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**KENDALL COUNTY**  
**HISTORIC PRESERVATION COMMISSION**  
111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560  
(630) 553-4141 Fax (630) 553-4179  
**SPECIAL MEETING AGENDA**

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August 2, 2018 – 6:30 p.m.

CALL TO ORDER

ROLL CALL: Elizabeth Flowers, Kristine Heiman (Chairman), Melissa Maye, Jeff Wehrli (Vice-Chairman), and One Vacancy

APPROVAL OF MINUTES: Approval of Minutes of the June 18, 2018 Meeting (Pages 2-3)  
Approval of Minutes of the July 23, 2018 Meeting (Page 119)

CHAIRMAN'S REPORT:

PUBLIC COMMENT:

NEW BUSINESS:

1. Nomination of Officers
2. Discussion of Awards for Historic Preservation
3. Discussion of Social Media Campaign
4. Discussion of Doing a Meeting with Other Historic Preservation Organization

OLD BUSINESS:

1. Millbrook Bridge Update-Commission Could Vote to Send Comments to the Army Corps of Engineers on the Project (Pages 4-112)
2. Review and Recommendation on Article I Purpose, Definitions, and General Provisions Definition Section of the Historic Preservation Ordinance (Pages 113-118)

CORRESPONDENCE:

PUBLIC COMMENT:

ADJOURNMENT: Next Regular Meeting-August 20, 2018

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

**KENDALL COUNTY**  
**Historic Preservation Commission**  
*Kendall County Office Building*  
*Rooms 209 & 210*  
*111 W. Fox Street, Yorkville, Illinois*  
**6:30 p.m.**

**Meeting Minutes of June 18, 2018-Unofficial Until Approved**

**CALL TO ORDER**

Chairwoman Heiman called the meeting to order at 6:32 p.m.

**ROLL CALL**

Present: Elizabeth Flowers, Kristine Heiman, and Melissa Maye

Absent: Jeff Wehrli

Also present: Matt Asselmeier, Senior Planner

In the audience: None

**APPROVAL OF AGENDA**

Ms. Flowers made a motion, seconded by Ms. Maye, to approve the agenda as presented. With a voice vote of three (3) ayes, the motion carried.

**APPROVAL OF MINUTES**

Ms. Flowers made a motion, seconded by Ms. Maye, to approve the minutes from the May 21, 2018, meeting. With a voice vote of three (3) ayes, the motion carried.

**CHAIRMAN'S REPORT**

None

**PUBLIC COMMENT**

None

**NEW BUSINESS**

**Approval to Reschedule or Cancel July 16, 2018 Meeting**

Mr. Asselmeier will be out of town on July 16<sup>th</sup>.

Ms. Maye made a motion, seconded by Ms. Flowers, to hold the July meeting on July 23<sup>rd</sup> at 6:30 p.m. With a voice vote of three (3) ayes, the motion carried.

**OLD BUSINESS**

**Millbrook Bridge Update-Commission Could Vote to Submit Comments Regarding the Project**

Mr. Asselmeier reported that the Corps of Engineers agreed to the sixty (60) day extension request made by the Commission. Commissioners would gather their thoughts and send bullet points to Mr. Asselmeier prior to the July meeting. Mr. Asselmeier will prepare a draft letter based on the comments received from Commissioners.

**Review and Recommendation on the Definitions Section of the Historic Preservation Ordinance**

Commissioners reviewed the definition section of the Historic Preservation Ordinance and applicable State law.

The definition of demolition was clarified to apply to only historic structures or structures in an historic district.

Ms. Maye asked about the definition of development rights. Mr. Asselmeier will forward the applicable State statute to Commissioners.

The definition of super majority vote will be added to the Ordinance.

Commissioners will evaluate the rest of Article I at the July meeting.

### **Recap of PrairieFest**

Ms. Flowers said that some people came by the tent. However, no one signed up or requested more information about the Commission. The heat probably was a factor in attendance. Congressman Foster stopped by the tent. The tent closed around 3:00 p.m.; they passed out a lot of water. Partnering with Chapel on the Green probably helped increase visitors to the tent in 2017.

The focus this year should be to obtain Certified Local Government Status.

Discussion occurred regarding doing a social media campaign or buying an ad the movie theater.

### **Discussion of Participation in Community Events**

Commissioners felt that PrairieFest was not the best use of funds because of the weather.

Discussion occurred regarding having more events with other historic preservation organizations. Emphasis should be placed on building bridges with other groups.

The suggestion was made to have a tour of the historic courthouse.

### **CORRESPONDENCE**

None

### **PUBLIC COMMENT**

None

### **ADJOURNMENT**

Ms. Maye made a motion, seconded by Ms. Flowers, to adjourn. With a voice vote of three (3) ayes, the motion carried. The Historic Preservation Commission adjourned at 7:14 p.m.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP  
Senior Planner

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# KENDALL COUNTY FOREST PRESERVE DISTRICT

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HISTORIC KENDALL COUNTY COURTHOUSE

110 WEST MADISON STREET

YORKVILLE, IL 60560

July 17, 2018

Kristine Heiman, Chairwoman  
Kendall County Historic Preservation Commission  
111 West Fox Road  
Room 204  
Yorkville, IL 60560

RE: Millbrook Bridge Updates  
Army Corps of Engineers - Rock Island District  
Permit Application No. CEMVR-OD-P-2018-0277

Dear Ms. Heiman:

The Army Corps of Engineers – Rock Island District granted the Kendall County Historic Preservation Commission’s request for a 60-day extension to provide additional time for the Commission to review and discuss project materials and extend comments regarding the proposed demolition of Millbrook Bridge over the Fox River in Millbrook, Illinois.

Jackie Kowalski, President of the Village of Millbrook also submitted a letter to the Army Corps of Engineers dated June 27, 2018. A copy of this letter is attached to this memo.

Kendall County Planning, Building, and Zoning Senior Planner Matt Asselmeier asked that I attend the Commission’s July 23, 2018 meeting. Unfortunately due to schedule conflicts I am not able to attend, but I did want to provide updates following our initial presentation at the Commission’s May 21, 2018 meeting.

During this meeting, the Commission asked the District to examine grant opportunities to address the structural issues presented within the 2015 HR Green Bridge Inspection Report, which served as the basis for the District’s decision to close public access to Millbrook Bridge in May 2015.

Following closure in 2015, the District’s petitions to the Village of Millbrook to secure connectivity to Millbrook North Forest Preserve to support capital grant funding requests were unsuccessful.

On May 22, 2018, the District received email correspondence from Budd Wormley, Village of Millbrook Trustee, asking whether the District would be eligible to apply for a

2018 BUILD grant through the US Department of Transportation. The BUILD grant program's eligibility requirements were reviewed in consultation with HLR Engineering.

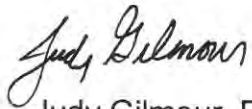
Based on the review of the grant requirements, HLR and the District concluded that the Millbrook Bridge project would not be competitive with other transportation oriented projects without the potential for significant transport use and without local government support for connectivity.

Furthermore, it was determined that it would not be feasible to compile the transportation and demographic study data necessary to adequately support the application, and coordinate with the applicable planning agencies and regional partners prior to the application deadline of July 18, 2018. For these reasons, the District will not be submitting an application to the 2018 BUILD grant program.

No other grant opportunities have been identified that would extend the funding resources necessary to address the significant structural issues and deficiencies outlined in the 2015 HR Green Bridge Inspection Report.

The District will work with the Kendall County Historic Preservation Commission to secure and present Millbrook Bridge archival documentation that will be shared with the Illinois State Historic Preservation Office prior to demolition, and also support the construction of a historic marker for placement on District property near the location of the bridge crossing.

Sincerely,



Judy Gilmour, President

Cc: Kendall County Forest Preserve District Board of Commissioners  
Kendall County Board  
David Guritz, Executive Director – Kendall County Forest Preserve District  
Brant Vollman, Department of the Army Corps of Engineers – Rock Island District  
Jackie Kowalski, President – Village of Millbrook  
Steve Megginson and Joe Frazee, HLR Engineering

**VILLAGE OF MILLBROOK  
P.O. BOX 51  
MILLBROOK, ILLINOIS 60536**

June 27, 2018

*Via email to [brant.j.vollman@usace.army.mil](mailto:brant.j.vollman@usace.army.mil)*

Mr. Brant Vollman  
Project Manager/Regulatory Branch  
Department of the Army Corps of Engineers  
Rock Island District  
PO Box 2004 Clock Tower Building  
Rock Island, IL 61204

Re: Permit Application No. CEMVR-OD-P-2018-0277  
Millbrook Bridge over the Fox River, Millbrook, Illinois

Dear Mr. Vollman:

I want to thank you for your letter dated May 8, 2018 regarding the above. As you can imagine, the Village and its residents have a great interest in the outcome of this process. The Village and the Kendall County Forest Preserve District have been in discussions regarding the bridge and its fate for some time now. This bridge has been a part of Millbrook's landscape for some residents their entire lives. We have residents who have worked on that bridge, made repairs, replaced bolts and of course have driven over it to get to their homes before the larger structure was built. For those residents, the thought of that bridge being demolished is unthinkable. The "historical" significance of this bridge in our area is huge. The preservation of the bridge is what the residents ask me about when the status of the bridge is discussed. The reality though of the safety of the bridge and the likelihood of it causing damage downstream is also on their minds.

Unfortunately, the Village of Millbrook (Population 335) does not have the resources for the repair of this bridge. The bridge of course does not belong to the Village but the history of the bridge does.

Mr. Brant Vollman  
June 27, 2018  
Page 2

We understand that the process and the final outcome is out of our control but the Village appreciates the opportunity, as a consulting party, to state our opinion. We are not sure of where this goes from here but the Village of Millbrook is willing to cooperate in any way needed during this process.

Sincerely,

A handwritten signature in black ink that reads "Jackie Kowalski". The signature is written in a cursive style with a large, sweeping initial "J".

Jackie Kowalski  
Village President  
Cell - 630-632-5532

## Matt Asselmeier

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**From:** Vollman, Brant J CIV USARMY CEMVR (US) [Brant.J.Vollman@usace.army.mil]  
**Sent:** Wednesday, May 23, 2018 11:16 AM  
**To:** Matt Asselmeier  
**Cc:** David Guritz; Scott Koeppel; Kristine Heiman; 'Leibowitz, Rachel'  
**Subject:** RE: Millbrook Bridge, Millbrook, IL Comment Letter

Good morning,

Thanks for taking my call today. I completely understand the issue with the information getting to your office in too short a time frame for the Commission members to really get a chance to look it over before the most recent meeting. By all means, I am happy to extend the comment period on the project.

If you find during the course of the next few weeks that there are questions or concerns regarding the project or the process please feel free to contact me. I am more than happy to answer questions or attend the next Commission meeting if it would be helpful. I would need a little lead time for that so please keep me in the loop as early as possible.

If you need any additional information or assistance please contact me at your convenience.

Thanks,

Brant Vollman  
Archaeologist  
Rock Island District  
Regulatory Branch  
P.O. Box 2004  
Clock Tower Bldg.  
Rock Island, Illinois 61204-2004  
309-794-5380 (office)  
573-424-4317 (cell)

-----Original Message-----

**From:** Matt Asselmeier [mailto:[masselmeier@co.kendall.il.us](mailto:masselmeier@co.kendall.il.us)]  
**Sent:** Tuesday, May 22, 2018 4:11 PM  
**To:** Vollman, Brant J CIV USARMY CEMVR (US) <[Brant.J.Vollman@usace.army.mil](mailto:Brant.J.Vollman@usace.army.mil)>  
**Cc:** David Guritz <[dguritz@co.kendall.il.us](mailto:dguritz@co.kendall.il.us)>; Scott Koeppel <[skoeppel@co.kendall.il.us](mailto:skoeppel@co.kendall.il.us)>; Kristine Heiman <[KHeiman1@msn.com](mailto:KHeiman1@msn.com)>  
**Subject:** [Non-DoD Source] Millbrook Bridge, Millbrook, IL Comment Letter

Brant:

Attached please find a comment letter from the Kendall County Historic Preservation Commission regarding the Millbrook Bridge in Millbrook, Illinois. A hard copy of this letter will be mailed to you.

As noted in the letter, the Commission requests a 60 day extension to review the materials previously mailed to the Commission. Please let me know if this request is possible.



Thanks,

Matthew H. Asselmeier, AICP

Senior Planner

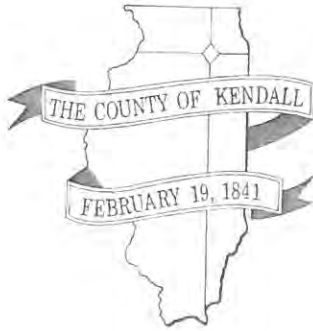
Kendall County Planning, Building & Zoning

111 West Fox Street

Yorkville, IL 60560-1498

PH: 630-553-4139

Fax: 630-553-4179



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**KENDALL COUNTY HISTORIC PRESERVATION COMMISSION**

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

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May 22, 2018

Brant Vollman  
Department of the Army  
Corps of Engineers, Rock Island District  
P.O. Box 2004 Clock Tower Building  
Rock Island, IL 61204-2004

Dear Brant Vollman:

The Kendall County Historic Preservation Commission received your letter of May 8, 2018, requesting comments regarding the Millbrook Bridge over the Fox River in Millbrook, Illinois.

The Commission recognizes that a thirty (30) day comment period exists. However, given the amount of materials to review, we request a sixty (60) day extension from the June 12<sup>th</sup> comment period deadline in order to properly review the material and submit comments to the Corps of Engineers.

The Commission would like to thank the Corps of Engineers for the opportunity to submit comments on this project and we hope that the Corps of Engineers will be agreeable to our extension request.

Please direct your response or any questions you have regarding this letter to Matt Asselmeier, Senior Planner, by mail to Kendall County Planning, Building and Zoning Department, 111 W. Fox Street, Yorkville, IL 60560, by telephone to 630-553-4139, or by email at [masselmeier@co.kendall.il.us](mailto:masselmeier@co.kendall.il.us).

Sincerely,

Kristine Heiman, Chairwoman  
Kendall County Historic Preservation Commission

CC: David Guritz, Director, Kendall County Forest Preserve District  
Scott R. Gryder, Chairman, Kendall County Board



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT  
PO BOX 2004 CLOCK TOWER BUILDING  
ROCK ISLAND, ILLINOIS 61204-2004

May 8, 2018

SEE DISTRIBUTION LIST

The U.S. Army Corps of Engineers, Rock Island District (District) is considering issuance of a Department of the Army permit to the Kendall County Forest Preserve District to remove the Millbrook Bridge over the Fox River in Millbrook, Illinois. The Fox River has been identified as a "Section 10" traditionally navigable water. This is Rock Island District Permit Application No. CEMVR-OD-P-2018-0277 (Enclosure 1 - all enclosures on CD accompanying this letter).

### **Federal Undertaking**

The District has determined that, for purposes of Section 106 of the National Historic Preservation Act [see 36 CFR 800.3(a) and 800.15(y)], the Federal "undertaking" which has the potential to cause effects on historic properties is limited to the issuance of Department of the Army permits for project construction within the permit area as defined below under the Area of Potential Effect (APE). The permit area is the same as the APE defined below.

### **Consulting Parties**

The District finds the organizations included on are entitled to be consulting parties as set out in 36 CFR 800.2 and invites them by copy of this letter to participate in the Section 106 process. In addition, if other entities come forward they will be given the same consideration for being included as a consulting party.

### **Area of Potential Effects**

The "area of potential effects" (APE) is the same as the Permit Area as shown on Enclosure 2.

### **State Historic Preservation Office/Tribal Historic Preservation Office (SHPO/THPO) Invitation**

The District invites the SHPO/THPO to:

- Identify any other consulting parties as per 36 CFR 800.3(f);
- Comment as per 36 CFR 800.2(d)(3) on the District' plan to involve the public by utilizing the District' normal procedures for public involvement under the National Environmental Policy Act and the Department of the Army permitting process;
- Agree in the District' decision that it is appropriate to address multiple steps in 36 CFR 800.3-800.6 as provided at 36 CFR 800.3(g)

## Identification of Historic Properties

### Review of Existing Information:

The District consulted with its Illinois Inventory of Archaeological Sites on line archaeological site and survey databases and determined that the permit area has been surveyed for archaeological historic properties (Survey #99,999). No archaeological sites were identified in the permit area.

As a portion of the permit application the District received and reviewed a copy of the *Section 10-6 Documentation of Adverse Effect Report, Millbrook Bridge over the Fox River, Kendal County Forest Preserve District, Kendall County, Illinois* dated April 2018 (Enclosure 3). The report was prepared by Hampton, Lenzini and Renwick, Inc. Based on the report, the Millbrook Bridge is a three span Pratt through truss with a timber deck originally constructed in 1897. Of the three spans the two eastern spans are original, the western most truss and abutment were replaced in approximately 1957 after being damaged in a flood.

The bridge was originally slated for demolition in 1982 when it ceased to carry traffic after a new Whitfield Road bridge was constructed. Instead, the bridge was transferred to private ownership. No conservation agreement / maintenance plan has been located in relation to this transfer. Ultimately the bridge was transferred to Fox Township and finally to the Forest Preserve District in 2002. The Forest Preserve District has investigated alternative funding sources for the rehabilitation and continued maintenance for the bridge but have been unsuccessful in securing the funding necessary.

Therefore, in the application to the District for a permit the Kendal County Forest Preserve District proposed three alternative action plans for the bridge:

- No Action Alternative – this alternative was rejected due the risk of the bridge collapsing.
- Rehabilitation Alternative - this alternative would require replacement of a significant portion of the superstructure and substructure of the bridge and may affect historic integrity. In addition, the cost associated with the rehabilitation is prohibitive.
- Bridge Removal Alternative – The existing safety hazard is addressed. In addition, this alternative is the most cost effective for the Forest Preserve District.

**Request for Information from Consulting Parties:** The District is seeking information from all consulting parties regarding their concerns with issues relating to this undertaking's potential effects on historic properties and, particularly, the tribes' concerns with identifying properties which may be of religious and cultural significance to them and may be eligible for the National Register of Historic Places (NRPHP) [36 CFR 800.4(a)(3-4)].

Concerns about confidentiality [36 CFR 800.11(c)] regarding locations of properties can be addressed under Section 304 of the NHPA which provides withholding from public disclosure the location of properties under several circumstances including in cases where it would cause a significant invasion of privacy, impede the use of a traditional religious site by practitioners, endanger the site, etc.

**Agency Evaluation of Historic Significance, Determination of National Register Eligibility, Historic Properties Affected and Invitation to the SHPO and Consulting Parties to Comment:** The District acknowledges that the Millbrook Bridge is eligible for listing on the NRHP as determined by the Illinois SHPO by letter dated June 7, 2017. Prior to issuance of this permit, the District will require an MOA be executed that sets out the measures necessary to address the effects to these properties of the applicant's proposed work.

**Notification of the Advisory Council on Historic Preservation (ACHP):** This letter is notification to the ACHP under 36 CFR 800.6(a)(1). ACHP participation is not requested. However, any consulting party may request ACHP to participate by contacting them directly (36 CFR 800.6 (a)(1)(ii)).

### **Assessment of Effects to Historic Properties**

**Agency Finding of Adverse Effect and Invitation to All Consulting Parties to Review the Finding and the Proposed Resolution of the Adverse Effect:** It is the opinion of the District that the undertaking will adversely affect the Millbrook Bridge. Mitigation of the adverse effect is set out in the draft MOA found at Enclosure 4.

The District hereby notifies all consulting parties of this Finding of Adverse Effect; provides them with the documentation (Enclosures 1-4) as specified at 36 CFR 800.11(f); and invites them to review the finding as per 36 CFR 800.6(b).

We request your comments within 30 calendar days from the receipt of this letter or as otherwise provided [e.g., 36 CFR 800.6(a)(1)(iii)]. If we do not hear from you within this time, we shall proceed to route the MOA for signature and, upon its execution and filing, condition the Department of the Army permits accordingly. For purposes of scheduling, receipt through the US Postal Service is determined to be 5 calendar days following the date of this letter.

Should you have any questions, please contact me by letter, telephone or email at 309/794-5380 or [brant.j.vollman@usace.army.mil](mailto:brant.j.vollman@usace.army.mil).

