



**COUNTY OF KENDALL, ILLINOIS  
COMMITTEE OF THE WHOLE  
COUNTY OFFICE BUILDING  
County Board Rooms 209-210**

**Thursday, January 12 2016 at 4:00 PM  
AGENDA**

- 1. Call to Order and Pledge of Allegiance**
- 2. Roll Call:** Scott Gryder, Lynn Cullick, Judy Gilmour, Matt Kellogg, Audra Hendrix, Matthew Prochaska, John Purcell, Bob Davidson, Elizabeth Flowers, Tony Giles
- 3. Old Business**
- 4. New Business**
  - *Public Act 99-900 IMRF Participation Requirements*
  - *Black and White Printing of Committee Packets*
  - *Process for appointing/re-appointing Chief Assessor*
- 5. Public Comment**
- 6. Questions from the Media**
- 7. Chairman's Report**
- 8. Review Board Action Items**
- 9. Executive Session**
- 10. Adjournment**

**COUNTY OF KENDALL, ILLINOIS**  
**COMMITTEE OF THE WHOLE**  
**December 15, 2016**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order by County Board Vice Chair Scott Gryder at 4:00p.m., who led the committee in the Pledge to the American Flag.

**ROLL CALL**

Present: Scott Gryder – present, Matthew Prochaska - here, Tony Giles - here, Lynn Cullick - here, Audra Hendrix - here, Matt Kellogg - here, Judy Gilmour – here, Bob Davidson - here

Committee Members Absent: Elizabeth Flowers

*Member Purcell entered the meeting at 4:41p.m.*

*Member Kellogg left the meeting at 5:50p.m.*

Others present: ASA Leslie Johnson, Health Department Executive Director Amaal Tokars, State's Attorney Eric Weis, and County Administrator Jeff Wilkins

**OLD BUSINESS - None**

**NEW BUSINESS**

- *Kenny Coles, Kendall Housing Authority Director* – Mr. Coles provided a brief overview of the Kendall Housing Authority, and he reported that most of their funds come from HUD.
- *Determine 2017 Regular Meeting Schedule* – Item was forwarded for further discussion at the December 20, 2016 County Board meeting.
- *Resolution Authorizing Letter Regarding Assignment of Plano Transfer Station Host Community Benefits and Reimbursement Agreement to Groot Industries, Inc.* - Jeff Wilkins provided background on the County's agreement with Plano Transfer Station, and stated that Plano Transfer Station was purchased by Groot, Inc. There was consensus by the committee to add this to the County Board agenda for December 20, 2016.
- *Discussion and Recommendations for all 2016 payable 2017 property tax levies to be approved by the County Board on December 20, 2016* – Member Purcell explained that each year the Board votes on levies after the budget has been approved, usually in December. Member Purcell explained that there was a reduction in the levy this year for the Health Department, because they have not contributed for the Health Department employee benefits. Member Purcell explained the total levies the County can capture for the year, the amount of those levies, the other levies, the deficit for FY2017, the 6-month general fund reserve

policy, how the contributions for the Health Department were calculated, and the validity of the formula used to make the calculations.

- *New Board Member Training* – Scott Koeppel, Technology Director reviewed the new Surface computer operation, the services provided by the Technology and GIS staff, and said they are available to assist with any Technology issues or mapping through GIS.

State's Attorney Eric Weis reviewed the Do's and Don'ts of the Open Meetings Act, the Freedom of Information Act, the Board Rules of Order, the Liquor Control Ordinance, KenCom Agreement with the County, Board Duties and Powers, the Ethics Ordinance, and the Downstate Forest Preserve Act.

Member Cullick highlighted a few things for the new members including forms, dates for submission of mileage and per diem forms, and defined other areas of importance with the Board.

**PUBLIC COMMENT** – None

**QUESTIONS FROM THE MEDIA** - None

**CHAIRMAN'S REPORT** – No report

**REVIEW BOARD ACTION ITEMS** – Under 14, add UCCI Report

**EXECUTIVE SESSION** – Member Purcell made a motion to enter into Executive Session for the purpose of the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body and for the purpose of collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees, seconded by Member Hendrix

**ROLL CALL:** Member Hendrix – aye, Member Purcell – yes, Member Giles – yes, Member Cullick – yes, Member Gilmour – yes, Member Gryder – yes, Member Davidson – yes, Member Prochaska – yes

**With all present voting aye, the committee entered Executive Session at 6:40p.m.**  
The committee reconvened in Open Session at 7:33p.m.

