



**COUNTY OF KENDALL, ILLINOIS**  
**COMMITTEE OF THE WHOLE**  
**COUNTY OFFICE BUILDING**  
**County Board Rooms 209-210**  
**111 W. Fox, Yorkville IL 60560**

**Thursday, February 11, 2016 at 4:00 PM**

**AGENDA**

1. **Call to Order and Pledge of Allegiance**
2. **Roll Call:** Judy Gilmour, Dan Koukol, Matthew Prochaska, John Purcell, Jeff Wehri, John A. Shaw (Board Chair), Scott Gryder (Board Vice Chair), Lynn Cullick, Bob Davidson, Elizabeth Flowers
3. **Items of Business**
  - *KC Law Enforcement Memorial - Chief Jeff Burgner, Oswego Police Department*
  - *FLSA Overtime for County Department Heads – Leslie Johnson, ASA*
  - *Discuss Bond Refunding Plans - Speer Financial*
4. **Public Comment**
5. **Questions from the Media**
6. **Chairman's Report**
7. **Review Board Action Items**
8. **Executive Session**
9. **Adjournment**

**COUNTY OF KENDALL, ILLINOIS**  
**COMMITTEE OF THE WHOLE**  
**Meeting Minutes**  
**Thursday, January 14, 2016**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order by County Board Chair John A. Shaw at 4:00p.m. who led the committee in the Pledge of Allegiance.

**ROLL CALL**

Jeff Wehrli - here, Bob Davidson - yes, Judy Gilmour - here, Dan Koukol - here, Matthew Prochaska – here, Scott Gryder – here, Lynn Cullick - here

Committee Members Absent: Elizabeth Flowers, John A. Shaw

**Member Purcell arrived at 4:30p.m.**

Staff present: David Berault, Scott Koeppel, Leslie Johnson, Undersheriff Harold Martin, Eric Weis, Jeff Wilkins

**ITEMS OF BUSINESS**

- *Orchard Road and Route 30 Letter* – There was consensus by the committee to forward to the item to the County Board.
- *AT & T Fiber Internet and DSL Contracts* – Scott Koeppel, Technology Services Director provided information on the contracts, the pricing, the current contract, concerns from the State’s Attorney’s Office, the comparison of other vendors, and the necessity for the new contracts.
- *Union Negotiation Discussion* – To be discussed in Executive Session
- *Discussion on Ordinances regarding Raffles and Poker Runs* – There was consensus by the committee to have the two documents reviewed by the State’s Attorney’s Office and brought back to the February 11, 2016 Committee of the Whole meeting.

**PUBLIC COMMENT** – None

**QUESTIONS FROM THE MEDIA** – None

**CHAIRMAN’S REPORT** - None

**REVIEW BOARD ACTION ITEMS** – Vice Chair Gryder asked the committee to review the January 19, 2016 Board agenda for any necessary changes or additions.

## **ACTION ITEMS FOR COUNTY BOARD**

- *Orchard Road and Route 30 Letter*
- *AT & T Fiber Internet and DSI Contracts*

**EXECUTIVE SESSION** – Member Davidson made a motion to enter into executive session 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, second by Member Cullick.

Roll Call: Member Cullick – yes, Member Prochaska – yes, Member Wehrli – yes, Member Koukol – yes, Member Gilmour – yes, Member Davidson – yes, Member Gryder – yes.

**Member Purcell arrived at 4:30p.m.**

Board Members Absent: Elizabeth Flowers, John A. Shaw

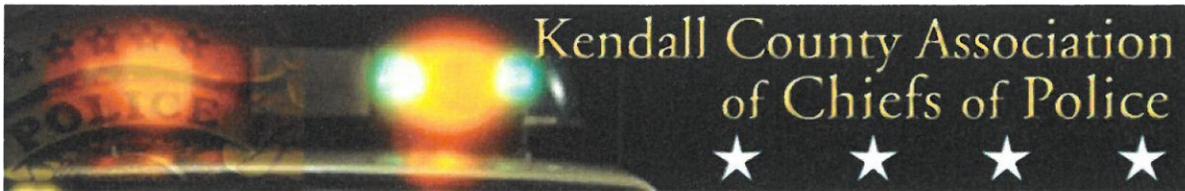
**With all in agreement, the committee entered into Executive Session at 4:21p.m.**

Member Cullick made motion to reconvene into open session at 4:44p.m., second by Member Prochaska. **With all in agreement, the motion carried.**

**ADJOURNMENT** – Member Prochaska moved to adjourn the meeting at 4:47p.m., Member Cullick seconded the motion. **The motion was unanimously approved by a voice vote.**

Respectfully Submitted,

Valarie McClain  
Administrative Assistant/Recording Secretary



February 5, 2016

Kendall County Board,

Please accept this letter of proposal for review on behalf of the Kendall County Association of Chiefs of Police (KCACP). I am currently the Chairman of the Police Memorial Committee of the KCACP. This committee was developed in 2013 when the KCACP decided that developing a Kendall County Law Enforcement Memorial to honor past and future fallen law enforcement officers that die in the line of duty is a priority of the association. In order to clearly understand the request described below, it is important to understand the need for this memorial and what work has been done thus far towards this project. According to the Officer Down Memorial website, nationally 129 law enforcement officers (LEO) died in the line of duty in 2015, three of which were in the State of Illinois. Traditionally when a LEO is killed in the line of duty their name is inscribed on the State and the National Law Enforcement memorials if the incident meets the approved criteria. Many times there are no local memorials to honor these fallen heroes making the memory of these sacrifices fade. The leaders in the law enforcement community within Kendall County agreed that this should be a focus of the KCACP rather than expect each agency to construct a memorial within their own community. This will ensure a consistent method of reviewing and approving line of duty deaths incident to consider displaying on the memorial as well as focus on a cost saving measure across the board within the county.

We began at the committee level by designing the criteria in which a line of duty death would qualify for the officer's name to be added to the memorial. During this policy development, we also determined a plan to honor retirees in a way that would not detract from the focus of the project. This would include providing the option to purchase a brick that would be embedded in the paver area of the memorial. On the brick would be information pertaining to the retirees and their service. An approval process has been established regarding all submissions and the committee has adopted these guidelines. The next course of action was to locate a site for this memorial to be constructed. Through careful deliberation, we proposed to the Kendall County Judiciary that the memorial be constructed at the Kendall County Courthouse. Committee members have met with Chief Judge McCann as well as other key stakeholders regarding the site considerations and a location was selected and agreed upon. From here, we began the design phase of the law enforcement memorial. This process included the use of a local architectural firm to assist in design ideas and ultimately ended with a conceptual design being created.

Moving forward, the conceptual design was reviewed and supported by the KCACP. Some preliminary cost estimates were established and the next step was to determine a funding mechanism for this project. Objectives set for the funding of this project included raising funds within the community each agency serves as well as keeping in mind that this memorial should be built in a timely manner. We began fundraising efforts in 2013 and to date have raised approximately \$20,000. With a cost estimate of \$60,000 - \$70,000 to build the memorial, we have determined our fundraising efforts are not meeting the objective of completing the project in a timely manner. As a committee we have brainstormed other fundraising concepts and plan to begin those additional ideas in 2016 to continue our efforts towards this project.

At this point in time the KCACP is seeking assistance from the Kendall County Board in the form of an interest free loan to assist in closing the funding gap to complete this project. If the request was granted and an acceptable agreement of terms was met, the KCACP would continue to focus on fundraising efforts to pay the loan down. The goal would be to borrow up to \$50,000 and KCACP and the Kendall County Board will determine an appropriate payment schedule. As explained above, we have raised just over \$20,000 towards this project over three years. The KCACP would hope to have an annual payment somewhere in the area of seven years with the desire to pay this off early. Currently the KCACP does not have the funds in our general fund to support the remaining portion of this gap without causing a significant impact to the operational needs of the organization. We have recently begun the process of becoming a registered not-for-profit organization which brings additional expenses, but also makes our ability to raise funds much better.

