

**KENDALL COUNTY BOARD AGENDA
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210
Tuesday, May 19, 2020 at 9:00 a.m.**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Agenda
5. Special Recognition
6. Public Comment
7. Consent Agenda
 - A. Approval of County Board Minutes from April 21, 2020
 - B. Standing Committee Minutes Approval
 - C. Approval of Claims in an amount not to exceed \$1,407,054.53
 - D. Approve 2019FY audited financial statements
8. Old Business
9. New Business
 - A. Public Hearing for proposed Downstate Small Business Stabilization applications funded by Community Development Block Grant (CDBG) funds
 - B. Ratification and Approval of Collective Bargaining Agreement between Kendall County, Illinois, the Kendall County Sheriff, and the Illinois Fraternal Order of Police Labor Council (Patrol Sergeants) effective December 1, 2019 through November 30, 2024
 - C. Approve Resolution Urging the Governor to Reconsider Including Kendall County in the Northeast restore Illinois Health Region
10. Elected Official Reports & Other Department Reports
 - A. Emergency Management Agency
 - B. Sheriff
 - C. County Clerk and Recorder
 - D. Treasurer
 - E. Clerk of the Court
 - F. State's Attorney
 - G. Coroner
 - H. Health Department
 - I. Supervisor of Assessments
11. Standing Committee Reports
 - A. Finance
 - 1 Discussion and Update of COVID-19 Related Costs
 - B. Planning, Building & Zoning
 - 1 Approval of Petition 2020-12 Request from Chris Wilson on Behalf of the Christopher E. Wilson Trust and Kellie Rae Wilson Trust for Approval of a Plat of Vacation, Relocation, and Expansion of a Construction and Drainage Easement and Drainage and Utility Easement on Lots 171 and 172 in Whitetail Ridge Subdivision (7148 and 7136 Ironwood Court, Yorkville)(PINs: 06-07-130-001 and 06-07-130-002) in Na-Au-Say Township
 - 2 Approval of Annual Facility Inspection Report for NPDES Permit for Stormwater Discharges from Separate Storm Sewer Systems (MS4); Filing Fee of \$1,000 to be Paid from Planning, Building and Zoning Department's NPDES Permit Fee Line Item (1101902-63670)
 - 3 Approval of Zoning Ordinance Citation Letter
 - C. Economic Development
 - 1 Approval of a Resolution of Support for Faith In Designs Inc. Downstate Small business Stabilization Program Application
 - 2 Approval of a Participation Agreement between Kendall County and Faith In Designs Inc.
 - 3 Approval of a Resolution for Kendall County, Illinois, to Lend Money from the Kendall County Revolving Loan Fund to Municipalities to Secure Emergency Working Capital Grant Funding, Under the Downstate Small Business Stabilization Program, for Local Businesses Facing Hardship due to the COVID-19 Pandemic
12. Special Committee Reports
 - A. UCCI and NACo
13. Other Business
14. Chairman's Report

Appointments

Brent Ekwinski – Yorkville-Bristol Sanitary District Board – 3 year term – expires April 2023
Kurt Muth – Yorkville-Bristol Sanitary District Board (replacing Eric Schoeny) – expires May 2021

15. Public Comment
16. Questions from the Press
17. Executive Session
18. Adjournment

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

**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
April 21, 2020**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held remotely at the Kendall County Office Building, Room 209, in the City of Yorkville on Tuesday, April 21, 2020 at 9:00 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Amy Cesich (remote call in), Elizabeth Flowers (remote call in), Scott Gengler (remote call in), Tony Giles (remote call in 9:30am), Judy Gilmour (remote call in), Audra Hendrix (remote call in), Matt Kellogg (remote call in), Matt Prochaska (remote call in) and Robyn Vickers (remote call in). Members absent: None.