Sincerely,



Brant Vollman  
Project Manager  
Regulatory Branch

Enclosures

### **LIST OF ENCLOSURES**

(All enclosures on CD accompanying this letter)

Enclosure 1. US Army Corps of Engineers, Rock Island District, Permit Application No. CEMVR-OD-P-2018-0277. Applicant: Kendall County Forest Preserve District

Enclosure 2. Section 10-6 Documentation of Adverse Effect Report, Millbrook Bridge over the Fox River, Kendal County Forest Preserve District, Kendall County, Illinois dated April 2018

Enclosure 3. Permit Area / Area of Potential Effects

Enclosure 4. Draft Memorandum of Agreement

Distribution list:

Mr. Reid Nelson, Director  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
Pension Building  
401 F Street NW, Suite 308  
Washington DC 20001-2637

Rachel Leibowitz, Ph.D.  
Illinois Department of Natural Resources  
Illinois State Historic Preservation Office  
Attn: Review & Compliance  
1 Natural Resources Way  
Springfield, Illinois 62702-1271

Cultural Preservation Officer  
Winnebago Tribe of Nebraska Tribal Council  
P.O. Box 687  
Winnebago, Nebraska 68071

Forest County Potawatomi Cultural Center  
P.O. Box 340  
Crandon, Wisconsin 54520

Chairperson  
Pokagon Band of Potawatomi Indians  
53237 Town Hall Road  
Dowagiac, Michigan 49047

Chief, Miami Tribe of Oklahoma  
P.O. Box 1326  
Miami, Oklahoma 74355

Chairperson  
Hannahville Indian Community Council  
N14911 Hannahville B1 Road  
Wilson, Michigan 49896-9728

Chairperson  
Prairie Band Potawatomi Tribal Council  
16281 Q Road  
Mayetta, Kansas 66509

Kendall Cty Historic Preservation Committee  
111 West Fox Street  
Yorkville, Illinois 60560

The Village of Millbrook  
P.O. Box 51  
Millbrook, Illinois 60536

Chairperson  
Kickapoo of Oklahoma Business Council  
P.O. Box 70  
McCloud, Oklahoma 74851

Chairperson  
Kickapoo of Kansas Tribal Council  
1107 Goldfinch Road  
Horton, Kansas 66349

Chairperson  
Citizen Band Potawatomi Indian Tribe of  
Oklahoma Business Committee  
1601 South Gordon Cooper Drive  
Shawnee, Oklahoma 74801

Chairperson  
Winnebago Tribal Council  
P.O. Box 687  
Winnebago, Nebraska 68071

Historic Preservation Coordinator  
Sac & Fox Tribe of the Mississippi in Iowa  
349 Meskwaki Road  
Tama, Iowa 52339-9629

Chairperson  
Huron Potawatomi Nation  
2221 1½ Mile Road  
Fulton, Michigan 49052

Chief, The Peoria Tribe of Oklahoma  
P.O. Box 1527  
Miami, Oklahoma 74355

Tribal Historic Preservation Office  
The Ho-Chunk Nation  
P.O. Box 667  
Black River Falls, Wisconsin 54615-0667

## JOINT APPLICATION FORM FOR ILLINOIS

ITEMS 1 AND 2 FOR AGENCY USE

1. Application Number

2. Date Received

2018-277

FEB 23 2018

3. and 4. (SEE SPECIAL INSTRUCTIONS) NAME, MAILING ADDRESS AND TELEPHONE NUMBERS

3a. Applicant's Name:

**David Guritz**

Company Name (if any):  
Kendall County Forest Preserve District  
Address:  
**110 West Madison Street  
Yorkville, IL 60560**

Email Address:  
dguritz@co.kendall.il.us

3b. Co-Applicant/Property Owner Name  
(if needed or if different from applicant):

Company Name (if any):  
Address:

Email Address:

4. Authorized Agent (an agent is not required)

**Joseph W. Frazee, P.E.**

Company Name (if any):  
Hampton, Lenzini and Renwick, Inc.  
Address:

**3085 Stevenson Drive  
Suite 201  
Springfield, IL 62703**

Email Address:  
jwfrazee@hlreng.com

Applicant's Phone Nos. w/area code

Business: 630-553-4025

Residence:

Cell: 630-553-4131 (office)

Fax: 630-553-4025

Applicant's Phone Nos. w/area code

Business:

Residence:

Cell:

Fax:

Agent's Phone Nos. w/area code

Business: 217-546-3400

Residence:

Cell:

Fax: 217-546-8116

### STATEMENT OF AUTHORIZATION

I hereby authorize, Hampton, Lenzini & Renwick to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

*Joseph W. Frazee*  
Applicant's Signature

February 21, 2018

Date

5. ADJOINING PROPERTY OWNERS (Upstream and Downstream of the water body and within Visual Reach of Project)

Name

Mailing Address

Phone No. w/area code

a. Randy and Gayle Roberts

7738 Dobson Lane, Millbrook, IL 60536

b. Judith Heim

7725 Dobson Lane, Millbrook, IL 60536

c.

d.

6. PROJECT TITLE:

**Millbrook Bridge over the Fox River**

7. PROJECT LOCATION:

LATITUDE: 41.60675

°N

LONGITUDE: 88.56198

°W

UTMs

Northing:

Easting:

STREET, ROAD, OR OTHER DESCRIPTIVE LOCATION

**250' upstream of Whitfield Road**

LEGAL DESCRIPT

QUARTER

SECTION

TOWNSHIP NO.

RANGE

SW

9

36N

6E

IN OR  NEAR CITY OF TOWN (check appropriate box)

Municipality Name

**Millbrook**

WATERWAY

**Fox River**

RIVER MILE  
(if applicable)

**28.6**

COUNTY

**Kendall**

STATE

**IL**

ZIP CODE

**60536**

Revised 2010

Corps of Engineers

IL Dep't of Natural Resources

IL Environmental Protection Agency

Applicant's Copy



8. PROJECT DESCRIPTION (Include all features):

The existing steel truss bridge over the Fox River will be demolished and removed from the site. The concrete and stone abutments will remain. Stone riprap will also be placed on the west shoreline for erosion control. Work below the ordinary high water mark of the river includes construction of temporary cofferdams and a stone causeway, dewatering, and the permanent placement of stone riprap for erosion control. This project is locally funded. No federal funds are anticipated to be used for construction. See the preconstruction notification for a detailed description of the proposed work.

9. PURPOSE AND NEED OF PROJECT:

The existing bridge is being removed to address the safety and maintenance concerns of the structurally deficient bridge.

**COMPLETE THE FOLLOWING FOUR BLOCKS IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED**

10. REASON(S) FOR DISCHARGE:

A temporary stone causeway and cofferdams will be constructed in the channel to access the bridge piers and beams. Stone riprap will be permanently placed along the west shoreline for erosion control.

11. TYPE(S) OF MATERIAL BEING DISCHARGED AND THE AMOUNT OF EACH TYPE IN CUBIC YARDS FOR WATERWAYS:

TYPE: Stone riprap  
 AMOUNT IN CUBIC YARDS:  
 560 cubic yards

12. SURFACE AREA IN ACRES OF WETLANDS OR OTHER WATERS FILLED (See Instructions)

0.08 acres permanent impact and an additional 0.62 acres temporary impact to non-wetland Waters of the U.S.

13. DESCRIPTION OF AVOIDANCE, MINIMIZATION AND COMPENSATION (See instructions)

1. The area of temporary impact proposed is the minimum needed to remove the structure.
  2. The amount of riprap to be placed on the bank is the minimum needed to provide erosion control.
  3. Work will be completed during the low-flow period of August through October.
- See preconstruction notification for a detailed description.

14. Date activity is proposed to commence

August 2019

Date activity is expected to be completed

October 2019

15. Is any portion of the activity for which authorization is sought now complete?  Yes  No  
 Month and Year the activity was completed

NOTE: If answer is "YES" give reasons in the Project Description and Remarks section. Indicate the existing work on drawings

16. List all approvals or certification and denials received from other Federal, interstate, state, or local agencies for structures, construction, discharges or other activities described in this application.

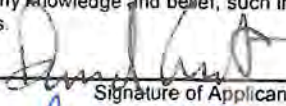
Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval	Date of Denial

17. CONSENT TO ENTER PROPERTY LISTED IN PART 7 ABOVE IS HEREBY GRANTED.

Yes  No

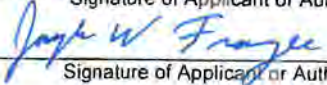
18. APPLICATION VERIFICATION (SEE SPECIAL INSTRUCTIONS)

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

 - KEPPD Eric D.  
 Signature of Applicant or Authorized Agent

February 21, 2018

Date

  
 Signature of Applicant or Authorized Agent

2/21/2018

Date

Signature of Applicant or Authorized Agent

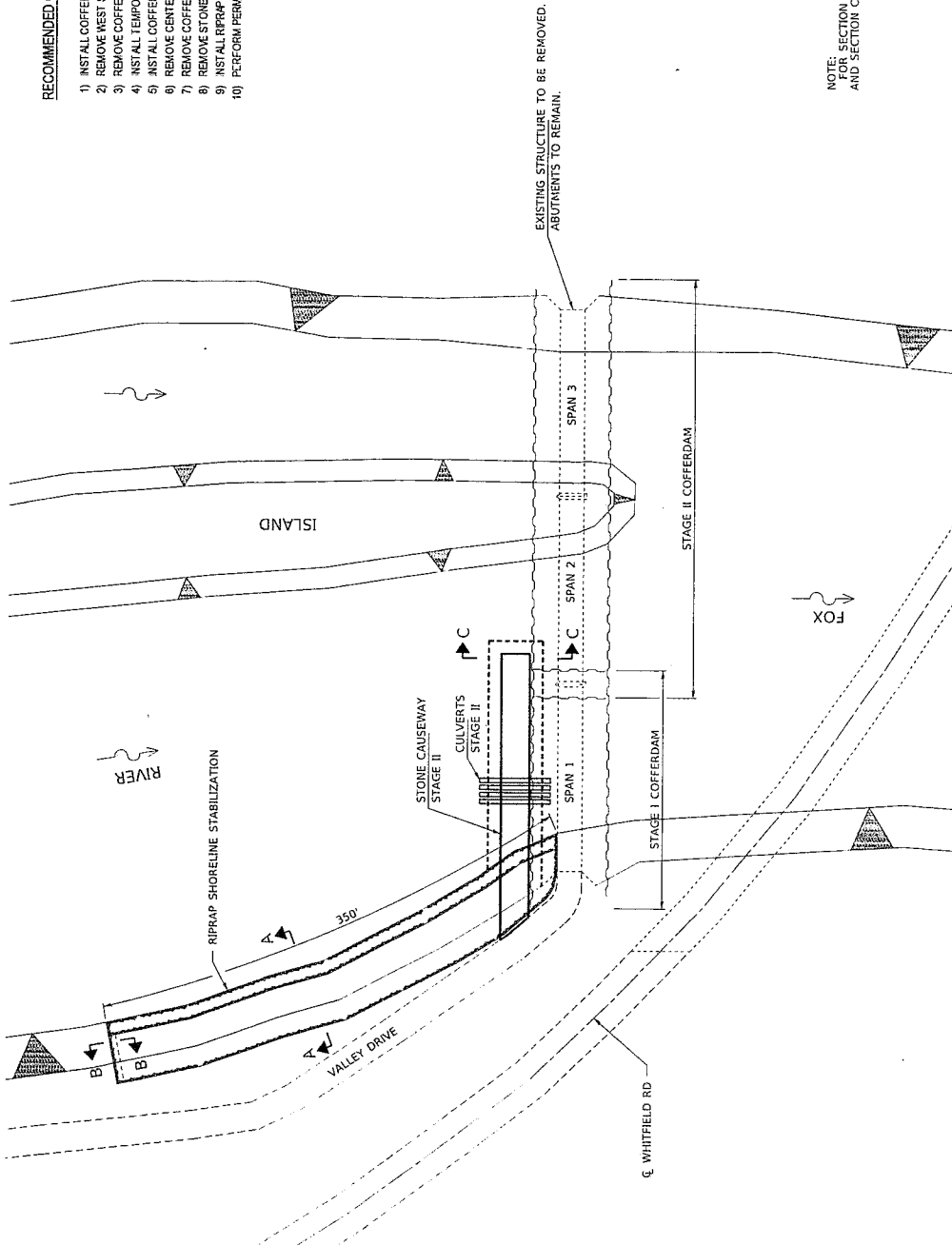
Date

- Corps of Engineers Revised 2010     IL Dep't of Natural Resources     IL Environmental Protection Agency     Applicant's Copy

SEE INSTRUCTIONS FOR ADDRESS

**RECOMMENDED CONSTRUCTION SEQUENCE**

- 1) INSTALL COFFERDAMS AND DEWATER SPAN 1.
- 2) REMOVE WEST STEEL TRUSS.
- 3) REMOVE COFFERDAM AT SPAN 1.
- 4) INSTALL TEMPORARY STONE CAUSEWAY.
- 5) INSTALL COFFERDAM AND DEWATER SPANS 2 AND 3.
- 6) REMOVE CENTER AND EAST STEEL TRUSSES.
- 7) REMOVE COFFERDAM AT SPANS 2 AND 3.
- 8) REMOVE STONE CAUSEWAY.
- 9) INSTALL RIPRAP FOR SHORELINE STABILIZATION.
- 10) PERFORM PERMANENT SEEDING.



NOTE:  
FOR SECTION A-A, SECTION B-B  
AND SECTION C-C, SEE SHEET 3 OF 3.

**EXISTING STRUCTURE**

THREE SPAN STEEL BRATT THROUGH TRUSS BRIDGE WITH  
TIMBER DECK ON CONCRETE AND STONE ABUTMENTS AND  
STONE PIERS. 401'-4" LONG. 17'-6" O.C. DECK;  
SPAN LENGTHS 133'-9", 133'-10", 133'-9"

**PLAN**

DESIGNED - J.W.F.	REVISED	LOCAL SHEET NO.	1
DRAWN - D.A.B.	REVISED	COUNTY	KENDALL
CHECKED -	REVISED	SECTION	VALLEY DRIVE
DATE - 02/22/18	REVISED	SCALE:	10 STA. TO STA.
FILE NAME: 18099-01-18-18.dwg USER NAME: jw@jwll HAMPTON, LENOIR AND BERNWICK, INC. 2000 W. STATE ST. SUITE 100 WYOMING, WY 83091 TEL: 307.438.1111 FAX: 307.438.1112		PLAN MILLBROOK BRIDGE SHEET NO. 1 OF 3 SHEETS STA.	

**LEGEND**

- COFFERDAM
- STONE RIPRAP

# Photo Log - May 11, 2017



Photo 1 - Looking East across South Bridge Fascia



Photo 2 - Looking West across South Bridge Fascia

## Preconstruction Notification

### **Millbrook Bridge over the Fox River Kendall County Forest Preserve District Kendall County, Illinois**

#### **Project Summary**

The existing steel truss bridge will be demolished and removed from the site. The concrete and stone abutments will remain. Stone riprap will also be placed on the west shoreline for erosion control. Construction is planned during Fall 2019 and the duration of work is estimated to be four weeks.

This bridge is owned by the Forest Preserve District of Kendall County. This is a pedestrian only bridge that is not on the state highway system. The project is locally funded and no federal funds are anticipated to be used for construction.

Authorization for this activity is requested under Nationwide Permits 13 and 33.

#### **Location of the proposed project**

All work will be completed at the steel truss bridge over the Fox River, approximately 0.75 miles northwest of the Village of Millbrook in Kendall County. The bridge is located 250' upstream of Whitfield Road in the SW ¼, Sec 9, Twp 36N, Rng 6E, 3rd PM. (41.60675° N, 88.56198° W)

#### **Purpose and Need**

This project will address safety and maintenance concerns resulting from the structurally deficient bridge. The existing deteriorated bridge is closed and poses a safety hazard to people using the bridge and the river below. The Forest Preserve District has recognized that removal of the existing bridge is needed for safety of the public. Stone riprap is proposed along the west bank to control erosion of the shoreline.

#### **Detailed Scope of Work**

Access to the channel below the bridge will be required for workers and equipment to complete the bridge removal. All access will be from the west bank because the Forest Preserve has no access to the bridge from the east bank. The existing bridge has been closed to all uses and cannot safely support the weight of the required construction equipment.

Temporary cofferdams will be constructed to allow dewatering and control sediment during the in-stream work. Work will be completed during the low flow period of August through October. The cofferdams will be constructed of non-erodible material (i.e. sand bags, prefabricated rigid barriers, or sheet piling) and shall be constructed to withstand expected high flows. The cofferdams will be constructed in two phases to ensure that stream flow will be maintained at all times. Phase 1 will consist of a cofferdam extending from the west bank around the west span (span 1). Phase 2 will consist of a cofferdam extending from the east bank around the east two spans (spans 2 and 3). At no time will the cofferdam extend across the entire channel. The normal water depth across the channel averages 2-3 feet with scour holes up to 2 feet deeper adjacent to the piers. The total coffered area will be 50 feet wide and extend the length of the bridge, which is 400 feet long between the abutments (0.46 acre).

During coffering of the east spans, a temporary stone causeway will be constructed from the west bank to the coffered area to allow access. The temporary causeway will be created by placing stone riprap fill (minimum RR4, 9" median size) with a coarse aggregate surface. Culverts will be provided through the

causeway to maintain stream flow. The impact area of the causeway will be a maximum of 40' wide at the base and approximately 170' long (0.16 acre).

After placement of each cofferdam, the work area will be dewatered by pumping out the water behind the cofferdam. During pumping, the intake hose will be placed in a stabilized sump pit and the outlet discharged above the water line on a non-erodible, energy dissipating surface.

Once dewatering has been completed, the steel trusses will be demolished. It is expected that the contractor will split the steel trusses into pieces by cutting or explosive charges. The debris will be dropped into the coffered area, cut into smaller pieces and then removed from the coffered area. Construction equipment will use timber mats or low ground pressure tires to access the dewatered areas in the channel during the removal.

All temporary materials used for the cofferdams will be removed to upland areas at the completion of construction. The stone riprap from for the causeway will be removed from the channel and permanently placed along the west bank to stabilize an eroded area. The riprap will be deposited along the bank extending approximately 350 feet upstream of the existing bridge abutment, which will remain. Prior to placement of the riprap, the top of the bank will be excavated to create a stable 1V:2H slope, if necessary. Excavated material will be removed to an upland area.

Construction is planned during Fall 2019. The duration of work is estimated to be four weeks.

#### **Wetlands and Waters of the U.S. Impacts**

A total 0.08 acre of permanent impact to non-wetland Waters of the U.S. will occur in the area of riprap placement on the west bank. No permanent wetland impacts are proposed.

The area of temporary impact during construction is approximately 0.62 acre. This is the minimum area needed to construct cofferdams, construct the temporary causeway, and remove each span of the bridge. This area includes of 0.46 acre within the cofferdams and 0.16 acre for the temporary causeway.

The total length of impact, permanent and temporary, is 400 feet measured along the channel centerline.

#### **Avoidance, Minimization and Mitigation**

Use of the channel during demolition cannot be completely avoided. The existing structure is closed to all use and cannot safely support the weight of construction equipment. The Forest Preserve has no access to the bridge from the east bank. The area of temporary impact proposed for the cofferdams and causeway are the minimum needed to remove the structure. Work will be completed during the low flow period of August through October.

The amount of riprap placed along the west bank in the minimum needed to stabilize the shoreline and reduce erosion. The existing bridge abutments will remain in place, which will reduce the impact area along the shorelines.

No permanent wetland impacts will occur. Therefore, no wetland mitigation is proposed.

#### **Threatened and Endangered Species**

According to the U.S. Fish and Wildlife technical assistance website, three federally-listed species may be present in Kendall County: the Indiana bat, Northern long-eared bat and Eastern prairie fringed orchid. Suitable habitat for the Eastern prairie fringed orchid is mesic to wet prairies, which are not present at this site. The bridge was inspected for bat usage in May 2017 and no evidence of bats roosting on the bridge was observed. Approximately 20 trees will be removed along the west bank to allow for the riprap installation. The work will be completed after July 31<sup>st</sup> to minimize impact to bat maternity. The proposed tree removal will have little effect on the remainder of the well-developed forested riparian habitat located

along both sides of the river. No permanent impact to federally-listed threatened or endangered species is expected.

Two Illinois-listed threatened species, the River Redhorse and Greater Redhorse, are assumed to be present at the bridge. An Incidental Take Authorization for these two species has been requested from the Illinois Department of Natural Resources. Approval of the Incidental Take Authorization will be obtained prior to the start of construction.

### **Historic Properties**

The existing bridge consists of a three-span steel Pratt truss superstructure with a timber deck constructed in approximately 1897. The two east truss spans remain from the original construction. The west truss and abutment were replaced around 1957 due to a flood event that damaged the original span. The Illinois State Historic Preservation Officer (SHPO), has determined that the Millbrook Bridge meets the criteria for listing on the National Register of Historic Places (NRHP). If required by the Army Corps, further consultation with the SHPO will be completed prior to the start of construction.