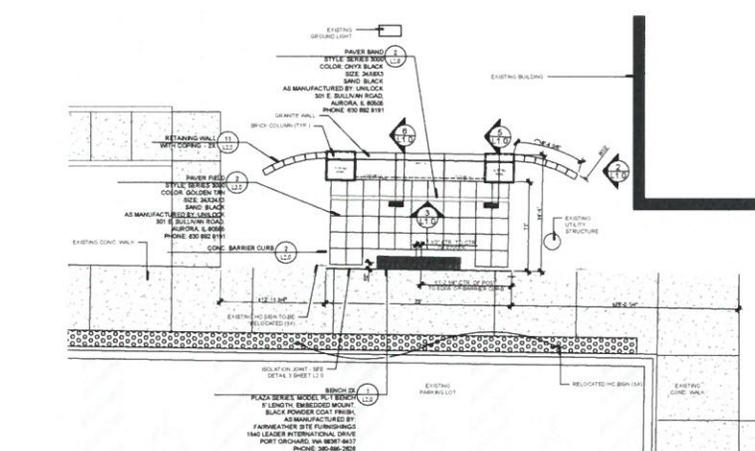
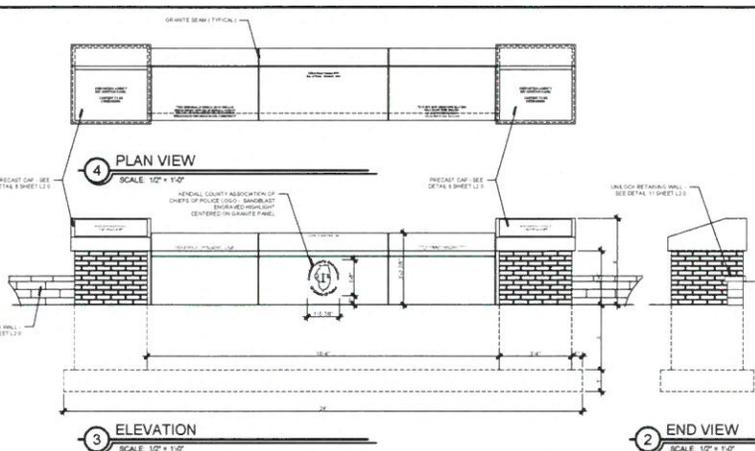
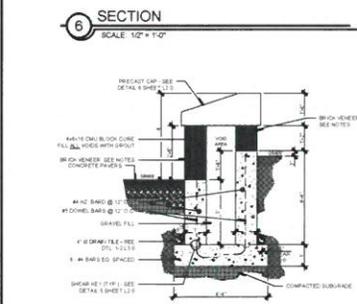
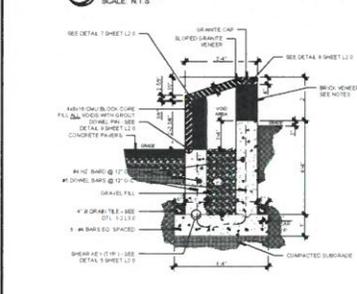
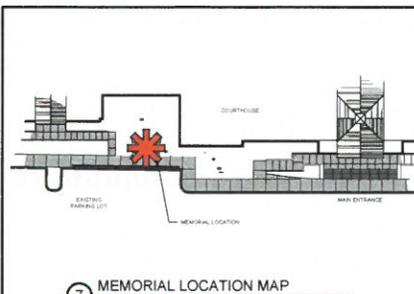
It is our desire to further the conversation of this loan request. This memorial would be constructed on County property and would meet all requirements and inspections prior to completion. This project would also enhance the visual esthetics of the courthouse and provide a location to properly honor our fallen officers that have made the ultimate sacrifice.

Thank you for your consideration.

Chief Jeff Burgner  
Oswego Police Department  
KCACP – LE Memorial Committee Chair







**CONCRETE NOTES**

- 1 ALL CONCRETE WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS (2007) CURRENT EDITION.
- 2 PLAN DIMENSIONS AND DETAILS RELATIVE TO THE BUILDING FOUNDATION HAVE BEEN TAKEN FROM THE SITE AND BUILDING CONSTRUCTION PLANS AND ARE SUBJECT TO NOMINAL CONSTRUCTION VARIATIONS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY SUCH DIMENSIONS AND DETAILS IN THE FIELD AND MAKE NECESSARY APPROVED ADJUSTMENTS PRIOR TO CONSTRUCTION OR ORDERING OF MATERIALS. SUCH VARIATIONS SHALL NOT BE CAUSE FOR ADDITIONAL COMPENSATION FOR A CHANGE IN THE SCOPE OF THE WORK.
- 3 ALL CAST-IN-PLACE CLASS 30 CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 4000 P.S.I.
- 4 ALL CONCRETE WORK SHALL CONFORM TO SECTION 203 OF THE DOT STANDARD SPECIFICATIONS, LATEST EDITION.
- 5 CONTRACTOR IS RESPONSIBLE FOR ADEQUACY OF TEMPORARY SHORING TO SUPPORT CONCRETE FORMWORK.
- 6 COVER FROM THE FACE OF THE CONCRETE TO THE FACE OF THE REINFORCEMENT SHALL BE AS FOLLOWS, UNLESS OTHERWISE NOTED: SURFACES FORMED AGAINST EARTH - 3" COVER FOR ALL OTHER SURFACES - 2"
- 7 ALL REINFORCEMENT BARS SHALL CONFORM TO ASTM A615, GRADE 60, ASBRI TO MINIMUM.
- 8 ALL REINFORCEMENT BARS SHALL BE CLEAN AND FREE OF GREASE, SCALING RUST AND OTHER FOREIGN MATERIALS.
- 9 REINFORCEMENT BAR BENDING DIMENSIONS SHALL CONFORM TO THE STANDARD SPECIFICATIONS.
- 10 CONTRACTOR SHALL VERIFY LENGTH OF DOG LIPS TO CORRESPOND WITH HEIGHT OF BRICK LEGS.

**BRICK, PRECAST & GRANITE NOTES**

- 1 PREPARE SHOP DRAWINGS FOR ALL PRECAST BRICK AND GRANITE. SUBMIT TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO COMMENCEMENT WITH FABRICATION.
- 2 ALL PRECAST SHALL BE BUFF IN COLOR AND SHALL BE SEALED PRIOR TO INSTALLATION. FABRICATOR SHALL SUBMIT MATERIAL AND FINISH EXAMPLE TO LANDSCAPE ARCHITECT PRIOR TO PROCUREMENT & FABRICATION.
- 3 GRANITE TO BE BLACK GALAXY (SEE BELOW). FINISH SHALL BE HIGH POLISH. GRANITE SHALL BE SEALED PRIOR TO INSTALLATION. FABRICATOR SHALL SUBMIT MATERIAL AND FINISH EXAMPLE TO LANDSCAPE ARCHITECT PRIOR TO PROCUREMENT & FABRICATION.

**Black Galaxy Granite**

Synonyms: Black Anetist, Black Anetista, Black Amethyst, Black Anethytha, Black and Gold, Black Galaxy, Black Galaxy Granite, Black Gold, Black Gold Galaxy, Black Galaxy Granite, Black Gold Series, GA 902, Galaxy Black, Galaxy Black, Galaxy Gold, Galaxy Star, Nero Anetista, Nero Galaxia, Nero Galaxy, Nero Star Galaxy, Nero Star Galaxy, Star Galaxy, Star Galaxy Black, Star Galaxy Granite, Star Galaxy, WG203

Description: A fine to medium-grained, black gabbro of the Precambrian period with golden-yellow sparkling crystalline scales.