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

THE AGENDA

Chairman Gryder stated that the agenda be amended to remove items 7G, 7H, 7I, 7J,7K, 7L, A3, C2 and D1. Member Cesich moved to approve the agenda as amended. Member Hendrix seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

CONSENT AGENDA

Member Gilmour moved to approve the consent agenda of **A) county board minutes from March 18, 2020; B) standing committee minutes; C) claims in an amount not to exceed \$1,288,204.72; D) Approve Resolution approving low bids from April 3, 2020 bid letting for road and bridge construction projects on county routes and for those township projects funded with Township MFT funds; E) Approve Intergovernmental Agreement for Kendall County Transportation Alternatives Program (“KC-TAP”) funding grant to the Oswegoland Park District for installation of ADA and safety upgrades along the Grove Road Trail; F) Approve Resolution to acquire and dispose of real estate to correct the right-of-way at the intersection of Plainfield Road and Ridge Road. Member Hendrix seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. **Motion carried.****

C) COMBINED CLAIMS: ADMIN \$39.00; ANML CNTRL WRDN \$73,283.64; ASSMT \$88.08; BEHAV HLTH \$97.50; CIR CLK \$14,841.64; CIR CRT JDG \$4,640.27; COMB CRT SVS \$1,312.33; COMM ACTN SVS \$33,374.34; COMM HLTH SVS \$75.95; CRNR \$2,179.91; CORR \$19,237.76; CNTY ADMIN \$2,878.59; CNTY BRD \$405,845.85; CNTY CLK \$1,510.28; HIGHWY \$121,422.97; ELECTN \$51,826.07; EMA \$217.55; EMPL BFITS \$2,000.00; ENVIRO HLTH \$103.50; FCLT MGMT \$ 31,400.69; GIS \$4,398.02; HLTH & HUMN \$563.74; JURY COMM \$40.24; PBZ SNR PLAN \$2,610.01; PBZ \$2,891.42; PSTGE \$1,654.46; PROB SVS \$20,578.17, PRGM SUPP \$202.04; PUB DEF \$50.00; ROE \$6,574.21; SHF \$67,511.65; STATES ATTY \$1,694.92; TECH \$40,090.41; TRSR \$619.66; UTIL \$14,430.66; VET \$2,102.16; COMM ACTN SVS \$65,000.00; ANML CNTRL \$799.33; VET \$20,000.00; FP \$35,371.76; SHF \$38,097.57; SHF \$41,493.37; SHF \$22,055.00; SHF \$133,000.00

D) A complete copy of Resolution 20-19 is available in the Office of the County Clerk.

E) A complete copy of IGAM 20-26 is available in the Office of the County Clerk.

F) A complete copy of Resolution 20-20 is available in the Office of the County Clerk.

NEW BUSINESS

2019 Financial Audit Presentation

Tawnya Mack from Mack and Associates presented the audit.

Liquor License

Member Kellogg moved to approve the amendment to the Ordinance regulating the retail sale of alcoholic liquors outside the corporate limits of any City, Village or Incorporated town in Kendall County, Illinois (Increase total Number of Available “H” licenses from 0 to 1). Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 20-03 is available in the Office of the County Clerk.

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

EMA Director

Joe Gillespie stated that they are still sending out daily updates to Department heads and Elected Officials throughout the County and Municipalities with regards to the Covid-19 virus. They have received and distributed personal protection equipment.

Health Department

Dr. Tokars reported that Kendall County has 149 Covid-19 cases, 4 deaths and 87 in recovery. Dr. Tokars explained who is doing testing. Dr. Tokars spoke about nursing homes being impacted. If anyone has any symptoms to stay home, Dr. Tokars read a statement put out by the Rainbow Push Coalition on prevention.

