

**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
February 16, 2016**

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, February 16, 2016 at 9:20 a.m. The Clerk called the roll. Members present: Chairman John Shaw, Lynn Cullick, Bob Davidson, Judy Gilmour, Scott Gryder, Dan Koukol, Matthew Prochaska, John Purcell and Jeff Wehrli.

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

THE MINUTES

Member Purcell moved to approve the submitted minutes from the Adjourned County Board Meeting of 1/19/16. Member Cullick seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye.
Motion carried.

THE AGENDA

Member Purcell moved to approve the agenda with the split of the Executive Session at item 9 and then at the end of the meeting after Questions from the Press. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

CORRESPONDENCE AND COMMUNICATIONS

Member Davidson asked what the costs are for the laptops that are going to be used to register voters on Election Day. The County Clerk's office has not yet received a bill for them.

CITIZENS TO BE HEARD

Todd Milliron stated that the unfunded mandate for the computers was discussed at Finance and has been planned for. Mr. Milliron spoke about item 13 A 3, his concern is that proper notification needed to be given to all of the affected property owners. He asked if the board might want to consider tabling the item and going through a new public hearing so everyone has proper notice.

Jerry Bannister, 110D Riverwood Dr, Oswego spoke about item 13 A 3; he informed the board that as he speaks his attorney is at the courthouse attempting to get a verified emergency motion for temporary restraining order and preliminary injunction in a complaint for declaratory relief as it pertains to this issue. Mr. Bannister stated that since there is no way he has to know how the board will vote regarding either tabling the vote or other methodologies to delay it he has had to attempt this action to protect his rights. He has met with Fox Metro to try to get this resolved; he is not trying to stop this he wants it to go forward correctly.

EXECUTIVE SESSION

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

RECONVENE

Member Davidson moved to come back into regular session. Member Cullick seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

NEW BUSINESS

Resolution Authorizing the Release of All Claims

Member Wehrli moved to approve a resolution authorizing the release of all claims of bonny Flerlage, et. al. vs. Village of Oswego, et. al., filed in the United States District Court of the Northern District of Illinois, Docket Number 13 DV 6024, for the amount of \$5,000. Member Davidson seconded the motion. Chairman Shaw asked for a roll call vote on the motion. Members voting aye include Cullick, Gilmour, Koukol, and Purcell. Members voting nay include Davidson, Gryder, Prochaska, Shaw and Wehrli. **Motion failed 4-5.**

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Sheriff Baird did not have a report.

County Clerk

Revenue Report		1/1/16-1/31/16	1/1/15-1/31/15
Line Item	Fund	Revenue	Revenue
	County Clerk Fees	\$669.50	\$703.50
	County Clerk Fees - Marriage License	\$780.00	\$450.00
	County Clerk Fees - Civil Union	\$0.00	\$0.00
	County Clerk Fees - Misc	\$1,701.50	\$1,251.00
	County Clerk Fees - Recording	\$22,862.00	\$24,387.00
01010061205	Total County Clerk Fees	\$26,013.00	\$26,791.50
01010001185	County Revenue	\$25,974.25	\$28,184.25
38010001320	Doc Storage	\$13,686.50	\$14,927.50
51010001320	GIS Mapping	\$23,079.00	\$25,250.00
37010001320	GIS Recording	\$2,885.00	\$3,156.00
01010001135	Interest	\$42.42	\$39.01
01010061210	Recorder's Misc	\$4,540.25	\$3,442.00
81010001320	RHSP/Housing Surcharge	\$12,051.00	\$12,663.00
CK # 17723	To KC Treasurer	\$108,271.42	\$114,453.26

Death Certificate Surcharge sent from Clerk's office \$1,028.00 ck # 17960

Dom Viol Fund sent from Clerk's office \$130.00 ck 17961

County Clerk Debbie Gillette presented an annual report for 2015 which includes all of the business conducted in the Offices of the Clerk, Recorder and Elections.