**Technical Information for Indian Black Galaxy Granite**

Description: This material can have a dark black background, a dark black fringe or black with grey/white pinhead sized spotting. As it has golden specks in them, small/medium flake. First Choice material will have no white areas or veins.

Quarrying Area: Chennamurthi, Bodawada, Prakasham District, Andhra Pradesh, Southern India

**BRICK NOTES**

BRICK SIZE TO BE STANDARD MODULAR COLOR TO MATCH EXISTING BUILDING MASONRY SHALL SUBMIT MATERIALS EXAMPLE TO LANDSCAPE ARCHITECT PRIOR TO PROCUREMENT.

Project No. 2015-036  
Date: 08/11/2015  
Scale: 1/2" = 1'-0"  
Sheet: 10 of 10

**KENDALL COUNTY LAW ENFORCEMENT**  
Kendall County Sheriff's Office  
PO Box 24  
Yorkville, IL 62550

**SITE PLAN AND DETAILS**

**KENDALL COUNTY LAW ENFORCEMENT**  
Kendall County Sheriff's Office  
PO Box 24  
Yorkville, IL 62550

**L1.0**

ISSUED FOR BID --- NOT FOR CONSTRUCTION



# KENDALL COUNTY LAW ENFORCEMENT MEMORIAL

Kendall County Government Center  
807 John St, Yorkville, IL 60560

## PRELIMINARY SITE IMPROVEMENT PLANS

PREPARED BY:



**Schoppe Design Associates, Inc.**  
LAND PLANNING & LANDSCAPE ARCHITECTURE

126 S. Main Street  
Oswego, IL 60543  
p: 630 551-3355  
f: 630 551-3639  
schoppedesign.net

PREPARED FOR:

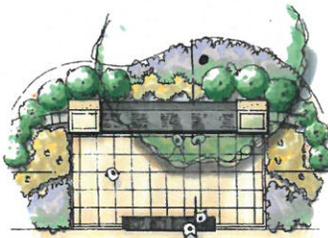


Kendall County Association  
of Chiefs of Police  
PO Box 743  
Yorkville, IL 60560

LOCATION MAP



ILLUSTRATIVE DESIGN



SHEET INDEX

- L.0.0 COVER
- L.1.0 SITE PLAN AND DETAILS
- L.2.0 DETAILS
- L.3.0 LANDSCAPE PLAN, DETAILS & SPECIFICATIONS

GENERAL NOTES

1. BASE INFORMATION FROM SITE MEASUREMENTS & AERIAL PHOTOGRAPHY.
2. VERIFY SITE CONDITIONS AND INFORMATION OF DRAWINGS PRIOR TO COMMENCEMENT OF WORK. PROMPTLY REPORT ANY CONCEALED CONDITIONS, MISTAKES, DISCREPANCIES, OR DEVIATIONS FROM THE INFORMATION SHOWN IN THE CONTRACT DOCUMENTS. THE OWNER IS NOT RESPONSIBLE FOR UNAUTHORIZED CHANGES OR EXTRA WORK REQUIRED TO CORRECT UNREPORTED DISCREPANCIES.
3. SECURE AND PAY FOR ALL PERMITS FEES AND INSPECTIONS NECESSARY FOR THE PROPER EXECUTION OF THIS WORK.
4. PLANTS AND OTHER MATERIALS ARE QUANTIFIED AND SUMMARIZED FOR THE CONVENIENCE OF THE OWNER AND JURISDICTIONAL AGENCIES. CONFIRM AND INSTALL SUFFICIENT QUANTITIES TO COMPLETE THE WORK AS DRAWN. NO ADDITIONAL PAYMENTS WILL BE MADE FOR MATERIALS REQUIRED TO COMPLETE THE WORK AS DRAWN.
5. REFER TO THE SPECIFICATIONS FOR ADDITIONAL CONDITIONS, STANDARDS AND NOTES.
6. PLANT SPECIES SHOWN ARE SUBJECT TO AVAILABILITY. OWNER RESERVES THE RIGHT TO MAKE SUBSTITUTIONS WHICH ARE THE SAME SIZE AND SIMILAR HABIT. LANDSCAPE ARCHITECT TO CONFIRM ANY SUBSTITUTIONS PRIOR TO CONTRACTOR PROCUREMENT.

ABBREVIATIONS

- CONC = CONCRETE
- CTR = CENTER
- HIC = HANDICAP
- HE = HORIZONTAL
- O.C = ON CENTER
- SCH = SCHEDULE

**ISSUED FOR BID  
NOT FOR CONSTRUCTION**

UTILITY LOCATION NOTICE

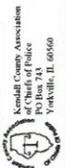


Know what's below.  
Call before you dig.

Contractor and/or sub-contractors shall verify locations of all underground utilities prior to digging. Contact J.U.L.E. (Joint Utility Locating for Excavators) at 1-800-892-0123 or dial 811.

REVISION HISTORY

REV	DATE	SHEET NUMBER	PURPOSE
0	2015-10-30	ALL	ISSUED FOR CLIENT REVIEW & BID



COVER SHEET



Scale:  
Date:  
Drawn by:  
Checked by:  
Title:  
Project No.:

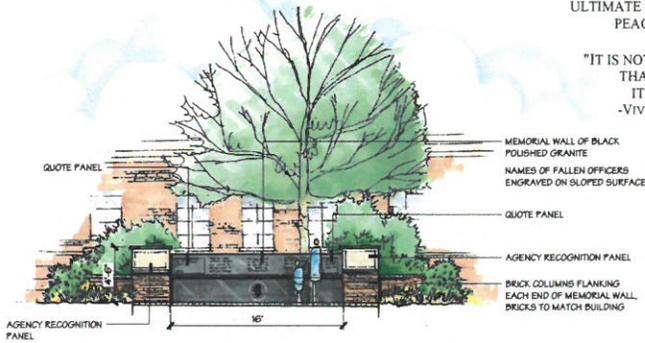
Lo.0

ISSUED FOR BID -- NOT FOR CONSTRUCTION

# KENDALL COUNTY LAW ENFORCEMENT MEMORIAL

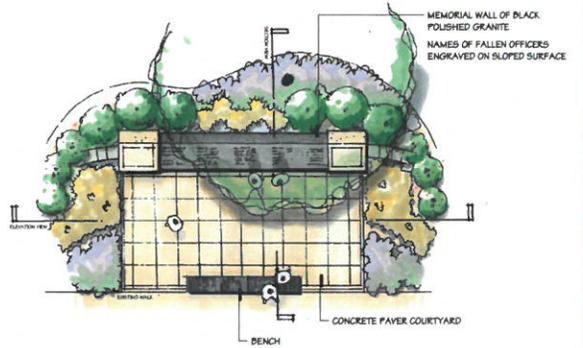
"THIS MEMORIAL IS DEDICATED TO THE  
LAW ENFORCEMENT OFFICERS IN  
KENDALL COUNTY THAT HAVE GIVEN THE  
ULTIMATE SACRIFICE WHILE PRESERVING  
PEACE IN OUR COMMUNITY."