**ADJOURNMENT** – Member Cullick moved to adjourn the meeting at 7:33p.m. Member Hendrix seconded the motion. **The motion was unanimously approved by a voice vote.**

Respectfully Submitted,

Valarie McClain  
Administrative Assistant/Recording Secretary

**KENDALL COUNTY**

Resolution No. 16-36

**RESOLUTION ESTABLISHING REQUIREMENTS FOR CONTINUED IMRF PARTICIPATION BY CURRENT COUNTY BOARD MEMBERS PURSUANT TO PUBLIC ACT 099-0900**

WHEREAS, Kendall County is a unit of local government within the meaning of Article VII, Section 1 of the Illinois Constitution of 1970, organized and operated under the laws of the State of Illinois; and

WHEREAS, the Public Act 099-0900 became effective August 26, 2016 and changed IMRF participation requirements for County Board members; and

WHEREAS, Public Act 099-0900 makes any person, first so elected to the County Board after August 26, 2016, ineligible for participation in IMRF; and

WHEREAS, in order to continue IMRF participation of current County Board members pursuant to Public Act 099-0900, the Kendall County Board shall approve and file a resolution with IMRF no more than 90 days after each general election in which a current participating member of the County Board is elected; and

WHEREAS, in order to continue IMRF participation of current County Board members pursuant to Public Act 099-0900, current County Board members must submit monthly time sheets to the County Treasurer documenting the time spent on official government business as an elected member of the County Board; and

WHEREAS, IMRF requires submittal of detailed time-tracking reports from participating County Board members in order to continue participation in IMRF.

**BE IT RESOLVED**, by the County Board of Kendall County, as follows:

**SECTION 1.** The County Board of Kendall County approves the continued IMRF participation of County Board members first so elected prior to August 26, 2016.

**SECTION 2.** To continue IMRF participation, County Board members must work at least 600 hours annually on official government business as defined by IMRF.

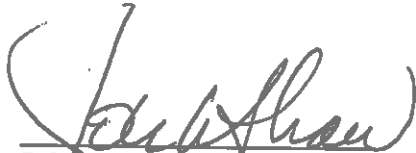
**SECTION 3.** To continue IMRF participation, County Board members must submit monthly time sheets in electric or paper format to the County Treasurer documenting time spent on official government business as an elected member of the County Board as required by IMRF. The County Treasurer shall maintain the submitted timesheets for five years.

**SECTION 4.** A participating County Board member who fails to submit time sheets or fails to conduct 600 hours of official government business annually as defined by IMRF shall not be eligible to continue participation in IMRF.

**SECTION 5.** To continue participation in IMRF, each County member understands their responsibility to become familiar and comply with all reporting requirements imposed by IMRF.

**SECTION 6.** The County Clerk is directed to file this resolution with IMRF no more than 90 days after the November 8, 2016 general election and provide an executed copy to the County Treasurer.

**Approved and adopted by the County Board of Kendall County, Illinois on this 15<sup>th</sup> day of November, 2016.**



John A. Shaw, Chairman  
County Board

Attest:



Debbie Gillette  
County Clerk



## SPECIAL MEMORANDUM #334

**Date:** August 30, 2016  
**To:** Authorized Agents of Affected Employers  
**Subject:** New Legislation Signed Into Law

### Executive Summary

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On August 26, 2016, Gov. Bruce Rauner signed Public Act 99-900 into law. It alters IMRF participation requirements for all elected or appointed County Board members in Illinois.