Treasurer

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

Kendall County General Fund
QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR TWO MONTHS ENDED 01/31/2016

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2016 YTD Actual</u>	<u>2016 YTD %</u>	<u>2015 YTD Actual</u>	<u>2015 YTD %</u>
Personal Property Repl. Tax	\$406,460	\$69,845	17.18%	\$73,484	19.86%
State Income Tax	\$2,650,000	\$300,649	11.35%	\$518,732	21.70%
Local Use Tax	\$470,000	\$235,436	50.09%	\$92,540	20.56%
State Sales Tax	\$545,492	\$73,247	13.43%	\$174,445	21.14%
County Clerk	\$358,000	\$52,292	14.61%	\$51,080	14.27%

Fees					
Circuit Clerk Fees	\$950,000	\$141,583	14.90%	\$152,393	16.04%
Fines & Foreits/St Atty.	\$475,000	\$55,485	11.68%	\$76,857	15.37%
Building and Zoning	\$59,500	\$3,942	6.62%	\$5,238	9.52%
Interest Income	\$30,000	\$3,965	13.22%	\$1,776	5.92%
Health Insurance - Empl. Ded.	\$1,250,141	\$199,048	15.92%	\$208,554	18.72%
1/4 Cent Sales Tax	\$2,698,000	\$471,424	17.47%	\$456,054	17.71%
County Real Estate Transf Tax	\$396,420	\$55,009	13.88%	\$58,935	23.57%
Correction Dept. Board & Care	\$766,500	\$90,840	11.85%	\$167,040	18.56%
Sheriff Fees	\$355,000	\$32,941	9.28%	\$53,004	9.22%
TOTALS	\$11,410,513	\$1,785,704	15.65%	\$2,090,132	18.43%
Public Safety Sales Tax	\$4,800,000	\$816,101	17.00%	\$799,468	18.59%
Transportation Sales Tax	\$4,300,000	\$816,101	18.98%	\$799,468	18.59%

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

To be on Budget after 2 months the revenue and expense should at 16.66%

EXPENDITURES

All General Fund Offices/Categories

	\$28,159,719	\$4,805,395	17.06%	\$4,238,553	15.71%
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Treasurer, Jill Ferko stated that they have received the salary reimbursements thanks to the help of the State's Attorney's Office.

State's Attorney

State's Attorney Eric Weis stated that Kendall is one of the 4 counties that have received the salary reimbursements; that should put to rest the case that we have pending here. There will be a ribbon cutting for Mutual Ground on February 17th at 3:00pm.

Coroner

Statistics:

2016 Statistics		Stats for Same Period in 2015		Difference
2016 Total Deaths.....	52	Total Deaths.....	40	30%
Autopsies to Date.....	5	Autopsies....	2	100%
Toxicology Samples.	6	Toxicology Samples..	2	100%
Cremation Permits....	27	Cremation Permits...	24	13%

- Deputy Coroner Purcell received 30 hours of continuing education credit for the Medicolegal Death Investigation training through State University of New York at Binghamton.

Supervisor of Assessments

Supervisor of Assessments Andy Nicoletti presented the projected equalization factors and the estimate of the 2016 EAV.

**ASSESSMENT RATIOS ADJUSTED FOR CHANGES
NON-GROUPED TOWNSHIPS
THROUGH 2015 - BOARD OF REVIEW**

URBAN BY TWP.	2013	2014	2015	3 YEAR AVE.	X FACTOR	= ADJ. AVE.
BIG GROVE	33.55	32.65	32.69	32.96	1.0112	33.33
BRISTOL	32.28	30.29	28.15	30.24	1.1022	33.33
FOX	33.68	32.90	32.55	33.04	1.0088	33.33
KENDALL	32.14	31.20	30.24	31.19	1.0686	33.33
LIS/NASY/SEWARD	34.00	31.18	29.72	31.63	1.0537	33.33
LITTLE ROCK	32.31	27.33	24.86	28.17	1.1832	33.33
OSWEGO	32.96	31.15	30.23	31.45	1.0598	33.33
URBAN WTD.	32.81	30.59	29.24	30.88	1.0793	33.33