"IT IS NOT HOW THESE OFFICERS DIED  
THAT MADE THEM HEROES,  
IT IS HOW THEY LIVED."  
-VIVIAN ENEY CROSS, SURVIVOR



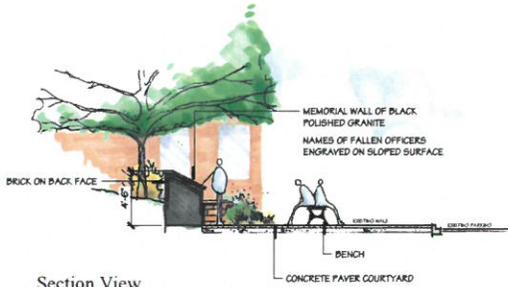
Elevation View

Scale: 1/4" = 1'-0"



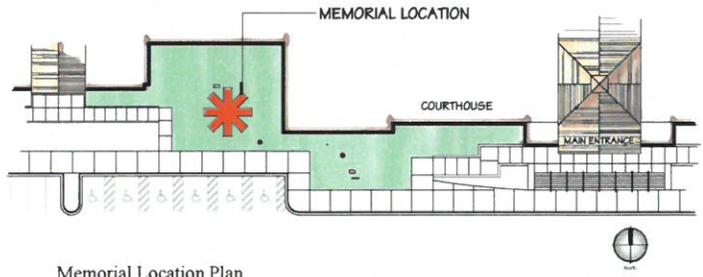
Plan View

Scale: 1/4" = 1'-0"



Section View

Scale: 1/4" = 1'-0"



Memorial Location Plan

Scale: 1" = 20'



Date: December 17, 2013

## CONCEPTUAL DESIGN



Schoppe Design Associates, Inc.  
LAND PLANNING & LANDSCAPE ARCHITECTURE

126 S. Main Street  
Oswego, IL 60543  
P: 630.573.3355  
F: 630.551.3639  
schoppe@sda.net

# Kendall County, Illinois

## Refunding Plan

### Scenario 3 (Issuance in 2016 and 2017)

## Summary

<i>Year Completed:</i>	<i>2016</i>		<i>2017</i>		<i>2017</i>	
Fiscal Year	<i>Current PSST Supported Debt Service (1)</i>	<i>Less: Savings from Step 1 - 2008 Refunding</i>	<i>Less: Savings from Step 2 - 2009 Refunding</i>	<i>Less: Savings from Step 3 - 2007B Refunding</i>	<i>Total Estimated Savings</i>	<i>Estimated Total New PSST Debt Service</i>
2016	\$3,398,363	\$0	\$0	\$0	\$0	\$3,398,363
2017	3,629,638	105,060	0	0	105,060	3,524,578
2018	3,737,948	124,346	7,438	0	131,785	3,606,163
2019	4,006,616	59,634	158,987	10,010	228,632	3,777,985
2020	4,151,214	55,008	104,700	149,249	308,956	3,842,258
2021	4,152,028	50,699	67,560	158,350	276,609	3,875,419
2022	3,730,505	6,530	16,901	61,691	85,122	3,645,383
2023	2,922,358	4,624	18,164	38,469	61,256	2,861,101
2024	3,050,373	6,088	16,026	59,272	81,385	2,968,988
2025	3,058,753	7,693	14,510	59,358	81,560	2,977,193
2026	3,140,486	5,380	18,946	59,738	84,064	3,056,423
2027	3,148,428	3,193	18,674	58,324	80,190	3,068,238
2028	102,300	6,065	0	0	6,065	96,235
Total	\$42,229,006	\$434,318	\$441,907	\$654,460	\$1,530,684	\$40,698,323

Estimated Present Value Savings:	\$410,369	\$401,149	\$575,282	<b>\$1,386,801</b>
Refunded Principal Amount:	\$5,210,000	\$8,810,000	\$8,065,309	<b>\$22,085,309</b>
% PV Savings:	7.88%	4.55%	7.13%	<b>6.28%</b>
Escrow Arbitrage:	(\$40,629)	(\$52,304)	(\$50,891)	<b>(\$143,824)</b>

(1) Current outstanding debt service supported by Personal Safety Sales Taxes. Includes the County's Series 2007A Bonds, Series 2007B Bonds, Series 2008 Bonds, Series 2009 Bonds and Series 2010 Bonds.

# Kendall County, Illinois

## Refunding Plan

### Scenario 3 (Issuance in 2016 and 2017)

### Step 3 - Non-BQ Refinancing of 2007B Bonds in 2017

Fiscal Year	<i>Estimated PSST Supported Debt Service (1) After Step 2</i>	<i>General Obligation Refunding Bonds (Alternate Revenue Source), Series 2017 Estimated Dated Date: September 15, 2017</i>				<i>Less: Refunded Series 2007B Debt Service</i>	<i>Total New PSST Debt Service</i>	<b>Gross Savings</b>
		Principal (12/15)	Rate (2)	Interest (2) (6/15 & 12/15)	Total			
2016	\$3,398,363					\$0	\$3,398,363	\$0
2017	3,524,578				\$0	0	3,524,578	0
2018	3,606,163				0	0	3,606,163	0
2019	3,787,995	300,000	1.75%	389,990	689,990	(700,000)	3,777,985	10,010
2020	3,991,506	335,000	2.00%	215,751	550,751	(700,000)	3,842,258	149,249
2021	4,033,769	535,000	2.15%	206,650	741,650	(900,000)	3,875,419	158,350
2022	3,707,074	660,000	2.30%	193,309	853,309	(915,000)	3,645,383	61,691
2023	2,899,570	735,000	2.50%	176,531	911,531	(950,000)	2,861,101	38,469
2024	3,028,259	885,000	2.63%	155,728	1,040,728	(1,100,000)	2,968,988	59,272
2025	3,036,550	605,000	2.80%	135,643	740,643	(800,000)	2,977,193	59,358
2026	3,116,160	1,840,000	2.93%	100,263	1,940,263	(2,000,000)	3,056,423	59,738
2027	3,126,561	2,405,000	3.05%	36,676	2,441,676	(2,500,000)	3,068,238	58,324
2028	96,235						96,235	0
<b>Total</b>	<b>\$41,352,782</b>	<b>\$8,300,000</b>		<b>\$1,610,540</b>	<b>\$9,910,540</b>	<b>(\$10,565,000)</b>	<b>\$40,698,323</b>	<b>\$654,460</b>

**Refunding Statistics**

Estimated Present Value Savings:	\$575,282
Refunded Principal Amount:	\$8,065,309
% PV Savings:	7.13%
Escrow Arbitrage:	(\$50,891)

(1) Estimated outstanding debt service supported by Public Safety Sales Taxes after Steps 1 and 2.  
 (2) Assumes estimated current market interest rates for a non bank qualified transaction plus 60 basis points. Subject to change.

# Kendall County, Illinois

## Refunding Plan

### Scenario 3 (Issuance in 2016 and 2017)

## Step 2 - Non-BQ Refinancing of 2009 Bonds in 2017

Fiscal Year	<i>Estimated PSST Supported Debt Service (1) After Step 1</i>	<i>General Obligation Refunding Bonds (Alternate Revenue Source), Series 2017 Estimated Dated Date: September 15, 2017</i>				<i>Less: Refunded Series 2009 Debt Service</i>	<i>Estimated New PSST Debt Service</i>	<i>Gross Savings</i>
	Principal (12/15)	Rate (2)	Interest (2) (6/15 & 12/15)	Total				
2016	\$3,398,363					\$0	\$3,398,363	\$0
2017	3,524,578					0	3,524,578	0
2018	3,613,601	180,000	1.50%	167,084	347,084	(354,523)	3,606,163	7,438
2019	3,946,983	800,000	1.75%	214,879	1,014,879	(1,173,866)	3,787,995	158,987
2020	4,096,206	1,215,000	2.00%	195,729	1,410,729	(1,515,429)	3,991,506	104,700
2021	4,101,329	835,000	2.15%	174,603	1,009,603	(1,077,163)	4,033,769	67,560
2022	3,723,975	665,000	2.30%	157,979	822,979	(839,880)	3,707,074	16,901
2023	2,917,734	745,000	2.50%	141,019	886,019	(904,183)	2,899,570	18,164
2024	3,044,285	1,135,000	2.63%	116,809	1,251,809	(1,267,835)	3,028,259	16,026
2025	3,051,060	2,055,000	2.80%	73,143	2,128,143	(2,142,653)	3,036,550	14,510
2026	3,135,106	980,000	2.93%	30,040	1,010,040	(1,028,986)	3,116,160	18,946
2027	3,145,235	515,000	3.05%	7,854	522,854	(541,528)	3,126,561	18,674
2028	96,235					0	96,235	0
<b>Total</b>	<b>\$41,794,689</b>	<b>\$9,125,000</b>		<b>\$1,279,137</b>	<b>\$10,404,137</b>	<b>(\$10,846,044)</b>	<b>\$41,352,782</b>	<b>\$441,907</b>

