryder asked for a roll call vote on the original motion. Members voting aye include Cullick, Davidson, Giles, Gilmour, Gryder, Kellogg and Prochaska. Members voting nay include Hendrix and Purcell. **Motion carried 7-2.**

Health and Environment

Member Gilmour did not have a report.

Committee of the Whole

Chairman Gryder reviewed the minutes in the packet from the July 13, 2017 meeting.

STANDING COMMITTEE MINUTES APPROVAL

Member Davidson moved to approve all of the Standing Committee Minutes and Reports. Member Prochaska 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.

Historic Preservation

No report.

708 Mental Health

Member Gilmour read the list of the grant recipients.

Boards & Commission Review Ad Hoc

Eliminating Farmland Protection Program

Member Giles moved to approve Resolution 2017-___, Resolution Repealing Ordinance 05-48, Entitled “Ordinance Adopting and Implementing the Kendall County Agricultural Conservation Easement and Farmland Protection Program.” and Ordinance 08-43, Entitled “Ordinance Revising the Kendall County Agricultural Conservation Easement and Farmland Protection Program (Revised October 21, 2008).”. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Chairman’s Report

Appointments

Rich Healy - Kane, Kendall & DeKalb Counties Workforce Development Board - 2-yr term -expires September 2019
Chris Mehochko - Kane, Kendall & DeKalb Counties Workforce Development Board - 2-yr term- expires September 2019
Heather Hadrys - Kane, Kendall & DeKalb Counties Workforce Development Board - 2-yr term - expires September 2019
Bette Schoenholtz - Kane, Kendall & DeKalb Counties Workforce Development Board - 2-yr term - expires September 2019
Dr. John Palmer – Board of Health – 3-yr term – expires July 2020
Christina Cooper – Board of Health – 3-yr term – expires July 2020
Jennifer Hughes – Kendall County Storm Water Planning Committee – Oswego Representative

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

ADJOURNMENT

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

Approved and submitted this 31st day of July, 2017.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

Kendall County Clerk				
Revenue Report		7/1/17-7/31/17	7/1/16-7/31/16	7/1/15-7/31/15
Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$ 816.00	\$ 826.00	\$ 976.00
	County Clerk Fees - Marriage License	\$ 1,650.00	\$ 1,980.00	\$ 1,500.00
	County Clerk Fees - Civil Union	\$ -	\$ -	\$ -
	County Clerk Fees - Misc	\$ 2,166.00	\$ 1,921.00	\$ 2,240.50
	County Clerk Fees - Recording	\$ 28,042.00	\$ 27,819.00	\$ 33,202.00
01010061205	Total County Clerk Fees	\$ 32,674.00	\$ 32,546.00	\$ 37,918.50
01010001185	County Revenue	\$ 41,567.75	\$ 32,537.50	\$ 49,751.00
38010001320	Doc Storage	\$ 16,356.00	\$ 16,546.00	\$ 19,760.00
51010001320	GIS Mapping	\$ 27,550.00	\$ 27,808.00	\$ 33,219.00
37010001320	GIS Recording	\$ 3,440.00	\$ 3,470.00	\$ 4,145.00
01010001135	Interest	\$ 18.85	\$ 27.69	\$ 34.53
01010061210	Recorder's Misc	\$ 1,508.00	\$ 4,199.75	\$ 5,580.75
81010001320	RHSP/Housing Surcharge	\$ 14,688.00	\$ 14,868.00	\$ 17,568.00
37210001575	Tax Certificate Fee	\$ 560.00		
37210001576	Tax Sale Fees			
37210001577	Postage Fees			
CK # 18288	To KC Treasurer	\$ 138,362.60	\$ 132,002.94	\$ 167,976.78
Death Certificate Surcharge sent from Clerk's office \$1080.00 ck # 18286				
Dom Viol Fund sent from Clerk's office \$275.00 ck 18287				

Office of Jill Ferko

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

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR EIGHT MONTHS ENDED 07/31/2017

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2017 YTD Actual</u>	<u>2017 YTD %</u>	<u>2016 YTD Actual</u>	<u>2016 YTD %</u>
Personal Property Repl. Tax	\$370,000	\$342,889	92.67%	\$296,597	72.97%
State Income Tax	\$2,400,000	\$1,857,126	77.38%	\$1,560,676	58.89%
Local Use Tax	\$625,000	\$425,016	68.00%	\$537,739	114.41%
State Sales Tax	\$480,000	\$348,373	72.58%	\$261,069	47.86%
County Clerk Fees	\$330,000	\$262,395	79.51%	\$225,600	63.02%
Circuit Clerk Fees	\$950,000	\$489,099	51.48%	\$590,794	62.19%
Fines & Foreits/St Atty.	\$430,000	\$203,545	47.34%	\$250,889	52.82%
Building and Zoning	\$62,000	\$52,104	84.04%	\$41,164	69.18%
Interest Income	\$37,500	\$58,296	155.46%	\$25,359	84.53%
Health Insurance - Empl. Ded.	\$1,266,058	\$790,398	62.43%	\$761,743	60.93%
1/4 Cent Sales Tax	\$2,920,000	\$1,887,473	64.64%	\$1,845,226	68.39%
County Real Estate Transf Tax	\$396,420	\$276,274	69.69%	\$229,356	57.86%
Correction Dept. Board & Care	\$875,000	\$709,457	81.08%	\$370,520	48.34%
Sheriff Fees	\$255,000	\$140,811	55.22%	\$169,484	47.74%
TOTALS	\$11,396,978	\$7,843,257	68.82%	\$7,166,216	62.80%
Public Safety Sales Tax	\$5,068,000	\$3,305,036	65.21%	\$3,220,849	67.10%
Transportation Sales Tax	\$4,750,000	\$3,305,036	69.58%	\$3,220,849	71.57%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 8 months the revenue and expense should at 66.64%

EXPENDITURES

All General Fund Offices/Categories

\$27,840,244	\$18,335,706	65.86%	\$17,530,812	62.25%
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KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	Month: July 2017	Fiscal Year-to-Date	July 2016
Total Deaths		17	219	183
Natural Deaths		14	193	23
Accidental Deaths				
Overdose	*	1	8	2
Motor Vehicle		0	4	0
Other		0	2	2
Pending		0	3	0
Suicidal Deaths	*	2	8	0
Homicidal Deaths		0	1	0
Toxicology		1	24	4/20
Autopsies		1	23	4/14
Cremation Authorizations		8	129	13/101

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Accidental Death(s) (Overdose)

1. 07/03/2017 – Montgomery– 33yo Male, Ethanol & Heroin Toxicity

Suicidal Death(s)

1. 07/20/2017 – Montgomery – 29yo Male, Asphyxiation due to Hanging
2. 07/31/2017 – Montgomery – 24yo Female, Asphyxiation due to Hanging

PERSONNEL/OFFICE ACTIVITY:

1. Coroner Purcell attended the Master’s 17 Conference through St. Louis University July 17-20.
2. Deputy Coroner Jessica Knowles attended the Basic Coroner’s Training offered through the International Coroner’s & Medical Examiner’s Association in Las Vegas, NV July 23-27.
3. Deputy Coroner Levi Gotte attended the Accreditation Workshop offered through the International Coroner’s & Medical Examiner’s Association in Las Vegas, NV July 23-24.

— CARORUM AD CURAM —

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.

Meeting Minutes of August 7, 2017 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Bob Davidson at 6:37 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), Scott Koeppel (Acting County Administrator), Matthew Prochaska (County Board Member), Jeff Neisler, Tom Schnabel and Jim Moyer

APPROVAL OF AGENDA

Motion by Member Cullick, seconded by Member Gilmour, to approve the agenda with amendments moving the July 11, 2017 Email from Joe Phillips RE: Kendall County Gunrange Regulations, the July 11, 2017 Letter from Donna McDonald RE: Alleged Zoning Violation at 14207 Church Road and the July 13, 2017 Emails RE: Ordinance Regulating the Discharge of Firearms in Unincorporated Kendall County to before Petitions. With a voice vote of five ayes, the motion carried.

APPROVAL OF MINUTES

Motion by Member Cullick, seconded by Member Gilmour, to approve the minutes from the July 10, 2017 meeting. With a voice vote of five ayes, the motion carried.

EXPENDITURE REPORT

Committee reviewed the claims report. Member Gryder requested an update on the Joliet Park Project. Mr. Asselmeier stated that the project continues to progress. Motion by Member Cullick, seconded by Member Gryder, to approve the claims report. With a voice vote of five ayes, the motion carried.

PUBLIC COMMENT

None

CORRESPONDENCE

July 11, 2017 Letter from Joe Phillips RE: Kendall County Gun Range Regulations

Mr. Phillips expressed concerns related to distance requirements of gun ranges from homes, the type of roadways where gun ranges could locate, stating in the special use permit the types of firearms allowed at the gun range and providing a statement regarding the revocation of a special use permit if the restrictions were not followed.

July 11, 2017 Letter from Donna McDonald RE: Alleged Zoning Violation at 14207 Church Road

Mr. Asselmeier reported that the County Board members previously received an email on June 18, 2017 regarding this issue. Mr. Asselmeier stated that the classes have been removed from the website.

July 13, 2017 Emails RE: Ordinance Regulating the Discharge of Firearms in Unincorporated Kendall County

Mr. Asselmeier reported that the Court Board members previously received an email on July 13th regarding this issue. The senders requested that Kendall County adopt similar language as McHenry County as allowed by State law. Member Gryder asked about the definition of residential area. Mr. Asselmeier stated that the term was not defined by zoning, but rather by State law.

Chairman Davidson requested the distance requirements for hunting near a residential area.

PETITIONS

Petition 17-14-Kendall County Zoning Board of Appeals Requested a Text Amendment to Section 13.01.B.9 of the Kendall County Zoning Ordinance Amending the Guidelines for the Calling of Meetings on Items that Require a Public Hearing and for the Calling of Meetings on Items that do not Require a Public Hearing as Defined by State Law

Mr. Asselmeier read his memo regarding the topic. To date, no members of the public or townships expressed an opinion on this proposal. All of the advisory boards unanimously recommended approval of the proposal. The State's Attorney's Office offered several minor changes to the proposal and recommended that the County amend the notification requirements of hearings in the near future.

Member Cullick stated that she did not believe the proposal was necessary.

Member Gryder stated that he did recall a situation where reduced notice was necessary.

Mr. Koeppel asked if the Zoning Board of Appeals members needed to be paid if no hearing occurred. Mr. Asselmeier said yes, the Zoning Board of Appeals members would be paid for meetings.

Member Gilmour expressed concerns that members of the public were unaware of meetings.