\$2,882,920,371	2015 FINAL GROSS EAV
-\$ 63,276,453	2015 FARMLAND & FARM BUILDING EAV

\$2,819,643,918	2015 NON-FARM EAV
X 1.0793	2016 EQUALIZATION FACTOR (+7.93%)

\$3,043,241,681	2016 EQUALIZED ADJUSTED GROSS EAV
+ \$ 66,237,791	2015 FARM BUILDINGS AND FARMLAND WITH 2016 INCREASE (approx + 4.68%)
+ \$ 28,454,310	ESTIMATED NEW CONSTRUCTION
- \$ 21,302,730	ESTIMATED BOR REDUCTIONS

\$3,116,641,052	ESTIMATED 2016 EQUALIZED GROSS EAV

\$3,116,641,052/\$2,882,920,371 = 1.081 or an 8.1% **INCREASE** IN EAV FROM 2015 TO 2016.

Members discussed the tax rate impact on property owners.

STANDING COMMITTEE REPORTS

Planning, Building & Zoning

Special Use for 9923 Walker Road

Member Gryder made a motion to approve petition 15-17 by Kevin Calder for a Special Use located at 9923 Walker Road in Kendall Township to allow a landscape operation in the A-1 Agricultural District. Member Davidson seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Davidson who abstained.
Motion carried.

A complete copy of Ordinance 16-01 is available in the office of the County Clerk.

Special Use for 8573 Fox River Drive

Member Gryder made a motion to approve petition 16-01 by Peter and Mary Bielby for a special use located at 8573 Fox River Drive in Fox Township to allow a kennel operation in the A-1 Agricultural District and a variance to Section 7.01 D.27 of the Kendall County Zoning Ordinance to permit a kennel structure to be located twenty-five feet from a non-residential zoning district. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

A complete copy of Ordinance 16-02 is available in the office of the County Clerk.

Variance for Fox Metro

Member Gryder stated that a public hearing on Thursday. Greg Chismark the engineer from WBK Engineering explained that the variance has two components the first is site runoff storage and the second is flood plain storage. Mr. Chismark spoke about the first component the site runoff storage/storm water detention. They are looking to seek a positive approval of the variance. They are not looking for a vote on the second item; he believes that it bears further review.

BREAK

RECONVENE

Chairman Shaw reconvened the meeting going back to the Building and Zoning item 3. State’s Attorney Eric Weis stated that he has talked to both parties and they seem to be in agreement as to what the board can vote upon. The judge has not approved it yet; the understanding is that they would allow a vote on the site runoff storage requirement. They are withdrawing that from part of their petition for any temporary restraining order. They are going to agree on a temporary restraining order on the issue of the flood plain compensatory storage. The board would not be allowed to take action on that. As long as the judge agrees they board will be able to vote on part one if they choose to.

Proclamation Recognizing the 175th Anniversary of Kendall County

Member Gilmour made a motion to approve a proclamation recognizing the 175th anniversary of the creation of Kendall County. Member Prochaska seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

IGAM 16-07

**A PROCLAMATION
RECOGNIZING THE 175TH ANNIVERSARY OF THE CREATION OF KENDALL COUNTY**

Whereas, Kendall County has a long rich history in Illinois dating back to its first settlers in the 19th Century; and

Whereas, favorable weather conditions in the early 1830’s allowed hundreds of settlers to travel west to Illinois; and

Whereas, by 1838 the communities of Oswego, Newark, Yorkville, Little Rock, Lisbon, and Millington had been settled; and

Whereas, residents of Oswego, Bristol, and Little Rock townships originally traveled north to Geneva to conduct legal business at the Kane County Courthouse; and

Whereas, those living in Na Au Say, Kendall, Fox, Big Grove, Lisbon, and Seward townships traveled to Ottawa to conduct legal business at the LaSalle County Courthouse; and

Whereas, settlers living along the Fox River between Ottawa and Aurora worked together to establish a new county to call their own; and