**Refunding Statistics**

Estimated Present Value Savings:	\$401,149
Refunded Principal Amount:	\$8,810,000
% PV Savings:	4.55%
Escrow Arbitrage:	(\$52,304)

(1) Estimated outstanding debt service supported by Public Safety Sales Taxes after Step 1.  
 (2) Assumes estimated current market interest rates for a non bank qualified transaction plus 60 basis points. Subject to change.

# Kendall County, Illinois

## Refunding Plan

### Scenario 3 (Issuance in 2016 and 2017)

## Step 1 - BQ Refinancing of 2008 Bonds in 2016

Fiscal Year	<i>Current PSST Supported Debt Service (1)</i>	<i>General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016 Estimated Dated Date: June 15, 2016</i>				<i>Less: Refunded Series 2008 Debt Service</i>	<i>Estimated New PSST Debt Service</i>	<b>Gross Savings</b>
		Principal (12/15)	Rate (2)	Interest (2) (6/15 & 12/15)	Total			
2016	\$3,398,363					\$0	\$3,398,363	\$0
2017	3,629,638	\$20,000	0.90%	\$95,405	\$115,405	(220,465)	3,524,578	105,060
2018	3,737,948	415,000	1.15%	92,929	507,929	(632,275)	3,613,601	124,346
2019	4,006,616	715,000	1.35%	85,716	800,716	(860,350)	3,946,983	59,634
2020	4,151,214	495,000	1.50%	77,178	572,178	(627,185)	4,096,206	55,008
2021	4,152,028	715,000	1.65%	67,566	782,566	(833,265)	4,101,329	50,699
2022	3,730,505	970,000	1.85%	52,695	1,022,695	(1,029,225)	3,723,975	6,530
2023	2,922,358	1,030,000	1.98%	33,551	1,063,551	(1,068,175)	2,917,734	4,624
2024	3,050,373	660,000	2.10%	16,450	676,450	(682,538)	3,044,285	6,088
2025	3,058,753	100,000	2.23%	8,408	108,408	(116,100)	3,051,060	7,693
2026	3,140,486	100,000	2.35%	6,120	106,120	(111,500)	3,135,106	5,380
2027	3,148,428	100,000	2.48%	3,708	103,708	(106,900)	3,145,235	3,193
2028	102,300	95,000	2.60%	1,235	96,235	(102,300)	96,235	6,065
<b>Total</b>	<b>\$42,229,006</b>	<b>\$5,415,000</b>		<b>\$540,960</b>	<b>\$5,955,960</b>	<b>(\$6,390,278)</b>	<b>\$41,794,689</b>	<b>\$434,318</b>

**Refunding Statistics**

Estimated Present Value Savings:	\$410,369
Refunded Principal Amount:	\$5,210,000
% PV Savings:	7.88%
Escrow Arbitrage:	(\$40,629)

(1) Current outstanding debt service supported by Public Safety Sales Taxes. Includes the County's Series 2007A Bonds, Series 2007B Bonds, Series 2008 Bonds, Series 2009 Bonds and Series 2010 Bonds.

(2) Assumes estimated current market interest rates for a bank qualified transaction plus 10 basis points. Subject to change.

# Kendall County, Illinois

## Refunding Plan

### Scenario 1 (Issuance in 2016, 2017 and 2018)

## Summary

<i>Year Completed:</i>	<i>2016</i>		<i>2017</i>		<i>2018</i>	
<i>Fiscal Year</i>	<i>Current PSST Supported Debt Service (1)</i>	<i>Less: Savings from Step 1 - 2008 Refunding</i>	<i>Less: Savings from Step 2 - 2009 Refunding</i>	<i>Less: Savings from Step 3 - 2007B Refunding</i>	<i>Total Estimated Savings</i>	<i>Estimated Total New PSST Debt Service</i>
2016	\$3,398,363	\$0	\$0	\$0	\$0	\$3,398,363
2017	3,629,638	105,060	0	0	105,060	3,524,578
2018	3,737,948	124,346	3,744	0	128,090	3,609,858
2019	4,006,616	59,634	173,671	126,952	360,257	3,646,359
2020	4,151,214	55,008	118,073	154,615	327,695	3,823,519
2021	4,152,028	50,699	79,395	163,197	293,291	3,858,736
2022	3,730,505	6,530	27,611	31,326	65,467	3,665,038
2023	2,922,358	4,624	22,875	42,607	70,106	2,852,251
2024	3,050,373	6,088	24,386	32,910	63,383	2,986,989
2025	3,058,753	7,693	24,899	33,069	65,661	2,993,092
2026	3,140,486	5,380	26,167	32,743	64,289	3,076,197
2027	3,148,428	3,193	24,260	34,461	61,914	3,086,514
2028	102,300	6,065	0	0	6,065	96,235
<b>Total</b>	<b>\$42,229,006</b>	<b>\$434,318</b>	<b>\$525,080</b>	<b>\$651,881</b>	<b>\$1,611,279</b>	<b>\$40,617,728</b>

Estimated Present Value Savings:	\$410,369	\$479,372	\$606,991	<b>\$1,496,732</b>
Refunded Principal Amount:	\$5,210,000	\$8,810,000	\$8,295,254	<b>\$22,315,254</b>
% PV Savings:	7.88%	5.44%	7.32%	<b>6.71%</b>
Escrow Arbitrage:	(\$40,629)	(\$49,957)	(\$20,898)	<b>(\$111,484)</b>

(1) Current outstanding debt service supported by Personal Safety Sales Taxes. Includes the County's Series 2007A Bonds, Series 2007B Bonds, Series 2008 Bonds, Series 2009 Bonds and Series 2010 Bonds.

# Kendall County, Illinois

## Refunding Plan

### Scenario 1 (Issuance in 2016, 2017 and 2018)

### Step 3 - BQ Refinancing of 2007B Bonds in 2018

Fiscal Year	<i>Estimated PSST Supported Debt Service (1) After Step 2</i>	<i>General Obligation Refunding Bonds (Alternate Revenue Source), Series 2018</i>				<i>Less: Refunded Series 2007B Debt Service</i>	<i>Total New PSST Debt Service</i>	<i>Gross Savings</i>
		<i>Principal (12/15)</i>	<i>Rate (2)</i>	<i>Interest (2) (6/15 &amp; 12/15)</i>	<i>Total</i>			
2016	\$3,398,363					\$0	\$3,398,363	\$0
2017	3,524,578				\$0	0	3,524,578	0
2018	3,609,858				0	0	3,609,858	0
2019	3,773,311	335,000	1.60%	238,048	573,048	(700,000)	3,646,359	126,952
2020	3,978,134	335,000	1.85%	210,385	545,385	(700,000)	3,823,519	154,615
2021	4,021,934	535,000	2.05%	201,803	736,803	(900,000)	3,858,736	163,197
2022	3,696,364	695,000	2.20%	188,674	883,674	(915,000)	3,665,038	31,326
2023	2,894,859	735,000	2.35%	172,393	907,393	(950,000)	2,852,251	42,607
2024	3,019,899	915,000	2.55%	152,090	1,067,090	(1,100,000)	2,986,989	32,910
2025	3,026,161	635,000	2.68%	131,931	766,931	(800,000)	2,993,092	33,069
2026	3,108,939	1,870,000	2.80%	97,258	1,967,258	(2,000,000)	3,076,197	32,743
2027	3,120,975	2,430,000	2.93%	35,539	2,465,539	(2,500,000)	3,086,514	34,461
2028	96,235						96,235	0
<b>Total</b>	<b>\$41,269,609</b>	<b>\$8,485,000</b>		<b>\$1,428,119</b>	<b>\$9,913,119</b>	<b>(\$10,565,000)</b>	<b>\$40,617,728</b>	<b>\$651,881</b>