Member Kellogg echoed Member Gilmour's concerns.

Motion by Member Cullick, seconded by Member Davidson, to recommended approval of the text amendment as proposed.

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

This matter will go before the Committee of the Whole on August 10th.

Petition 17-15-Kendall County Zoning Board of Appeals Requested a Text Amendment to Section 13.01.B.11 of the Kendall County Zoning Ordinance Reducing the Number of Votes Required for the Zoning Board of Appeals to Reverse any Order, Requirement, Decision or Determination of the Zoning Administrator, or to Decide in Favor of the Applicant any Matter upon which It Is Authorized by the Ordinance to Render Decisions from Four to Three on Boards Consisting of Five Members and From Five to Four on Boards Consisting of Seven Members

Mr. Asselmeier read his memo regarding the topic. The proposed amendment brings the Zoning Ordinance in line with State law. All of the advisory boards unanimously recommended approval of the proposal. To date, no members of the public or any township expressed an opinion on this proposal.

Member Gilmour asked if State law allows the County to have a different number. Mr. Asselmeier said that State law states four (4), the law does not say a minimum of four (4).

Member Gilmour asked how frequently the Zoning Board did not have enough members to vote. Mr. Asselmeier said that it is rare for the Zoning Board not to have five (5) members present.

Member Gryder suggested merger the Planning Commission and Zoning Board of Appeals.

Mr. Koeppel said that the County has to pay to public notice pay the Zoning Board of Appeals members to attend meetings.

Motion by Member Kellogg, seconded by Member Gryder, to recommended approval of the text amendment as proposed.

Ayes (3): Davidson, Gryder and Kellogg
Nays (2): Cullick and Gilmour
Absent (0): None

The motion passed. This matter will go before the Committee of the Whole on August 10th.

Petition 17-16-Kendall County Zoning Board of Appeals Requested a Text Amendment to Section 13.06.D of the Kendall County Zoning Ordinance Reducing the Number of Votes Required for the Zoning Board of Appeals to Reverse or Affirm, Wholly or Partly, or May Modify the Order, Requirement, Decision or Determination of the Zoning Administrator from Four to Three on Boards Consisting of Five Members and From Five to Four on Boards Consisting of Seven Members

Mr. Asselmeier read his memo regarding the topic. The proposed amendment brings the Zoning Ordinance in line with State law. To date, no members of the public or any township expressed an opinion on this proposal. All of the advisory boards unanimously recommended approval of the proposal.

Chairman Davidson suggested eliminating this section. The Committee cannot take action to eliminate the section; Chairman Davidson suggested tabling the matter until September.

Motion by Member Gryder, seconded by Member Cullick, to table the proposal until the September meeting. With a voice vote of five ayes, the motion passed unanimously.

Petition 17-20-CHS, Inc. (Prospective Lessee) and NGH Farms, LLC (Current Owner) Requested a Special Use Permit to Operate a Grain Storage Operation at 14676 Route 47, Newark (PIN: 08-16-400-007); Southeast Corner of Illinois Route 47 and U.S. 52 In Lisbon Township

Mr. Asselmeier read his memo regarding the topic. The proposed special use permit would allow the prospective lessee to operate grain storage business at the subject property. Mr. Asselmeier read the proposed restrictions and mentioned that the Kendall County Regional Planning Commission recommended the special use permit expire in one (1) year and recommended a waiver of the application fee of One Thousand, One Hundred Fifty-Five Dollars (\$1,155) because the site plan would change after the completion of the Route 47 widening project. Mr. Asselmeier also expressed the Kendall County Regional Planning Commission's concerns regarding traffic circulation near the property.

Jeff Neisler stated that they desire to create a container business at this location. Mr. Neisler said that the traffic concerns will be addressed upon completion of the Route 47 widening project.

Chairman Davidson and Member Kellogg expressed objections to the one (1) year renewal requirement.

Member Gilmour asked the nature of Mr. Neisler relationship to the project. Mr. Neisler said that he would be the manager of the site. CHS-Elburn desires to lease the property from NGH Farms, LLC, which owns the property.

Member Gryder asked if the special use ran with the land, regardless of the lease. Mr. Asselmeier said that whoever owns the land will inherit the special use.

Member Gryder asked if there will be an entrance on U.S. 52. Mr. Neisler said that there will not be an entrance on U.S. 52.

Member Gryder asked why the restriction regarding occupancy permits was proposed. Mr. Asselmeier stated that the building permits for existing structure were for the Hamman's personal use and not for a larger agricultural use. In addition, the other businesses that possess similar special use permits were required to obtain occupancy inspection and were not considered agriculturally exempt.

Member Kellogg suggested that the twenty-four (24) hour requirement for the breakdown of equipment needed to be changed to two (2) business days to allow time to get parts and fix equipment.

Member Kellogg asked if signage was adequate. Mr. Neisler said that he would like to see an illuminated sign and have a six foot by seventeen foot (6'X17') sign in addition to the signage allowed in the ordinance.

Motion by Member Cullick, seconded by Member Kellogg, to recommended approval of the special use permit with the following changes:

1. The timeframe to remove impacted containers shall be within two (2) business days.
2. The timeframe when containers can be separated from chassis shall be no longer than two (2) business days.
3. The requirement that the special use permit shall last for one (1) year was removed.
4. The owner of the business allowed by this special use permit may install a thirty-two (32) square foot illuminated sign on the property.
5. The owner of the business allowed by this special use permit may install an illuminated sign six foot by seventeen foot (6'X17') on the leg tower.

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

The motion passed. This matter will go before the County Board on August 15th.

NEW BUSINESS

Renewal of Mobile Home Permits: 10825B Corneils Road

Mr. Asselmeier reported mobile home permits are required to be renewed and approved annually by the County.

Motion by Member Gryder, seconded by Member Kellogg, to approve of the mobile permit as proposed.

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

The motion passed.

Mr. Asselmeier reported that today (August 7th) was the deadline for receiving mobile home application renewals. Those mobile homeowners that have not renewed will be sent a follow-up letter.

Discussion of Reviewing Special Uses in the A-1 Agricultural Zoning District

Mr. Asselmeier read his memo on the subject. Chairman Davidson suggested that the list of special use permits in the A-1 District should be evaluated and that the land along Route 47 should be evaluated for use. Member Kellogg requested that Staff prepare a table showing the number of issued permits for each special use.

OLD BUSINESS

Amendments to Outdoor Shoot Range Regulations

Mr. Asselmeier read his memo on the subject. He noted that no members of the County Board submitted comments to date; the Sheriff's Department submitted comments. Mr. Asselmeier noted that all of the existing ranges did not meet the requirements of the proposal. The State

Park may also need to be exempted. Discussion occurred regarding including archery ranges in the regulations; the consensus of the Committee was to remove archery ranges from the proposal. The downrange safety area for ranges with unfixed targets was clarified. The firing line must be at least one thousand five hundred feet (1,500') from adjoining property lines. The insurance amount was set at Ten Million Dollars (\$10,000,000).

Motion by Member Kellogg, seconded by Member Cullick, to start the adoption process of the proposal after review by the State's Attorney's Office. With a voice vote of five ayes, the motion passed unanimously.

Approval to Sign and Send Letter RE: Illinois Noxious Weed Law to Mayors and Township Supervisors

Mr. Asselmeier read his memo on the subject. The Committee suggested that the letter should come from County Board Chairman Gryder.

Motion by Member Gryder, seconded by Member Cullick, to recommend sending the letter to the Committee of the Whole with Chairman Gryder listed as the signatory. With a voice vote five ayes, the motion carried.

This matter shall go to the Committee of the Whole on August 10th.

Village of Millbrook Related Items

Mr. Asselmeier read his memo on the subject. Mayor Kowalski proposed language reading, "Each party will maintain their own auto liability and general liability with amounts not less than \$1 Million per occurrence/\$2 Million aggregate and each would name the other as additional insured." Mr. Asselmeier outlined the other options related to this proposal. The consensus of the Committee was to cease providing services in Millbrook. The Planning, Building and Zoning Department shall close-out the open permit applications in Millbrook.

Approval of Memo from PBZ Chairman to County Board Chairman Regarding 55 ILCS 5/5-12014 (c) Pertaining to Objections by Townships on Map Amendments and Text Amendments

Mr. Asselmeier read his memo regarding the topic. The Committee did not express a formal opinion on the matter.

Review of Memo Regarding Gaming Machines in Gas Stations in Neighboring Counties

Mr. Asselmeier read his memo on the subject.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

At the August 1st County Board meeting, the Board approved changing the permanent meeting date of the Historic Preservation Commission from the third Wednesday of the month at 7:00 p.m. to the third Monday of the month at 6:30 p.m. starting in August 2017.

REVIEW PERMIT REPORT

The Committee reviewed the permit report. Nineteen (19) homes have been permitted in the unincorporated areas; there were eight (8) new homes built this time last year.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report. Revenues are down from this time last year.

Mr. Koepfel reported that the draft PBZ Department budget will be reviewed by the Finance Committee at an upcoming meeting.

CORRESPONDENCE

July 14, 2017 Letter to Arthur A. Hrvatin, Jr. RE: Potential Stormwater Management Ordinance Violation at the Southwest Corner of the Intersection of Frazier Road and Sandy Bluff Road

Mr. Asselmeier stated that he met with Mr. Hrvatin during the previous week. Mr. Hrvatin stated that he stopped bringing in dirt. The Kendall County Stormwater Consultant is reviewing the information to see if further action is necessary.

July 17, 2017 Letter to Patrick Benes from the Village of Oswego RE: Stormwater at 2575 Wolf's Crossing (Adjacent to Churchill Club Subdivision)

Mr. Asselmeier summarized the letter. He noted that the forty-five (45) day response deadline would be near Labor Day weekend. Also, the residents that spoke to the County Board on this matter requested and were forwarded a copy of the letter.

July 25, 2017 Letter to Kendall County Regional Planning Commission from State's Attorney Eric Weis RE: Kendall County Forest Preserve District Compliance

Mr. Asselmeier summarized the letter.

Notice of Stormwater Management Oversight Committee Meeting RE: City of Plano Variance Request for Foli Park Project

Mr. Asselmeier read the notice.

PUBLIC COMMENT

Tom Schnabel, Ashley Road, discussed the banquet facility 9111 Ashley Road. He stated that the owners of the banquet facility installed a small berm and several trees, some of which are dying. The facility produces noise from music and people talking late into the evening. The facility also produces bass. The berm and trees are not blocking noise. The noise disturbs the peace of his family during the weekends and they are trying to sell their house. Mr. Schnabel would like to see the County improve enforcement of the special use permit.

