

**COUNTY OF KENDALL, ILLINOIS**  
**Health & Environment Committee**  
**Monday, August 15, 2016**  
**Meeting Minutes**

**CALL TO ORDER**

The meeting was called to order by Chair Judy Gilmour at 9:00a.m.

**ROLL CALL**

Committee Members Present: Dan Koukol - here, Judy Gilmour – here, Matthew Prochaska – here

*John Purcell arrived at 9:06a.m.*

*Elizabeth Flowers arrived at 9:12a.m. and Member Flowers left the meeting at 10:36a.m.*

Others Present: Megan Andrews, Steve Curratti, Marlin Hartman, Aaron Rybski, Dr. Amaal Tokars, Jeff Wilkins and Jenny Wold

**APPROVAL OF AGENDA** –Member Koukol made a motion to approve the agenda, second by Member Prochaska. **With three members present in agreement, the motion carried.**

**APPROVAL OF MEETING MINUTES** – Member Prochaska made a motion to approve the meeting minutes from July 18, 2016, second by Member Koukol. **With three members present voting aye, the motion carried.**

**STATUS REPORTS**

- **Health Department** – *Green Organics Update* – Marlin Hartman reported they are going through a change of ownership/operation at Green Organics, and there has been a decrease in host fees. Mr. Hartman talked with one of the one of the operators who stated they are no longer getting income and materials. Mr. Hartman and Mr. Rybski began researching the IEPA permit, Special Uses permit and closer requirements. He also continued to visit the site, and Dave Grevel sent Mr. Rybski an email briefly explaining their situation. Mr. Hartman reported that eventually the company was sold, and was purchased by Midwest Materials Land Waste (MWcompanies.com). Mr. Hartman said that MW Companies began in the mulch and wood business, has a Construction and Demolition transfer station, and a yard waste transfer station. Mr. Hartman thought they might bring the yard waste down to the Green Organics site for composting. Mr. Hartman has met with the new owners Steve and Victoria Burgland, and they seem to be a solid company that has been in the solid waste business for over twenty years. IEPA is in the process of transferring the permit, and Midwest Materials Land Waste is not currently accepting any incoming yard waste until the permit is in order.

Mr. Hartman said that a critical issue to be resolved is the Special Uses Permit through Planning, Building and Zoning. Mr. Hartman is not sure if the permit is transferable or not, but said that will be addressed by PBZ. Member Gilmour would like to take a field trip to the new company once they are up and running.

- **Kendall County Soil and Water District** – Megan Andrews provided the U.S. Drought monitor, and said there is just a small portion in western Illinois that has been affected. Ms. Andrews also briefly reviewed their latest newsletter, and mentioned the fall sales of fish and trees.

Jenny Wold briefly informed the committee about the master's level Summer Agriculture Institute offered to teachers in the tri-county area (Will, Kendall, and Grundy Counties) to understand the agricultural industry in Kendall County.

Ms. Wold said they just finished at the Kendall County Fair with a big educational area in the Family Fun Tent.

Ms. Wold also updated the committee about the Ag in the Classroom plans for this year with all of the County third grade classes. One of the new opportunities this year is a Get-a-Grant workshop on September 15<sup>th</sup> through Illinois Ag in the Classroom. There are book grants, and new and current teacher grants for the purchase of classroom resources. Ms. Wold hopes that many teachers will attend this free workshop.

- **Water Related Groups** – No report

## **OLD BUSINESS**

- **NACO Update** – Dr. Tokars had a conference call with NACO recently and said that the conversation confirmed that the prices online are reflective of the discounts, and that Dental Service information is not available online, but is available by contacting NACO directly, Dr. Tokars informed NACO that it is vital for the dental information to be made available to citizens online.

Dr. Tokars said that it would be helpful to have a single page of basic information, with a description of the NACO card, and how it can assist people by using it, should be displayed on the County and Health Department websites. The NACO card is available to anyone, even those that already have health or dental insurance, and can be used at any medical or dental office that accepts it. There is also a free prescription card that will assist those without health insurance in purchasing prescriptions at a discounted price.

- **Review of the Food Protection Ordinance** – Member Gilmour informed the committee that Dr. Tokars had just received copies of all three ordinances from the State's Attorney's office after their review on Friday. The committee began by reviewing the SAO suggested changes.

Member Purcell again voiced his concerns that the frequency of inspections and the fees are not very clearly defined in the ordinance. Discussion on why the specific changes suggested by the committee at the last meeting were not included in the copies received from the SAO. The different classifications according to state code that would require follow-up onsite inspections, what information is provided to applicant's that are not applying online,

Member Prochaska made a motion to replace both paragraphs in Section 8, with the current fee schedule as of August 15, 2016, second by Member Purcell.

Dr. Tokars stated that she isn't in a position to make a recommendation to the Board of Health motion by motion, but when this meeting is finished today, she will look at it in its totality, and be able to discern from there. The Board of Health meets on Tuesday, August 16, 2016.

**With Members Koukol, Purcell, Prochaska and Gilmour voting aye, and Member Flowers voting nay, the motion carried by a 4-1 vote.**

Member Purcell made a motion in Section 5, B Inspection Frequency, to clearly define the frequency of inspections, remove the words "in Attachment A", and insert the inspection chart, second by Member Koukol.

Dr. Tokars stated that these are significant changes and that she would have to take them back to the Board of Health.