#### Refunding Statistics

Estimated Present Value Savings:	\$606,991
Refunded Principal Amount:	\$8,295,254
% PV Savings:	7.32%
Escrow Arbitrage:	(\$20,898)

(1) Estimated outstanding debt service supported by Personal Safety Sales Taxes after Steps 1 and 2.

(2) Assumes estimated current market interest rates for a bank qualified transaction plus 80 basis points. Subject to change.



# Kendall County, Illinois

## Refunding Plan

### Scenario 1 (Issuance in 2016, 2017 and 2018)

## Step 2 - BQ Refinancing of 2009 Bonds in 2017

Fiscal Year	<i>Estimated PSST Supported Debt Service (1) After Step 1</i>	<i>General Obligation Refunding Bonds (Alternate Revenue Source), Series 2017</i>				<i>Less: Refunded Series 2009 Debt Service</i>	<i>Estimated New PSST Debt Service</i>	<i>Gross Savings</i>
		<i>Principal (12/15)</i>	<i>Rate (2)</i>	<i>Interest (2) (6/15 &amp; 12/15)</i>	<i>Total</i>			
2016	\$3,398,363					\$0	\$3,398,363	\$0
2017	3,524,578					0	3,524,578	0
2018	3,613,601	195,000	1.40%	155,779	350,779	(354,523)	3,609,858	3,744
2019	3,946,983	800,000	1.65%	200,195	1,000,195	(1,173,866)	3,773,311	173,671
2020	4,096,206	1,215,000	1.85%	182,356	1,397,356	(1,515,429)	3,978,134	118,073
2021	4,101,329	835,000	2.00%	162,768	997,768	(1,077,163)	4,021,934	79,395
2022	3,723,975	665,000	2.15%	147,269	812,269	(839,880)	3,696,364	27,611
2023	2,917,734	750,000	2.35%	131,308	881,308	(904,183)	2,894,859	22,875
2024	3,044,285	1,135,000	2.48%	108,449	1,243,449	(1,267,835)	3,019,899	24,386
2025	3,051,060	2,050,000	2.60%	67,754	2,117,754	(2,142,653)	3,026,161	24,899
2026	3,135,106	975,000	2.73%	27,819	1,002,819	(1,028,986)	3,108,939	26,167
2027	3,145,235	510,000	2.85%	7,268	517,268	(541,528)	3,120,975	24,260
2028	96,235					0	96,235	0
<b>Total</b>	<b>\$41,794,689</b>	<b>\$9,130,000</b>		<b>\$1,190,964</b>	<b>\$10,320,964</b>	<b>(\$10,846,044)</b>	<b>\$41,269,609</b>	<b>\$525,080</b>

#### Refunding Statistics

Estimated Present Value Savings:	\$479,372
Refunded Principal Amount:	\$8,810,000
% PV Savings:	5.44%
Escrow Arbitrage:	(\$49,957)

(1) Estimated outstanding debt service supported by Personal Safety Sales Taxes after Step 1.

(2) Assumes estimated current market interest rates for a bank qualified transaction plus 60 basis points. Subject to change.

# Kendall County, Illinois

## Refunding Plan

### Scenario 1 (Issuance in 2016, 2017 and 2018)

## Step 1 - BQ Refinancing of 2008 Bonds in 2016

Fiscal Year	<i>Current PSST Supported Debt Service (1)</i>	<i>General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016</i>				Total	<i>Less: Refunded Series 2008 Debt Service</i>	<i>Estimated New PSST Debt Service</i>	<b>Gross Savings</b>
		<i>Principal (12/15)</i>	<i>Rate (2)</i>	<i>Interest (2) (6/15 &amp; 12/15)</i>					
2016	\$3,398,363					\$0	\$3,398,363	\$0	
2017	3,629,638	\$20,000	0.90%	\$95,405	\$115,405	(220,465)	3,524,578	105,060	
2018	3,737,948	415,000	1.15%	92,929	507,929	(632,275)	3,613,601	124,346	
2019	4,006,616	715,000	1.35%	85,716	800,716	(860,350)	3,946,983	59,634	
2020	4,151,214	495,000	1.50%	77,178	572,178	(627,185)	4,096,206	55,008	
2021	4,152,028	715,000	1.65%	67,566	782,566	(833,265)	4,101,329	50,699	
2022	3,730,505	970,000	1.85%	52,695	1,022,695	(1,029,225)	3,723,975	6,530	
2023	2,922,358	1,030,000	1.98%	33,551	1,063,551	(1,068,175)	2,917,734	4,624	
2024	3,050,373	660,000	2.10%	16,450	676,450	(682,538)	3,044,285	6,088	
2025	3,058,753	100,000	2.23%	8,408	108,408	(116,100)	3,051,060	7,693	
2026	3,140,486	100,000	2.35%	6,120	106,120	(111,500)	3,135,106	5,380	
2027	3,148,428	100,000	2.48%	3,708	103,708	(106,900)	3,145,235	3,193	
2028	102,300	95,000	2.60%	1,235	96,235	(102,300)	96,235	6,065	
<b>Total</b>	<b>\$42,229,006</b>	<b>\$5,415,000</b>		<b>\$540,960</b>	<b>\$5,955,960</b>	<b>(\$6,390,278)</b>	<b>\$41,794,689</b>	<b>\$434,318</b>	

#### *Refunding Statistics*

Estimated Present Value Savings:	\$410,369
Refunded Principal Amount:	\$5,210,000
% PV Savings:	7.88%
Escrow Arbitrage:	(\$40,629)

(1) Current outstanding debt service supported by Personal Safety Sales Taxes. Includes the County's Series 2007A Bonds, Series 2007B Bonds, Series 2008 Bonds, Series 2009 Bonds and Series 2010 Bonds.

(2) Assumes estimated current market interest rates for a bank qualified transaction plus 10 basis points. Subject to change.