County Clerk

Revenue Report		3/1/20-3/31/20	3/1/19-3/31/19	3/1/18-3/31/18
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$882.00	\$661.50	\$691.00
MARFEE	County Clerk Fees - Marriage License	\$750.00	\$810.00	\$870.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$55.00		
CRTCOP	County Clerk Fees - Certified Copy	\$1,412.00		
NOTARY	County Clerk Fees - Notary	\$295.00		
MISINC	County Clerk Fees - Misc	\$72.00	\$1,489.00	\$2,138.08
	County Clerk Fees - Misc Total	\$3,466.00	\$2,960.50	\$3,699.08
RECFEE	County Clerk Fees - Recording	\$30,441.00	\$23,483.00	\$22,931.00
	Total County Clerk Fees	\$33,907.00	\$26,443.50	\$26,630.08
CTYREV	County Revenue	\$71,213.75	\$29,991.50	\$30,276.75
DCSTOR	Doc Storage	\$17,738.00	\$13,615.50	\$13,822.00
GISMAP	GIS Mapping	\$56,164.00	\$23,028.00	\$23,344.00
GISRCD	GIS Recording	\$3,744.00	\$2,880.00	\$2,918.00
INTRST	Interest	\$21.88	\$18.75	\$16.80
RECMIS	Recorder's Misc	\$533.50	\$2,826.00	\$2,277.00
RHSP	RHSP/Housing Surcharge	\$15,876.00	\$11,907.00	\$12,438.00
TAXCRT	Tax Certificate Fee	\$1,440.00	\$1,720.00	\$1,720.00
TAXFEE	Tax Sale Fees	\$160.00	\$220.00	\$731.00
PSTFEE	Postage Fees	\$111.20	\$143.43	\$453.56

CK # 18914	To KC Treasurer	\$200,909.33	\$112,793.68	\$114,627.19
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Treasurer

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

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR FOUR MONTHS ENDED 03/31/2020

<u>REVENUES*</u>	Annual <u>Budget</u>	2020 YTD <u>Actual</u>	2020 YTD <u>%</u>	2019 YTD <u>Actual</u>	2019 YTD <u>%</u>
Personal Property Repl. Tax	\$390,000	\$93,340	23.93%	\$72,171	19.51%
State Income Tax	\$2,300,000	\$805,924	35.04%	\$751,889	33.85%
Local Use Tax	\$700,000	\$333,068	47.58%	\$297,297	43.40%
State Sales Tax	\$550,000	\$242,840	44.15%	\$208,192	37.85%
County Clerk Fees	\$325,000	\$126,183	38.83%	\$89,345	27.49%
Circuit Clerk Fees	\$1,350,000	\$422,499	31.30%	\$168,249	21.03%
Fines & Foreits/St Atty.	\$300,000	\$110,687	36.90%	\$59,272	18.24%
Building and Zoning	\$68,000	\$27,418	40.32%	\$18,727	27.54%
Interest Income	\$200,000	\$85,396	42.70%	\$94,833	63.22%
Health Insurance - Empl. Ded.	\$1,266,656	\$385,635	30.45%	\$367,853	29.07%
1/4 Cent Sales Tax	\$3,105,000	\$1,116,582	35.96%	\$1,086,372	34.99%
County Real Estate Transf Tax	\$425,000	\$156,509	36.83%	\$110,608	26.03%
Federal Inmate Revenue	\$2,044,000	\$617,040	30.19%	\$645,825	39.90%
Sheriff Fees	\$170,000	\$98,324	57.84%	\$51,544	29.07%
TOTALS	\$13,193,656	\$4,621,445	35.03%	\$4,022,178	33.28%

Public Safety Sales Tax	\$5,324,000	\$1,935,913	36.36%	\$1,919,414	36.77%
Transportation Sales Tax	\$6,000,000	\$1,935,913	32.27%	\$1,919,414	38.39%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 4 months the revenue and expense should at 33.32%

Sheriff

Sheriff Baird informed the Board of the protocols being taken at the Jail. They have a good supply of PPE in place and provided masks to staff’s families. Sheriff Baird provided numbers on the amount of calls and reports.

State’s Attorney

State’s Attorney Eric Weis reported that they are still operational for critical cases. They have seen an uptick in the number of order of protections in part due to Mutual Ground temporarily shut down. They are busy on the civil side.