Jim Williams, Boulder Hill, expressed concerns about the decline of Boulder Hill. He talked about the Boulder Hill Civic Association's powers and the decline of that organization. Mr. Williams mentioned a house with several derelict vehicles; there are four (4) homes for sale in the vicinity of that house. He asked if a ride-along program existed in the Planning, Building and Zoning Department. Member Gryder asked if the County could do anything to address Mr. Williams' concerns. Mr. Asselmeier said that the County could adopt a property maintenance code or landlord licensing.

COMMENTS FROM THE PRESS

None

Member Kellogg left the room at this time (8:49 p.m.)

EXECUTIVE SESSION

Motion by Member Cullick, seconded by Member Gilmour, to enter into executive session to discuss Planning, Building and Zoning Department personnel matters as allowed by 5 ILCS 120/2 (c)(1).

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

The motion passed at 8:50 p.m.

Motion by Member Cullick, seconded by Member Gryder, to return into open session

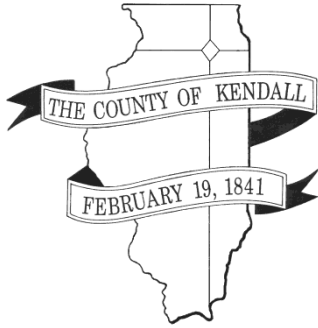
Ayes (4): Cullick, Davidson, Gilmour and Gryder
Nays (0): None
Absent (1): Kellogg

The motion passed at 9:00 p.m.

ADJOURNMENT

Member Cullick motioned to adjourn, seconded by Member Gryder. With a voice vote of four ayes, Chairman Davidson adjourned the meeting at 9:00 p.m.

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



DEPARTMENT OF PLANNING, BUILDING & ZONING

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MEMORANDUM

To: County Board
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: August 9, 2017
Re: Petition 17-20 – Proposed Special Use Permit for the Operation of a Grain Storage Business on the Property Identified by Parcel Identification Number 08-16-400-007, also known as 14676 Route 47 (Southeast Corner of the Intersection of Illinois Route 47 and U.S. 52) in Lisbon Township

On the August 15th County Board agenda, there is a proposed special use permit for the operation of a grain storage business at 14676 Route 47.

At the August 7th PBZ Committee meeting, the Committee unanimously recommended approval of the proposed special use permit with the following changes:

1. The timeframe to remove impacted containers shall be within two (2) business days instead of twenty-four (24) hours as originally proposed.
2. The timeframe when containers can be separated from chassis shall be no longer than two (2) business days instead of twenty-four (24) hours as originally proposed.
3. A requirement that the special use permit shall last for one (1) year was removed.
4. The owner of the business allowed by this special use permit may install a thirty-two (32) square foot illuminated sign on the property.
5. The owner of the business allowed by this special use permit may install an illuminated sign six foot by seventeen foot (6'X17') on the leg tower.

The report of decision from the Special Use hearing, including all reports and minutes of previous meetings related to this topic, can be found at http://www.co.kendall.il.us/wp-content/uploads/Petition_17-20.pdf

If you have any questions prior to the August 15th meeting, please let me know.

MHA

ENC: Proposed Ordinance

ORDINANCE NUMBER 2017 - _____

**GRANTING A SPECIAL USE PERMIT FOR
THE OPERATION OF A GRAIN STORAGE BUSINESS ON THE PROPERTY
IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 08-16-400-007, ALSO
KNOWN AS 14676 ROUTE 47 (THE SOUTHEAST CORNER OF THE INTERSECTION
OF ILLINOIS ROUTE 47 AND U.S. 52) IN LISBON TOWNSHIP**

WHEREAS, CHS, Inc. on behalf of property owner NGH Farms, LLC has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 26.5 acre property located on the southeast corner of the intersection of Illinois Route 47 and U.S. 52, commonly known as 14676 Route 47 (PIN# 08-16-400-007), in Lisbon Township, and;

WHEREAS, said petition is to allow the operation of a grain storage business; and

WHEREAS, said property is currently zoned A-1 Agricultural; and

WHEREAS, said property is legally described as:

LOT NUMBER SEVEN, BEING THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION SIXTEEN (16), TOWNSHIP 35 NORTH, RANGE SEVEN (7) EAST OF THE THIRD PRINCIPAL MERIDIAN EXCEPTING THEREFROM THE TRACT OF LAND CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS FOR ROAD PURPOSES AND THE PORTIONS CONVEYED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR ROAD PURPOSES AND ALSO EXCEPTING THEREFROM THAT PART BEING DESCRIBED BY COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE NORTH 00 DEGREES 45 MINUTES 32 SECONDS WEST, A DISTANCE OF 1320.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER OF SECTION 16, SOUTH 88 DEGREES 01 MINUTES 45 SECONDS WEST, A DISTANCE OF 1614.15 FEET; THENCE NORTH 00 DEGREES 45 MINUTES 32 SECONDS WEST, A DISTANCE OF 1243.14 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF U.S. 52 PER CONVEYANCE FILED FOR RECORD MAY 3, 1933 IN BOOK 86, PAGE 182 AS MONUMENTED AND OCCUPIED; THENCE ALONG SAID RIGHT OF WAY LINE, NORTH 88 DEGREES 06 MINUTES 12 SECONDS EAST, A DISTANCE OF 1614.11 FEET TO THE NORTHWARDLY PROJECTION OF THE EAST LINE OF SAID SECTION 16 LYING SOUTH OF AN INDIAN BOUNDARY LINE, SAID POINT BEING 152.70 FEET WESTERLY OF THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE ALONG SAID NORTHWARDLY PROJECTION, SOUTH 00 DEGREES 45 MINUTES 32 SECONDS EAST, A DISTANCE OF 358.34 FEET TO A POINT OF INTERSECTION WITH SAID INDIAN BOUNDARY LINE AND SAID EAST LINE OF SECTION 16; THENCE ALONG SAID EAST LINE OF SECTION 16, SOUTH 00 DEGREES 45 MINUTES, 32 SECONDS EAST, A DISTANCE OF 882.26 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on July 31, 2017; and

WHEREAS, the findings of fact were approved as follows:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The proposed business allowed by the special use permit is an agricultural related operation using agricultural structures already onsite. Provided the new shelter is constructed to code, no threats to the public health and safety are anticipated. Traffic backups on south bound Illinois Route 47 could occur if the turn lane is not installed on a timely basis.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **CHS is leasing the paved area only from the petitioners. The proposed use will not change the existing use of the property greatly; the use will be a more intense grain storage operation in an agricultural area. The proposed use fits in with other agricultural uses in the area.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Adequate utilities are onsite. If construction on Illinois Route 47 is delayed, traffic congestion could arise if the left turn lane on south bound Illinois Route 47 is not installed in a timely manner. After the installation of the turning lane, no access issues are foreseen. The petitioners agreed to a construction restriction regarding the placement of the proposed shelter building in relation to the waterway onsite.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **True, the special use shall conform to the applicable regulations of the district.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with agricultural uses outlined in the Land Resource Management Plan because of the nature of the proposed business and building allowed by the special use permit; and***

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

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

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby grants approval of a special use zoning permit to operate a grain storage business in accordance to the submitted Site Plan included as “Exhibits A-1, A-2 and A-3” attached hereto and incorporated herein subject to the following conditions:

1. A building permit shall be secured for the new shelter shown on “Exhibit A-3”. The building shall not qualify for agricultural exemption.
2. The new building shown on “Exhibit A-3” shall be elevated to at least one foot (1’) above the calculated one hundred (100) year event water surface elevation.
3. Containers shall not remain outdoors on the property overnight except in the case of mechanical breakdown of trucks or trailers. In the event of mechanical breakdown of trucks or trailers, the owners of the business allowed by this special use permit shall remove the impacted containers within two (2) business days.
4. Containers shall not be stacked or racked.
5. Containers shall not be separated from chassis except for temporary repair or emergency and for no longer than two (2) business days.
6. No containers shall be stored within the required setbacks.
7. No parking of vehicles shall occur within the required setbacks.
8. The business allowed by this special use permit shall secure certificates of occupancy for all structures existing and planned for the site prior to the commencement of operations.
9. The owners of the business allowed by this special use permit may install a thirty-two (32) square foot illuminated sign on the property.
10. The owners of the business allowed by this special use permit may install a six foot by seventeen foot (6’X17’) illuminated sign on the leg tower.
11. The business allowed by this special use permit shall comply with all applicable Federal, State and Local laws related to the operation of this type of business.

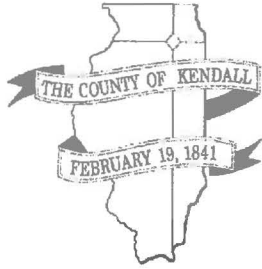
12. Failure to comply with the above restrictions and conditions shall be interpreted as a violation of the Zoning Ordinance of Kendall County and could result in the revocation of the special use permit or other legal actions.
13. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

IN WITNESS OF, this ordinance has been enacted on August 15, 2017.

Attest:

Debbie Gillette
Kendall County Clerk

Scott R. Gryder
Kendall County Board Chairman



DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 204
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(630) 553-4141 Fax (630) 553-4179
MEMORANDUM

To: Committee of the Whole
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: August 8, 2017
Re: 17-14 Proposed Amendment to Section 13.01.B.9 Pertaining to Call of Meetings

At their May 1, 2017, the Kendall County Zoning Board of Appeals authorized Staff to submit an application for a text amendment to the following section of the Kendall County Zoning Ordinance.

Section 13.01.B.9 of the Zoning Ordinance currently states:

"All meetings (emphasis added) of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. There shall be at least fifteen days but not more than thirty days notice of the time and place of such meetings published in a paper of general circulation in Kendall County; said notice to contain a statement of the particular purpose of such meeting and a legal description of the location of the property or properties under consideration at such meeting. All meetings of the Board shall be open to the public."

55 ILCS 5/5-12 states that when a hearing is required before the Zoning Board of Appeals, notice must given at least fifteen days to thirty days by publication in a newspaper of general circulation.

An occasion may arise when the Zoning Board of Appeals may wish to meet on a matter when a public hearing is not necessary. For example, the Zoning Board of Appeals may want to hold a joint meeting with the Regional Planning Commission to discuss an issue. This joint meeting would not necessitate a public hearing.

A text amendment to the Zoning Ordinance could more clearly separate the meeting notification requirements of public hearings from other meetings. Matters requiring a public hearing would have to meet the fifteen to thirty day notice requirements while matters not requiring a public hearing would have to meet the requirement of the Open Meetings Act (posting notice and agenda forty-eight hours in advance).