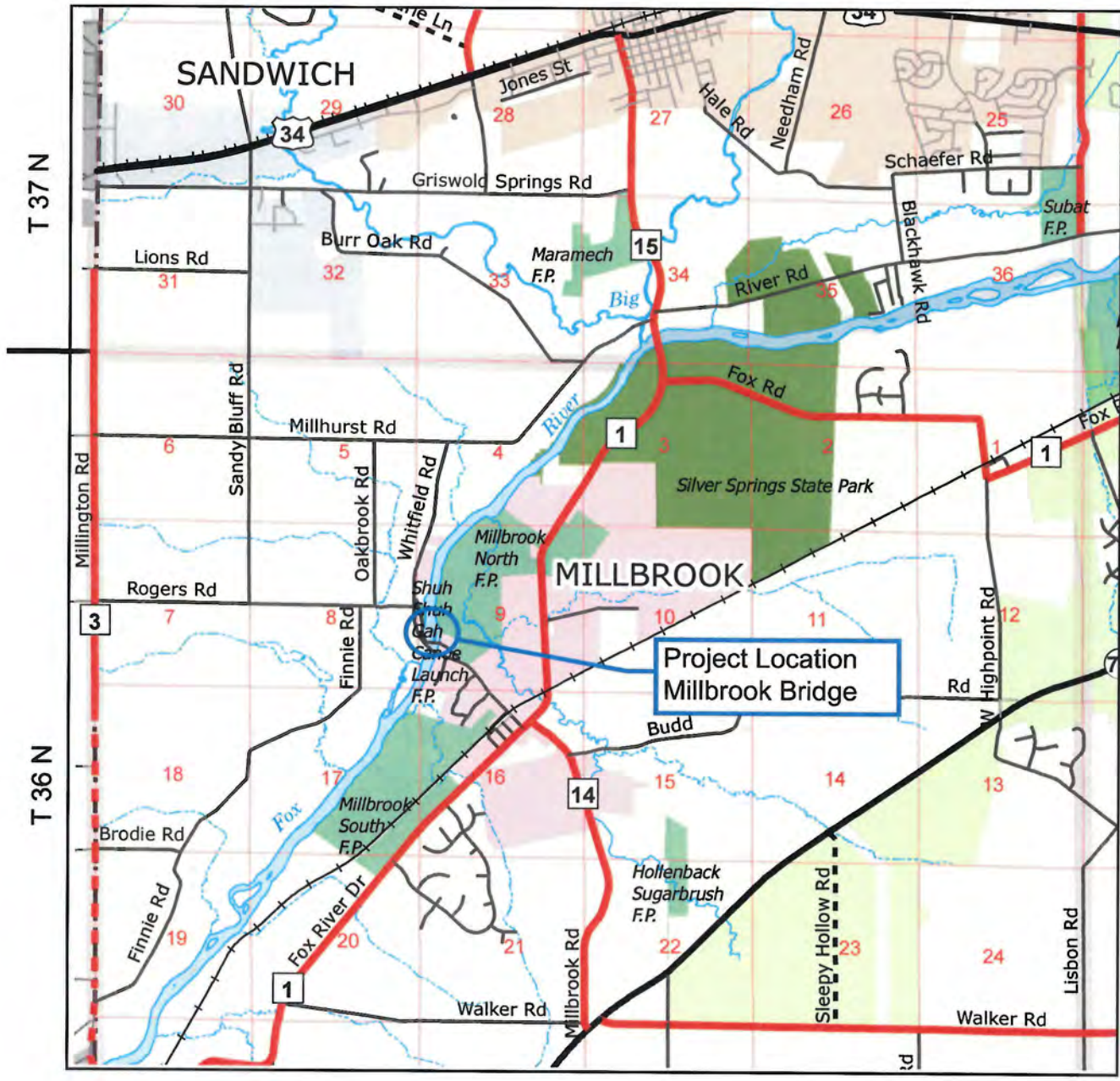
### **Attachments**

- 1) Location map
- 2) Photo log
- 3) Project plans (3 sheets)

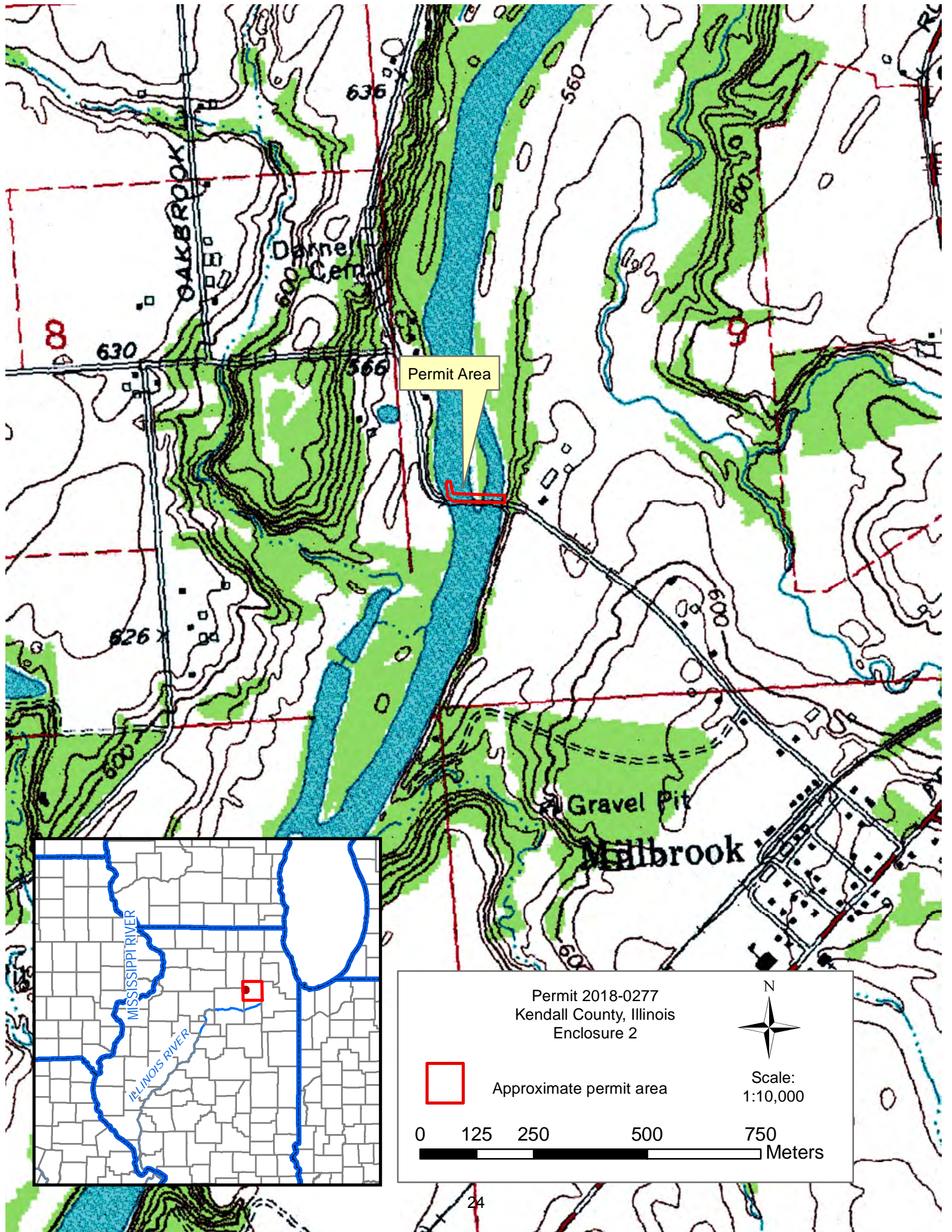
# LOCATION MAP

Kendall County, IL

Scale 1 inch = 1 mile



R 6 E, 3<sup>RD</sup> PM



Permit Area

Gravel Pit

Malbrook



Permit 2018-0277  
Kendall County, Illinois  
Enclosure 2

Approximate permit area

Scale:  
1:10,000

0 125 250 500 750  
Meters

N





## Hampton, Lenzini and Renwick, Inc.

Civil Engineers • Structural Engineers • Land Surveyors • Environmental Specialists  
www.hlrengineering.com

### Section 106 Documentation of Adverse Effect Report



Millbrook Bridge over the Fox River  
Kendall County Forest Preserve District  
Kendall County, Illinois

April 2018

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Elgin, Illinois 60123-7010  
Tel. 847.697.6700  
Fax 847.697.6753

6825 Hobson Valley Drive, Suite 302  
Woodridge, Illinois 60517  
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3085 Stevenson Drive, Suite 201  
Springfield, Illinois 62703  
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323 W. Third Street, P.O. Box 160  
Mt. Carmel, Illinois 62863  
Tel. 618.262.8651  
Fax 618.263.3327

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Mitigation .....	5

### Attachments

1. Location Map
2. Bridge Photographs
3. SHPO review of National Register eligibility letter - 2017
4. Abbreviated Inspection Reports - HR Green and Collins Engineers - 2015
5. Forest Preserve District Commission meeting minutes
  - A. May 5, 2015
  - B. May 19, 2015
  - C. June 14, 2017
6. IL Department of Conservation and FHWA historic structure review - 1981
7. Intergovernmental Agreement transferring bridge ownership - 2004

## **Introduction**

The Kendall County Forest Preserve District is attempting to address public safety concerns and maintenance issues with the existing Millbrook Bridge over the Fox River. The substandard conditions of the bridge are a liability to public and to the Kendall County Forest Preserve District.

The Illinois State Historic Preservation Officer (SHPO), has determined that the Millbrook Bridge meets the criteria for listing on the National Register of Historic Places (NRHP) and is protected under Section 106 of the National Historic Preservation Act of 1966. Coordination and consultation with the SHPO and the Advisory Council on Historic Preservation (ACHP) will develop measures to mitigate the project's adverse effects on the historic property. The mitigation measures will be incorporated into a Memorandum of Agreement (MOA) for this undertaking.

This report contains information describing the existing bridge features and condition, the project's purpose and need, alternatives considered to avoid adverse effects on the existing bridge and measures to minimize harm to the structure.

## **Purpose and Need**

The purpose of the project is to address existing safety and maintenance concerns resulting from the structurally deficient bridge. The existing bridge has deteriorated piers, inadequate safety railing, and a weathered steel superstructure that poses a safety hazard to people using the bridge and the river below. The cost of the maintenance and rehabilitation of the structure poses a financial hardship to the Kendall County Forest Preserve District. The District has recognized that removal or rehabilitation of the existing bridge is needed for safety of the public.

## **Description of Historic Property**

The existing Millbrook bridge is located approximately 250 feet north of the Whitfield Road bridge at the original location of the Valley Road / Dobson Lane crossing of the Fox River (Attachment 1). This site is in the SW ¼ of Section 9, Township 36N, Range 6E, 3<sup>rd</sup> P.M. in Kendall County, Illinois. The structure is under the ownership and maintenance of the Kendall County Forest Preserve (Attachment 7). The site is located between a low density residential area on the east and a parcel owned by the Kendall County Forest Preserve District on the west. The bridge is accessed from the Forest Preserve property on the western bank. There is no access to or from the bridge on the

eastern bank. No jurisdictional agreement exists to allow the Kendall County Forest Preserve District to access the Dobson Lane right-of-way on the eastern side of the Fox River.

The existing bridge consists of a three-span steel Pratt truss superstructure with a timber deck. The substructure consists of limestone block piers, a limestone block abutment with concrete encasement on the east end, and a concrete abutment on the west. Each of the three-spans are approximately 133'-9" long and 17'-6" wide out-out of the timber deck. The structure was constructed in 1897 according to the plaque located on the west end of the bridge. The two east truss spans remain from the original construction. The west truss and abutment were replaced around 1957 due to a flood event that damaged the original span. See Attachment 6.

The bridge carried vehicular traffic until 1982 when the newer Whitfield Road bridge was constructed. Demolition of the subject bridge was part of the scope of work approved at that time. Instead of demolition, the bridge was transferred into private ownership. No record of any maintenance or conservation agreement with this individual was located. Ownership of the bridge was later transferred to Fox Township and then to the Forest Preserve in 2002. The bridge was closed to all traffic by the Forest Preserve District Commission in May 2015 due to concerns about the deteriorated structural condition. See Attachments 5, 6 and 7.

### **Structural Deficiencies**

A bridge inspection was conducted by HR Green and Collins Engineers in 2015 to evaluate the condition of the structure (Attachment 4). It was determined that the west pier is in a potentially unstable condition with deterioration that includes crumbling stone, missing blocks, and large areas of mortar loss that extends nearly to the bearings on the upstream end. It was estimated that the pier had less than 5 years of service life remaining. Due to the fracture critical nature of the structure, failure of the pier could result in collapse of the western two spans. The east pier and the abutments have minor deterioration of the stone, cracked mortar and cracking in the concrete.

The steel trusses on the east two spans are in poor condition with significant deterioration of the steel members and eye-bars. Several bottom chord members at the upstream side of the east spans were bent, and one flood beam in the center span is displaced, likely due to impact by floating debris. The existing railings are loose in several locations and do not meet current AASHTO safety standards.

The west span, which is newer than the eastern spans, is in good condition with only minor surface corrosion. This span was not part of the original construction and was replaced due to a flood in 1957. The paint system on this truss is beginning to fail but there is no measureable loss of steel section due to deterioration.

The remaining load capacity of the bridge was estimated to be less than the safe recommended loading for a pedestrian bridge. The Forest Preserve District Commission voted to close the bridge in May 2015 to all traffic based on the results of this inspection, which revealed the structural deficiencies compromising the load capacity of the bridge. See Attachment 5.

### **Alternative Scopes of Work**

#### Alternate one – No Action

In this alternative, the bridge remains in its present condition with no improvements and closed to all use. The structure continues in its deteriorated, substandard condition. Normal maintenance will not correct the structural deficiencies of the bridge. These deficiencies pose a risk of collapse of the bridge, endangering river users from the nearby canoe launch and fishing area.

#### Alternate two – Bridge rehabilitation

Rehabilitation of the existing trusses would consist of replacement of corroded steel members, replacement of the bridge bearings, upgrade of the safety railing, and painting the steel trusses. The existing stone piers and abutments would need to be rebuilt or encased in concrete. Rehabilitation of the existing structure may affect its historic integrity due to the significant replacement of superstructure and substructure elements required. The estimated cost for the bridge rehabilitation option is \$1,000,000.

#### Alternate three – Bridge removal

In the alternative, the existing bridge is removed. The existing safety hazard of the deteriorated structure is addressed by this alternative. In addition, the Kendall County Forest Preserve will not have the responsibility for future maintenance costs of the bridge. Estimated cost is \$300,000. This alternative provides the safest and most cost-effective alternative, but results in removal of the historic structure.

## **Findings**

Alternative One was eliminated from consideration because it does not mitigate the safety hazard of the existing bridge, and therefore does not meet the project purpose.

Rehabilitation of the existing bridge (Alternative Two) will provide a structure meeting current loading and safety design requirements. However, the scope of required work may negatively impact the historic integrity of the structure. Funding options for rehabilitation of this bridge are limited by the lack of continuity with other Forest Preserve properties. In May 2015, the Village of Millbrook voted to deny access to the Dobson Lane right-of-way that would have connected the bridge to another Forest Preserve to the east. The potential grant programs identified for this project require that the bridge be part of a continuous trail system or regional transportation plan. The Forest Preserve has been unable to identify other sources of funding without this connectivity. Alternative Two is not feasible due to the high cost of the rehabilitation and lack of available funding sources.

Alternative Three that removes the existing structure is the lowest cost alternative that addresses the safety concerns of the existing structure. However, this will result in complete removal of the historic structure from the site. Consideration of the proposed alternatives suggests that the demolition and removal of the structure is the most cost effective, feasible and prudent alternative.

## **Public Involvement Plan**

The following organizations were identified as potential consulting parties to the Section 106 process:

- Kendall County Historic Preservation Committee
- Village of Millbrook
- Friends of the Millbrook Bridge Facebook group

A public hearing meeting will be scheduled to provide information to interested parties and solicit comments on the proposed alternatives. A transcript of the meeting, comments received, and responses will be included in the Section 106 report.

## **Mitigation**

The Kendall County Forest Preserve will market the existing historic bridge in an attempt to identify a suitable entity to accept the bridge for donation. If a suitable agreement can be reached with a potential owner to preserve the existing structure, the bridge superstructure would be relocated onto private property and protected with a covenant to ensure continued maintenance.

Should the SHPO so require, the historic bridge will be archivally documented prior to removal to the standards of the Illinois Historic American Engineering Record, as specified by the SHPO, or to the standards of the Historic American Engineering Record, as specified by the National Park Service.

Millbrook Bridge Photo Log  
5/11/2017



Photo 1 - Looking East at downstream face of bridge

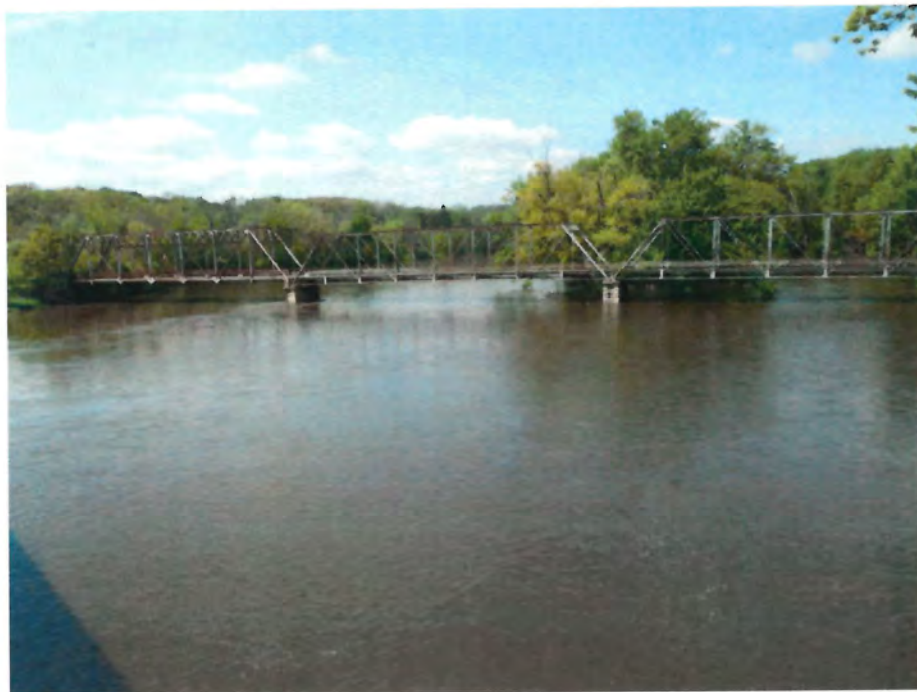


Photo 2 - Looking west at downstream face of bridge



Millbrook Bridge Photo Log  
5/11/2017



Photo 3 - Looking east thru truss from west end of bridge



Photo 4 - West Abutment

Millbrook Bridge Photo Log  
5/11/2017



Photo 5 - Railing on North Side of West Truss



Photo 6 - Looking East at Beams under West Truss

Millbrook Bridge Photo Log  
5/11/2017



Photo 7 - Northwest Bearing at Abutment



Photo 8 - Looking East thru Center Truss

Millbrook Bridge Photo Log  
5/11/2017



Photo 9 - West Pier



Photo 10 - Northwest Side of West Pier

Millbrook Bridge Photo Log  
5/11/2017



Photo 11 - Looking East thru Center Truss at Railing and Timber Deck



Photo 12 - Top of Center Truss - South

Millbrook Bridge Photo Log  
5/11/2017



Photo 13 - Looking East thru East Truss



Photo 14 - East Pier

Millbrook Bridge Photo Log  
5/11/2017



Photo 15 - East face of East pier and underside of deck



Photo 16 - Looking at East End of Bridge

Millbrook Bridge Photo Log  
5/11/2017



Photo 17 - East Abutment



Photo 18 - Looking West from East end of bridge





FAX (217) 524-7525  
[www.illinoishistory.gov](http://www.illinoishistory.gov)

Kendall County

Millbrook

Bridge Rehabilitation

Across the Fox River, North of Whitfield Road

IHPA Log #007051717

June 7, 2017

Joseph Frazee

Hampton, Lenzini and Renwick, Inc.

3085 Stevenson Dr., Suite 201

Springfield, IL 62703

Dear Mr. Frazee:

We have reviewed the documentation provided for the referenced project. This property is considered eligible for listing on the National Register of Historic Places.

In our opinion the project meets the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" and we concur in a finding of no adverse effect pursuant to 36 CFR Part 800 provided that the following condition is met:

1. Our office is given an opportunity to review and approve plans and specifications as they are developed.

Notifying our office of agreement with these conditions and their subsequent implementation constitutes compliance with Section 106 of the National Historic Preservation Act of 1966, as amended.

If you have any questions, please contact David Halpin, Cultural Resources Manager, at 217/785-4998.

Sincerely,

Rachel Leibowitz, Ph.D.

Deputy State Historic

Preservation Officer



April 29, 2015

Mr. David Guritz, Director  
Kendall County Forest Preserve District  
110 West Madison Street  
Yorkville, Illinois 60560

RE: Valley Drive Bridge Inspection  
HR Green Job No. 86150043

Dear Mr. Guritz:

On April 1, 2015, HR Green, Inc. (HR Green) performed a visual inspection of the Valley Drive Bridge over the Fox River, which is immediately upstream from the Whitfield Road Bridge. The general condition of the structure was observed for the accessible elements. In addition, Collins Engineers, Inc. performed an underwater inspection of the substructure units (see attachment for the Collins Engineers, Inc. Underwater Bridge Inspection Report). HR Green understands the original design drawings and other construction documents are not available for this bridge.

#### **DESCRIPTION**

The bridge consists of three (3) approximately 133'-9" long through Pratt truss spans. The plaque at the west end of the bridge indicates it was originally constructed in 1897. The two (2) east spans are from the original construction with mill marks indicating the steel was supplied by Carnegie Steel. The west span is believed to have been constructed sometime in the 1930's by U.S. Steel. All spans use 3" x 12" creosote treated timber for deck planking. Each span has a pinned end bearing on one (1) end and roller bearings on the other.

The two (2) east spans are composed of steel eye-bar bottom chords and diagonal members, channel section laced columns, plated channel section end posts and laced channel section top chord members. Built up members are shop riveted together, but the eye-bars, diagonals, chords, and posts are connected with pins. The floor beams are I-beam sections. Counters and wind bracing consist of square and round rod stock. Railings consist of a riveted lattice of bar stock connected to L 2 x 2 s top and bottom.

The west span is composed of steel angle sections, channel section laced columns, and channel section end posts and top chord members all riveted to gusset plate type connections. The floor beams are I-beam sections. Railings consist of two (2) C5 channels on each side.

The two (2) piers and the east abutment are cut limestone blocks with a cut limestone water table. The west abutment may also be cut limestone encased in concrete, but only the concrete is visible.



115.085.1771 815.365.1781 888.738.7888  
115.085.1771 815.365.1781 888.738.7888

## **OBSERVATIONS**

The following summarizes the condition of the structure and includes photos taken by HR Green during the inspection.