Coroner

Description	**	March 2020	Fiscal Year-to-Date	March 2019
Total Deaths		30	131	21/98
Natural Deaths		28	122	20
Accidental Deaths		1	5	0
Pending		0	1	0
Suicidal Deaths		1	3	1
Homicidal Deaths		0	0	0
Toxicology		2	13	1
Autopsies		1	11	1
Cremation Authorizations		17	78	11/45

Scenes Responded to:	Transported by Coroner’s Office:	External Examinations:
3	2	1

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(S):

- 03/05/2020 – Montgomery – 92yo, Male, Asphyxiation Due to Hanging

(A):

- 03/08/2020 – Oswego – 32yo, Male, Combined Drug [4-ANPP (Dispropionyl Fentanyl), Fentanyl and Alprazolam] Toxicity

PERSONNEL/OFFICE ACTIVITY:

- On March 4, Coroner Purcell facilitated the ‘Lights of Hope’ support group for families and friends who have been impacted by an overdose related death.
- On March 11, Coroner Purcell provided two presentations at Oswego East High School for Operation Impact
- On March 11, Coroner Purcell provided a presentation at Oswego East High School for the Law Enforcement Class.
- On March 12, Coroner Purcell provided two presentations at Oswego High School for Operation Impact.
- On March 16, the Coroner’s Office began the early stages of implementing changes regarding schedules, procedures, protocols in response to the COVID-19 risks.

STANDING COMMITTEE REPORTS

Finance

Delinquency Dates

Member Kellogg moved to approve the Kendall County Ordinance postponing delinquency date interest for the first installment of 2019 (Payable 2020) property tax payments. Member Hendrix seconded the motion.

Member Kellogg stated that this is for the first installment only, not affecting the due dates but would delay the penalties and does not affect the second installment. There is an application which will need to be filled out and returned to the Treasurer's Office by June 1, 2020.

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

A complete copy of Ordinance 20-04 is available in the Office of the County Clerk.

Senior Levy

Member Kellogg moved to approve the senior levy award distribution resolution. Member Hendrix seconded the motion.

Member Kellogg explained that the levy was increased by \$50,000, applicants received what they asked for or more.

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

A complete copy of Resolution 20-21 is available in the Office of the County Clerk.

Facilities

Historic Courthouse Windows

Member Kellogg moved to approve the 2020 window replacement contract for the Historic Courthouse with Patrick McCann Inc. in the amount of \$76,000.00. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Hendrix who voted present. **Motion carried.**

A complete copy of IGAM 20-27 is available in the Office of the County Clerk.

Paving Projects

Member Kellogg moved to approve the 2020 Kendall County paving projects contract with D Construction in the amount of \$68,261.00. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Hendrix who voted present. **Motion carried.**

Planning, Building and Zoning

Petition 19-41

Member Prochaska moved to approve Petition 19-41 request from the Kendall County Planning, Building and Zoning Committee for text amendments to Sections 12 and 13 of Kendall County Zoning Ordinance pertaining to Zoning Ordinance enforcement (Citation Authority), Hearing Officer and fines. Member Flowers seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 20-05 is available in the Office of the County Clerk.

Economic Development

Suspension Letters

Member Hendrix moved to approve the Economic Development revolving loan payment suspension letters. Member Flowers seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Downstate Small Business Stabilization Program

Member Hendrix moved to approve the marketing and promotion of Downstate Small Business Stabilization Program in an amount not to exceed \$3,000. Member Kellogg seconded the motion.

Member Hendrix stated that this money would be used to make people aware to the first come first serve grant in the amount of \$25,000.

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

Health and Environment

Food Protection Ordinance

Member Gilmour moved to approve the updated Kendall County Food Protection Ordinance. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 20-06 is available in the Office of the County Clerk.

SPECIAL COMMITTEE REPORTS

UCCI and NACo

Member Prochaska informed the Board that UCCI is continuing to monitoring any movement related to COVID-19 and property tax options and NACo is focused on working on a COVID-19 Bill 3.5

Chairman's Report

Chairman Gryder said that the County is ranked 31st in the nation in terms of our self response rate. The census affects our representation in Springfield and Washington and about \$1,400. Member Vickers stated that the county is 1st in Illinois with 66.5% reporting.

OTHER BUSINESS

Member Cesich reported that Animal Control is revamping the building. They have 5 dogs with 2 going out for rescue. They are still operating and providing tags. Chairman Gryder provided the board with background information for Roger Bonuchi.