Whereas, the original petition circulated in the fall of 1840 asked the Illinois General Assembly to establish a new county comprised of nine townships; and

Whereas, when the new county was proposed in the Illinois House of Representatives, it included the boundaries for new townships that would eventually become the townships of Little Rock, Bristol, Oswego, Fox, Kendall, Na-Au-Say, Big Grove, Lisbon, and Seward; and

Whereas, the name of the newly created county would be Kendall, in honor of Postmaster General Amos Kendall under President Andrew Jackson; and

Whereas, the legislation creating Kendall County was approved by the Illinois Senate and Illinois House of Representatives on February 13, 1841; and

Whereas, the legislation was approved on February 19, 1841.

Now Therefore Be It Proclaimed by the Kendall County Board:

That February 19, 2016 marks the 175th anniversary of the creation of Kendall County in the State of Illinois and the people of Kendall County are encouraged to recognize and celebrate this historic occasion with their fellow citizens across the County.

Adopted by the Kendall County Board this 16th day of February, 2016

Attest:

Debbie Gillette
County Clerk

John A. Shaw
Chairman

Public Safety

Member Prochaska reviewed the minutes in the packet from the February 8, 2016 meeting.

Administration/HR

Member Cullick reviewed the minutes in the packet from the February 4, 2016 meeting.

Highway

Resolution to Seal Coat Grove Road

Member Koukol made a motion to approve the resolution appropriating \$120,000 of Motor Fuel Tax Funds to seal coat Grove Road from Sherrill Road to US Route 52. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

A complete copy of Resolution 16-02 is available in the office of the County Clerk.

Resolution to resurface Plainfield Road

Member Koukol made a motion to approve a resolution appropriating \$1,400,000 of Motor Fuel Tax Funds to resurface Plainfield Road from Grove Road to Ridge Road. Member Gryder seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

A complete copy of Resolution 16-03 is available in the office of the County Clerk.

Resolution for County Engineer's Salary

Member Koukol made a motion to approve the resolution appropriating funds for the payment of the County Engineer's salary of \$109,000 and authorizing IDOT to transfer \$54,000 of Federal Surface transportation funds in return for an equal amount of State funds. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

A complete copy of Resolution 16-04 is available in the office of the County Clerk.

Announce recipients of 2016 KC-TAP funds

Member Koukol announced the 2016 KC-TAP Kendall County Transportation Alternatives Program funds to the Kendall County Forest Preserve District in the amount of \$3,000 for shared use path along Route 34 between IL Rte 47 and Orchard Road and the City of Yorkville in the amount of \$35,000 for multi-use path and sidewalks along IL Rte 47 in Yorkville.

Facilities

Lightning Protection Contract

Member Davidson made a motion to approve the lightning protection contract for the Courthouse with Continental Electric in the amount of \$23,790.00 to be reimbursed by the Public Building Commission. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

A complete copy of IGAM 16-08 is available in the office of the County Clerk.