### **Superstructure**

- **East Spans:**
  - The bottom chord joints of the two (2) east spans exhibited significant pack rust and debris at the pins. The expansion forces caused by the pack rust have led to section loss, flange bending, and web buckling of the built-up vertical truss members at the bottom chord pin. Many of the vertical truss members had debris (leaves, can, etc.) in them at the base, trapping moisture against the steel, and advancing the deterioration.
  - The east spans have twenty (20) bottom chord pin connections where a pair of diagonal eye-bar members attaches as part of the truss. Seven (7) locations had measureable section loss (less than 25% total) of these diagonal pairs. Seven (7) more locations had significant section loss (25-50% total).
  - Several bottom chord members at the upstream side of the two (2) east spans were bent, presumably caused by river carried debris. In addition, the bottom chord horizontal eye-bar pairs had minor section loss (5-10%) at eight (8) of the thirty-two (32) locations, typically near the pack rust on the pin connection. One location on the north truss near the east abutment had 40% section loss on a single eye-bar.
  - The roller bearings on the two (2) east spans are full of pack rust and appear to be non-functional. Many of the rollers are crushed and the top plates of the bearings are out of alignment in most locations. All roller bearings were pushed out beyond the normal maximum expansion range. The center span bearings are pushed up against the east span bearings at both ends of the east pier.
  - A longitudinal floor stringer at the center span is bent and displaced.
- **West Span:**
  - The west span is in good condition with only minor surface corrosion. The paint system is becoming ineffective with numerous locations of exposed steel, but no measureable section loss.
  - The rocker bearings at the west abutment for the west span appear to be pushed to the west out of the bearing's normal range.
- The existing railings are loose and damaged at two (2) locations on the south side of the west span, two (2) locations on the south side of the east span and one (1) location on the north side of the east span near the east pier.

- Deck planking is in generally good condition. We marked one split and deteriorated plank to be repaired with a "X". Several dozen other loose planks were observed and marked with a dot.

### **Substructure**

- West Pier (Pier #1): Significant loss of stone was observed at the upstream nose of the west pier. It has progressed more than a foot when compared to the July 2009 inspection. The loss of stone has almost reached directly underneath the truss bearings. The underwater inspection by Collins noted the upstream 5' of the pier nose is heavily deteriorated. This deterioration extends from channel bottom to pier cap and includes missing stones, displaced stones, voids, and complete loss of mortar.
- East Pier (Pier #2): An island is directly upstream which helps protect this pier from the flow of the main channel. Minor surface abrasion of the stone masonry was observed on the lower 4' to 5' of the pier wall. The pier appears plumb and level with no signs of settlement or scour. The upstream steel protection angle is intact and functional. Minor loss of mortar pointing is evident throughout the pier. The limestone is showing its age with areas of decomposition and cracking.
- Abutments: The joints in the stone masonry of the east abutment are beginning to deteriorate. Minor deterioration of the stone (areas less than 2 square feet in area) and cracking was observed at isolated locations on the east abutment. The west abutment wall exhibits some hairline to narrow vertical leaching cracks with minor rust stains. The south wing wall at the west abutment is in poor condition. The concrete exposed on the back face has completely spalled off and the rebar appears to be missing.
- The abutment and pier seats exhibit minor debris, pack rust from the bearings, and vegetation/brush. There are small trees growing out of the caps of each pier near the south side of the structure.

## **CONCLUSIONS**

The west pier may be unstable based on the results of the underwater inspection. As the stone deterioration at the upstream nose continues to extend towards the bearings, the ability of the pier to adequately support the superstructure may become compromised. Repair options include partial or complete concrete encasement of the pier. Based on the accelerated rate of deterioration, the pier has less than 5 years of estimated service life remaining. The west pier deterioration needs to be addressed immediately if the bridge is to remain open.

In addition, the load carrying capacity of the bridge has been reduced because of section loss in the diagonal truss members of the eastern spans. The remaining capacity of the structure is just 37 pounds per square foot (psf) in the center and east spans. This is approximately half of the pedestrian bridge design load of 75 psf. For perspective, ground snow load is taken as 25 psf. It also must be pointed out that this truss type is fracture critical; meaning the failure of one member can lead to failure and possible collapse of the entire truss span. Steps may need to be taken to restrict access to the east span(s) so overloading will not occur until repairs can be made. However, the newer west span truss is in better condition and could remain in service for 20+ years.

All truss connections need to be cleaned of pack rust and painted. Since the paint system is failing in general, we recommend repainting the entire bridge. After all the connections have been thoroughly cleaned, an in-depth inspection should be scheduled to assess the section loss of the various truss members. Steel repairs should be made to critical truss members that have reduced the capacity of the structure.

The bearings for all three spans are in poor condition and should be replaced. The expansion bearings are pushed out of their normal range and appear to be frozen in place. Minor repairs to the east pier and east abutment limestone, such as applying new mortar to joints and cracks, can help slow down deterioration.

The existing railings are substandard. Current standards call for rails or pickets spaced such that a 4" diameter sphere cannot pass through the lower 34" of the rail assembly, 8" sphere cannot pass between 34" and 42". Timber railings may be used if it meets the above specifications, and could be constructed at a considerable cost savings compared to a steel fabricated rail.

## **RECOMMENDATIONS**

The following are repair/replacement/removal alternatives with budgetary opinions of costs in 2015 dollars. Construction costs can be expected to increase 5% per year. For each of these alternatives, a temporary aggregate work pad and access ramp may need to be constructed near the west abutment to provide access for construction equipment.

### **Alternative #1: Complete Restoration and Repair**

This alternative includes providing temporary support of the adjacent truss spans, removing deteriorated stone masonry at the upstream nose of the deteriorated west pier and encasing it with reinforced concrete. The trusses will be jacked up to replace all the bearings. All three trusses will be cleaned and painted with steel repairs to be made to corroded members. Also

included is re-pointing the masonry joints at the east pier and east abutment and railing upgrades. This alternative would provide a long term solution, short of complete replacement, and would greatly extend the life of the structure.

Opinion of Constructed Cost: \$900,000  
Opinion of Cost for Design Engineering and Permitting: \$50,000  
Opinion of Cost for Construction Engineering: \$50,000  
**Total: \$1,000,000**

### **Alternative #2: Complete Replacement**

This alternative includes complete removal and replacement of the structure. For budgetary purposes, it is assumed the proposed structure will be a three-span structure comprised of simply supported pre-fabricated pedestrian thru-truss superstructures on pile-supported solid concrete piers and abutments. The clear width of the superstructure would be 14'. Lifecycle costs for this replacement alternative should be less than the complete restoration and repair alternative.

Opinion of Constructed Cost: \$1,270,000  
Opinion of Cost for Design Engineering and Permitting (5%): \$65,000  
Opinion of Cost for Construction Engineering (5%): \$65,000  
**Total: \$1,400,000**

### **Alternative #3: Partial Removal and Repair**

This alternative includes encasing the west pier with reinforced concrete, the removal of the two east steel trusses, replacing the bearings, and painting of the remaining truss. This alternative would allow the west span to remain open as a fishing pier and river overlook.

Opinion of Constructed Cost: \$550,000  
Opinion of Cost for Design Engineering and Permitting (12%): \$25,000  
Opinion of Cost for Construction Engineering (12%): \$25,000  
**Total: \$600,000**

### **Alternative #4: Complete Truss Superstructure Removal**

This alternative includes complete removal of the steel trusses. The piers and abutment would be left in place.

**Total: \$200,000**

The above budgetary cost estimates are relatively conservative. The unique nature of this work makes it difficult to predict costs. In the event the Forest Preserve District elects to restore the existing trusses, we recommend consultation with an experienced contractor regarding construction techniques.

### **Regular Maintenance Recommendations**

The following summarizes minor repairs/regular maintenance items that could potentially be completed with Forest Preserve District personnel. Opinions of cost are not included for most of these items.

- Overhanging trees from the island at the east pier could cause significant damage to the truss if not removed. Vegetation growth (trees and shrubs) adjacent to the structure at the center and east spans should be removed within 10' of the structure. The small trees growing from the pier caps should also be removed.
- Loose deck planks should be re-fastened. The deteriorated plank should be repaired/replaced.
- Remove debris trapped above bottom chord pin connections.

### **Inspection Recommendations**

HR Green recommends a visual inspection of the bridge every two (2) years. In addition, the west pier should be observed every spring and frequently under high flow conditions until it is repaired or replaced. We recommend that the structure be closed during the winter months and not re-opened until after the results of the spring inspection of the west pier until repaired. Below is a list of items that should be monitored during future inspections.

- The observed condition of the joints in the limestone substructure units is typical for a structure of this age. This condition should be monitored in future inspections. The condition of the southwest wing wall should also be observed in future inspections due to deterioration and lost capacity. This is especially true if there are plans to perform earthwork for the path leading to the west end of the bridge.
- We understand that no motorized vehicles will be allowed to cross the structure. In order to extend the life of the structure, we would discourage the use of salt or other de-icing agents.

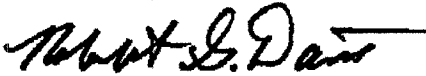
**SUMMARY**

The bridge is in poor condition. The west pier is becoming unstable and may be unable to support the structure in the future. The loss of capacity of critical truss members is reducing the structures ability to carry pedestrian and bike traffic. Access to the structure may need to be limited for public safety. Repairs should be made as soon as possible if the structure is to remain in use.

Please call with any questions.

Sincerely,

HR GREEN, INC.



Robert Davies, S.E., P.E.  
Senior Professional



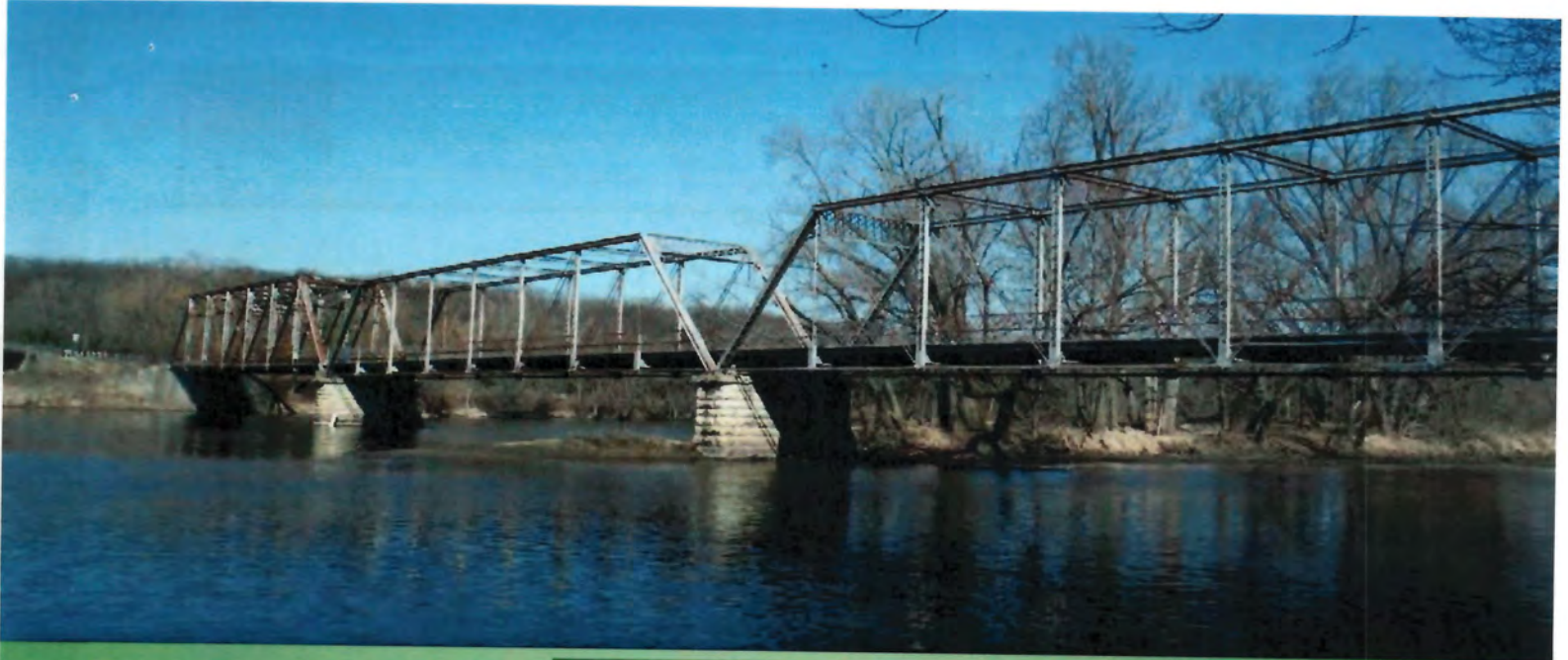
Steve Schwarz S.E., P.E.  
Lead Structural Engineer

SEC/tcn

Attachments: Underwater Bridge Inspection Report by Collins Engineers, Inc.

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# Valley Drive Pedestrian Bridge Pier Inspection

April 1, 2015

*Prepared for:*  
HR GREEN, INC.



*Prepared by:*

**COLLINS**  
**ENGINEERS** INC

123 North Wacker Drive, Suite 900  
Chicago, Illinois 60606  
312.704.9300 • [www.collinsengr.com](http://www.collinsengr.com)

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## UNDERWATER INSPECTION

Valley Drive Pedestrian Bridge over the Fox River  
Kendall County, IL • April 2015



### EXECUTIVE SUMMARY

- Project:** Underwater Inspection of Valley Drive Pedestrian Bridge over the Fox River
- Purpose of Project:** To perform a visual and tactile inspection of all above and below water surfaces on the substructure units of Valley Drive Pedestrian Bridge.
- Inspection Team:** Team Leader – Brian Dilworth, P.E., ADCI – Collins Engineers, Inc.  
Team Member – Piotr Sawulski, P.E., ADCI – Collins Engineers, Inc.  
Team Member – Jacob Green, ADCI – Collins Engineers, Inc.
- Inspection Date(s):** April 1, 2015

#### **Summary of Findings:**

- Heavy mortar loss, and deteriorated / displaced / missing stones at upstream end of Pier 1 from channel bottom to the pier cap.
- Minor section loss and delaminated stones at the East Abutment.
- Vertical hairline to 1/16 inch cracking at all piers and abutments.
- Minor mortar loss at Pier 2.

#### **Summary of Recommendations:**

- Pier 1 should be repaired if the bridge is to remain in service. Encase Pier 1 in concrete, partially (around the upstream nose / bearing area), if not wholly to restore deteriorated areas and add future protection.
- Monitor vertical cracking at all piers and abutments.
- Re-point mortar loss at Pier 2 and any portion of Pier 1 not encased by concrete.

## 1.0 INTRODUCTION

### 1.1 Purpose and Scope

This report consists of the results of an underwater inspection of Valley Drive Pedestrian Bridge over the Fox River in Kendall County, Illinois. Collins Engineers, Inc. (Collins) conducted the underwater inspection as a subconsultant to HR Green, Inc., on April 1, 2015. The primary purpose of the investigation was to determine the condition of the substructure units located in the water at the time of the inspection.

The following report includes a description of the structure, the method of investigation, a description of existing conditions, and an evaluation and recommendations based on the conditions.

### 1.2 General Description of the Structure

Valley Drive Pedestrian Bridge is a three span through truss bridge supported by two abutments and two intermediate piers. The two abutments are designated as East Abutment and West Abutment and the piers are designated as Piers 1 and 2 from west to east. The West Abutment is constructed of a concrete abutment wall with two adjacent wingwalls. Piers 1 and 2 and the East Abutment are constructed of stone masonry. The bridge serves as a pedestrian pathway and is maintained by the Kendall County Forest Preserve District. Refer to Photographs 1 through 4 in Appendix B for overall views of the bridge.

### 1.3 Method of Investigation

Prior to the inspection Collins notified HR Green, Inc., of the proposed date of the underwater inspection; no as-built bridge plans were available. A three-person team consisting of two professional engineer-divers and one technician-diver conducted the underwater inspection. The inspection was conducted using commercial SCUBA diving equipment (Pier 1) and wading equipment (West Abutment, East Abutment and Pier 2). During the inspection, the inspectors entered the water from a 14-foot boat while an engineer on the boat recorded the inspection notes.

The underwater inspection consisted of a visual and tactile examination of the accessible surfaces of the submerged substructure units with particular attention given to any areas of deterioration or apparent distress. The type of channel bottom material, presence and extent of scour, presence and extent of riprap,

## UNDERWATER INSPECTION

Valley Drive Pedestrian Bridge over the Fox River  
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presence and extent of debris, and the location of any structural defects were noted. In addition, the conditions of the shorelines in the vicinity of the structure were noted. Photographs were taken to document general conditions and observed deficiencies.

The channel bottom depths were obtained using an incremental sounding pole and a digital fathometer. The channel bottom depths were recorded along the bridge fascias and approximately 100 feet upstream and downstream of the bridge. Channel depths were also taken around the submerged substructure units and the waterline was referenced to a known elevation on the structure.

### 2.0 EXISTING CONDITIONS

#### 2.1 Waterway Conditions

At the time of inspection, the waterline of the Fox River was approximately 11.1 feet below the top of the pier cap on the east side of Pier 1. This corresponds to a waterline elevation of 88.9 feet based off an assumed reference elevation of 100.0 feet. At the time of inspection, the West Abutment and Piers 1 and 2 were located in the waterway and the Fox River was flowing north to south at approximately 1.0 foot per second. There were no indications of scour or overall channel degradation, and the channel contained minimal amounts of timber debris. The channel immediately upstream of the bridge contains a well-vegetated island which splits the waterway into two; for the purpose of this inspection, the channels were labeled as the West (Main) Channel and the East Channel. Refer to Figure 2 in Appendix A for the waterway configuration and sounding plan.

#### 2.2 Shoreline Conditions

The east and west shorelines in the vicinity of the structure consisted of well vegetated natural embankments with no significant erosion noted. The island existing in the main channel at Pier 2, extended from approximately 30 feet downstream of Pier 2 to approximately 550 feet upstream of Pier 2. The island was also well vegetated with no significant erosion noted. Refer to Photographs 5 through 8 in Appendix B for views of the east and west shorelines, and the island located in the main channel.

### 2.3 Substructure Conditions

Piers 1 and 2 were constructed of a stone masonry pier cap and masonry shafts that extended down to the channel bottom. A portion of the cap at Pier 1 was previously repaired with concrete at the upstream nose of the pier. The West abutment was constructed of a concrete wall with two adjacent wingwalls. The East Abutment was constructed of a masonry wall with two adjacent wingwalls, and also had a portion of the cap previously repaired with concrete. The specific conditions for each of the submerged substructure units were as follows:

The West Abutment was generally in satisfactory condition above and below the waterline with no defects of structural significance observed. The only deficiency observed at the West Abutment was concrete cracking. Refer to Figure 3 in Appendix A for the detailed inspection notes for the West Abutment and Photographs 9 through 11 in Appendix B for typical views of the West Abutment.

Pier 1 was in poor condition above and below the waterline with structural-related deficiencies observed. Deficiencies observed at Pier 1 were voids due to deteriorated and displaced masonry stones, delaminated stones, cracking, section loss, and mortar loss. Refer to Figure 4 in Appendix A for the detailed inspection notes for Pier 1 and Photographs 12 through 25 in Appendix B for typical views of Pier 1.

Pier 2 was generally in satisfactory condition above and below the waterline with no defects of structural significance observed. The deficiencies observed at Pier 2 were cracking and mortar loss. Refer to Figure 3 in Appendix A for the detailed inspection notes for Pier 2 and Photographs 26 through 29 in Appendix B for typical views of Pier 2.

The East Abutment was generally in satisfactory condition above and below the waterline with no defects of structural significance observed. Deficiencies observed at the East Abutment were section loss, delaminated stones, and cracking. Refer to Figure 3 in Appendix A for the detailed inspection notes for the East Abutment and Photographs 30 through 35 in Appendix B for typical views of the East Abutment.

## UNDERWATER INSPECTION

Valley Drive Pedestrian Bridge over the Fox River  
Kendall County, IL • April 2015



### 3.0 EVALUATION AND RECOMMENDATIONS

Since this is the first underwater inspection on record, the soundings taken during this inspection can be a baseline to be compared with during future inspections. There were no indications of overall channel or localized scour, and the embankments were stable.

The area of heaviest deterioration at Pier 1 extends from the upstream nose to approximately 5 feet south of the upstream nose. This area of heaviest deterioration includes missing stones, displaced stones, and complete loss of mortar from the channel bottom to the bottom of the repaired cap. It is likely that the voids are a result of slow loss of mortar and years of impacts from ice and debris flows. Given the extent of deterioration, Pier 1 should be repaired if the bridge is to remain in service. The pier should be partially (around the upstream nose / bearing area), if not wholly encased in concrete to restore deteriorated areas and add future protection. The encasement should extend from the top of the pier cap to at least the channel bottom. While it is likely the pier is constructed of stacked masonry stones founded on bedrock, field testing or review of the sub-channel material or construction plans should be conducted to help determine the method of repair construction. This information would help in determining the means of construction for the appropriate repair (sheet pile cofferdam or a stone cofferdam). Information provided by HR Green relating to the sub-bottom information at nearby structures suggests that driving a steel sheet pile cofferdam is a possibility. The cost to fully encase a masonry pier of this size is approximately \$400,000, not including design costs or soil testing.

The vertical cracks in the concrete at the Abutments, and the stones at Piers 1 and 2 are not structural concerns at this time. However, the cracks do provide a means for water infiltration and freeze-thaw damage. It is therefore recommended that these cracks be monitored during future underwater inspections. If further crack propagation or increased crack widths are observed, it may be necessary to repair the cracks by injection or patching with a repair material suitable for underwater applications.

The mortar loss observed in the masonry joints at Piers 1 and 2 is not a serious structural concern at this time but should be re-pointed if the process to restore the pier does not take place. The mortar loss at Pier 1 was heavy from 2 courses above waterline to the channel bottom, while the mortar loss at Pier 2 was minor and spread out over the entire pier. Re-pointing the masonry joints will limit water infiltration and freeze-thaw damage. In addition, re-pointing the masonry joints will stabilize the individual masonry units and prevent stone displacement. The repairs should be carried out by a contractor with considerable

**UNDERWATER INSPECTION**

Valley Drive Pedestrian Bridge over the Fox River  
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experience in masonry construction and repairs, including underwater applications. The joints should be repaired by first removing all unsound mortar, vegetation, and debris. A repair mortar having the same properties as the original construction mortar should be used to carry out the repairs to ensure that no adverse effects related to dissimilar mortars occur and that an “in-kind” repair is performed.