The new law—formerly Senate Bill 2701 (sponsored by Sen. Pamela Althoff and Rep. Jack Franks)—was immediately effective and alters the Illinois Pension Code in the following ways:

- Any person first elected or appointed as a County Board member after Friday, August 26, 2016, is not eligible to participate in IMRF with respect to that position.
- Any current County Board members who participate in IMRF must file on a monthly basis a detailed record of time spent on official County Board business. \*Failure to file a record will result in immediate loss of IMRF participation.
- Following each election for County Board members, the County Board must pass a resolution affirming that the position of County Board member requires at least 600 or 1,000 hours of work (as appropriate for that County) in a 12-month period. Failure to file such a resolution will bar all County Board members from participating in IMRF.

Annually, participating County Board members need to satisfy the applicable hourly standard (600 or 1,000). Failure to do so will result in termination of participation.

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The IMRF Board of Trustees met on Friday and approved certain administrative rules necessary to properly implement this legislation.

### IMRF Participation for County Board Members

A member of a County Board may participate in IMRF under the following conditions:

- a) The County Board member was first elected or appointed to the County Board before August 26, 2016 (the effective date of P.A. 99-900); and
- b) The County Board has on file with IMRF a current resolution approved by IMRF finding that the Board members are expected to work at least 600 or 1,000 hours (as appropriate) or more in a year, as specified at section 7-137.2(a) of the Illinois Pension Code; and
- c) While a member of the County Board, the County Board member has elected, in a written notice filed with IMRF, to participate in IMRF; and
- d) The County Board member files the time sheets in a form acceptable to IMRF and as provided by section 7-137.2(b).

### **Documentation of Time Worked on County Business**

The time sheets required by section 7-137.2(b) must:

- a) Contain a detailed record of the time the County Board member spent on official government business during each month of the year specifically setting forth the date, length of time, and type of official government business performed; and
- b) Be filed with the County's fiscal officer (or designee) monthly, by the 10th day of the month following the reporting month. The form may be in either electronic or paper format and will be considered late if filed after the 20th day of the month following the reporting month. A time sheet must be filed each month, even if the County Board member is reporting no hours worked in that month; and
- c) Evidence the County Board member worked at least the number of hours required for IMRF participation with the County (either 600 or 1000 hours) on an annual basis. The reporting year will begin as of the later of the effective date of P.A. 99-900 or the month the County Board member took office.

### **Definition of Official Government Business**

Official government business is defined as:

- a) Attendance at County Board and committee meetings;
- b) Preparation for County Board and committee meetings;
- c) Meetings and communication with County staff;
- d) Meetings and communication with constituents;
- e) Meetings and communication with other elected officials;
- f) Attendance at official County functions;
- g) Attendance at meetings of other local governmental Boards related to County business;
- h) Attendance at meetings of civic and commercial organizations related to County business;

- i) Other activities related to County business, including office hours at the County administration building.

Official government business does not include:

- a) Activities related to campaigning for public office;
- b) Activities defined as "prohibited political activity" at section 1-5 of the State Officials and Employees Ethics Act (5 ILCS 430/1-1 et seq.);
- c) Time spent "on-call" or informally available to constituents.

Travel time:

Travel for which reimbursement would be paid to County employees under the County's personnel policies may be included as official government business.

### **County Board Resolution**

In order for a County Board member to be eligible to participate in IMRF, the County Board must pass a resolution finding that the position of County Board member will require at least 600 or 1,000 hours (as appropriate for that County) of work in a twelve month period. This resolution must be adopted and filed with IMRF within 90 days after each election in which a member or members of the County Board are elected or reelected.

### **Termination of IMRF Participation**

An IMRF-participating County Board member who fails to file the time sheets required by this resolution and section 7-137.2, or who files the time sheets late as defined herein for more than 2 consecutive months will become ineligible and IMRF participation will be terminated. Termination of IMRF participation for failure to file or late filing will be irrevocable. If the County Board fails to adopt the required IMRF participation resolution within 90 days after an election, the entire Board will become ineligible, and IMRF participation will end for those Board members in IMRF, as of the last day of the last month in which the resolution could have been adopted. Termination of participation for failure to adopt the required resolution will be irrevocable.

### **IMRF Participation Opt-Out**

An individual County Board member may opt-out of current IMRF participation in lieu of filing the time sheets required by section 7-137.2. The opt-out must be in writing, signed by the official and will be irrevocable after it is received by IMRF. Individual opt-outs will not impact the IMRF participation of other members of the County Board.