ZPAC reviewed this proposal at their June 6, 2017 meeting and unanimously recommended approval of the proposed amendment.

The Kendall County Regional Planning Commission reviewed this proposal at their June 28, 2017 meeting and unanimously recommended approval of the proposed amendment.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on July 10, 2017 and unanimously recommended approval of the proposed amendment.

The Planning, Building and Zoning Committee reviewed this proposal at their August 8, 2017 meeting and unanimously recommended denial of the proposed amendment.

To date, no township submitted comments regarding this proposal.

A copy of a draft text amendment is enclosed.

MHA

ENC

ORDINANCE # 2017-_____

**TEXT AMENDMENT TO SECTION 13.01.B.9 OF THE KENDALL COUNTY ZONING ORDINANCE
PERTAINING TO THE CALL OF MEETINGS OF THE KENDALL COUNTY ZONING BOARD OF
APPEALS**

WHEREAS, the Kendall County Zoning Board of Appeals requested a text amendment to Section 13.01.B.9 of the Kendall County Zoning Ordinance related to the calling of meetings; and

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

WHEREAS, 55 ILCS 5/5-12009 defines the notification requirements for hearings of Zoning Boards of Appeal on variance applications; and

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

WHEREAS, 55 ILCS 5/5-12011 defines the notification requirements for hearings of Zoning Boards of Appeal regarding an appeal from or review of any order, requirement, decision, or determination made by an administrative official charged with the enforcement of a zoning ordinance; and

WHEREAS, 55 ILCS 5/5-12014 defines the notification requirements for hearings of Zoning Boards of Appeal on text amendment and map amendment applications; and

WHEREAS, 5 ILCS 120 defines the notification requirements for meetings of public bodies within the State of Illinois; and

WHEREAS, the current language of Section 13.01.B.9 of the Kendall County Zoning Ordinance requires 15 calendar day notice for all Zoning Board of Appeals meetings even though State law does not require such notice; and

WHEREAS, eliminating the 15 calendar day notice requirement where not required by law will allow for more efficient and effective operation of the Zoning Board of Appeals; 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 July 10, 2017; and

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Section 13.01.B.9 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 existing language of Section 13.01.B.9 is hereby deleted and replaced with the following:

“13.01.B.9 a All meetings of the Board of Appeals on matters requiring a public hearing as defined by State law shall be held at the call of the Chairman and at such other times as the Board may determine. There shall be at least fifteen calendar days but not more than thirty calendar days notice of the date, time, and place of such meetings published in a paper of general circulation in Kendall County; said notice to contain a statement of the particular purpose of such meeting and a legal description of the location of the property or properties under consideration at such meeting.

13.01.B.9.b All meetings of the Board of Appeals on matters not requiring a public hearing as defined by State law shall be held at the call of the Chairman and at such other times as the Board may determine provided that the requirements of the Illinois Open Meetings Act are fulfilled prior to the start of the meeting.

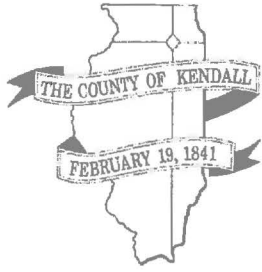
13.01.B.9.c All meetings of the Board of Appeals, regardless of the topic of the meeting, shall be open to the public.”

IN WITNESS OF, this amendment to the Zoning Ordinance has been enacted by a majority vote of the Kendall County Board this 15th day of August, 2017.

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: Committee of the Whole
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: August 8, 2017
Re: Petition 17-15 Proposed Amendment to Section 13.01.B.11 Pertaining to Voting of the Zoning Board of Appeals

At their May 1, 2017, the Kendall County Zoning Board of Appeals authorized Staff to submit an application for text amendments to the following section of the Kendall County Zoning Ordinance pertaining to votes by the Zoning Board of Appeals:

Section 13.01.B.11 of the Zoning Ordinance currently states:

“The concurring vote of four members of a Board consisting of five members or the concurring vote of five members of a board consisting of seven members is necessary to reverse any order, requirements, decision or determination of the Zoning Administrator, or to decide in favor of the applicant any matter upon which it is authorized by this amended ordinance to render decisions (emphasis added).”

Public Act 92-128, adopted in 2001, amended 55 ILCS 5/5-12011 and lowered the vote requirements necessary for the Zoning Board of Appeals to take certain actions. The current law states:

“The concurring vote of 3 members of a board consisting of 5 members or the concurring vote of 4 members of a board consisting of 7 members is necessary to reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant any matter upon which it is required to pass under any such ordinance or resolution, or to effect any variation in such ordinance or resolution, or to recommend any variation or modification in such ordinance or resolution to the county board (emphasis added).”

Section 13.01.B.4 of the Zoning Ordinance defines a quorum as “a majority of the members of the Zoning Board of Appeals.”

A situation could arise where a quorum of the Board is present, but final action could not occur because a fifth member is unavailable. A proposed amendment may be desirable to remove the difference between the Kendall County Zoning Ordinance and State law and to allow a quorum of members to decide certain matters before the Board. Accordingly, the Kendall County Zoning Board of Appeals requested text amendments to these sections of the Zoning Ordinance.

At their June 6, 2017 meeting, ZPAC unanimously recommended approval of both proposed amendments.

At their June 28, 2017 meeting, the Kendall County Regional Planning Commission unanimously recommended approval of both proposed amendments.

Following a public hearing on July 10, 2017, the Kendall County Zoning Board of Appeals unanimously recommended approval of both proposed amendments.

At their August 7, 2017 meeting, the Planning, Building and Zoning Committee voted 3-2 in favor of the proposal. Members Davidson, Gryder and Kellogg voted in favor of the proposal and Members Cullick and Gilmour voted against the proposal.

To date, no townships submitted comments regarding either proposal.

A copy of the draft text amendment is enclosed.

MHA

ENC

ORDINANCE # 2017-_____

TEXT AMENDMENT TO SECTION 13.01.B.11 OF THE KENDALL COUNTY ZONING ORDINANCE REDUCING THE NUMBER OF VOTES NECESSARY FOR THE ZONING BOARD OF APPEALS TO REVERSE ANY ORDER, REQUIREMENTS OR DETERMINATION OF THE ZONING ADMINISTRATOR, OR TO DECIDE IN FAVOR OF THE APPLICANT ANY MATTER UPON WHICH THE ZONING BOARD OF APPEALS IS AUTHORIZED TO RENDER DECISIONS FROM FOUR TO THREE ON BOARDS CONSISTING OF FIVE MEMBERS AND FROM FIVE TO FOUR ON BOARDS CONSISTING OF SEVEN MEMBERS

WHEREAS, the Kendall County Zoning Board of Appeals requested an amendment to Section 13.01.B.11 of the Kendall County Zoning Ordinance related to voting requirements of the Zoning Board of Appeals in order to have the Kendall County Zoning Ordinance correspond to State law; and

WHEREAS, Public Act 92-128 amended 55 ILCS 5/5-12011 by reducing the number of votes required by a Zoning Board of Appeals to reverse any order, requirements, decision or determination of the Zoning Administrator, or to decide in favor of the applicant any matter upon which it is authorized to render decisions; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

WHEREAS, all administrative procedures required prior to passing 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 July 10, 2017; and

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Section 13.01.B.11 of the Kendall County Zoning Ordinance by deleting the existing language in the first paragraph of this section and replacing it with the following:

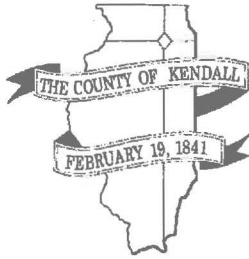
“13.01.B.11 Jurisdiction The concurring vote of three (3) members of a board consisting of five (5) members or the concurring vote of four (4) members of a board consisting of seven (7) members is necessary to reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant any matter any matter upon which it is authorized by the Kendall County Zoning Ordinance to render decisions.

IN WITNESS OF, this amendment to the Zoning Ordinance has been enacted by a majority vote of the Kendall County Board this 15th day of August, 2017.

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

August 16, 2017

RE: Illinois Noxious Weed Law

Dear Township Supervisors and Mayors:

The Illinois Department of Agriculture recently informed Kendall County that the County must do more work in relation to the enforcement of the Illinois Noxious Weed Law (505 ILCS 100). In particular, the State requires the County to create and submit prior to December of each year an annual report and create and submit on or before the first day of November of each year a comprehensive work plan for the next calendar.

In order to comply with State law, we request that you inform us of any noxious weed cases that you receive, the location of the complaint and if the complaint was resolved. Please send this information to Matthew Asselmeier, Kendall County Senior Planner, 111 W. Fox Street, Yorkville, IL 60560 or masselmeier@co.kendall.il.us.

We do not request that you undertake any additional work related to the enforcement of the Illinois Noxious Weed Law or that you alter your procedures for process noxious weed complaints except that you inform us of noxious weed complaints.

Kendall County hopes to partner with each township and municipality in order to comply with this law. A list of State of Illinois recognized noxious weeds is included with this letter.

If you have any questions, please contact Mr. Asselmeier at 630-553-4139.

Sincerely,

Scott R. Gryder, Chairman
Kendall County Board

Enc: List of Noxious Weeds

Section 220.60 Noxious Weeds

The following plants within the sovereign territory of the State of Illinois are designated and declared noxious weeds:

- a) Marihuana (*Cannabis sativa* L.);
- b) Giant Ragweed (*Ambrosia trifida* L.) within the corporate limits of cities, villages, and incorporated towns;
- c) Common Ragweed (*Ambrosia artemisiifolia* L.) within the corporate limits of cities, villages, and incorporated towns;
- d) Canada Thistle (*Cirsium arvense*);
- e) Perennial Sowthistle (*Sonchus arvensis*);
- f) Musk Thistle (*Carduus nutans*);
- g) Perennial members of the sorghum genus, including johnsongrass (*Sorghum halepense*), sorghum alnum, and other johnsongrass X sorghum crosses with rhizomes; and
- h) Kudzu (*Pueraria lobata*).

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)



NOTICE OF NONCOMPLIANCE
505 ILCS 100/1 et seq.

Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice) • Fax 217/524-4882 • 866/287-2999 (TTY/TDD)
Pesticide Misuse Hotline 1-800-641-3934 (voice)

May 5, 2017

Kendall County Board
Scott Gryder
111 W Fox St
Yorkville, IL 60560

Pursuant to 505 ILCS 100/4, the Director of the Illinois Department of Agriculture is issuing this Notice of Noncompliance with regard to certain requirements of the Illinois Noxious Weed Law. Links to the aforementioned statute and associated regulations are shown below. Under their provisions, the governing body of each county is designated as a *Control Authority* and is to do the following:

- 1) establish a coordinated program for control and eradication of noxious weeds within the county;
- 2) conduct an examination of all land under its jurisdiction for compliance with the Act;
- 3) compile data on infested areas and areas eradicated;
- 4) advise persons responsible for controlling and eradicating noxious weeds of the best and most practical methods of noxious weed control and eradication;
- 5) investigate or aid in the investigation and prosecution of violations of the Act;
- 6) publish notices for control and eradication of noxious weeds as set forth in the Act and rules and as prescribed by the Director; and
- 7) cooperate with Federal, State, and local authorities in carrying out the provisions of the Act and its rules.

Control Authorities may employ one or more *weed control superintendents* who must be certified by the Director of the Illinois Department of Agriculture to carry out many of the various activities authorized in the Act including the examination of lands under the *Control Authority's* jurisdiction, the investigation of complaints, the issuance of control notices, the creation and submittal prior to December of each year of an annual report, and the creation and submittal on or before the first day of November of each year of a comprehensive work plan for the next calendar year.

Please take a few minutes and review the statute and associated regulations, the status of your current noxious weed control program, and whether improvements might be made to improve its effectiveness.

The statute and associate regulations can be found by following the links as indicated:

Statute – <http://www.ilga.gov/legislation/iles/iles3.asp?ActID=1693&ChapterID=40>
Rule – <http://ilga.gov/commission/jcar/admincode/008/00800220sections.html>

If you have any questions or comments, please feel free to contact us at the Department of Agriculture at your convenience.

Sincerely,

Warren D. Goetsch, P.E.
Deputy Director and Acting Bureau Chief, Environmental Programs



Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as Public Acts soon after they become law.

For information concerning the relationship between statutes and Public Acts, refer to the Guide.

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

AGRICULTURE
(505 ILCS 100/) Illinois Noxious Weed Law.

(505 ILCS 100/1) (from Ch. 5, par. 951)

Sec. 1. This Act shall be known and may be cited as the Illinois Noxious Weed Law.

(Source: P.A. 77-1037.)

(505 ILCS 100/2) (from Ch. 5, par. 952)

Sec. 2. As used in this Act:

(1) "Person" means any individual, partnership, firm, corporation, company, society, association, the State or any department, agency, or subdivision thereof, or any other entity.

(2) "Control", "controlled" or "controlling" includes being in charge of or being in possession, whether as owner, lessee, renter, or tenant, under statutory authority, or otherwise.

(3) "Director" means the Director of the Department of Agriculture of the State of Illinois, or his or her duly appointed representative.

(4) "Department" means the Department of Agriculture of the State of Illinois.

(5) "Noxious weed" means any plant which is determined by the Director, the Dean of the College of Agricultural, Consumer and Environmental Sciences of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, to be injurious to public health, crops, livestock, land or other property.

(6) "Control Authority" means the governing body of each county, and shall represent all rural areas and cities, villages and townships within the county boundaries.

(7) "Applicable fund" means the fund current at the time the work is performed or the money is received.

(Source: P.A. 99-539, eff. 7-8-16.)

(505 ILCS 100/3) (from Ch. 5, par. 953)

Sec. 3. Every person shall control the spread of and eradicate noxious weeds on lands owned or controlled by him and use such methods for that purpose and at such times as are approved and adopted by the Director of the Department of Agriculture.

(Source: P.A. 77-1037.)

(505 ILCS 100/4) (from Ch. 5, par. 954)

Sec. 4. The duty of enforcing this Act and carrying out its provisions is vested in the Director, and the authorities

designated in this Act acting under the supervision and direction of the Director. If a Control Authority fails to carry out its duties and responsibilities under this Act or fails to follow the Department's rules, the Director shall enforce this Act or rules by sending a Notice of Noncompliance to the Control Authority. The Director, the Dean of the College of Agricultural, Consumer and Environmental Sciences of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, shall determine what weeds are noxious for the purposes of this Act, and shall compile and keep current a list of such noxious weeds, which list shall be published and incorporated in the rules and regulations of the Department. The Director shall, from time to time, adopt and publish methods as official for control and eradication of noxious weeds and make and publish such rules and regulations as in his judgment are necessary to carry out the provisions of this Act.
(Source: P.A. 99-539, eff. 7-8-16.)

(505 ILCS 100/5) (from Ch. 5, par. 955)

Sec. 5. The Director is authorized to investigate the subject of noxious weeds; to require information and reports from any Control Authority as to the presence of noxious weeds and other information relative to noxious weeds and the control and eradication thereof in localities where such Control Authority has jurisdiction; to cooperate with Control Authorities in carrying out other acts administered by him; to cooperate with agencies of Federal and State Governments and persons, in carrying out his duties under this Act, and, with the consent of the Governor, in the conduct of investigations outside this State in the interest of the protection of the agricultural industry of this State from noxious weeds not generally distributed therein; with the consent of the Federal agency involved, to control and eradicate noxious weeds on Federal lands within this State, with or without reimbursement, when deemed by him to be necessary to an effective weed control and eradication program; to advise and confer as to the extent of noxious weed infestations and the methods determined best suited to the control and eradication thereof; to call and attend meetings and conferences dealing with the subject of noxious weeds; to disseminate information and conduct educational campaigns with respect to control and eradication of noxious weeds; to procure materials and equipment and employ personnel necessary to carry out his duties and responsibilities; and to perform such other acts as may be necessary or appropriate to the administration of this Act.

(Source: P.A. 77-1037.)

(505 ILCS 100/7) (from Ch. 5, par. 957)

Sec. 7. Each Control Authority shall carry out the duties and responsibilities vested in it under this Act with respect to land under its jurisdiction in accordance with rules and regulations prescribed by the Department. Such duties shall include the establishment, under the general direction of the Control Authority, of a coordinated program for control and eradication of noxious weeds within the county.

A Control Authority may cooperate with any person in

carrying out its duties and responsibilities under this Act.
(Source: P.A. 77-1037.)

(505 ILCS 100/8) (from Ch. 5, par. 958)

Sec. 8. Each Control Authority may employ one or more Weed Control Superintendents who shall be certified by the Director to be qualified to detect and treat noxious weeds. The same person may be a Weed Control Superintendent for more than one Control Authority. Such employment may be for such tenure, and at such rates of compensation and reimbursement for travel expenses, as the Control Authority may prescribe. Each Weed Control Superintendent may be bonded for such sum as the Control Authority may prescribe.

Each Control Authority shall examine all land under its jurisdiction for the purpose of determining whether the provisions of this Act and the regulations of the Director have been complied with; compile such data on infested areas and areas eradicated and such other reports as the Director or Control Authority may require; consult and advise upon matters pertaining to the best and most practical methods of noxious weed control and eradication, and render assistance and direction for the most effective control and eradication; investigate or aid in the investigation and prosecution of any violation of this Act. Control Authorities may cooperate and assist one another to the extent practicable in the carrying out of a coordinated control and eradication program within their counties.

(Source: P.A. 77-1037.)

(505 ILCS 100/9) (from Ch. 5, par. 959)

Sec. 9. Notices for control and eradication of noxious weeds shall be on a form prescribed by the Director and shall consist of 2 kinds: general notices and individual notices. Failure to publish general weed notices or to serve individual notices as provided in this Section does not relieve any person from the necessity of full compliance with this Act and regulations thereunder. In all cases such published notice is legal and sufficient notice.

General notice shall be published by each Control Authority, or any combination of Control Authorities among counties, in one or more legal newspapers of general circulation throughout the area, or areas, over which the Control Authority, or Control Authorities, have jurisdiction at such times as the Director may direct or the Control Authority may determine.

Whenever any Control Authority finds it necessary to secure more prompt or definite control or eradication of noxious weeds than is accomplished by the general published notice, it shall serve individual notices upon the person owning and the person controlling such land, and give notification of such notice to the record owner of any encumbrance thereon, giving specific instructions and methods when and how certain named weeds are to be controlled or eradicated.

(Source: P.A. 77-1037.)

(505 ILCS 100/10) (from Ch. 5, par. 960)

Sec. 10. Whenever the owner or person in control of the land on which noxious weeds are present has neglected or

failed to control or eradicate them as required in this Act and any notice is given pursuant to Section 9, the Control Authority having jurisdiction shall have proper control and eradication methods used on such land, and shall advise the owner, person in control, and record holder of any encumbrance of the cost incurred in connection with such operation. The cost of any such control or eradication shall be at the expense of the owner. If unpaid for 6 months, or longer, the amount of such expense shall become a lien upon the property. Nothing contained in this Section shall be construed to require satisfaction of the obligation imposed hereby in whole or in part from the sale of the property or to bar the application of any other additional remedy otherwise available. Amounts collected under this Section shall be deposited in the Noxious Weed Control Fund or other appropriate general fund of the Control Authority.
(Source: P.A. 77-1037.)

(505 ILCS 100/11) (from Ch. 5, par. 961)

Sec. 11. When it appears to a Control Authority that upon any tract of land under its jurisdiction there is an infestation of noxious weeds beyond the ability of the owner and the person in control of such land to eradicate, the Control Authority, with the approval of the Director, may quarantine such land and put into immediate operation the necessary means for the eradication of such noxious weeds. The Control Authority shall, prior to the entry upon such land, serve individual notices on the owner and the person in control thereof and the record owner of any encumbrance thereon of such quarantine and entry, and shall also advise such persons of the completion of the eradication operation, and the cost thereof. The expense of such quarantine and eradication shall be borne as follows: 1/2 from the Noxious Weed Control Fund or other appropriate general fund of the Control Authority; and 1/2 from the person owning such land, which may be collected and deposited as provided in Section 10.
(Source: P.A. 77-1037.)

(505 ILCS 100/12) (from Ch. 5, par. 962)

Sec. 12. The cost of controlling and eradicating noxious weeds on all land, including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a State department, agency, commission or board shall be paid by the State department, agency, commission or board in control thereof out of funds appropriated to its use.

The cost of controlling and eradicating noxious weeds on all land including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a Control Authority shall be paid by the Control Authority in control thereof out of the Noxious Weed Control Fund, and until the establishment of such Fund, out of the general funds of such Control Authority. Until the establishment of the Noxious Weed Control Fund by a Control Authority, the cost of controlling and eradicating noxious weeds on all land, including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a township or city or other municipal corporation shall be paid by the township or city or other municipal corporation in control thereof out of the general

funds of such township or city or other municipal corporation. After the establishment of the Noxious Weed Control Fund of the county in which such township or city is located, such cost shall be paid from the Noxious Weed Control Fund of such county.