Respectfully submitted,  
COLLINS ENGINEERS, INC.

A handwritten signature in black ink, appearing to read 'B. Dilworth', with a horizontal line extending to the right.

Brian P. Dilworth, P.E., ADCI  
Inspection Team Leader / Project Manager

Originated by:

Jacob P. Green, ADCI



**KENDALL COUNTY FOREST PRESERVE DISTRICT  
COMMISSION MEETING MINUTES**

**MAY 5, 2015**

**I. Call to Order**

Vice-chair Cullick called the meeting to order at 6:00 p.m. in the Kendall County Board Room.

**II. Pledge of Allegiance**

All present recited the Pledge of Allegiance.

**III. Invocation**

Commissioner Prochaska offered an invocation for the meeting.

**IV. Roll Call**

Commissioners Gilmour, Gryder, Prochaska, Purcell, Shaw, Davidson and Cullick all were present.

**V. Citizens to be Heard**

No public comments were offered.

**VI. Approval of Agenda**

Commissioner Gilmour made a motion to approve the agenda as presented. Seconded by Commissioner Gryder. All, aye. Opposed, none. Motion passed unanimously.

**VII. Approval of Minutes for the April 8, 2015 Commission Meeting; April 15, 2015 Committee of the Whole Meeting, and April 16, 2015 Finance Committee Meeting**

Commissioner Gilmour made a motion to approve the meeting minutes for the Commission meeting minutes held on April 8, 2015; the Committee of the Whole meeting held on April 15, 2015, and the Finance Committee meeting held on April 16, 2015. Seconded by Commissioner Prochaska. All, aye. Opposed, none. Motion passed unanimously.

## **VIII. Approval of Claims in an amount not-to-exceed \$44,771.20**

Commissioner Prochaska made a motion to approve the claims list in the amount of \$44,771.20. Seconded by Commissioner Davidson.

Director Guritz reported in follow-up to the Finance Committee meeting that the claim for ADS, Inc. was for quarterly alarm monitoring at Ellis House, and the Menards charges for Kubota repair was for purchase of diamond plated sheet metal for the Kubota's floor boards.

Roll call: Commissioners Gilmour, Gryder, Prochaska, Shaw, Davidson, and Cullick, aye. Opposed, none.

Commissioner Koukol joined the meeting at 6:03 pm.

## **IX. Millbrook Bridge Inspection Report – Robert Davies, SE PE – HR Green**

Commissioner Purcell joined the meeting at 6:20 pm.

Robert Davies, SE PE with HR Green provided a PowerPoint slide overview of the Millbrook Bridge inspection completed on April 1, 2015. This included an underwater inspection performed by Collins Engineering.

Main points presented included the following:

1. The last inspection of the bridge was performed in 2009.
2. Since the last inspection, bridge decay has accelerated, particularly the west pier mortar, joints, and loss of limestone support blocks, with additional fracturing at the bridge abutments.
3. The bridge spans include two types of truss work. The western span is newer, reconstructed after this section failed in the past. The older I-bar spans show significant decay.
4. I-bar truss decay issues include increased formation of pack rust and resulting expansion at the joints causing deformation of support member plates. Robert Davies emphasized that design of the truss is such that all support arms are under tension, and when one I-bar support beam fails, all will fail.
5. The upper I-bar support beam spans are exhibiting significant corrosion of the steel plating.
6. The bearings have failed or are entirely absent. The bearings should allow movement of the support members.

7. Due to support member issues, the current load calculation for the bridge is 35 pounds per square foot, and should be 100 pounds per square foot for this type of structure.
8. Alternatives include restoration, replacement, removal of the older spans and restoration of a single span pier, and full removal of the structure. Costs are difficult to pin down.
9. It is no longer a question of if the bridge will fail, but when.

Commissioner Davidson suggested that the board take time to review the full inspection report, and refer the recommendations to the District's Finance Committee.

Robert Davies reported that there are four options to consider detailed in the inspection report:

1. Complete restoration, with an estimated cost of \$1 million dollars, including providing temporary support of the truss spans, removal of deteriorated stone masonry at the upstream nose of the west pier, and encasement within reinforced concrete, replacement of all bearings, and cleaning, painting and repairs made to corroded members.
2. Complete replacement, with an estimated cost of \$1.4 million dollars, including complete removal and replacement of the bridge with a three-span, pre-fabricated pedestrian thru-truss superstructure on pile-supported solid concrete piers and abutments.
3. Partial removal and repair, with an estimated cost of \$600,000, including encasement of the west pier with reinforced concrete, removal of the two east steel trusses, replacement of the bearings, and painting of the remaining truss.
4. Complete truss and superstructure removal, with an estimated cost of \$200,000, including removal of the steel trusses with piers and abutments remaining in place.

Robert Davies emphasized while restoration will be more cost effective initially, the bridge will require ongoing maintenance, which would make it less cost effective in the long run. The existing bridge does not currently meet ADA or public safety codes and standards.

Robert Davies suggested there may be IDOT funding, or other grant sources available to offset the capital costs.

Commissioner Gryder stated that based on the structural engineer's report, the bridge should be closed until repairs are completed.

Robert Davies added that HR Green specializes in bridge inspections, and this bridge will fail. It is only a matter of time, the end is in sight, and public safety a significant concern.

Commissioner Cullick questioned whether the bridge should be closed immediately due to public safety concerns.

Commissioner Davidson suggested that the decision be tabled pending review of the inspection information, and postpone the decision on whether to close the bridge to allow time for review.

Commissioner Gilmore stated that based on the engineer's report, the bridge should be closed to protect public safety.

Commissioner Cullick expressed concerns that the District cannot control the number of people that may be on the bridge at any one time.

Commissioner Gryder made a motion to forward the Millbrook Bridge inspection report to the Finance Committee along with the inspection report's option to the Finance Committee for further discussion. Seconded by Commissioner Davidson. Aye, all. Opposed, none.

**X. Motion approving a contract with Pizzo & Associates, Ltd., for turf preparation, prairie seeding, and first-year herbicide control of approximately 0.6 acres at Baker Woods FP, Ellis House and Equestrian Center for an amount not-to-exceed \$2,800.00, with contract costs reimbursed by a grant from The Conservation Foundation**

Commissioner Cullick made a motion to approve a contract with Pizzo & Associates, Ltd., for turf preparation, prairie seeding, and first-year herbicide control of approximately 0.6 acres at Baker Woods FP, Ellis House and Equestrian Center for an amount not-to-exceed \$2,800.00, with contract costs reimbursed by a grant from The Conservation Foundation. Seconded by Commissioner Gilmour.

Director Guritz reported that The Conservation Foundation had received a grant from LyondellBassell to support the installation of a new low-grow prairie seed mix demonstration planting area, and had selected Ellis House and Equestrian Center as the site for the planting. The District will be fully reimbursed by The Conservation Foundation for the initial planting and first-year herbicide control.

Roll call: Commissioners Gryder, Prochaska, Shaw, Cullick, Davidson, Gilmour, Koukol, and Purcell, aye. Opposed, none.

**XI. Motion approving a 50% facility rental deposit refund in the amount of \$500.00 to Marie Kress for a cancelled Ellis House event and reception.**

Commissioner Davidson made a motion to approve a facility rental deposit refund in the amount of \$500.00 to Marie Kress for a cancelled Ellis House event and reception.

Seconded by Commissioner Gryder.

Director Guritz provided an overview of the request received for reimbursement, and Finance Committee recommendation that a 50% deposit refund be considered by the full board. A copy of the Ellis House reservation was provided, which states that refunds may only be applied towards a rescheduled reservation. As the policy is clearly stated, this matter and request was presented to the board for consideration.

The reservation was made on February 15, 2015 for an event scheduled for May 15, 2015 following the Ellis Bridal Expo.

Roll call: Commissioners Cullick, Gilmour, Gryder, Koukol, Prochaska, Purcell, and Shaw, aye. Opposed, Commissioner Davidson.

**XII. Motion approving a time extension for the Ellis House Boarding Agreement at an Additional Monthly Boarding Rate of \$300.00.**

Commissioner Cullick made a motion to approve a time extension for the Ellis House Boarding Agreement at an additional monthly boarding rate of \$300.00. Seconded by Commissioner Gilmour.

Director Guritz stated that the first extension on the agreement had expired at the end of April, requesting a minimum extension of an additional two weeks to allow time for the boarder to make alternate arrangements.

Commission discussed the timeframe and need for the extension, and capacity of the facility to accommodate the horses present.

Commissioner Gryder made a motion amending the original motion on the table to allow for an extension of the agreement until the end of June. Seconded by Commissioner Cullick.

Roll call: Commissioners, Gilmour, Gryder, Prochaska, and Cullick, aye. Opposed, Commissioners Koukol and Purcell. Commissioner Shaw abstained. Motion carried by a vote of five to three to one.

Commissioner Cullick stated the approved motion on the table for consideration is to approve a time extension of the Ellis House Boarding Agreement at an additional monthly boarding rate of \$300.00 through the end of June, 2015.

Roll call: Commissioners Davidson, Gilmour, Gryder, Koukol, Prochaska, Shaw, and Cullick, aye. Opposed, Commissioner Purcell. Motion carried.

**XIII. Motion approving the reassignment of President Wehrli from the District's Programming and Events Committee to the District's Finance Committee, with concurrent reassignment of Commissioner Prochaska from the District's Finance Committee to the District's Programming and Events Committee.**

Commissioner Cullick made a motion approving the reassignment of President Wehrli from the District's Programming and Events Committee to the District's Finance Committee, with concurrent reassignment of Commissioner Prochaska from the District's Finance Committee to the District's Programming and Events Committee. Seconded by Commissioner Shaw.

Commissioner Cullick reported that President Wehrli has requested assignment to the District's Finance Committee. Commissioner Cullick asked for clarification from State's Attorney Weis regarding whether it would be a violation of the Open Meetings Act to allow President Wehrli to serve as an additional Committee member, which would increase committee participation to six members.

State's Attorney Weis stated that it would not necessarily be a violation of the Open Meetings Act per se, but the sixth member would constitute a majority of a quorum present, violating the provisions for working committees.

Commissioner Prochaska inquired whether a sixth member could be present as an ex-officio member, or whether five members presented constituted a majority of a quorum present.

State's Attorney Weis stated that six constitutes the majority of a quorum present per the rules as written, and a sixth commissioner present at a committee meeting would constitute a majority of a quorum present.

Commissioner Davidson stated he did not wish to see the Finance Committee lose Commissioner Prochaska from its membership, stating that President Wehrli made the appointments, and this decision should stand.

Commissioner Purcell expressed an interest in serving on the Finance Committee, suggesting that Finance Committee meetings be conducted as part of Committee of the Whole meetings.

Commissioner Cullick withdrew her motion, and Commissioner Shaw withdrew his second of the motion to allow for further discussion at an upcoming Committee of the Whole meeting.

#### **XIV. Executive Session**

Commissioner Shaw made a motion to enter into executive session under 2(c)5 of the Open Meetings Act to discuss the purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. Seconded by Commissioner Davidson.

Roll call: Commissioners Cullick, Gilmour, Gryder, Koukol, Prochaska, Purcell, and Shaw, aye. Opposed, Commissioner Davidson. Executive session called to order at 6:58 pm.

Commissioner Davidson made a motion to reconvene the regular meeting. Seconded by Commissioner Prochaska. Regular meeting reconvened at 7:28 pm.

#### **XV. Other Items of Business**

None.

#### **XVI. Adjournment**

Commissioner Davidson made a motion to adjourn. Seconded by Commissioner Gilmour. All, aye. Meeting adjourned at 7:30 pm.

Respectfully submitted,

David Guritz  
Director, Kendall County Forest Preserve District

**KENDALL COUNTY FOREST PRESERVE DISTRICT  
COMMISSION MEETING MINUTES**

**MAY 19, 2015**

**I. Call to Order**

President Wehrli called the meeting to order at 9:00 a.m. in the Kendall County Board Room.

**II. Pledge of Allegiance**

All present recited the Pledge of Allegiance.

**III. Invocation**

Commissioner Prochaska offered an invocation for the meeting.

**IV. Roll Call**

Commissioners Cullick, Davidson, Gilmour, Gryder, Koukol, Prochaska, Shaw, and Wehrli all were present.

**V. Approval of Agenda**

Commissioner Gryder made a motion to approve the agenda as presented. Seconded by Commissioner Prochaska. All, aye. Opposed, none. Motion passed unanimously.

**VI. Citizens to be Heard**

No public comments were offered.

**VII. Approval of Minutes for the April 21, 2015 and May 5, 2015  
Commission Meetings, and April 30, 2015 Finance Committee Meeting**

Commissioner Cullick made a motion to approve the meeting minutes for the Commission meetings minutes held on April 21, 2015 and May 5, 2015, and the Finance Committee meeting held on April 30, 2015. Seconded by Commissioner Gilmour. All, aye. Opposed, none. Motion passed unanimously.



**VIII. Approval of Claims in an amount not-to-exceed \$15,852.97**

Commissioner Cullick made a motion to approve the claims list in the amount of \$15,852.97. Seconded by Commissioner Gryder.

Roll call: Commissioners Davidson, Gilmour, Gryder, Koukol, Prochaska, Shaw, Cullick and Wehrli, aye. Opposed, none.

Commissioner Purcell and Commissioner Flowers arrived at 9:03 am.

**IX. Motion approving the reassignment of President Wehrli from the District's Programming and Events Committee to the District's Finance Committee, with concurrent reassignment of Commissioner Prochaska from the District's Finance Committee to the District's Programming and Events Committee.**

Commissioner Cullick made a motion to approve the reassignment of President Wehrli from the District's Programming and Events Committee to the District's Finance Committee, with concurrent reassignment of Commissioner Prochaska from the District's Finance Committee to the District's Programming and Events Committee. Seconded by Commissioner Gilmour.

Commissioner Purcell requested consideration that the Finance Committee be restructured to allow for full board participation.

President Wehrli stated he was open to discussing the matter further, but the question on the table is the question of committee reassignments.

Commissioner Purcell questioned whether Commissioner Prochaska was receptive to the reassignment. Commissioner Prochaska responded that while he would like to remain on the Finance Committee, the Open Meetings Act prohibits more than five Commissioners serving on the committee, and that he had made a commitment to President Wehrli to support the reassignment.

Commissioner Davidson stated that it is often a challenge securing three representatives to hold the committee meetings. Restructuring the committee for full board participation could lead to issues with establishing a quorum for meetings. Commissioner Davidson stated he would not support the change because of Commissioner Prochaska's contributions to the committee.

Commissioner Shaw concurred with Commissioner Davidson's observations on the difficulty of establishing a quorum for meetings requiring full board participation, and questioned Commissioner Purcell on his objections to the change.

Commissioner Purcell stated that he wanted to support Commissioner Prochaska's expressed interests in continuing to serve on the committee. Understanding that Commissioner Prochaska is committed to supporting the change, he has no problems with the reassignment.

Roll call: Commissioners Gryder, Koukol, Prochaska, Purcell, Shaw, Cullick, Flowers, Gilmour, and Wehrli, aye. Opposed, Commissioner Davidson.

**X. Motion approving the temporary closing of public access to Millbrook Bridge for an indefinite period, pending completion of necessary repairs or improvements recommended by the structural engineer for public safety.**

Commissioner Shaw made a motion to approve the temporary closing of public access to Millbrook Bridge for an indefinite period, pending completion of necessary repairs or improvements recommended by the structural engineer for public safety. Seconded by Commissioner Gryder.

Director Guritz stated that he had received correspondence from Millbrook's Village President Jackie Kowalski, and that the item is posted for discussion on their May 26 agenda, which he and President Wehrli plan to attend.

Director Guritz stated that if the bridge is closed, an access barrier and signage will need to be installed.

President Wehrli stated that the bridge is important to the Village of Millbrook and Kendall County history, and work is underway to explore options for securing funding to the needed restoration and improvements.

Commissioner Davidson requested clarification on the load limit of 35 pounds per square foot. President Wehrli stated that this was the figure presented in the engineer's inspection report.

Commissioner Gilmour stated she support the decision to close the bridge based on the report.

Commissioner Koukol concurred, adding that the District's grant consultant is researching potential funding sources, and that this issue needs to be placed on the front burner.

Commissioner Gryder agreed that closure of the bridge is prudent based on the report.

Commissioner Purcell inquired whether it has been confirmed that the District owns the bridge, and whether Millbrook would be interested in taking possession. Director Guritz stated that Millbrook owns the approach to the bridge, and that changes in corporate limits may impact which municipality has jurisdiction over the Dobson Road right-of-way, which will help determine whether there is an opportunity for connectivity to Millbrook North Forest Preserve.

President Wehrli confirmed that the District's first step is to establish connectivity as a prerequisite for submission of applications for grant support funding.

Roll call: Commissioners Davidson, Flowers, Gilmour, Gryder, Koukol, Prochaska, Purcell Shaw, Cullick, and Wehrli, aye. Opposed, none. Motion unanimously approved.

**XI. Motion approving a policy and application for waiving facility rental and event permit fees.**

Commissioner Cullick made a motion to approve a policy and application for waiving facility rental and event permit fees. Seconded by Commissioner Shaw.

Commissioner Purcell inquired into how this policy would impact any previous requests for refunds.

Director Guritz stated that this policy would not affect past requests, but would put in place requirements for submission of request in advance of the date of the event to provide enough lead time for consideration, and require applicants to consider a percentage of discount for their requests.

Commission discussed the procedures in place for considering these requests.

Roll call: Commissioners Davidson, Flowers, Gilmour, Gryder, Koukol, Prochaska, Purcell Shaw, Cullick, and Wehrli, aye. Opposed, none. Motion unanimously approved.

**XII. Motion approving a tree removal proposal from Busted Knuckles Landscaping, LLC in the amount of \$1,900 for the removal of seven total trees from Subat Forest Preserve and Shuh Shuh Gah canoe launch area.**

Commissioner Cullick made a motion to approve a tree removal proposal from Busted Knuckles Landscaping, LLC in the amount of \$1,900 for the removal of seven total trees from Subat Forest Preserve and Shuh Shuh Gah canoe launch area. Seconded by Commissioner Flowers.

Commissioner Davidson inquired into whether the appropriate insurance coverage would be requested. Director Guritz stated that a certificate of insurance would be received prior to commencement of work. Commissioner Koukol added that this company had bid the tree removal project earlier this year, and carried the required coverage.

Commissioner Purcell inquired into whether this would be coded to capital or operations. Director Guritz stated that this should be expended from the operating budget, from either preserve improvements, or transfer of contingency.

Roll call: Commissioners Davidson, Flowers, Gilmour, Gryder, Koukol, Prochaska, Purcell Shaw, Cullick, and Wehrli, aye. Opposed, none.

**XIII. Motion approving a proposal from Upland Design, Inc., in the amount of \$3,880.00 for the development of an updated site concept plan and budget for Henneberry Forest Preserve improvements.**

Commissioner Cullick made a motion to approve a proposal from Upland Design, Inc., in the amount of \$3,880.00 for the development of an updated site concept plan and budget for Henneberry Forest Preserve improvements. Seconded by Commissioner Flowers.

President Wehrli stated that this is the first step needed to pull together the application for the upcoming OSLAD grant cycle.

Director Guritz stated that he would be meeting with Michelle Kelly of Upland Design to review the initial site plan, and work to schedule the forums for receiving public input on the revised plan.

Commissioner Davidson stated that one of the challenges will be the cost for extending Cherry Road to forest preserve boundaries. President Wehrli stated that he would be speaking with the Nau-Au-Say Township Highway Commissioner to request support of the road extension.

Commissioner Purcell inquired into whether the contract would be paid from the capital project fund or from the operating fund. Director Guritz stated that the contract would be paid from the capital project fund.

Director Guritz stated that Upland Design will present the concept plan to Commission for input and consideration, and that upcoming Commission meetings can be included as part of the process and venue for receiving public input.

Roll call: Commissioners Davidson, Flowers, Gilmour, Gryder, Koukol, Prochaska, Purcell Shaw, Cullick, and Wehrli, aye. Opposed, none.

#### **XIV. Motion to consider the cancellation of all 2015 Alliance Live Action Role Play-Chicago Chapter reservations at Hoover Forest Preserve for violations of the District's General Use Ordinance.**

Commissioner Cullick made a motion to cancel all 2015 Alliance Live Action Role Play-Chicago Chapter reservations at Hoover Forest Preserve for violations of the District's General Use Ordinance. Seconded by Commissioner Purcell.

President Wehrli provided an overview of recent property damage and preserve use impacts associated with this group's past reservations.

Director Guritz provided an overview of the group's 2015 reservations, and alternatives for addressing pending and future reservations. Five reservations are scheduled for the remainder of the year.

Commissioner Davidson inquired into whether we had spoken with the group. Director Guritz stated that he had discussed this issue with the chapter's representative.

Commissioner Gryder inquired into whether the group had offered to pay for the damage. Director Guritz stated that the group did offer to pay for the new stove, and the District will be retaining the \$100 security deposit. If the group is allowed to return to the site, payment for the full cost for replacement prior to their next reservation will be required.

Commission discussed the options for the group's future reservations. Commissioner Gilmour stated the group had abused its privileges, and was in favor of cancelling the remaining reservations for the year.

Commissioner Purcell inquired into whether we had returned their deposit. Director Guritz stated that their deposit had not been returned at this point.

Roll Call: Commissioners Prochaska, Purcell, Shaw, Cullick, Davidson, Flowers, Gilmour, Gryder, Koukol, and Wehrli, aye. Opposed, none.