## KENDALL COUNTY, ILLINOIS

General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016

### Preliminary Timetable (February 1, 2016)

<u>Task</u>	<u>Party Responsible</u>	<u>Date</u>
Preparation of Materials for Official Statement (OS)	County and Speer	February 1 - February 22
Committee of the Whole	County	February 11 @ 4:00 pm
Finance Committee	County	February 11 @ 5:30 pm
Request Call with Rating Agency	County and Speer	Week of February 15
Distribute Draft POS	Speer	February 23
Distribute Rating Package	Speer	February 23
Comments received on draft POS	All Parties	March 7
Rating Call	County and Speer	Week of March 7
Receive Bond Rating	County and Speer	March 21
Distribute Draft of Bond Ordinance	Bond Counsel	Week of March 21
Finalize and Print POS	Speer	March 22
Bond Sale	All Parties	April 5
Bond Ordinance Adopted	County	April 5 @ 6:00pm
Bond Closing	All Parties	May 3

*All Board Events or Actions are Highlighted in BLUE*

## County Department Heads: Exempt Status?

*Presented by:*

ASA Leslie Johnson  
Kendall County State's Attorney's Office  
February 11, 2016

---

---

---

---

---

---

---

---

## Why is This Discussion Important?

- Wage and hour implications:
  - Overtime
  - Recordkeeping requirements
  
- Labor law implications:
  - Bargaining unit status

---

---

---

---

---

---

---

---

## Applicable Wage and Hour Laws

- Federal law =  
Fair Labor Standards Act (FLSA)
  
- State law =  
Illinois Minimum Wage Law (IMWL)

---

---

---

---

---

---

---

---

**THE GENERAL RULE:**

Employee must be paid at least minimum wage for each hour worked *AND* overtime pay at one and one-half the employee's regular rate of pay for all hours worked over 40 in a workweek *UNLESS.... the employee is EXEMPT.*

---

---

---

---

---

---

---

---

**Who Are "Exempt Employees"?**

- Executive
- Administrative
- Professional  
*(not likely for most department heads)*
- Certain Employees in Computer-Related Occupations *(not likely unless Technology Department)*

---

---

---

---

---

---

---

---

**Are Department Heads Exempt?**

It depends!

**TWO PART TEST:**

(1) Do they satisfy the salary test?  
**AND**

(2) Do they satisfy the duties test?\*

*\*IMWL and FLSA apply slightly different duties tests.*

---

---

---

---

---

---

---

---

### #1 – Do They Satisfy The Salary Test?

- Are they paid on a “salary basis”?
  - NO deductions b/c of quantity or quality of work.
- Minimum rate of pay is:

NOW	PROPOSED RULE (Effective Date TBD)
At least \$455/week (\$23,660/year)	At least approx. \$970/week (\$50,440/year), but amount will likely change each year.

---

---

---

---

---

---

---

---

### #2 – Do They Satisfy The Duties Test?

- Duties tests vary with each exemption.
- Case-by-case analysis.
- Things to consider that may impact exempt status:*
  - Job descriptions – what are the primary and essential job duties?
  - Organizational charts – what is the reporting structure?
  - Employee handbook – what duties are identified?
  - Day to day work – what do they do most of the day?

---

---

---

---

---

---

---

---

### EXECUTIVE EXEMPTION – Duties Test

- Primary duty is management of the department.
- Regularly directs the work of 2 or more full-time employees.
- Has the authority to hire or fire employees, or alternatively, the employee’s recommendations are given “particular weight”.

---

---

---

---

---

---

---

---

**Executive – Duties Test (Continued)**

**Is the Primary Duty one of Management?**

- Interview, select and train employees;
- Set and adjust rates of pay and work hours;
- Plan and direct work tasks;
- Prepare and maintain documents used for performance evaluations;
- Conduct employee reviews;
- Address workplace complaints or grievances;
- Plan and control the department's budget;
- Determine the material, method, tools, etc. to complete the work;
- Monitor and implement legal compliance measures; and
- Provide for safety and security of employees and property.

---

---

---

---

---

---

---

---

**Executive – Duties Test (Continued)**

**Authority to hire or fire, particular weight?**

- Factors to consider:
  - Is it part of the assigned job duties to make such recommendations?
  - What is the frequency with which such recommendations are made, requested, relied upon?
  - If final decision made by a higher level supervisor, what is that supervisor's role in the process? (More of a "rubber stamp" or actively involved in process)

---

---

---

---

---

---

---

---

**ADMINISTRATIVE - Duties Test**

- Primary duty is performance of *office or non-manual work directly related to the management or general business operations* of the County; and
- Requires the exercise of *discretion and independent judgment* with respect to *matters of significance*.

---

---

---

---

---

---

---

---

### Administrative – Duties Test (Continued)

**Does the employee perform mostly office/non-manual work?**

- Not manual labor or other duties that require physical skill and agility.
- Must be more than routine clerical or secretarial work (e.g., data entry, word processing, receptionist duties, ordering routine supplies).

---

---

---

---

---

---

---

---

### Administrative – Duties Test (Continued)

**Are the primary job duties directly related to management/business operations?**

YES	NO
Performs work that is directly related to and essential to the management of the department. Tasks such as personnel management, purchasing, quality control, labor relations, legal and regulatory compliance, creating policies and procedures, etc. "Running of the department" take up most of the day-to-day job.	Performs tasks that generates the product or services that department provides to the public. Performing the same work that subordinate employees regularly do in the department. "Running of the department" only takes up a small portion of the day.

---

---

---

---

---

---

---

---

### Administrative – Duties Test (Continued)

**Exercise of discretion and independent judgment with respect to matters of significance:**

YES	NO
Employee has authority to make independent choices regarding important matters, free from immediate direction or supervision.	Employee must run most to all important decisions by another supervisor.
Employee has the authority to formulate, affect, interpret and implement management policies and procedures.	Employee must obtain approval before implementing management policies and procedures.
Employee has the authority to commit to important financial expenditures within the department's budget.	Employee must obtain approval for important financial expenditures from another supervisor, even if the expenditure is within budget.
Employee is actively involved in the County Board's short-term and long-term planning for department and County.	Employee is not actively involved in the County Board's short-term and long term planning for department and County.
Employee directly handles complaints, arbitrates disputes, actively participates in negotiations, and resolves grievances.	Employee does not handle complaints, arbitrate disputes, actively participates in negotiations, and resolves grievances.

---

---

---

---

---

---

---

---



### Administrative – Duties Test

**Matters of Significance:**

- Major assignments related to operations;
- Affects operations in a substantial matter;
- Authority to implement, interpret, create policies or procedures,
- Authority to deviate from established policies without prior approval;
- Commits the employer in significant financial matters with limited to no supervision;
- Conducts investigations and resolves matters;
- Represents the employer in complaints, disputes, negotiations, etc.

---

---

---

---

---

---

---

---

### Exempt or Not?

- Plaintiff: a supervisor of Chicago's EMS Department.
- Reports to Superintendent of EMS (Superintendent reports to City Council)
- Supervised EMS staff: made work assignments, monitored performance, trained staff, conducted performance evaluations.
- Major decisions run by superintendent first; superintendent would discuss with City Council and report back decision to supervisor (who was then responsible for implementing directives).

---

---

---

---

---

---

---

---

### ANSWER: Not Exempt

- Plaintiff did not report directly to City Council.
- Plaintiff did not typically participate in Council's planning meetings.
- Plaintiff did not exercise "the bulk of the discretion with regard to the management of operations".
- Plaintiff would discuss issue with Superintendent and Superintendent would then review with the Council and provide answer to plaintiff. Plaintiff would then implement decision.

*Cooney v. City of Chicago, 644 F. Supp. 2d 1061 (N.D. Ill. 2009).*

---

---

---

---

---

---

---

---

### Possible Penalties

- Overtime pay for all hours worked over 40/work week.
- Attorneys' fees and costs.
- Penalty payable to employee in amount equal to 2% of underpayment for each month following the date payment was due and unpaid.
- Penalty payable to IDOL for up to 20% of total underpayment due (if willful violation).
- Penalty payable to USDOL in amount up to \$1100 per violation (if willful or repeat violation).

---

---

---

---

---

---

---

---

## Fact Sheet #17A: Exemption for Executive, Administrative, Professional, Computer & Outside Sales Employees Under the Fair Labor Standards Act (FLSA)

This fact sheet provides general information on the exemption from minimum wage and overtime pay provided by Section 13(a)(1) of the Fair Labor Standards Act as defined by Regulations, 29 CFR Part 541.