(Source: P.A. 77-1037.)

(505 ILCS 100/13) (from Ch. 5, par. 963)

Sec. 13. Notwithstanding any other provisions of this Act relating to payment of cost, when determined by a Control Authority to be justified in the interest of an effective weed control program, such Control Authority may control and eradicate noxious weeds on land under its jurisdiction, without cost to the owner or person in control thereof.

(Source: P.A. 77-1037.)

(505 ILCS 100/14) (from Ch. 5, par. 964)

Sec. 14. To prevent the dissemination of noxious weeds through any article, including machinery, equipment, plants, materials and other things, the Director, in consultation with the Dean of the College of Agricultural, Consumer and Environmental Sciences of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, shall, from time to time, publish a list of noxious weeds which may be disseminated through articles and a list of articles capable of disseminating such weeds, and designate treatment of such articles as, in his opinion, would prevent such dissemination. Until such article is treated in accordance with the applicable regulations, it shall not be moved from such premises except under and in accordance with the written permission of the Control Authority having jurisdiction of the area in which such article is located, and the Control Authority may hold or prevent its movement from such premises. The movement of any such article which has not been so decontaminated, except in accordance with such written permission, may be stopped by the Control Authority having jurisdiction over the place in which such movement is taking place and further movement and disposition shall only be in accordance with such Control Authority's direction.

(Source: P.A. 99-539, eff. 7-8-16.)

(505 ILCS 100/15) (from Ch. 5, par. 965)

Sec. 15. A Noxious Weed Control Fund may be established as provided in Section 16 for each Control Authority, without fiscal year limitation, which shall be available for expenses authorized to be paid from such Fund, including the necessary expenses of the Control Authority in carrying out its duties and responsibilities under this Act. The Weed Control Superintendents within the county shall ascertain each year the approximate amount of land within the county infested with noxious weeds, and the location thereof, and transmit such information to the Director and the Control Authority. On the basis of such information the Control Authority shall make payments from the Noxious Weed Control Fund. If a Noxious Weed Control Fund is not established as provided in Section 16, the expenses authorized to be paid from such Fund shall be paid out of any other appropriate general fund of the Control

Authority.

(Source: P.A. 77-1037.)

(505 ILCS 100/17) (from Ch. 5, par. 967)

Sec. 17. Control Authorities, independently or in combination, may purchase or provide for needed or necessary materials, machinery and equipment, including the cost of operation and depreciation of such machinery and equipment, for the control and eradication of weeds as provided in Sections 10 and 11, whether or not declared noxious on land owned or controlled by them or on other land under their jurisdiction. All funds received from such control and eradication of weeds shall be deposited in the Noxious Weed Control Fund or other appropriate general fund of the Control Authority. Each Control Authority shall keep a record showing the procurement, sale and rental of materials, machinery and equipment, which record shall be open to inspection by citizens of this State. A Control Authority may use any equipment or material procured as provided for in this Section upon lands owned or directly controlled by it, or owned or controlled by a township or city which is not a Control Authority, for the treatment and eradication of weeds which have not been declared noxious.

(Source: P.A. 77-1037.)

(505 ILCS 100/18) (from Ch. 5, par. 968)

Sec. 18. If any person is dissatisfied with the amount of any charge made against him by a Control Authority for control or eradication work, he may, within 5 days after being advised of the amount of the charge, file a protest with the Director. The Director shall hold a hearing thereon and has the power to adjust or affirm such charge.

(Source: P.A. 77-1037.)

(505 ILCS 100/19) (from Ch. 5, par. 969)

Sec. 19. All final administrative decisions of the Director or his representative are subject to judicial review under the Administrative Review Law. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure. The filing for judicial review shall stay the order of the Director or his representative pending disposition of the order on judicial review. The court, upon its own initiative or upon motion by the Director, may in its discretion, when it deems it necessary to protect the interests involved, require the posting of additional bond in an amount it deems advisable, as a prerequisite to judicial review.

(Source: P.A. 82-783.)

(505 ILCS 100/20) (from Ch. 5, par. 970)

Sec. 20. The Director, any Control Authority, Weed Control Superintendent, or anyone authorized thereby, may enter upon all land under their jurisdiction for the purpose of performing their duties and exercising their powers under this Act, including the taking of specimens of weeds or other materials, without the consent of the person owning or controlling such land and without being subject to any action for trespass or damages, if reasonable care is exercised.

(Source: P.A. 77-1037.)

(505 ILCS 100/21) (from Ch. 5, par. 971)

Sec. 21. All individual notices, service of which is provided for in this Act, shall be in writing. Service of such notices shall be in the same manner as service of a summons in a civil action in the circuit court or by certified mail to the last known address to be ascertained, if necessary, from the last tax list.

(Source: P.A. 77-1037.)

(505 ILCS 100/22) (from Ch. 5, par. 972)

Sec. 22. Any person violating any provision of this Act or any regulation issued hereunder is guilty of a petty offense and shall be fined not more than \$100 for the first offense and not more than \$200 for each subsequent offense.

(Source: P.A. 78-255.)

(505 ILCS 100/23) (from Ch. 5, par. 973)

Sec. 23. The Director may participate in any noxious weed control program and, when called upon to do so by any such program, may use any funds available to him for the purposes of this Act in the matching of any federal funds made available to this State.

(Source: P.A. 77-1037.)

(505 ILCS 100/24) (from Ch. 5, par. 974)

Sec. 24. If any Section or provision of this Act is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining Sections or provisions of the Act which can be given effect without the invalid Section or provision, and to this end the Sections and provisions of this Act are declared to be severable.

(Source: P.A. 77-1037.)

COUNTY OF KENDALL, ILLINOIS
ADMINISTRATION HUMAN RESOURCES COMMITTEE
Meeting Minutes
Wednesday, July 19, 2017

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

ROLL CALL

Attendee Name	Status	Arrived	Left Meeting
Judy Gilmour	Here		
Matthew Prochaska	Present		
Lynn Cullick	Here		
Elizabeth Flowers	Present		
John Purcell	Here		

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

Others Present: Latreese Caldwell, Bob Jones, Scott Koeppel

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES – July 6, 2017

CBIZ Update –
 Jim Pajauskas updated the committee

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

on the loss ratio with BCBS. Mr. Pajauskas also informed the committee that the HAS plan vendor, BenefitWallet will send out new debit cards to all plan participants, between July 24 and August 2, 2017. They will have two blackout dates for system updates on August 6 & 7, 2017, where members will have limited access.

Mr. Pajauskas also told the committee that he provided new hire enrollment guides to Jill Ferko and Bob Jones that will be a useful tool to distribute to new employees.

Wine Sergi: Cyber Liability Insurance Proposal Update – Rich Ryan provided a brief summary of a Cyber Liability Insurance Proposal listing two carriers, ICRMT and Axis. Mr. Ryan reviewed each

option, and recommended that the County obtain \$1 million in coverage at the cost of under \$5,000. Member Prochaska made a motion to forward the recommended Axis proposal to the County Board for approval, second by Member Purcell. **With five members present voting aye, the motion passed.**

Member Gilmour asked Mr. Ryan about the Millbrook and Planning, Building and Zoning discussion on insurance coverage for work that is being completed by the County Planning, Building and Zoning department. Mr. Ryan stated that his recommendation would be that the Village of Millbrook be listed as the primary carrier of any insurance required for business with the County. **Mr. Ryan will provide his recommendation to Matt Asselmeier in the Planning, Building and Zoning department, this week.**

DEPARTMENT HEAD AND ELECTED OFFICIAL REPORTS

Treasurer's Office – Bob Jones reviewed the monthly medical insurance invoices, monthly benefits summary, and monthly medical insurance report with the committee. Mr. Jones also updated the committee on the status of the employee overcharged for healthcare premium, the status of medical claims for the employee and any family members. The committee asked Mr. Jones to create a waiver and documentation for the employee to sign regarding healthcare claims filed during the period of overpayment. **There was consensus by the committee to refund the overpayment amount of \$1,439.10 to the employee.**

Administrative Services Office – Scott Koepfel reported that he is working on the department head job descriptions and will present those to the committee for review in early Fall.

Latreese Caldwell reviewed the Claims Analysis including claims paid to date, and open claim amounts. **The committee asked Ms. Caldwell to show how Kendall County is trending in Workers Compensation claims at the next meeting.**

Ms. Caldwell also informed the committee about a small amount of funds available from Medpay, and the possibility of using those funds for payment toward non-employee claims. Ms. Caldwell was instructed by the committee to obtain additional information from IPMG about a waiver form that might be used, and a form to itemize claims. **There was consensus by the committee to authorize payment up to \$1,000. If a waiver and other necessary legal documents were obtained for County records.**

COMMITTEE BUSINESS

Discussion on HR Question from Judge McCann – Discussion on HR responsibilities being handled by the Administrative Services Department, and the importance of notifying employees of changes in responsibility that have occurred over the last few months. Mr. Koepfel was tasked with drafting an email to send to Department Heads and Elected Officials with an update on the changes and which office to contact with questions. The committee also asked Mr. Koepfel to ensure that the information is also available in all employee handbooks used throughout the County, and to have discussion with Elected Officials on their expectations.

Posting of County Administrator Job Opening – There was consensus by the committee to authorize up to \$1,000. for the posting of County Administrator position opening on the

County webpage, in newspapers, The Beacon News, Oswego Ledger, Kendall County Record, and Chicago Tribune, as well as listing the opening with Illinois City/County Management Association. The posting will remain open for 45 days.

ITEMS FOR COMMITTEE OF THE WHOLE - None

ACTION ITEMS FOR COUNTY BOARD

- *Approval of the Axis Cyber Liability Insurance Proposal*
- *Approval to refund \$1,439.10 from account 0102-027-6547 to employee for overpayment of Health Insurance premium*

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 7:20p.m.

Respectfully Submitted,

Valarie McClain
Recording Secretary

HIGHWAY COMMITTEE MINUTES

DATE: August 8, 2017
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Matt Kellogg, Lynn Cullick, Scott Gryder, Judy Gilmour and Bob Davidson
STAFF PRESENT: Ginger Gates and Fran Klaas
ALSO PRESENT: P.J. Fitzpatrick, Kelly Farley and Dick Wade

The committee meeting convened at 4:02 P.M. with roll call of committee members. Bob Davidson absent. Quorum established.

Motion Cullick, second Gilmour to approve agenda as presented. Gryder questioned agenda item #6, which deals with a petition from Little Rock Road District for funds for Mitchell Road. Same item was moved at last month's meeting, but died for lack of a second. Gryder asked if the committee could bring that back up again this month and vote on it. Committee members were unsure. After discussion, committee agreed to send this item to September 14th C.O.W. meeting for discussion and delete from this month's agenda. Motion to approve agenda as amended, deleting item #6, was approved unanimously.