**XV. Executive Session**

None.

**XVI. Other Items of Business**

Director Guritz reported that the ACTHA trail horse challenge event had been cancelled due to weather and horse health considerations.

**XVII. Adjournment**

Commissioner Cullick made a motion to adjourn. Seconded by Commissioner Gryder. Aye, all. Opposed, none. Meeting adjourned at 9:43 am.

Respectfully submitted,

David Guritz  
Director, Kendall County Forest Preserve District

**KENDALL COUNTY FOREST PRESERVE DISTRICT  
FINANCE COMMITTEE MEETING MINUTES**

**JUNE 14, 2017**

**I. Call to Order**

Committee Chairman Cullick called the meeting to order at 4:45 pm in the Kendall County Board Room.

**II. Roll Call**

Commissioners Davidson, Gilmour, and Cullick all were present.

**III. Approval of Agenda**

Commissioner Gilmour made a motion to approve the agenda as presented. Seconded by Commissioner Davidson. All, aye. Opposed, none.

**IV. Citizens to be Heard**

No public comments were offered by those in attendance.

**V. Approval to Forward Claims in an Amount Not-to-Exceed \$614,911.76.**

Commissioner Gilmour made a motion to forward claims to Commission in an amount not-to-exceed \$614,991.76. Seconded by Commissioner Davidson.

The Finance Committee reviewed the claims list.

Commissioner Davidson inquired into claim #291 for Ed Bell, Bellfry Bees. Director Guritz stated that the claim is for presentations as part of the District's "Bug Fest" school field trip programming.

Commissioner Davidson inquired into claim #294 for the Forest Foundation. Director Guritz stated that the claim amount represents a pass through to the Forest Foundation for the Henry Weidman memorial fund to support environmental education programming.

The Finance Committee discussed the future possibility of the District to accept endowment fund contributions to support District projects. Director Guritz reported that there is no reason the District would not be able to accept restricted contributions in the future. Director Guritz reported that the transfer to the Forest Foundation will keep all memorial fund received in one restricted account.

Chairman Cullick called the question. All, aye. Opposed, none.

## **VI. Review of Financial and Income Statements through May 31, 2017**

The Finance Committee reviewed the Financial and Income Statements through May 31, 2017.

Budget Coordinator Latreese Caldwell provided an overview of the District's budget performance for the current fiscal year.

Ms. Caldwell reported the following:

Current revenues are down by \$92K representing lower amounts received for farm license revenue, and lower year-to-date property tax collections.

Expenditures are higher in the current fiscal year by \$54K attributed to higher salary costs \$20K Ellis; \$18K Hoover; \$15K Environmental Education.

Overall, the District is down approximately \$55K over last year, primarily attributed to timing for receipt of tax and farm license revenues.

Commissioner Cullick thanked Latreese Caldwell for pulling these informational reports together.

Director Guritz reported that equestrian center revenues are down considerably, particularly with summer camp enrollments. This is concerning considering the expanded marketing efforts put in place for the current year. Director Guritz stated that more effort is needed in the area of target marketing for equestrian center programming. Director Guritz stated that overall, the District is down by a net of \$3,500 for the year.

Director Guritz stated that changing over to session-based scheduling should help with improving the organization of equestrian center programming.

Commissioner Cullick recommended focusing efforts to cross-promote District programs with other large community events.

The Finance Committee discussed the possibility of cancelling the second Finance Committee meeting in June.

Commissioner Davidson expressed concerns over the increase in personnel expenditures for Hoover Forest Preserve and Ellis House and Equestrian Center.

Director Guritz explained that for Hoover, one full-time staff member was on worker's compensation leave, which was paid off at the end of the last fiscal year.

Director Guritz explained that for Ellis, salaries are higher in part due to expenses for support of Sunrise Center North operations offset by the monthly lease payments.



The Finance Committee discussed facility rental performance for Ellis and Hoover for the year. Director Guritz reported that facility rentals are both up in the current fiscal year. The website marketing presences are beginning to generate leads and tours.

#### **VII. GRAINCO, FS 2017-2018 Prepay Propane Supply Agreement and 2016-2017 Prepaid Contract Refund**

The Finance Committee reviewed the proposed pre-pay propane contract for Ellis House and Harris Forest Preserve for 2017-2018.

Director Guritz stated that the District's propane use refund from the 16-17 contract is just over \$800.00.

The Finance Committee discussed the contract savings and usage, suggesting that the District retain the propane volume at the 16-17 cost for the upcoming year.

Commissioner Davidson offered to contact GRAINCO, FS to request that the unused gallons for 2016-2017 be applied towards the 2017-2018 total estimated usage rather than applying a refund to the 2017-2018 contract balance, and will report back to the Finance Committee at the second meeting in June.

#### **VIII. Executive Session**

None.

#### **IX. Other Items of Business**

Rich Ryan with Wine-Sergi Insurance, Inc. presented updated recommendations for the District's Preferred Catering Program. The revised recommendations are more in line with the State's Attorney's Office recommendations, which will be presented to the Board for approval at the upcoming Commission meeting.

Steve Megginson with HLR Engineering presented an overview of permitting progress for work to be performed on Millbrook Bridge. This included an overview and drawing showing a two-phase approach for dewatering sections of the Fox River for access using coffer dams.

The Finance Committee discussed the equipment access approach to the bridge infrastructure, and Illinois Historic Preservation Agency requirements. The IHPA public review process will require 6-9 months to complete and include a public hearing, and generation of options that could include selling the structure to an interested third party, or possibly deconstructing and reconstructing bridge spans at an alternate location.

Director Guritz asked whether the IHPA public review process is included within the approved HLR Engineering contract. Mr. Megginson stated that all costs are included within the current contract.

Director Guritz asked for clarification on the most cost effective approach for construction, or deconstruction activities. Mr. Megginson stated that the most cost effective approach is to access the bridge from both approaches. Approaching the bridge with equipment from the northwest approach only will increase costs for conducting in-stream coffer dam approaches into two phases.

The Finance Committee discussed options, providing direction to present an overview of permit approaches to the Committee of the Whole at the July meeting in order to provide direction to HLR Engineering.

Commissioner Davidson suggested that if the District demolishes the structure, the piers should be left standing to save costs and reduce environmental impact.

Mr. Megginson reported that the proposed acquisition of the Little Rock Creek Forest Preserve would serve as mitigation to possible impacts to State listed fish species known to occur in the project area.

The Finance Committee discussed the WIPFLI CPAs proposal for FY 16-17 auditing services. Director Guritz stated that the cost needs to include a single-audit for the current LWCF-OSLAD grant for the proposed Little Rock Creek acquisition project. Director Guritz stated that the District can follow suit with approval of the District's share of the audit costs following approval by the County Board.

The Finance Committee discussed other items of business, providing direction to post the following items to the upcoming Commission meeting agenda approval:

1. Preferred Caterers Program insurance coverage recommendations.
2. Endowment fund ordinance.
3. Rules of Order for the Kendall County Forest Preserve District
4. Ellis Equestrian Center lesson session schedule and prorated lesson package pricing.
5. Annual sponsorship program framework and policies.
6. Community Forestry grant project application.
7. Volunteer Stewardship Network – Illinois Nature Preserves Commission grant application.

The Finance Committee discussed the possibility of changing the regular meeting date for the first Finance Committee meeting and Committee of the Whole meeting to the second Tuesday of each month in order to better accommodate the schedules for Commissioners.

## **X. Citizens to be Heard**

No public comments were offered by those in attendance.

## **XI. Adjournment**

Commissioner Davidson made a motion to adjourn. Seconded by Commissioner Gilmour. All, aye. Opposed, none. Meeting adjourned at 6:48 pm.

Respectfully submitted,

David Guritz  
Executive Director, Kendall County Forest Preserve District

1981

Plans are currently being made for the construction of a new bridge to be located approximately 0.7 miles northwest of Millbrook, Illinois. (See attached location map). The narrow roadway clearance, limited load rating and the hazardous approach curves of the existing bridge has prompted the need for a new facility.

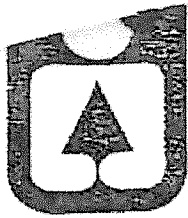
Locally known as the "Millbrook Bridge", the existing aged steel-trussed three span structure presently carries Whitfield Road (Township Road No. 24) over the Fox River. Due to the age and structural characteristics of the bridge, this report is being presented in accordance with the National Register Criteria guidelines (36 C.F.R. Part 800.10) to determine whether the subject structure is eligible for the National Register.

Constructed in 1897, the bridge is a product of the Bridge and Iron Company of Bellefontaine, Ohio. The structure is of the Pratt steel truss variety consisting of a wood plank deck with stone piers and abutments. The bridge is not entirely original in nature. A third span of a riveted truss construction and a concrete abutment was built in 1957 after the bridge was partially washed out by an unusual flood. A thin layer of bituminous paving also covers the wooden deck which is made up of 2 x 4 planks on edge. The present structure measures approximately 400 feet in total length and is 15'-8" wide, carrying a single lane roadway.

The technological design of the bridge, common at the turn of the century, is relatively unique, however, this type of structure is not the only one of its kind along the Fox River. Approximately 18 miles downstream from the Millbrook crossing a similar type of structure spans the Fox River at Wedron, Illinois, although it is no longer in use. The aesthetic value of the Millbrook structure with its surrounding rural setting will be adversely effected with the development of residential subdivisions which are either presently under construction or proposed along the east bank of the river. The subject bridge has no particular relevance to any specific historical person or event. With the structure's steel truss having been completely shop fabricated and erected by unskilled laborers, the bridge does not represent the work of an architectural or technological master. Although

canoeists utilize the area to the east of the existing bridge for launching, other sites along the river also serve the recreational needs of canoeists and fishermen as well. In addition, a 500 foot lot campground is proposed within 1 1/2 miles of the present bridge site.

Illinois



Department of Conservation

life and land together

608 WM. G. STRATTON BUILDING • 400 SOUTH SPRING STREET • SPRINGFIELD 62706  
CHICAGO OFFICE - ROOM 100, 100 NO. LASALLE 60601  
David Kenney, Director • James C. Helfrich, Assistant Director

January 16, 1981

Mr. M. J. Macchio  
IL Department of Transportation  
2300 South Dirksen Parkway  
Springfield, IL 62764

RE: TR 24 over Fox River  
Section 80-03112-00-BR  
Randall County  
SAI# 79120541

Dear Mr. Macchio:

The Department of Conservation staff archaeologist has reviewed the plans for the above proposed project.

It has been determined that the project will not affect any archaeological resources subject to protection under Section 106 of the Historic Preservation Act of 1966 or Section 4 (f) of the Department of Transportation Act of 1966.

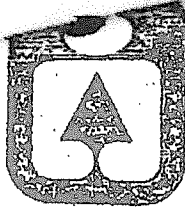
Sincerely,

David Kenney  
State Historic Preservation  
Officer

DK/LSA

cc: Earl Bowman  
T. E. Hornbacker

Illinois



# Department of Conservation

life and land together

605 WM. G. STRATTON BUILDING • 400 SOUTH SPRING STREET • SPRINGFIELD 62708  
CHICAGO OFFICE - ROOM 100, 180 NO. LASALLE 60601  
David Kenney, Director • James C. Helfrich, Assistant Director

May 18, 1981

DA	
ADA	
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MCS	<i>[Signature]</i>

Mr. Jay W. Miller  
Division Administrator  
U. S. Department of Transportation  
Federal Highway Administration  
Region 5  
320 W. Washington  
Springfield, Illinois 62701

Attn: Lionel H. Wood

Dear Mr. Miller:

We have reviewed the documentation provided by your office concerning the Millbrook Bridge over the Fox River in Kendall County.

We concur with your determination that this structure lacks sufficient integrity for National Register eligibility.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended.

Sincerely,

David Kenney  
State Historic  
Preservation Officer

DK/AM/lw

RECEIVED  
MAY 22 1981  
Illinois Division  
Springfield, Illinois



U.S. DEPARTMENT OF TRANSPORTATION  
 FEDERAL HIGHWAY ADMINISTRATION  
 REGION 3  
 Illinois Division  
 320 West Washington Street  
 Springfield, Illinois 62701

*756-2*  
*Burr SR*

IN REPLY REFER TO: HD-IL

June 2, 1981

DEPT. OF TRANSPORTATION  
**RECEIVED**

JUN 2 1981

BUREAU OF LOCATION  
 AND ENVIRONMENT

Mr. H. W. Monroney, Director of Highways  
 Illinois Department of Transportation  
 2300 South Dirksen Parkway  
 Springfield, Illinois 62764

Attention: Mr. M. J. Macchio  
 Engineer of Location and Environment

Dear Mr. Monroney:

Subject: Millbrook Bridge over Fox River  
 Section 80-03112-00-BR  
 Kandall County

Reference is made to your April 7, 1981 letter regarding the report on the eligibility of the subject structure being included on the National Register of Historic Places.

The report has been reviewed by both our office and the State Historic Preservation Officer. As shown in the report, two of the three original spans are still present, but the third span was replaced in 1957 after the bridge had been damaged in a flood.

The structure might possibly be considered eligible for inclusion in the National Register of Historic Places if it were intact. However, the structure modification necessitated by the flood damage has diminished the integrity of the structure and the context required of a National Register property. Therefore, the determination has been made that this structure is ineligible to be included on the National Register of Historic Places.

Sincerely yours,

*Donald P. Steinke*

Donald P. Steinke  
 District Engineer

For: Jay W. Miller  
 Division Administrator

Encl.





U.S. Department  
of Transportation  
Federal Highway  
Administration

Region 5  
Illinois Division

320 West Washington Street, Room 700  
Springfield, Illinois 62701

LET  
GET

October 1, 1985

HC-IL

Mr. H. W. Monroney, Director of Highways  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield, Illinois 62764

Attention: Mr. Melvin W. Smith  
Acting Engineer of Local Roads and Streets

Dear Mr. Monroney:

Subject: Illinois Project BR-DS-093(4)  
Section 80-03112-00BR  
Bridge No. 047-03121  
Kendall County

During a bridge hydraulics review conducted by our Washington office on September 17, 1985, it was noted that the existing truss bridge that was to be removed per the project agreement for the above project had not been removed. In fact, it was observed during this inspection that this bridge was being cleaned and painted and were advised by District representatives that its removal had been deleted from the above project.

We are concerned that this deficient bridge has not been removed from both the standpoint of safety as well as hydraulic design. Use of Highway Bridge Replacement and Rehabilitation Program (HBRRP) funds requires the total replacement of the structurally deficient or functionally obsolete bridge per Section 605.405(b) (1) of 23 CFR. Failure to remove this structure violates the purpose of the HBRRP. In addition, the hydraulic design of the replacement structure was based on removal of the existing bridge. Leaving this structure in place changes the hydraulic characteristics at this location and overrides the hydraulic design of the new bridge.

The existing deficient structure should be removed. Because of the above reasons we do not see why it was not removed as part of the HBRR project. Therefore, we request information, including documentation, on the deletion of its removal from the contract and justification of why it was not removed. In addition, we request information on the disposition of this bridge. We request a response on this by October 15, 1985.

Sincerely yours,



Frank L. Grabski  
Division Bridge Engineer

For: Jay W. Miller  
Division Administrator

STATE OF ILLINOIS        )  
                                  ) SS.  
COUNTY OF KENDALL     )

200400011958  
Filed for Record in  
KENDALL COUNTY, ILLINOIS  
PAUL ANDERSON  
03-10-2004 At 01:09 PM.  
AGREEMENT           22.00

**INTERGOVERNMENTAL AGREEMENT BETWEEN FOX TOWNSHIP, FOX  
TOWNSHIP ROAD COMMISSIONER AND THE KENDALL COUNTY FOREST  
PRESERVE DISTRICT TRANSFERRING OWNERSHIP OF  
THE OLD WHITFIELD ROAD BRIDGE**

Prepared by & return to:  
Law Offices of Daniel J. Kramer  
1107A S. Bridge St.  
Yorkville, IL 60560  
630.553.9500

STATE OF ILLINOIS        )  
                                  )ss  
COUNTY OF KENDALL     )

September 24, 2002

**INTERGOVERNMENTAL AGREEMENT BETWEEN FOX TOWNSHIP, FOX  
TOWNSHIP ROAD COMMISSIONER AND THE KENDALL COUNTY FOREST  
PRESERVE DISTRICT TRANSFERRING OWNERSHIP OF  
THE OLD WHITFIELD ROAD BRIDGE**

THIS AGREEMENT is made this 14<sup>th</sup> day of October of 2002, between the FOX TOWNSHIP, hereinafter referred to as the "TOWNSHIP", FOX TOWNSHIP HIGHWAY COMMISSIONER, hereinafter referred to as "Commissioner" and KENDALL COUNTY FOREST PRESERVE DISTRICT, hereinafter referred to as the "COUNTY".

WHEREAS, the Illinois Constitution provides that units of local government may contract to share services and perform capital improvements through intergovernmental agreements, Ill. Const., Art. VII Sec. 10 (1970); and

WHEREAS, Illinois statutes provide that public agencies may share power through intergovernmental agreements, (5 ILCS 220/1 (20002) et. seq.); and

WHEREAS, the TOWNSHIP and the COMMISSIONER are units of Local Government, Ill. Const., Art. VII, Sec. 1, and a public agency, (5 ILCS 220/1)(2002) and the COUNTY is a unit of local government, Ill. Const. Art. VII, Sec. 1, and a public agency, (5 ILCS 220/1); and

WHEREAS, the TOWNSHIP and the COUNTY deem it in the best interests of the community to transfer ownership of the portion of Old Whitfield Road and the Historic Bridge over the Fox River described in the attached Exhibit "A" incorporated herein by reference to the COUNTY.

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING AND OTHER MUTUAL COVENANTS HEREINAFTER CONTAINED, THE PARTIES HERETO AGREE AS FOLLOWS:

1. The above stated recitals are incorporated herein as if set forth verbatim.
2. The COUNTY will be responsible for the maintenance, operation and all related duties in connection with the subject property right-of-way and maintenance of the Historic Bridge thereon.
3. The COUNTY will be permitted to use its independent judgment with regards to the maintenance, repair, or removal of the bridge upon its transfer to the DISTRICT.
4. This agreement shall be construed in accordance with the law and Constitution of the State of Illinois and if any provision is invalid for any reason such invalidation shall not render invalid other provisions which can be given effect without the invalid provision.

IN WITNESS WHEREOF, the undersigned duly authorized representatives of the TOWNSHIP and the COUNTY have caused this Agreement to be executed.

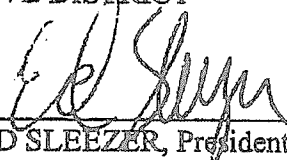
FOX TOWNSHIP

By:   
JIM FRIEDICH, Supervisor

Attest:

By:   
Fox Township Clerk

KENDALL COUNTY FOREST PRESERVE DISTRICT

By:   
ED SLEEZER, President

Attest:

By:   
County Clerk

Dated: 10-14-02

Dated: 10-16-02

FOX TOWNSHIP ROAD COMMISSIONER

By: Bradley H. Mathre  
BRAD MATHRE

Dated: 10-14-02

Law Offices of Daniel J. Kramer  
1107A South Bridge Street  
Yorkville, Illinois 60560  
630-553-9500

## LEGAL DESCRIPTION

## Tract One:

That part of the Southwest Quarter of Section 9, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Eastmost Corner of Lot 27 in "Foxhurst of Millbrook, Unit Five, Fox Township, Kendall County, Illinois"; thence North  $50^{\circ}31'35''$  West, along the South Line of Valley Lane (formerly Whitfield Road), 105.0 feet to an angle point in said South Line; thence North  $33^{\circ}57'45''$  East, 30.14 feet to an angle point in the centerline of said Valley Lane (formerly Whitfield Road) for a point of beginning; thence North  $33^{\circ}57'45''$  East, 30.14 feet to the North Line of said Valley Lane (formerly Whitfield Road); thence North  $61^{\circ}32'55''$  West, along said North Line, 212.49 feet to an angle point in said North Line; thence North  $76^{\circ}32'55''$  West, along said North Line, 35.59 feet to the East Bank of the Fox River; thence South  $14^{\circ}54'20''$  West, along said East Bank, 30.01 feet to said centerline of Valley Lane (formerly Whitfield Road); thence South  $76^{\circ}32'55''$  East, along said centerline, 32.40 feet to an angle point in said centerline; thence South  $61^{\circ}32'55''$  East, along said centerline, 205.64 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 0.1674 acre.

## Tract Two:

That part of the Southwest Quarter of Section 9, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Eastmost Corner of Lot 27 in "Foxhurst of Millbrook, Unit Five, Fox Township, Kendall County, Illinois"; thence North  $50^{\circ}31'35''$  West, along the South Line of Valley Lane (formerly Whitfield Road), 105.0 feet to an angle point in said South Line for a point of beginning; thence North  $61^{\circ}32'55''$  West, along said South Line, 198.80 feet to an angle point in said South Line; thence North  $76^{\circ}32'55''$  West, along said South Line, 29.21 feet to the East Bank of the Fox River; thence North  $14^{\circ}54'20''$  East, along said East Bank, 30.01 feet to said centerline of Valley Lane (formerly Whitfield Road); thence South  $76^{\circ}32'55''$  East, along said centerline, 32.40 feet to an angle point in said centerline; thence South  $61^{\circ}32'55''$  East, along said centerline, 205.64 feet to a point on a line drawn North  $33^{\circ}57'45''$  East from the point of beginning; thence South  $33^{\circ}57'45''$  West, 30.14 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 0.1605 acre.