Finance

CLAIMS

Member Purcell moved to approve the claims submitted in the amount of \$621,610.57 and Grand Juror Claims in the amount of \$750.00. Member Gryder seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$52,757.47, B&Z \$1,154.58, CO CLK & RCDR \$699.95, ELECTION \$4,809.07, ED SRV REG \$5,900.17, SHRFF \$25,817.30, CRRCTNS \$15,441.83, EMA \$976.98, CRCT CT CLK \$1,386.12, JURY COMM \$4,718.09, CRCT CT JDG \$7,699.14, CRNR \$1,809.94, CMB CRT SRV \$344.29, PUB DFNDR \$425.90, ST ATTY \$658.19, SPRV OF ASSMNT \$1,508.65, CO TRSR \$509.09, EMPLY HLTH INS \$25,100.42, OFF OF ADMN SRV \$137.95, GNRL IN & BNDG \$108.00, CO BRDG \$633.41, TECH SRV \$4,055.02, PRPTY TX SRV \$13,860.00, CAP EXPNEND \$1,461.00, CO HWY \$43,097.57, CO BRDG \$165,118.40, TRNSPRT SALES TX \$37,394.66, KC TRANSP ALT PRGM \$5,745.44, HLTH & HMN SRV \$93,641.51, FRST PRSRV \$731.62, ELLIS HS \$191.29, ELLIS BDAY PARTIES \$17.98, ELLIS WDDNGS \$914.12, HOOVER \$1,191.85, ENV ED NTRL BEGINNINGS \$156.11, ENV ED LWS OF NTR \$140.44, GRNDS & NTRL RSRCs \$4,197.91, RCDR DOC STRG \$5,500.00, SHRFF PREV OF ALCH-CRM \$212.00, DRG ABS EXPND FND \$3,611.98, HIDTA \$38,809.25, CO CMSRY FND \$14,387.66, CRT SEC FND \$60.14, LAW LBRY \$1,665.46, JUV JSTC CNCL \$250.00, PRBTN SRV EXP FND \$2,678.64, GIS \$3,221.60, CO RSRV FND \$461.82, EMPLY BNFT PRGM \$1,485.74, PUB SFTY \$21,750.00, SHRFF FTA FND \$2,306.59, VAC \$1,418.23, SHRFF VHCL FND \$30.00

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

Labor & Grievance

The committee did not meet.

Committee of the Whole

Chairman Shaw stated that they had discussions that they are still trying to settle.

STANDING COMMITTEE MINUTES APPROVAL

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

SPECIAL COMMITTEE REPORTS

Public Building Commission

Member Wehrli stated that they did not have a meeting; hopefully they will be able to start to close it out soon.

VAC

Member Wehrli reported that they have quarterly meetings and the last meeting was reported on last month.

Historic Preservation

Member Wehrli stated that they meet on February 17th.

Board of Health

Member Wehrli reported that they will be meeting on February 23rd.

Juvenile Justice Council

Member Gilmour said that they meet on April 1st.

STANDING COMMITTEE REPORTS

Planning, Building & Zoning

Variance for Fox Metro

State's Attorney Eric Weis told the board that he has received confirmation from the emergency order that was filed today. The court has ruled on the verified emergency for temporary restraining order and preliminary injunction. The parties have agreed as follows: a variance regarding the flood plain compensatory storage shall be tabled and the variance regarding the onsite storm water storage shall be presented for a vote to the County Board. The motion is continued to March 3, 2016 at

9:00am. They board may table the whole thing; they cannot vote on the issue of the flood plain, they may vote on an amended ordinance for a variance as to the onsite storm water storage.

Member Gryder made a motion to approve the variance to accept fee-in-lieu of site runoff storage under the requirements of Sections 201.6 Depressional Storage and 203 Site Runoff Storage Requirements of Article II of the Kendall County Stormwater Management Ordinance for on-site storm water detention in the amount of 6.69 acre-ft and depressional storage in the amount of 0.40 acre-ft for the Fox Metro Reclamation District located at 682 State Route 31 in Oswego Township. Member Wehrli seconded the motion.

Members discussed the flood plain compensatory storage at the Fox Metro site on Route 31. How compensatory storage works was explained by Mr. Chismark. It was expressed that proper notification and a public hearing would be held if the need arises in the future.

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

A complete copy of Ordinance 16-02 is available in the office of the County Clerk.

CHAIRMAN'S REPORT

APPOINTMENTS

Dan Roberts (Reappointment) – Minooka Fire Protection District Trustee, Kendall County Rep 3 year term Expires April 2019

Member Shaw moved to approve all of the appointment. Member Davidson seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

EXECUTIVE SESSION

Member Davidson made a motion to go into Executive Session for (1) litigation, when an action against, affecting of on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, (1) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity and (2) collective negotiating matters between the public body and its employees or their representatives, or deliberations, concerning salary schedules for one or more classes of employees. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call 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 Davidson seconded the motion. Member Purcell asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Approved and submitted this 3rd day of March, 2016.

Respectfully submitted by,
Debbie Gillette,
Kendall County Clerk