The FLSA requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

See other fact sheets in this series for more information on the exemptions for executive, administrative, professional, computer and outside sales employees, and for more information on the salary basis requirement.

### Executive Exemption

To qualify for the executive employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise;
- The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
- The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.

### Administrative Exemptions

To qualify for the administrative employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
- The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

FLSA if they customarily and regularly perform at least one of the duties of an exempt executive, administrative or professional employee identified in the standard tests for exemption.

### **Blue Collar Workers**

The exemptions provided by FLSA Section 13(a)(1) apply only to “white collar” employees who meet the salary and duties tests set forth in the Part 541 regulations. The exemptions do not apply to manual laborers or other “blue collar” workers who perform work involving repetitive operations with their hands, physical skill and energy. FLSA-covered, non-management employees in production, maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, longshoremen, construction workers and laborers are entitled to minimum wage and overtime premium pay under the FLSA, and are not exempt under the Part 541 regulations no matter how highly paid they might be.

### **Police, Fire Fighters, Paramedics & Other First Responders**

The exemptions also do not apply to police officers, detectives, deputy sheriffs, state troopers, highway patrol officers, investigators, inspectors, correctional officers, parole or probation officers, park rangers, fire fighters, paramedics, emergency medical technicians, ambulance personnel, rescue workers, hazardous materials workers and similar employees, regardless of rank or pay level, who perform work such as preventing, controlling or extinguishing fires of any type; rescuing fire, crime or accident victims; preventing or detecting crimes; conducting investigations or inspections for violations of law; performing surveillance; pursuing, restraining and apprehending suspects; detaining or supervising suspected and convicted criminals, including those on probation or parole; interviewing witnesses; interrogating and fingerprinting suspects; preparing investigative reports; or other similar work.

### **Other Laws & Collective Bargaining Agreements**

The FLSA provides minimum standards that may be exceeded, but cannot be waived or reduced. Employers must comply, for example, with any Federal, State or municipal laws, regulations or ordinances establishing a higher minimum wage or lower maximum workweek than those established under the FLSA. Similarly, employers may, on their own initiative or under a collective bargaining agreement, provide a higher wage, shorter workweek, or higher overtime premium than provided under the FLSA. While collective bargaining agreements cannot waive or reduce FLSA protections, nothing in the FLSA or the Part 541 regulation relieves employers from their contractual obligations under such bargaining agreements.

### **Where to Obtain Additional Information**

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

When the state laws differ from the federal FLSA, an employer must comply with the standard most protective to employees. Links to your state labor department can be found at [www.dol.gov/whd/contacts/state\\_of.htm](http://www.dol.gov/whd/contacts/state_of.htm).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

**U.S. Department of Labor**  
Frances Perkins Building  
200 Constitution Avenue, NW  
Washington, DC 20210

**1-866-4-USWAGE**  
TTY: 1-866-487-9243  
**Contact Us**

### **Professional Exemption**

To qualify for the **learned professional** employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
- The advanced knowledge must be in a field of science or learning; and
- The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

To qualify for the **creative professional** employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.

### **Computer Employee Exemption**

To qualify for the computer employee exemption, the following tests must be met:

- The employee must be compensated **either** on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week **or**, if compensated on an hourly basis, at a rate not less than \$27.63 an hour;
- The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below;
- The employee's primary duty must consist of:
  - 1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
  - 2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
  - 3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
  - 4) A combination of the aforementioned duties, the performance of which requires the same level of skills.

### **Outside Sales Exemption**

To qualify for the outside sales employee exemption, all of the following tests must be met:

- The employee's primary duty must be making sales (as defined in the FLSA), or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer; and
- The employee must be customarily and regularly engaged away from the employer's place or places of business.

### **Highly Compensated Employees**

Highly compensated employees performing office or non-manual work and paid total annual compensation of \$100,000 or more (which must include at least \$455 per week paid on a salary or fee basis) are exempt from the

**KENDALL COUNTY BOARD AGENDA  
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210  
Tuesday, February 16, 2016 at 9:00 a.m.  
PRELIMINARY**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Previous Month's Minutes
5. Approval of Agenda
6. Special Recognition
7. Correspondence and Communications – County Clerk
8. Citizens to Be Heard
9. Executive Session
10. Old Business
11. New Business
  - A. Approval of Resolution authorizing the Release of All Claims of Bonny Flerlage, et. al., vs. Village of Oswego, et. al., filed in the United States District Court for the Northern District of Illinois, Docket Number 13 CV 6024, for the amount of \$5,000
12. Elected Officials Report and Other Department Reports
  - A. Sheriff
  - B. County Clerk
  - C. Treasurer
  - D. Clerk of the Court
  - E. State's Attorney
  - F. Coroner
  - G. Health Department
  - H. Supervisor of Assessments
13. Standing Committee Reports
  - A. Planning, Building & Zoning
    1. Approval of Petition 15-17 by Kevin Calder for a Special Use located at 9923 Walker Road in Kendall Township to allow a landscape operation in the A-1 Agricultural District
    2. Approval of Petition 16-01 by Peter and Mary Bielby for a Special Use located at 8573 Fox River Drive in Fox Township to allow a kennel operation in the A-1 Agricultural District and a variance to Section 7.01 D.27 of the Kendall County Zoning Ordinance to permit a kennel structure to be located twenty-five feet from a non-residential zoning district
    3. Approval of a variance to accept fee-in-lieu of site runoff storage under the requirements of Sections 201.6 Depressional Storage and 203 Site Runoff Storage Requirements of Article II of the Kendall County Stormwater Management Ordinance for on-site stormwater detention in the amount of 6.69 acre-ft and depressional storage I the amount of 0.40 acre-ft and to waive the requirements of Section 403.a Hydraulically Equivalent Compensatory Storage (above and below 10 year flood elevation) and Section 403.d Compensatory Storage Adjacent to the Development of Article IV of the Kendall County Stormwater Management Ordinance for floodplain compensatory storage for the Fox Metro Water Reclamation District located at 682 State Route 31 in Oswego Township
    4. Approval of a Proclamation Recognizing the 175<sup>th</sup> Anniversary of the Creation of Kendall County
  - B. Public Safety
  - C. Administration/HR
  - D. Highway
    1. Approve Resolution appropriating \$120,000 of Motor Fuel Tax Funds to seal coat Grove Road from Sherrill road to US Route 52
    2. Approve Resolution appropriating \$1,400,000 of Motor Fuel Tax Funds to resurface Plainfield road from Grove Road to Ridge Road
    3. Approve Resolution appropriating funds for the payment of the County Engineer's salary of \$109,000 and authorizing IDOT to transfer \$54,500 of Federal Surface transportation Funds in return for an equal amount of State funds

4. Announce recipients of 2016 KC-TAP (Kendall County Transportation Alternatives Program) funds
  - a. Kendall County Forest Preserve District in the amount of \$3,000 for shared use path along Route 34 between IL Rte 47 and Orchard Rd
  - b. City of Yorkville in the amount of \$35,000 for multi-use path and sidewalks along IL Rte 47 in Yorkville
- E. Facilities
  1. Approve Lightning Protection Contract for the Courthouse with Continental Electric in the amount of \$23,790.00
- F. Finance
  1. Approve Claims in an amount not to exceed \$ and Grand Juror Claims in an amount not to exceed \$
- G. Labor and Grievance
- H. Committee of the Whole
- I. Standing Committee Minutes Approval
14. Special Committee Reports
  - A. Public Building Commission
  - B. VAC
  - C. Historic Preservation
  - D. Board of Health
  - E. Juvenile Justice Counsel
15. Other Business
16. Chairman's Report

**Appointments**

**Announcements**

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

17. Citizens to be Heard
18. Questions from the Press
19. Adjournment