## Tract Three:

That part of the Southwest Quarter of Section 9, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of said Southwest Quarter; thence North  $89^{\circ}45'49''$  East, along the North Line of said Southwest Quarter, 57.62 feet to an iron stake in the centerline of Valley Road (formerly Whitfield Road); thence South  $15^{\circ}30'36''$  East, along said centerline, 30.0 feet for a point of beginning; thence South  $74^{\circ}29'24''$  West, 30.0 feet to the West Line of Valley Road (formerly Whitfield Road);

thence South  $15^{\circ}30'36''$  East, along said West Line, 318.81 feet; thence Southerly, along said West Line being a tangential curve to the right with a radius of 1023.0 feet, an arc distance of 293.12 feet; thence South  $00^{\circ}54'25''$  West, along said West Line being tangent to the last described course, 196.59 feet; thence Southerly, along said West Line being a curve to the left with a radius of 380.0 feet, an arc distance of 88.07 feet to the Northeasterly Line of Whitfield Road; thence North  $58^{\circ}47'31''$  East, 5.0 feet to a point on a line which is concentric with and 50.0 feet Northeasterly of the centerline of Whitfield Road; thence Southeasterly, along a curve to the left with a radius of 1382.40 feet and a chord bearing of South  $37^{\circ}47'53''$  East being concentric with and 50.0 feet Northeasterly of the centerline of Whitfield Road, an arc distance of 318.0 feet to the West Bank of the Fox River; thence Northerly, along said West Bank, 695.0 feet to the South Line of a Tract (as occupied and monumented) conveyed to Walter and Lilly Jonas by Warranty Deed recorded in Book 81 at Page 229 on June 14, 1928; thence South  $83^{\circ}55'20''$  West, 49.50 feet to an iron stake at the Southwest Corner of said Jonas Tract; thence North  $16^{\circ}04'40''$  West, 227.86 feet to an iron stake on the West Line of said Jonas Tract; thence North  $18^{\circ}09'08''$  West, 226.65 feet to an iron stake on the West Line of said Jonas Tract; thence North  $15^{\circ}54'42''$  West, along the West Line of said Jonas Tract, 44.46 feet to a line drawn North  $74^{\circ}29'24''$  East from the point of beginning; thence South  $74^{\circ}29'24''$  West, 0.21 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 1.6329 acres.



**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE UNITED STATES ARMY CORPS OF ENGINEERS,  
ROCK ISLAND DISTRICT  
AND THE  
ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
MILLBROOK BRIDGE REMOVAL PROJECT  
LOCATED IN  
KENDALL COUNTY, ILLINOIS**

**WHEREAS**, in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers, Rock Island District (District) proposes to grant a permit (CEMVR-OD-2018-0277) in accordance with Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344) to the Kendall County Forest Preserve District to remove the Millbrook Bridge over the Fox River in Millbrook, Kendall County, Illinois; and,

**WHEREAS**, the Corps has consulted with the Illinois State Historic Preservation Office (SHPO) pursuant to 36 CFR 800.2(c)(1) and has come to an agreement on the project Area of Potential Effects (hereinafter, APE) pursuant to 36 CFR 800.4(a)(1), (Appendix A); and,

**WHEREAS**, the District has defined the undertaking's area of potential effect (hereafter, "APE") as the Permit Area (see Appendix A) in accordance with 33 CFR Part 325, Appendix C; and,

**WHEREAS**, the Millbrook Bridge was recommended as eligible for listing on the National Register of Historic Places by the IL SHPO June 17, 2017; and,

**WHEREAS**, the District has determined that the proposed demolition project on the Millbrook Bridge constitutes an adverse effect; and,

**WHEREAS**, the SHPO concurred with the District's recommendations regarding the adverse effects to the Millbrook Bridge by letter dated \_\_\_\_\_; and,

**WHEREAS**, the District has consulted with the Kendall County Forest Preserve District (Forest Preserve) regarding the effects of the Undertaking and has invited the Forest Preserve to sign this Memorandum of Agreement (MOA) as a Concurring party; and,

**WHEREAS**, the District has determined, and SHPO concurs that the proposed demolition of the Millbrook Bridge constitutes an Adverse Effect; and

**WHEREAS**, all parties mutually agree that there is no prudent or feasible alternative to the project as originally proposed, and

**WHEREAS**, in accordance with 36 CFR § 800.6(a)(1), the District has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation and the ACHP has chosen *to / not to* participate in the consultation pursuant to 36CFR§ 800.6(a)(1)(iii); and

**NOW, THEREFORE**, the District and the Illinois SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

### **STIPULATIONS**

#### **I. TERMS**

- A. The Corps shall ensure that issuance of Permit No. CEMVR-OD-P-2018-0277 to Kendall County Forest Preserve District is withheld until this Memorandum of Agreement (MOA) has been executed by all signatories.
- B. The Millbrook Bridge will be documented in accordance with Level III IL HABS/HAER Standards and Guidelines (Appendix B). IL HAER No. for this documentation project will be: XXXX-X. Specific Scope of Work for this project is as follows:
  - 1. Project area location map abstracted from appropriate 7.5 Minute USGS Quadrangle Map, submitted on 8.5 x 11” archival bond.
  - 2. Site Plan indicating footprint of the extant bridge, surrounding terrain features and other man-made features within a 200 yard radius of the bridge. Site plan presented on 8.5 x11” archival bond.
  - 3. Approximately ten (10) photographs of the subject bridge presenting approaches, elevations and superstructure / substructure elements.
  - 4. Written architectural /engineering description of the subject bridge.
  - 5. Narrative contextual histories.
    - a. Brief chronological context on the origins, development and functions of the Millbrook bridge;
    - b. ?????;
    - c. ?????

- C. Submittal of 95% non-archival IL HAER documentation for IHPA review and comment prior to the submittal of 100% IL HAER documentation.

## **II. DURATION**

This MOA will be null and void if its terms are not carried out within two (2) years from the date of its execution. Prior to such time, the Corps may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation IV below.

## **III. DISPUTE RESOLUTION**

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the Corps shall consult with such party to resolve the objection. If the Corps determines that such objection cannot be resolved, the Corps will:

- A. Forward all documentation relevant to the dispute, including the Corps' proposed resolution, to the Advisory Council on Historic Preservation (ACHP). The ACHP shall provide the Corps with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the Corps shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The Corps will then proceed according to its final decision.

- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the Corps may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the Corps shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.

- C. The District's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

## **IV. AMENDMENTS**

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

## V. **TERMINATION**

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation IV, above. If within thirty (30) days an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, the Corps must either (a) execute an MOA pursuant to 26 CFR § 800.6 or (b) request, take into account and respond to the comments of the ACHP under 36 CFR § 800.7. The Corps shall notify the signatories as to the course of action it will pursue.

Execution of this MOA by the Corps and SHPO and implementation of its terms evidence that SCWO has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE UNITED STATES ARMY CORPS OF ENGINEERS,  
ROCK ISLAND DISTRICT  
AND THE  
ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
MILLBROOK BRIDGE REMOVAL PROJECT  
LOCATED IN  
KENDALL COUNTY, ILLINOIS**

**SIGNATORY:**

UNITED STATES ARMY CORPS OF ENGINEERS, ROCK ISLAND DISTRICT (DISTRICT)

\_\_\_\_\_ Date \_\_\_\_\_

Mr. Ward Lenz  
Chief, Regulatory Branch  
Operations Division

**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE UNITED STATES ARMY CORPS OF ENGINEERS,  
ROCK ISLAND DISTRICT  
AND THE  
ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
MILLBROOK BRIDGE REMOVAL PROJECT  
LOCATED IN  
KENDALL COUNTY, ILLINOIS**

**SIGNATORY:**

ILLINOIS STATE HISTORIC PRESERVATION OFFICE (SHPO)

\_\_\_\_\_ Date \_\_\_\_\_  
Dr. Rachel Leibowitz  
Deputy State Historic Preservation Officer  
Illinois State Historic Preservation Office

**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE UNITED STATES ARMY CORPS OF ENGINEERS,  
ROCK ISLAND DISTRICT  
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ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
MILLBROOK BRIDGE REMOVAL PROJECT  
LOCATED IN  
KENDALL COUNTY, ILLINOIS**

**SIGNATORY:**

ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP)

\_\_\_\_\_ Date \_\_\_\_\_  
Mr. Reid Nelson, Director  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation

**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE UNITED STATES ARMY CORPS OF ENGINEERS,  
ROCK ISLAND DISTRICT  
AND THE  
ILLINOIS STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
MILLBROOK BRIDGE REMOVAL PROJECT  
LOCATED IN  
KENDALL COUNTY, ILLINOIS**

**CONCURRING PARTIES:**

Kendall County Forest Preserve District

\_\_\_\_\_ Date \_\_\_\_\_

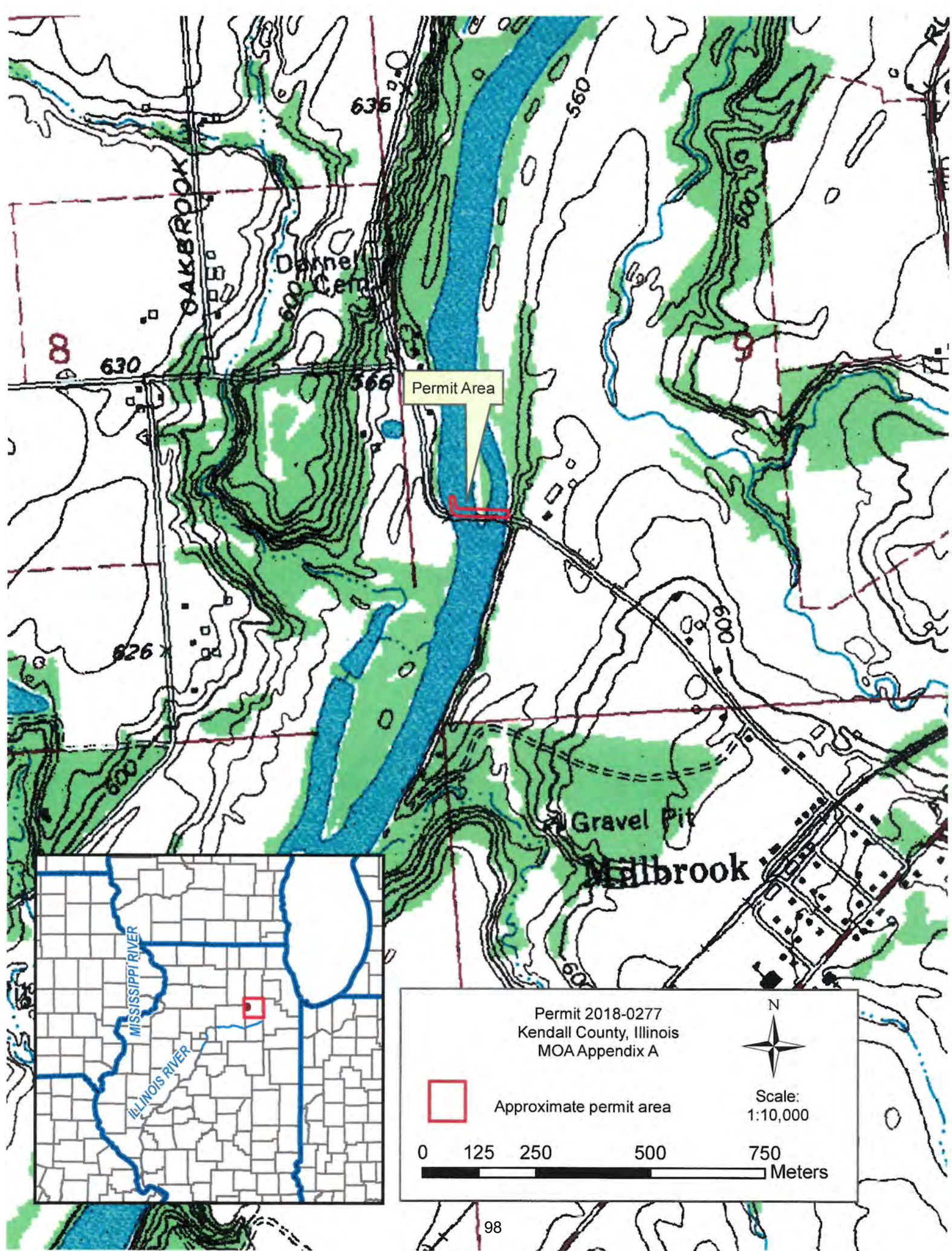
Mr. David Guritz

Director

Kendall County Forest Preserve District



Appendix A  
Definition of the Project Area of Potential Effects



Permit Area

Gravel Pit  
Millbrook



Permit 2018-0277  
Kendall County, Illinois  
MOA Appendix A

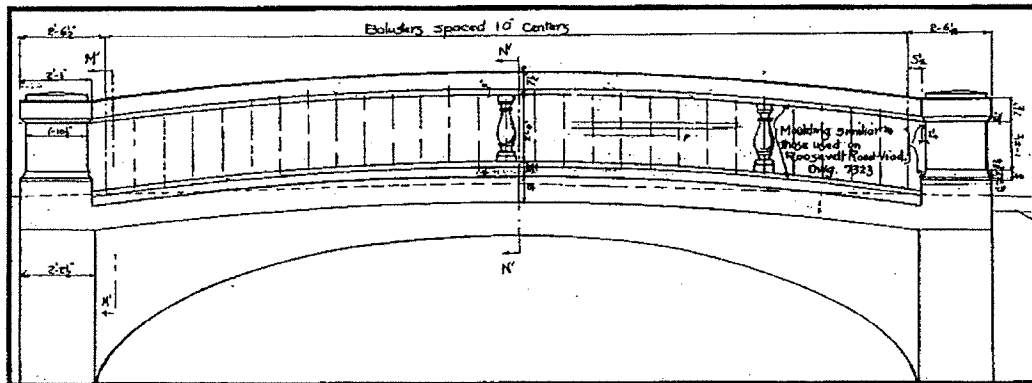
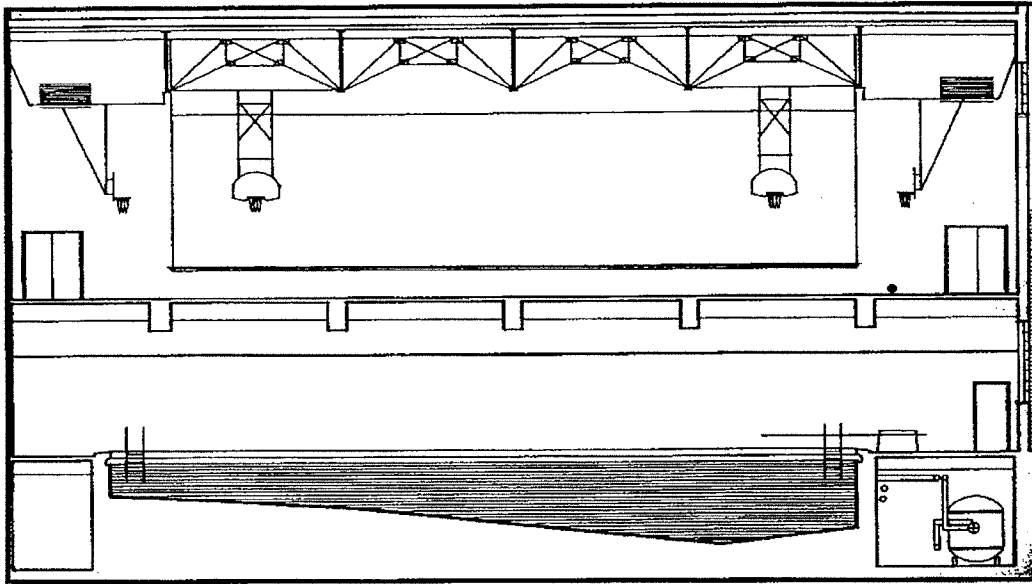
Approximate permit area

Scale:  
1:10,000

0 125 250 500 750 Meters

Appendix B  
The Illinois Historic Preservation Agency's Standards and Guidelines for Historical,  
Architectural and Engineering Documentation: IL HABS/HAER Standards

THE ILLINOIS HISTORIC PRESERVATION AGENCY'S  
STANDARDS AND GUIDELINES FOR  
HISTORICAL, ARCHITECTURAL AND ENGINEERING DOCUMENTATION:  
IL HABS/HAER STANDARDS



Illinois Historic American Buildings Survey/  
Historic American Engineering Record  
Preservation Services Division  
Illinois Historic Preservation Agency  
Springfield, Illinois 62701

January 1999

Illinois Historic Preservation Agency

Director

Susan Mogerman

Preservation Services Division

State Historic Preservation Officer  
Deputy SHPO  
IL HABS/HAER Program Coordinator

William L. Wheeler  
Anne E. Haaker  
Stephen A. Thompson

Illinois State Historical Library

Director  
Chief of Acquisitions  
Microfilm Librarian

Kathryn Harris  
Gary Stockton  
Cheryl Pence

Preservation Services, a division of the Illinois Historic Preservation Agency, administers the state cultural resources program and is responsible for the Illinois Historic American Buildings Survey/Historic American Engineering Record (IL HABS/HAER) Program of documentation of historic buildings, sites, structures, and objects located in the State of Illinois. IL HABS/HAER Documentation includes measured drawings, large-format photographs, and written contextual histories and descriptions. The Illinois State Historical Library Archives is the repository for these documents.

## PREFACE

This document outlines the Illinois Historic Preservation Agency's Preservation Services Division's Standards for Historical, Architectural and Engineering Documentation -- commonly known as the IL HABS/HAER Standards.

These performance standards define the criteria for IL HABS/HAER projects acceptable for accession in the IL HABS/HAER Collection located at the Illinois State Historical Library Archives.

Acceptable IL HABS/HAER documentation often includes:

- \* Measured Drawings
- \* Large-Format Photographs
- \* Detailed Historical Context Development and Physical Descriptions in a Prescribed Written Outline Format

These standards are intended to be used in conjunction with the accompanying guidelines for historical, architectural and engineering documentation. Other publications listed in the bibliography should be consulted.

These standards will be used:

- \* In preparation of documentation to fulfill mitigative requirements in accordance with the Illinois State Agency Historic Resources Preservation Act [20 ILCS 3420/1 et seq] and Section 106 of the National Historic Preservation Act of 1966, as amended.
- \* In preparation of voluntary documentation to be submitted for inclusion in IL HABS/HAER Collection.

William L. Wheeler  
State Historic Preservation Officer  
Illinois Historic Preservation Agency

ILLINOIS HISTORIC AMERICAN BUILDINGS SURVEY/HISTORIC AMERICAN  
ENGINEERING RECORD (IL HABS/HAER) PROGRAM STANDARDS  
for  
HISTORICAL, ARCHITECTURAL AND ENGINEERING DOCUMENTATION

The IL HABS/HAER Standards address the development of documentation for historic buildings, sites, structures, and objects. IL HABS/HAER documentation provides relevant graphic and written information on a property's significance for use by scholars, researchers, preservationists, architects, engineers, and others interested in preserving and understanding historic properties. IL HABS/HAER documentation is important for several reasons. It provides for accurate repair or reconstruction of parts of a property, records existing conditions for easements and preserves information about a property that is to be demolished or altered.

The IL HABS/HAER Standards are intended for use in developing documentation to be included in the IL HABS/HAER Collection located at the Illinois State Historical Library Archives. The Illinois Historic Preservation Agency has defined specific requirements for meeting these standards.

STANDARD 1: Documentation Shall Adequately Explicate and Illustrate What is Significant or Valuable About the Historic Building, Site, Structure, or Object.

The historic significance of the building, site, structure, or object identified in the evaluation process should be conveyed by the drawings, photographs, and written materials that comprise the documentation. The historical, architectural, engineering, or cultural values of the subject property, in conjunction with the purpose of the documentation, will determine the level and methods of documentation.

STANDARD 2: Documentation Shall be Prepared Accurately from Reliable Sources with Limitations Clearly Stated to Permit Independent Verification of the Information.

The purpose of documentation is to preserve an accurate record of historic properties that can be used in research and other preservation activities. To serve these purposes, the documentation must include information that permits assessment of its reliability.

STANDARD 3: Documentation Shall be Prepared on and Submitted in Materials that are Readily Reproducible, Durable, and in Standard Sizes.

The size and quality of documentation materials are important factors in the preservation of information for future use. Selection of materials is based on the length of time expected for storage, the anticipated frequency of use, and a size convenient for storage and document management.

STANDARD 4: Documentation Will be Clearly and Concisely Produced.

In order for documentation to be useful for future research, written materials must be fully developed, legible and understandable. Graphic materials must contain scale information and location references.



ILLINOIS HISTORIC AMERICAN BUILDINGS SURVEY/HISTORIC AMERICAN  
ENGINEERING RECORD (IL HABS/HAER) GUIDELINES

for

HISTORICAL, ARCHITECTURAL AND ENGINEERING DOCUMENTATION

Introduction

The IL HABS/HAER Guidelines link the IL HABS/HAER Standards for Historical, Architectural and Engineering Documentation with more specific guidance and technical information. They describe the general approach for meeting the Standards for Historical, Architectural and Engineering Documentation. Agencies, organizations, and individuals proposing to undertake the production of IL HABS/HAER Documentation in a different manner will need to review and gain approval of their strategy with the IHPA IL HABS/HAER Coordinator prior to the execution of a contract for or the initiation of production of IL HABS/HAER Documentation.

The Guidelines are organized as follows:

- \* Definitions
- \* Goal of Documentation
- \* The IL HABS/HAER Collections
- \* Standard 1: Content
- \* Standard 2: Quality
- \* Standard 3: Materials
- \* Standard 4: Presentation

Definitions

The following definitions are used in conjunction with these guidelines:

Documentation -- Measured drawings, photographs, contextual histories, physical descriptions, inventory cards, or other media that provide graphic and written information on historic buildings, sites, structures, or objects.