**Contact IMRF with questions**

If you have questions, please contact IMRF using the Employer Access Secure Messaging Center, or call an IMRF Member Services Representative using the *exclusive, employer-only 800 number: 1-800-728-7971*.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis W. Kosiba". The signature is fluid and cursive, with the first name "Louis" being the most prominent.

Louis W. Kosiba  
Executive Director



**A RESOLUTION RELATING TO PARTICIPATION BY ELECTED OFFICIALS  
IN THE ILLINOIS MUNICIPAL RETIREMENT FUND**

IMRF Form 6.64 (Rev. 03/12) (Income tax information can be found on the reverse side of this resolution)

PLEASE ENTER Employer IMRF I.D. Number  
3024

**RESOLUTION**

**Number** \_\_\_\_\_

**WHEREAS**, the County of Kendall \_\_\_\_\_  
EMPLOYER NAME

is a participant in the Illinois Municipal Retirement Fund; and

**WHEREAS**, elected officials may participate in the Illinois Municipal Retirement Fund if they are in positions normally requiring performance of duty for 600 hours or more per year; and  
600 OR 1,000

**WHEREAS**, this governing body can determine what the normal annual hourly requirements of its elected officials are, and should make such determination for the guidance and direction of the Board of Trustees of the Illinois Municipal Retirement Fund;\*

**NOW THEREFORE BE IT RESOLVED** that the Kendall County Board \_\_\_\_\_  
BOARD, COUNCIL, ETC.

finds the following elected positions qualify for membership in IMRF.

TITLE OF ELECTED POSITION	DATE POSITION BECAME QUALIFIED
County Board	
_____	_____
_____	_____
_____	_____

**CERTIFICATION**

I, Debbie Gillette, the County Clerk and Recorder \_\_\_\_\_  
NAME CLERK OR SECRETARY OF THE BOARD

of the County of Kendall \_\_\_\_\_ of the County of Kendall \_\_\_\_\_,  
EMPLOYER NAME COUNTY

State of Illinois, do hereby certify that I am keeper of its books and records and that the foregoing is a true and correct copy of a resolution duly adopted by its Kendall County Board \_\_\_\_\_ at a meeting duly  
BOARD, COUNCIL, ETC.

convened and held on the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_.  
DAY MONTH YEAR

\_\_\_\_\_  
SIGNATURE CLERK OR SECRETARY OF THE BOARD

\* Any person who knowingly makes any false statement or falsifies or permits to be falsified any record of the Illinois Municipal Retirement Fund in an attempt to defraud IMRF is guilty of a Class 3 felony (40 ILCS 5/1-135).

**Illinois Municipal Retirement Fund**  
2211 York Road, Suite 500, Oak Brook, Illinois 60523-2337  
Member Services Representatives 1-800-ASK-IMRF (1-800-275-4673)

**A RESOLUTION RELATING TO PARTICIPATION BY ELECTED OFFICIALS  
IN THE ILLINOIS MUNICIPAL RETIREMENT FUND**

**INCOME TAX INFORMATION**

All elected officials eligible to participate in IMRF are considered active participants in an employer sponsored retirement plan under the Internal Revenue Code, even if the official does not elect to participate in IMRF, and are subject to the IRA deductibility limits imposed by law.

Rescission of this resolution is not definite evidence under IRS regulations that these elected positions are no longer covered by an employer sponsored pension plan.

**DOCUMENTATION**

If requested by IMRF, the unit of government should be prepared to produce the documentation verifying that the hours required to perform the duties of the office meet or exceed the IMRF hourly standard. This documentation would include, but not be limited to: office hours, number of meetings held annually, preparation time for meetings, conferences, and other corroboration of the time required to perform the duties of the office.

Time spent on-call or otherwise informally available to constituents does not count toward the IMRF hourly standard. Additionally, down-time spent travelling to meetings does not count toward the IMRF hourly standard.

**Illinois Municipal Retirement Fund**  
2211 York Road, Suite 500, Oak Brook, Illinois 60523-2337  
Member Services Representatives 1-800-ASK-IMRF (1-800-275-4673)