**With Members Purcell, Koukol, Gilmour and Prochaska voting aye, and Member Flowers voting nay, the motion carried by a 4-1 vote.**

Member Purcell also questioned the Potluck Events section, page 4, paragraph F, and said he wanted clear definition of a potluck, the difference between a potluck and an event at a Chamber of Commerce, or local vendor involving food. Member Purcell stated that the verbiage needs to be very clearly defined, and suggested stating "the serving of food that is brought to a potluck sponsored by a business, a group of individuals, or religious, charitable, or non-profit organization".

Member Prochaska said that in reviewing the state statute, the verbiage is exactly as it is stated in the state code. Dr. Tokars stated that you have to be careful to not subtly weaken state code, but can add clarifying language. Member Flowers said that the section in the proposed ordinance states that "the event is not conducted for commercial purposes", and is saying exactly what Member Purcell wants it to say, but in different language.

Member Prochaska asked that the minutes clearly reflect that the committee does not believe that the potluck section does not extend to a chamber event. Member Gilmour said that the definition of a potluck is pursuant to the state statute and the language is verbatim to the state statute.

Discussion on the State's Attorney's Office review and suggestions to "Penalties" on page 13, section 15.

Member Purcell made a motion to forward the Food Protection Ordinance with the suggestions that were proposed (changes to be done by the Health Department) to the September 15, 2016 Committee of the Whole meeting for review of the proposed changes and further discussion, second by Member Koukol. **With four members voting aye, the motion passed.**

- ***Review of Water Supplies Ordinance*** – After reviewing the State's Attorney's Office proposed changes, the committee. Member Purcell again suggested that all inspection charts and fee schedules current as of August 15, 2016, to be included in the ordinance.

Mr. Rybski was asked to research fee information from surrounding counties and provide that information for the Committee of the Whole meeting on September 15, 2016.

Member Prochaska made a motion to remove both paragraphs in Section 11 Fees, with the current fee schedule as of August 15, 2016, second by Member Purcell. **With Members Purcell, Prochaska, Gilmour and Koukol voting aye, and Member Flowers voting nay, the motion carried.**

Discussion on page 22, Section 7 Inspections: Member Purcell again stressed the importance of clearly defining inspections in the ordinance. Mr. Rybski explained the inspection process, and said that normally they conduct one final inspection of the well.

Member Prochaska made a motion to forward the Water Supplies Ordinance with the proposed change to the September 15, 2016 Committee of the Whole meeting for review and further discussion, second by Member Purcell. **With four members voting aye, the motion carried.**

- ***Review of Onsite Wastewater Treatment System Ordinance*** – The committee reviewed the proposed changes by the State's Attorney's Office.

Discussion on the Interceptor Drain and Segment Drain Requirements. Mr. Rybski stated that the definition listed in that section is from the 2014 Illinois Soil Classifier Association Interim Guidance Document.

Member Purcell asked how often systems are inspected and what is required for an annual inspection. Mr. Rybski reported there is no annual re-inspections, and in terms of permitting and installation it depends on the type of system. Mr. Rybski explained the different types of systems, and if they are meeting certain specifications and requirements of the state code. Mr. Rybski said that it is difficult for them to define inspections based on the complicated systems that are now being installed. Mr. Rybski said there are very few septic contractors in the County, and the Health Department works closely with them in

scheduling the inspections during specific stages of installation. Mr. Curatti stated that a key component in their communication with contractors, is to encourage contractors to meet often with their clients, so their clients understand step-by-step what the contractor is doing and what kind of inspections will be required with the particular type of system that the contractor and homeowner have chosen together. Mr. Rybski said that when permits are approved, the contractor, PBZ, the property owner all receive copies, and then a copy is maintained in the Health Department.

Discussion on *Section 1, Scope*. **The Health Department will separate the operation, maintenance and service components and improve the language in this section prior to the Committee of the Whole meeting.**

Member Prochaska questioned the suggested changes for *Section 10, E, 5 & 6*. Mr. Curatti said that the state code provides a matrix that shows all of the natural elements that require set-backs, and all of the different components of the septic system, and said those then have to be matched and aligned, and that the contractors are well versed in applying for a permit that meets that matrix. **There was consensus by the committee to not include the State's Attorney's Office recommendations in the ordinance for this section.**

Member Prochaska made a motion to remove both paragraphs in *Section 13 Fees*, with the current fee schedule as of August 15, 2016, second by Member Purcell. **With four members voting aye, the motion carried.**

Discussion on *Section 23 Penalty*. **The Health Department will change the ordinance so that the amount of the fines will be listed as "not less than \$100, and no more than \$1000".**

Member Prochaska made a motion to forward the Water Supplies Ordinance with the proposed change to the September 15, 2016 Committee of the Whole meeting for review and further discussion, second by Member Koukol. **With four members voting aye, the motion carried.**

***Recommend Revisions to the Home Kitchen Operations Ordinance*** – Discussion on the revision, section D, Incorporation Clause. Member Prochaska stated that the language is already in the Food Protection Ordinance. **There was consensus by the committee that no further action would be needed on this ordinance.**

**NEW BUSINESS** – None

**CHAIRMAN'S REPORT** – No report

**PUBLIC COMMENT** – None

**ITEMS FOR THE COMMITTEE OF THE WHOLE**

- *Review of the Food Protection Ordinance*
- *Review of Water Supplies Ordinance*
- *Review of Onsite Wastewater Treatment System Ordinance*

**ACTION ITEMS** – None

**EXECUTIVE SESSION** – None Needed

**ADJOURNMENT** - Member Prochaska made a motion to adjourn the meeting, second by Member Purcell. **The meeting was adjourned at 11:22a.m.**

Respectfully Submitted,

Valarie McClain  
Administrative Assistant/Recording Secretary