Field Photography -- photography other than large-format negatives, intended for the purpose of producing documentation, usually 35mm.

Field Records -- notes of measurements taken, field photographs, and other recorded information intended for the purpose of producing documentation.

Large-Format Photographs -- photographs made from 4x5" negatives. Appropriate techniques are to be implemented to correct perspective distortion.

Measured Drawings -- drawings produced on IL HABS/HAER acceptable materials depicting historic or existing conditions and other relevant features of the subject. Measured drawings are produced in ink on archivally stable mylar.

Photocopy - a photograph, with large-format negative, of a photograph or drawing.

Select Existing Drawings - drawings of original construction or later alterations that portray or depict the subject's historic value or significance.

Sketch Plan - a floor plan, generally not to exact scale although often drawn from measurements, where the features are shown in proper relation and proportion to each other.

#### Goal of Documentation

The IL HABS/IL HAER Program is the historical, architectural and engineering documentation program of the Illinois Historic Preservation Agency that promotes the incorporation of accurate graphic and written documentation into the IL HABS/HAER Collection located in the Illinois State Historical Library Archives. The goal of the IL HABS/HAER Collection is to provide historians, architects, engineers, scholars, and interested members of the public with comprehensive documentation of buildings, sites, structures, and objects significant in Illinois' history.

IL HABS/HAER Documentation often consists of measured drawings, photographs, and written data that provide a detailed record of a property's significance. Measured drawings and properly executed photographs act as a form of insurance against fires and natural disasters by permitting the repair and, if necessary, reconstruction of historic structures damaged by such disasters. IL HABS/HAER Documentation is sometimes used to provide the basis for enforcing preservation easements. In addition, IL HABS/HAER Documentation is often the last means of preservation when a historic property is to be demolished or permanently altered. IL HABS/HAER Documentation provides future researchers access to valuable information that would otherwise be lost.

IL HABS/HAER Documentation is developed as a result of two separate catalysts. First, the Illinois Historic Preservation Agency, pursuant to the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/1 et seq] and Section 106 of the

National Historic Preservation Act of 1966, as amended, requires recordation of historic properties to be demolished or substantially altered as a result of adverse undertakings conducted on those properties (referred to as mitigation projects). Secondly, individuals and organizations, on their own initiative, can prepare documentation according to IL HABS/HAER Standards and donate that documentation to the IL HABS/HAER Collection. Required Documentation Levels will vary.

IL HABS/HAER Standards describe the fundamental principles of the development of IL HABS/HAER Documentation. The IL HABS/HAER Guidelines listed under each of the following IL HABS/HAER Standards provides basic information about developing documentation for the IL HABS/HAER Collection. The IL HABS/HAER Guidelines are augmented by more specific graphic and written documentation requirements which are included here as supplemental information. Additional specific information concerning the production of IL HABS/HAER Documentation is included in a separate document entitled IL HABS/HAER Program/Technical Commentary.

Documentation prepared for the purpose of inclusion in the IL HABS/HAER Collection must meet the requirements listed below. The IHPA IL HABS/HAER Coordinator retains the right to refuse documentation for inclusion in the IL HABS/HAER Collection when that documentation does not meet IL HABS/HAER requirements specified in this document.

Standard 1: Content - IL HABS/HAER Documentation shall adequately explicate and illustrate what is significant or valuable about the historic building, site, structure, or object being documented.

#### Guidelines

Documentation shall meet one of the following documentation levels to be considered adequate for inclusion in the IL HABS/HAER collections.

1. Documentation Level I
  - a. Drawings: a full set of measured drawings depicting existing or historic conditions.
  - b. Photographs
    - (1) large-format (4x5") negatives and 5x7" prints of exterior and interior views
    - (2) photocopies with large format (4x5") negatives of select existing drawings, site plans or historic views
  - c. Written Data
    - (1) contextual history(ies)
    - (2) architectural/site description

2. Documentation Level II
  - a. Drawings: original drawings photographically reproduced on archivally stable IL HABS/HAER mylar.
  - b. Photographs
    - (1) large-format (4x5") negatives and 5x7" prints of exterior and interior views
    - (2) historic views
  - c. Written Data
    - (1) contextual history(ies)
    - (2) architectural/site description
3. Documentation Level III
  - a. Drawings: sketched floor plan
  - b. Photographs
    - (1) large-format (4x5") negatives and 5x7" prints of exterior and interior views
  - c. Written Data
    - (1) contextual history(ies)
    - (2) architectural/site description

The IL HABS/HAER Program retains the right to refuse any documentation of buildings, sites, structures or objects lacking historical significance. Buildings, site, structures, or objects must be listed on or eligible for listing on the National Register of Historic Places to be considered for inclusion in the IL HABS/HAER Collection.

The type and amount of documentation should be appropriate to the nature and significance of the properties being documented. Similarly, the aspect of the property that is being documented should reflect the nature and significance of the property.

Standard 2: Quality - IL HABS/HAER Documentation shall be prepared accurately from reliable sources with limitations clearly stated to permit independent verification of information.

#### Guidelines

For all levels of documentation, the following quality requirements shall be met:

##### 1. Measured Drawings

Measured drawing shall be produced from recorded, accurate measurements. Portions of buildings or structures that are not accessible for measurement should not be drawn on the measured drawing but clearly labeled as not accessible or drawn from available construction drawings or other sources, and so identified. No part of the measured drawings shall be produced from hypothesis or non-measurement related activities. Documentation Level I

measured drawings shall be accompanied by a set of field notebooks in which measurements were first recorded. Other drawings prepared for Documentation Levels II and III, shall include a statement describing where the original drawings are located.

## 2. Large-Format Photographs

Large-format photographs shall clearly depict the appearance of the property and areas of significance of the recorded building, structure, site, or object. Each view shall be perspective-corrected and fully captioned.

## 3. Written Contextual History(ies) and Physical Descriptions

Written contextual history(ies) and physical descriptions for documentation Levels I and II shall be based on primary sources to the greatest extent possible. For Level III, secondary sources may provide adequate information; if not, primary research will be necessary. An assessment of the reliability and limitations of sources shall be included. Within the written contextual history(ies), statements shall be footnoted or endnoted as to their sources, where appropriate. The written data shall include a methodology section specifying research strategy, names of research staff, dates of research, sources searched, limitations of the project and a project information statement.

The reliability of the IL HABS/HAER Collection is dependent upon high quality documentation. Quality is not easily prescribed or quantified, but it derives from a process in which thoroughness and accuracy play a large part. The principle of independent verification of IL HABS/HAER documentation is critical to the IL HABS/HAER Collection.

Standard 3: Materials - IL HABS/HAER documentation shall be prepared on materials that are readily reproducible for ease of access, durable for long storage, and in standard sizes for ease of handling.

### Guidelines

For all levels of documentation, the following material requirements shall be met.

#### 1. Measured Drawings

Ink on translucent, archivally stable materials in standard size of 24x36".

2. Large-Format Photographs

Black and white film only, printed on archival paper, mounted on properly labeled archival board; 4x5" negatives will accompany prints; print size will be 5x7".

3. Written History(ies) and Physical Description

Text contained within the IL HABS/HAER Written Outline Format; submitted on 8.5x11" archival bond paper.

4. Field Records

Field notebooks and field photography; photo identification sheet will accompany 35mm negatives and contact sheet; no archival requirements; submitted field records must fit into 9.5x12" folding file.

5. 95% Submittals

95% review documentation can be submitted on non-archival materials.

6. 100% Submittals

All 100% IL HABS/HAER documentation accepted by the IL HABS/HAER Program Coordinator must be submitted in the standard, archival formats.

All IL HABS/HAER Documentation is intended for reproduction. Although field records are not intended for quality reproduction, it is specified that they be used to supplement the formal documentation. Field records are not required to meet the archival standard, but are maintained as a courtesy to the collection user. The basic durability standard for IL HABS/HAER Documentation is 500 years.

Standard 4: Presentation - IL HABS/HAER documentation shall be clearly and concisely produced.

Guidelines

For all levels of documentation, the following requirements for presentation will be met.

1. Measured Drawings

Level I measured drawings will be lettered mechanically (i.e. Leroy or similar) or in a hand-printed equivalent

style. Adequate dimensions shall be included on all sheets. Levels I and II title sheet(s) shall include state, local, and site maps; property significance statement; project information statement; and drawings index listing. Level III sketch plans shall be neat and orderly.

2. Large-Format Photographs

5x7", black and white, fiber paper prints will be mounted on archival card stock, and labeled in the appropriate manner.

3. Written History(ies) and Physical Description

Data shall be typewritten on 8.5x11" archival, bond paper using the required IL HABS/HAER outline format and follow accepted rules of grammar and notation.

Sources of Technical Information for IL HABS/HAER Documentation

Burns, John A. Recording Historic Structures. Washington, D.C.: The AIA Press, 1989.

Turabian, Kate L. A Manual for Writers of Term Papers, Theses, and Dissertations. Chicago: University of Chicago Press, 1987.

A Manual of Style. Chicago: University of Chicago Press, 1980.

HABS Field Instructions for Measured Drawings. Washington, D.C.: HABS/HAER, National Park Service, 1981.

HABS Historical Reports. Washington, D.C.: HABS/HAER, National Park Service, 1995. (Draft)

HABS Historian's Procedures Manual. Washington, D.C.: HABS/HAER, National Park Service, 1983.

HAER Field Instructions. Washington, D.C.: HABS/HAER, National Park Service, 1981.

IL HABS/HAER Program IHPA Program/Technical Commentary. Springfield, IL: IL HABS/HAER, Illinois Historic Preservation Agency, 1999.

Manual for Preparing Historic American Buildings Survey/Historic American Engineering Record Documents. Omaha, NE: Great Plains Systems Office, National Park Service, 1996. (Draft)

Photographic Specifications for the Historic American Buildings  
Survey and the Historic American Engineering Record. Omaha,  
NE: Great Plains Systems Office, National Park Service, 1996.

Transmitting Documentation to HABS/HAER WASO. Washington, D.C.:  
HABS/HAER, National Park Service, 1995. (Draft)

Effective Date: 21 January 1999



# ARTICLE I

## PURPOSES, DEFINITIONS AND GENERAL PROVISIONS

### 1. PURPOSES & INTENT

The purposes and intent of this Ordinance are as follows:

- A) To identify, designate, protect, preserve, and encourage the restoration, rehabilitation, and adaptation for continued use of those properties and structures which represent or reflect the historic, cultural, artistic, social, economic, ethnic or political heritage of the United States of America, State of Illinois, or Kendall County or which may be representative of an architectural or engineering type inherently valuable for the study of style, period, craftsmanship, method of construction or use of indigenous materials;
- B) To safeguard the County's historic, aesthetic and cultural heritage as embodied and reflected in such structures and landscape features;
- C) To stabilize and improve the economic vitality and value of designated landmarks and historic districts in particular and of the County in general;
- D) To foster civic pride in the beauty and noble accomplishments of the past in order that both the pride and the accomplishments themselves may be passed on to future generations;
- E) To protect and enhance the County's attractions for tourists and visitors as well as to support and provide stimulus to business and industry;
- F) To strengthen the economy of the County;
- G) To promote the use of historic districts and landmarks for the education, pleasure, and welfare of the citizens of Kendall County and;
- H) To educate the general public, government officials and real estate interests about the value of historic preservation to the economy, and long-term quality of life for those who live and work in the County.

Sec. 5-30002. Declaration of purpose. The purpose of this Division is to identify, protect, preserve, and provide for the restoration, rehabilitation and continued use of buildings, structures, objects, areas, sites, and landscapes that are of historic, archaeological, architectural or scenic significance; to foster education, interest and pride in the beauty and accomplishments of the past; to promote economic development through protection and enhancement of resources important to tourism and business; to conserve and improve the value of real property and the property tax base; to insure orderly, efficient and harmonious development; to encourage cooperation between municipalities and counties; and to promote the general welfare.

(Source: P.A. 86-962.)

## 2. DEFINITIONS

For the purposes of this Ordinance, certain words, phrases, and terms shall have the following meanings:

A) *Alteration*: Any act or process that changes one or more historic, architectural, or physical features of an area, site, landscape, place, and/or structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure; the expansion or significant modification of agricultural activities; surface mining; and clearing, grading or other modification of an area, site or landscape that changes its current or natural condition.

B) *Architectural Significance*: Embodying the distinctive characteristics of a type, period, style or method of construction or use of indigenous materials, or representing the work of an important builder, designer, architect, engineer, or craftsman who has contributed to the development of the community, County, State or Nation.

C) *Archaeological Significance*: Importance as an area, site, place or landscape that has yielded or is likely to yield information concerning past patterns of human settlement, or artifacts or information concerning previous cultures in Illinois or previous periods of the present culture. Areas, sites or landscapes of archaeological significance may include, but are not limited to, aboriginal mounds, forts, earthworks, burial grounds, historic or prehistoric ruins, locations of villages, mine excavations or tailing.

D) *Building*: Any structure designed or constructed for residential, commercial, industrial, agricultural or other use.

E) *Certificate of Appropriateness*: A certificate issued by a Preservation Commission indicating its approval of plans for alteration, construction, demolition, or removal affecting a nominated or designated landmark or property within a nominated or designated historic district.

F) *Certificate of Economic Hardship*: A certificate issued by the Preservation Commission authorizing an alteration, construction, removal or demolition even though a Certificate of Appropriateness has previously been denied or may be denied.

G) *Commissioners*: Members of the Preservation Commission.

H) *Conservation Right*: A term that includes easements, covenants, deed restrictions or any other type of less than full fee simple interest as that term is defined in Illinois Revised Statutes, Section 1 of "An Act relating to conservation rights in real property," approved September 12, 1977, as amended.

I) *Construction*: The act of adding an addition to a structure or the erection of a new principal or accessory structure on a lot or property.

J) *Demolition*: Any act or process which destroys in part or in whole a landmark or a building or structure within a historic district.

K) *Demolition by Neglect*: Neglect in the maintenance of any landmark and/or building or structure within a preservation district resulting in the deterioration of that building to the extent that it creates a hazardous or unsafe condition as determined by the Kendall County Building and Zoning Department or the Kendall County Department of Health.

L) *Design Criteria*: Standards of appropriate activity that will preserve the historic, architectural, scenic or aesthetic character of a landmark or historic district.

M) *Development Rights*: The development rights of a landmark or of a property within a historic district as defined in Section 11-48.2-1A of the Illinois Municipal Code.

N) *Development Rights Bank*: A reserve for the deposit of development rights as defined in Section 11-48.2-1A of the Illinois Municipal Code.

O) *Exterior Architectural Appearance*: The architectural character and general composition of the exterior of a building or structure, including but not limited to the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs and appurtenant elements.

P) *Historic Significance*: Character, interest or value as part of the development, heritage, or culture of the community, County, State or Nation; or as the location of an important local, County, State or national event; or through identification with a person or persons who made important contributions to the development of the community, County, State or Nation.

Q) *Landmark*: A property or structure designated as a "Landmark" by ordinance of the County Board, pursuant to procedures prescribed herein, which is worthy of rehabilitation, restoration, or preservation because of its historic, scenic, or architectural significance.

R) *Landscape*: A natural feature or group of natural features such as, but not limited to: valleys, rivers, lakes, marshes, swamps, forests, woods, or hills; or a combination of natural features and buildings, structures, objects, cultivated, fields, or orchards in a predominantly rural setting.

S) *Object*: Any tangible items, including any items of personal property, including, but not limited to: wagons, boats, and farm machinery that may be easily moved or removed from real estate property.

T) *Owner*: The person or corporation or other legal entity in whose name or names the property appears on the records of the County Recorder of Deeds.

U) *Historic district*: An area designated as a "historic district" by ordinance of the County

Board and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties, areas, sites, landscapes or structures, while not of such historic, architectural or scenic significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the district. **For the purposes of this definition, “historic district” shall be the same as “preservation district” as defined by State law.**

V) *Removal*: Any relocation of a structure, object or artifact on its site or to another site.

W) *Repair*: Any change that is not construction, alteration, demolition, or removal and is necessary or useful for continuing normal maintenance.

X) *Scenic Significance*: Importance as a result of appearance or character that remains relatively unchanged from and embodies the essential appearance related to a culture from an earlier historic or prehistoric period; or as a result of a unique location, appearance, or physical character that creates an established or familiar vista or visual feature; or as a geologic or natural feature associated with the development, heritage, or culture of the community, County, State, or Nation.

Y) *Site*: The traditional, documented or legendary location of an event, occurrence, action, or structure significant in the life or lives of a person, persons, group, or tribe, including but not limited to cemeteries, burial grounds, campsites, battlefields, settlements, estates, gardens, groves, river crossings, routes, trails, caves, quarries, mines, or significant trees or other plant life.

Z) *Structure*: Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground including (but without limiting the generality of the foregoing) barns, smokehouses, advertising signs, billboards, backstops for tennis courts, bridges, fences, pergolas, gazebos, radio and television antennae, solar collectors, microwave antennae including supporting towers, roads, ruins or remnants (including foundations), swimming pools or walkways.

AA) *Survey*: The systematic gathering of information on the architectural, historic, scenic, and archaeological significance of buildings, sites, structures, areas, or landscapes through visual assessment in the field and historical research, for the purpose of identifying landmarks or districts worthy of preservation.

**BB) *Super Majority Vote*: At least three-fourths approval of the vote of the entire Kendall County Board.**

(65 ILCs 5/11-48.2-1A) (from Ch. 24, par. 11-48.2-1A)  
Sec. 11-48.2-1A. (1) The development rights of a landmark site are the rights granted under applicable local law respecting the permissible bulk and size of improvements erected thereon. Development rights may be calculated in accordance with such factors as lot area, floor area, floor area ratios, height limitations, or any other criteria set forth under local law for this purpose.

(2) A preservation restriction is a right, whether or not stated in the

form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land or in any order of taking, appropriate to the preservation of areas, places, buildings or structures to forbid or limit acts of demolition, alteration, use or other acts detrimental to the preservation of the areas, places, buildings or structures in accordance with the purposes of the Division. Preservation restrictions shall not be unenforceable on account of lack of privity of estate or contract, or of lack of benefit to particular land or on account of the benefit being assignable or being assigned.

(3) A transfer of development rights is the transfer from a landmark site of all or a portion of the development rights applicable thereto, subject to such controls as are necessary to secure the purposes of this Division. The transfer of development rights pursuant to sound community planning standards and the other requirements of this Division is hereby declared to be in accordance with municipal health, safety and welfare because it furthers the more efficient utilization of urban space at a time when this objective is made urgent by the shrinking land base of urban areas, the increasing incidence of large-scale, comprehensive development in such areas, the evolution of building technology and similar factors.

(4) A development rights bank is a reserve into which may be deposited development rights associated with publicly and privately-owned landmark sites. Corporate authorities or their designees shall be authorized to accept for deposit within the bank gifts, donations, bequests or other transfers of development rights from the owners of said sites, and shall be authorized to deposit therein development rights associated with (i) the sites of municipally-owned landmarks and (ii) the sites of privately-owned landmarks in respect of which the municipality has acquired a preservation restriction through eminent domain or purchase. All transfers of development rights from the development rights bank shall be subject to the requirements of Sections 11-76-1 through 11-76-6 of the Municipal Code of Illinois, and all receipts arising from the transfers shall be deposited in a special municipal account to be applied against expenditures necessitated by the municipal landmarks program.

(5) The term, public easement, shall have the same meaning and effects herein as it has in Article IX, Section 3 of the Illinois Constitution of 1870 and Article IX, Section 4(c) of the Illinois Constitution of 1970. This amendatory Act of 1971 does not apply to any municipality which is a home rule unit.

(Source: P.A. 77-1372.)

### **3. GENERAL PROVISIONS**

The following are general provisions propounded to make more clear matters relative to scope and jurisdiction of this Ordinance.

A) No provision herein shall supersede the powers of other local legislative or regulatory bodies or relieve any property owner from complying with the requirements of any other state statute or code or ordinance of Kendall County or individual municipal ordinances or regulations, and any permit or license required there under shall be required in addition to any Certificate of Appropriateness or Economic Hardship which may be required hereunder; provided, however, that where a Certificate of Appropriateness or Economic Hardship is required, no such other permit or license shall be issued by any other agency under the jurisdiction of the Kendall County Board before a certificate has been issued by the Commission as herein provided.

B) The use of property and improvements which have been designated under this Ordinance shall be governed by the Kendall County Zoning Ordinance, as amended.

C) If any particular section of this Ordinance is declared to be unconstitutional or void, only the particular section is affected, and all other sections of this Ordinance shall remain in full force and effect.

D) For purposes of remedying emergency conditions determined to be dangerous to life, health or property, the Commission may waive the procedures set forth herein and grant immediate approval for a Certificate of Appropriateness. The Commission shall state its reasons in writing for such approval.

E) No member of the Preservation Commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member.

**KENDALL COUNTY**  
**Historic Preservation Commission**  
*Kendall County Office Building*  
*Rooms 209 & 210*  
*111 W. Fox Street, Yorkville, Illinois*  
**6:30 p.m.**

**Meeting Minutes of July 23, 2018-Unofficial Until Approved**

**CALL TO ORDER**

The meeting was called to order at 6:36 p.m.

**ROLL CALL**

Present: None

Absent: Elizabeth Flowers, Kristine Heiman, Melissa Maye, and Jeff Wehrli

Also present: Matt Asselmeier, Senior Planner and Jasmine Brown Watkins, Part-Time Office Assistant (Zoning)

In the Audience: Sarah Herbik

**ADJOURNMENT**

Due to a lack of a quorum, the meeting adjourned at 6:36 p.m.

Respectfully Submitted,  
Matthew H. Asselmeier, AICP  
Senior Planner