Bob Davidson arrived.

Motion Cullick, second Gryder to approve the Highway Committee meeting minutes from July 11, 2017. Motion carried unanimously.

Low bid of Corrective Asphalt Materials, LLC in the amount of \$96,601 was presented to committee. Motion Cullick; second Gilmour to approve low bid. The work includes crack filling on 5 county highways. Bid was about 1% under the engineer's estimate. Motion to recommend approval of the bid to the county board was approved unanimously.

Klaas presented proposed tax levies for Highway Department for FY 2018. He did not prepare a budget document for the committee because details of the 10 funds that are managed by Highway Department are now available to all board members through the Questica budget software. The proposed combined levy of \$2,000,000 is the same levy the Highway Department has had for many years. In fact, he stated that you would have to go back 10 years to find a levy that was lower than next year's proposed levy. Details of non-property-tax funds would be brought to September meeting when committee will be asked to review the 5-Year Surface Transportation Plan. Kellogg asked whether the projected Sales Tax Funds took into account the new 2% administrative fee the State is skimming off the top. Klaas indicated that it did. Davidson wondered whether levy took into account the new growth. Klaas didn't think that the Highway Fund would take a big hit because items that are out of control of the County, like health insurance, IMRF, worker's compensation, etc. are not currently included in Highways budgets, but are included in the General Fund. Gryder asked about previous levies going back a few years. Klaas discussed previous property tax levies and historical funds collected for the Highway Department.

Gryder discussed the concept of putting money away annually to save for the Eldamain Road project, and wondered where we were at with that. Klaas stated that STR funds allocated through District 3 are being accumulated for that project in the amount of about \$500,000 per year. Gilmour asked whether those funds are the same funds that were awarded to Kendall County last year for Eldamain Road. Those are actually different funds, STU (urban) funds, allocated through CMAP. Kendall County has received about \$6 million through CMAP over the past 5 years; however, those funds are obtained through a more competitive application process, and are not guaranteed like STR funds.

Klaas also advised the committee of the reasons why the Federal Aid Matching fund and levy has been zeroed out. That levy has been absorbed by the Highway Fund, and is no longer necessary because of the implementation of the Transportation Sales Tax Fund.

Klaas discussed the idea of building a new front vestibule to provide additional security for Highway Department employees. He discussed the idea with architect, Cliff Bender, and presented a concept plan and budget for the project. He recommended hiring the architect and splitting the construction costs over the FY 17 and FY 18 budgets. Kellogg asked what fund the monies would come from. Klaas stated that it would be the Building and Grounds line item out of the Highway Fund. There are insufficient funds to complete all the construction out of this year's budget, but would be enough if split over 2 years. Cullick was uncomfortable with the hiring of this architect because the County has existing agreements with 2 other architects, and hiring this architect circumvents the processes and procedures that the County already has in place. Gilmour agreed. Cullick added that she thought the other architects had more qualified people on staff. Current agreements were negotiated through the Facilities Management Department. Gryder wondered whether this work should be handled through Facilities Department. Davidson reminded committee that building and site improvements at Highway Department site have always been handled by the Highway Department. After discussion, committee directed county engineer to obtain names of approved architects from Scott Koeppel, discuss the project with them, and bring a recommendation back to committee in September.

Under "Other Business", Davidson asked where the Highway Department was with payments to the General Fund for the salt dome and storage building. Klaas thought that they had paid about \$800,000 out of the \$1.2 million owed. Highway typically pays about \$100,000 each year toward the debt. Farley gave update on Little Rock Road project. Fitzpatrick gave update on Collins Road extension project. Next public meeting on that project will be September 26, 2017, 5:00 PM to 7:00 PM at the Oswego High School. Davidson asked if there was room to improve Minkler Road in the area of Fox Ridge Stone and the cemetery. Fitzpatrick advised that the County's project would tie into the 3-lane IDOT improvement at Route 71 and wouldn't require relocation of either of those adjacent uses. He added that the design and projected traffic numbers would easily get the County through 2040 without additional lanes. Gryder asked whether Aurora had recently let a project to improve WIKADUKE Trail near the county line. No one had information on that. Committee also discussed miscellaneous other ongoing highway projects, including Sherrill Road, Ridge Road, Grove Road, and Fox Road.

Klaas presented the most recent invoice from CMAP for local share of planning services. This matter was discussed for the first time last year, and it was agreed to take the funds out of the Transportation Sales Tax Fund. The fee was supposed to increase this year; but because of the newly-passed State budget, and excellent cooperation from all the local agencies, CMAP held the

fee at the same amount as last year: \$17,822. Committee had no problem continuing to pay the fee from the Sales Tax Fund.

Motion Davidson; second Gryder to forward Highway Department bills for the month of August in the amount of \$467,502.97 to the Finance Committee for approval.

Meeting adjourned at 5:03 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis C. Klaas", written in a cursive style.

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

Action Items

1. Approve bid from Corrective Asphalt Materials, LLC in the amount of \$96,601 for crack filling services on various county highways; said funds to be taken from the Transportation Sales Tax Fund.

COUNTY OF KENDALL, ILLINOIS
FACILITIES MANAGEMENT COMMITTEE
MEETING MINUTES
MONDAY August 7, 2017

Committee Chair Bob Davidson called the meeting to order at 4:03 p.m.

Roll Call: Members Present: Bob Davidson, Tony Giles, Matt Kellogg, Judy Gilmour, Audra Hendrix
With all members present, a quorum was formed to conduct business.

Others Present: Facilities Management Director Jim Smiley, Interim County Administrator/Technology Director Scott Koppel.

Approve any changes to the County Board Approved July 3, 2017 Facilities Committee Meeting Minutes
– there were no changes to the July 3, 2017 minutes; Member Hendrix made a motion to approve the minutes, second by Member Kellogg. **With all present members voting aye, the minutes were approved.**

Public Comment – None

Director Smiley informed the Committee that Michelle Meyers from Mutual Ground would be addressing the Committee relating to their Lease request and suggested discussing that agenda item when she arrives. Chairman Davidson asked if the committee members were ok changing the agenda to accommodate Ms. Meyers scheduled arrival. Consensus of the committee was to move this item.

Old Business/Projects

1. *Historic Courthouse (HCH) Window Replacement Project* – Director Smiley stated that the KCFM staff cut down the blinds to fit the new windows. They were re-stained and re-installed. Jim reminded the Committee that there are six (6) to eight (8) more windows to replace in the courtroom and has included the replacement in the five (5) year plan. Mr. Smiley stated that they will continue window replacement in stages as approved. **Project Complete**
2. *Generator System Repairs* – Jim informed the Committee that the recommended generator repairs were completed. **Project Complete**
3. *New Mutual Ground lease at the Courthouse* – Michelle Meyer from Mutual Ground informed the Committee the importance of staying within the space at the Courthouse. Ms. Meyer stated that the number of orders of protection they have been able to obtain have doubled since being in the Courthouse. Motion by Member Hendrix to bring the Lease to the County Board for approval. Second by Member Kellogg. **All members present voting aye. Motion Carried.**
4. *Memo of Understanding between Kendall County & Mutual Ground* – Chairman Davidson stated that he would like the address of the leased space added to the Memo of Understanding. Motion by Member Hendrix to bring to the Memo of Understanding with the revision to the County Board for approval. Second by Member Kellogg. **All members present voting aye. Motion Carried.**
5. *Public Safety Center (PSC) U.P.S. System A/C Unit Replacement* – Jim stated that the KCFM staff completed the electrical hook ups for the system along with installing a flexible wall system to help keep the area cool around the U.P.S. system. Mr. Smiley stated that the vendor came out to start up the system. **Project Complete**

New Business/Projects

1. *Chairman's Report* ;
 - a. *Healy Bender, 111 W. Fox St. Part I Analysis* – Director Smiley stated that Healy Bender did not require a contract for this project. They are ok with us sending a letter of approval referencing the approved part of the proposal to start work. The Committee directed Jim to work with the State's Attorney's office to draft and send the letter to Healy Bender.
 - b. *Projects Policy Change* – Jim and Matt Kellogg presented to the Committee a proposed flowchart and written policy for project submittal. Chairman Davidson stated to the Committee to review the plan and finalize it next month then bring it to the Board.
 - c. *Establish a policy for Requests to Film on County Properties* – Mr. Smiley brought to the Committee the findings that other Illinois municipalities have as a filming policy. Interim County Administrator/Technology Director Scott Koppel stated that Andrez is also working on this for the ordinance which would adopt the policy. Mr. Koppel stated that once a written policy is ready it will be brought before the Committee review.
 - d. *2017 Budget to date Review* – Director Smiley informed the Committee that there will be a \$27,000 increase in electric for next year due to increased ComEd distribution costs. Jim also informed the Committee that tracking of the improvements that have been made on the buildings have saved the county approximately \$90,000 - \$100,000 per year in electric costs since 2011. Mr. Smiley also stated that water usage appears to have increased. This can be due to the number of prisoners at Public Safety and in Animal Control due to public/employee use. Jim also informed the Committee that Contractual Services and Equipment Maintenance may be as much as \$30,000 over budget. This is due to costly failures this year that needed repair. Director Smiley is working to balance this overage by cutting back on areas with less impact i.e.; one less cutting a month for landscaping, cutting money for the flooring care along with special projects.
2. *PSC H.V.A.C. & Controls Improvements RFP* – Mr. Smiley stated that the RFP has been written and is ready to be sent to the States Attorney for legal review. Consensus of the Committee is to move the RFP to Legal for review. Member Kellogg motioned to release to the RFP to the Public once the legal review is complete. Second by Member Hendrix. **All members present voting aye. Motion Carried.**
3. *PSC Wall Sealing* – Jim stated that KenCom stairwell has experienced leaks on and off over the years. Mr. Smiley hired a vendor to water seal the walls and believes this has been resolved. Jim stated that this will continue to be monitored. **Project Complete**
4. *PSC Jail Remote Flush Units* – Director Smiley stated that Sheriff Baird asked Jim to look into adding flush valves that can be remotely activated. Jim and the KCFM staff found that Sloan makes these components specifically designed for jail use. KCFM staff installed the unit and connected it to three (3) cells that Jail command staff wanted to be connected first. Jim put together a procedure memo for Jail command staff to train everyone on how to operate the system. **Project Complete**
5. *PSC Roof Leak Repairs* – Jim informed the committee of roof leaks at the Public Safety Center during the recent heavy rains. Mr. Smiley called in the roofers and they patched some holes that were found. **Project Complete**
6. *Workforce Development Lease at HHS* – Director Smiley informed the Committee that it was discovered the lease expired in January 2017. Instead of asking for a new lease, Workforce Development sent a letter requesting the one (1) year option as stated in their lease but for the letter to be considered retroactively. Workforce Development also requested in the same letter that the second one year option also be approved. The Committee directed Mr. Smiley to accept the request and work with the State's Attorney's office to draft the acceptance letter.

7. *CASA lease at HHS* – Mr. Smiley stated that CASA also has a lease that was expired in January 2017 however CASA was asking for a new multi-year lease. The consensus of the Committee is to stay with one year lease with two (2) one year extension. Jim will notify the State’s Attorney’s Office to draft a new lease.
8. *2017 Paving RFP* – Jim completed the RFP and sent it to the State’s Attorney’s Office for review. They will be advertised this week and due August 18th. Mr. Smiley should have results at the September meeting for review.
9. *Snow & Ice Removal RFP* – Director Smiley also completed the RFP and sent it to the State’s Attorney’s Office for review. They will be advertised this week and due August 18th. Jim should have results at the September meeting for review.
10. *Vendor Registry* – Jim stated that training with Gina from Technology and the Vendor Registry site was completed on July 11th. Mr. Smiley plans on adding the Snow & Ice along with the Paving RFP on the site as soon as they are approved by the State’s Attorney’s Office.

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

Questions from the Media – None

Executive Session – None

Adjournment – Chairman Davidson asked if there was a motion to adjourn. Member Hendrix made a motion to adjourn the meeting, second by Member Kellogg. **With all members present voting aye, the meeting adjourned at 5:15 p.m.**

Respectfully submitted,

Christina Wald
Administrative Assistant

ORDINANCE NO. _____

ORDINANCE AUTHORIZING THE ISSUANCE OF \$18,000,000
GENERAL OBLIGATION ALTERNATE BONDS OF THE COUNTY OF
KENDALL, ILLINOIS FOR THE PURPOSE OF REFUNDING
OUTSTANDING ALTERNATE BONDS

BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL,
ILLINOIS, AS FOLLOWS:

Section 1. Authority and Purpose. This ordinance is adopted pursuant to the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350, for the purpose of refunding all or a portion of the outstanding General Obligation Bonds (Alternate Revenue Source), Capital Appreciation, Series 2007B, of the County and all or a portion of the outstanding General Obligation Bonds (Alternate Revenue Source), Series 2009, of the County (collectively, the "Prior Bonds").

Section 2. Authorization of Bonds. To meet part of the \$18,000,000 estimated total cost of refunding the Prior Bonds and the cost of issuance of the bonds herein authorized and, at the option of the County, provision for capitalized interest on bonds and bond reserve funds, all as permitted under the Local Government Debt Reform Act, the County is hereby authorized to issue general obligation bonds of the County (the "Bonds") in one or more series and in the maximum aggregate principal amount of \$18,000,000. The Bonds shall constitute "Alternate Bonds" issued under and pursuant to Section 15 of the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350/15.

Section 3. General Obligations. The full faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on

the Bonds. The Bonds shall be direct and general obligations of the County, and the County shall be obligated to levy ad valorem taxes upon all the taxable property in the County for the payment of the Bonds and the interest thereon, without limitation as to rate or amount.

Section 4. Revenue Source. The Bonds shall be payable from (i) the sales tax receipts derived by the County from taxes imposed under the Use Tax Act, 35 Illinois Compiled Statutes 105, the Service Use Tax Act, 35 Illinois Compiled Statutes 110, the Service Occupation Tax Act, 35 Illinois Compiled Statutes 115, and the Retailer's Occupation Tax Act, 35 Illinois Compiled Statutes 120, including the 1% share of sales tax imposed in unincorporated areas of the County and the 1/4 of 1% supplemental sales tax imposed throughout the County; (ii) the state income tax receipts deposited in the Local Government Distributive Fund of the State of Illinois that are allocated and paid to the County pursuant to the State Revenue Sharing Act; (iii) fees derived from the issuance of licenses and permits and (iv) receipts derived from the imposition of fines and forfeitures. All of the foregoing constitute a "Revenue Source" within the meaning of Section 15 of the Local Government Debt Reform Act.

The Revenue Source is hereby pledged for the payment of the Bonds. The County Board covenants to provide for, collect and apply such Revenue Source to the payment of the Bonds and the provision of not less than an additional .25 times the annual debt service on the Bonds.

Section 5. Supplemental Proceedings. If no petition meeting the requirements specified in Section 15 of the Local Government Debt Reform Act is filed during the applicable petition period, then the County Board may adopt additional

ordinances and proceedings supplementing or amending this ordinance so long as the maximum amount of Bonds herein authorized is not exceeded and there is no material change in the purpose described in this ordinance. Such additional ordinances or proceedings shall in all instances become effective immediately without publication or posting or any further act or requirement.

Section 6. Publication. This ordinance shall be published in the "Kendall County Record," a newspaper of general circulation in the County. The publication of this ordinance shall be accompanied by the publication of the notice required by Section 15 of the Local Government Debt Reform Act.

For a period of 30 days after such publication, a petition may be filed with the County Clerk signed by electors numbering the greater of (i) 7.5% of the registered voters in the County or (ii) 200 of those registered voters or 15% of those registered voters, whichever is less, asking that the issuance of the Bonds be submitted to referendum. If no petition is filed within such 30 day period, then the Bonds shall be authorized to be issued.

Section 7. Effective Date. This ordinance shall take effect upon its adoption in the manner provided by law.

Adopted this 15th day of August, 2017, by roll call vote as follows:

Ayes:

Nays:

Published: August __, 2017

(SEAL)

Attest:

County Clerk

CERTIFICATE

I, Debbie Gillette, County Clerk of The County of Kendall, Illinois, hereby certify that the foregoing ordinance entitled: "Ordinance Authorizing the Issuance of \$18,000,000 General Obligation Alternate Bonds of The County of Kendall, Illinois for the Purpose of Refunding Outstanding Alternate Bonds" is a true copy of an original ordinance that was duly adopted by the recorded affirmative votes of a majority of the members of the County Board at a meeting thereof that was duly called and held at 9:00 a.m. on August 15, 2017, at the County Board Room, in the County Office Building, 111 West Fox Street, in the City of Yorkville, Illinois, and at which a quorum was present and acting throughout, and that said copy has been compared by me with the original ordinance, published in full, together with the statutory notice required by Section 15 of the Local Government Debt Reform Act, on August __, 2017, in the "Kendall County Record," and recorded in the records of the County Board and that it is a correct transcript thereof and of the whole of said ordinance, and that said ordinance has not been altered, amended, repealed or revoked, but is in full force and effect.

I further certify that the agenda for said meeting included the ordinance as a matter to be considered at the meeting and that said agenda was posted at least 48 hours in advance of the holding of the meeting in the manner required by the Open Meetings Act, 5 Illinois Compiled Statutes 120, and was continuously available for public review during the 48 hour period preceding the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County, this _____ day of _____, 2017.

County Clerk

(SEAL)

COUNTY OF KENDALL, ILLINOIS
Boards and Commissions Review Ad Hoc Committee
MEETING MINUTES
Thursday, July 27, 2017

Call to Order: The Ad Hoc Committee was called to order by Committee Chair Tony Giles at 10:33a.m.

Roll Call and Establishment of a Quorum: Tony Giles - here, Audra Hendrix – here, Judy Gilmour – here. **With three members present, a quorum was present to conduct business.**

Committee Members Absent: Matthew Prochaska

Member Purcell arrived at 10:44a.m.

Others Present: Scott Koeppel, County Board Vice Chair Lynn Cullick

Approval of Agenda – Motion made by Member Hendrix to approve the agenda as written, second by Member Gilmour. **With three members voting aye, the agenda was approved.**

Items of Business

- *Discussion on merging TB Board with Kendall County Board of Health* – Member Giles stated that Dr. Tokars was unable to attend the meeting for this discussion. Member Giles reported that in meetings in the Spring, the Board of Health was not in favor of merging the two boards. **There was consensus by the committee to not take any action on this item.**
- *Discussion on Kendall County Townships* – Discussion on eliminating some townships, the need for township boards, and their purpose. Member Gilmour suggested that someone research the process for abolishing a Township in the State of Illinois. **There was consensus by the committee to ask Member Prochaska to research the process for eliminating a township, evaluating the cost of township operations, and to select up to three townships and evaluate total cost (healthcare, benefits, maintenance, buildings, salary, pensions, workers comp, roadways, fuel) and revenue from taxes, and report at a future meeting.**
- *Discussion on Merging Rob Roy and Raymond Drainage Districts* – Don Clayton from GIS presented a map of the Rob Roy and Raymond Drainage Districts. Discussion on the jurisdiction of the County in Drainage District issues, the drainage district’s ability to tax the citizens that live within their districts, drainage district boundaries, and the County’s involvement. **The committee reviewed the issues and there was consensus to not take any action at this time.**
- *Ethics Commission Review* – Discussion on the Commission, their purpose, state statutory requirements for an ethics ordinance, how commissioners are appointed, and by whom. **The committee asked for additional information on the County’s Ethics Ordinance for the August 11, 2017 meeting.**

- *Discussion on Term Assignment Procedures* – Discussion of term assignment procedures, and possible term limits for Farmland Review Committee, Zoning Ad Hoc Committee, KenCom Executive Board (ETSB), and Stormwater Planning Committee. **There was consensus to review the four committees, and continue discussion on defining specified terms, but not on setting term limits for any Board or Commission position at the next meeting. Scott Koeppel will contact Andy Nicoletti and Pam Geigenheimer to attend the August 11, 2017 meeting for further discussion.**

Public Comment - None

Questions from the Media - None

Executive Session – Not needed

Items for the Next Meeting

- *Review of Ethics Commission/Ethics Ordinance*
- *Assigning Terms to the Farmland Review Committee, Zoning Ad Hoc Committee, KenCom Executive Board (ETSB), and Stormwater Planning Committee*
- *Review of Planning, Building and Zoning Committees*
- *Discussion on Fire Protection Districts*
- *Discussion on KenCom 911 Board*
- *Discussion on Sanitary Districts*

Items for Committee of the Whole - None

Action Items for County Board – None

Adjournment – Member Gilmour made a motion to adjourn the meeting, second by Member Purcell. There being no objection, the Boards and Commissions Review Ad Hoc Committee adjourned at 11:52a.m.

Respectfully,

Valarie McClain
Administrative Assistant and Recording Secretary