Member Cesich moved to approve the appointment. Member Prochaska seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Appointment(s)

Roger Bonuchi – Kendall County Emergency Management Agency Director effective April 27, 2020

QUESTIONS FROM THE PRESS

Katie Finlon from the Kendall County Record asked when the Circuit Clerk salary will be approved.

Jim Wyman from WSPY asked which funds were over budget in the County audit, is the Health Department testing people for COVID-19, is the Treasurer making a normal distribution or will it be less, how many loans are outstanding as far as the revolving fund, when people don't pay their property taxes are the penalties accrued back to the June date, is Joe Gillespie retiring from EMA position, why was the eminent domain and road program pulled from agenda, and do the mask makers need material.

Member Flowers stated that the Post Office needs assistance.

ADJOURNMENT

Member Kellogg moved to adjourn the County Board Meeting until the next scheduled meeting. Member Prochaska seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Approved and submitted this 22nd day of April, 2020.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

**COUNTY OF KENDALL, ILLINOIS
COMMITTEE OF THE WHOLE
REMOTE MEETING MINUTES
Thursday, March 12, 2020**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE - The meeting was called to order at 4:01p.m. by County Board Chair Scott Gryder, who lead the Pledge of Allegiance to the American Flag.

ROLL CALL:

Attendee	Status	Arrived	Left Meeting
Amy Cesich	Present		
Elizabeth Flowers	ABSENT		
Scott Gengler	Here		
Tony Giles	Here		
Judy Gilmour	Here		
Scott Gryder	Here		
Audra Hendrix	Here		
Matt Kellogg	ABSENT		
Matthew Prochaska	Here		
Robyn Vickers		4:03p.m.	

COUNTY EMPLOYEES PRESENT: Matt Asselmeier, Scott Koeppel

OTHERS PRESENT: Rodger Blomgren, Lee Holman, Tyler Peterson, Laurie Pfaff, Len Pfaff, Margaret Rul, Ron Smrz, Nancy Zier, Ron Zier

APPROVAL OF AGENDA – Member Prochaska made a motion to approve the agenda with the change of moving the Public Comment Section to number 5 on the agenda, second by Member Hendrix. **With eight members present voting aye, the motion carried by a vote of 8-0.**

APPROVAL OF SUPPLEMENTAL CLAIMS – Member Cesich made a motion to forward claims to the County Board for approval, second by Member Hendrix.

ROLL CALL:

Attendee	Vote
Amy Cesich	Yes
Elizabeth Flowers	ABSENT
Scott Gengler	Yes
Tony Giles	Yes
Judy Gilmour	Yes
Scott Gryder	Yes

Audra Hendrix	Yes
Matt Kellogg	ABSENT
Matthew Prochaska	Yes
Robyn Vickers	Yes

With eight members voting aye, the motion carried.

PUBLIC COMMENT

Rodger Blomgren – supports petitioner’s request

Lee Holman – Lyons Farm, President of the Historic Society, in favor of

Len Pfaff – Mr. Pfaff was opposed to the large light poles, commercial property built on zoned Ag property, he also noted the increases in his property taxes. He was concerned about property devaluation if Petition 19-34 was approved. He lives near the property and is opposed to the petition request.

Margaret Rul expressed concerns regarding the neighborhood around the property subject to Petition 19-34 looking like a junkyard. She is opposed to the Special Use permit.

Nancy Zier – against the special use

Laurie Pfaff – She noted that the Kendall County Zoning Board of Appeals said that the proposed use would be substantially injurious to the use and enjoyment of property in the immediate vicinity and would diminish property values. She was concerned that the use would turn into a dumping ground. She was strongly opposed to the Special Use Petition.

Ron Zier – has lived in county for 15 years, he values his property, and does not support any commercial developments at that location.

Tyler Peterson – opposes Petition 19-34

OLD BUSINESS – None

NEW BUSINESS

- *Discussion of Petition 19-34-Request from Ron Smrz on Behalf of the Bank of Lyon Trust for a Special Use Permit for a Storage of Motor Vehicles, Boats, Trailers, and Other Recreational Vehicle Business at 7821 Route 71 (PIN: 02-35-151-003) in Oswego Township* - Mr. Asselmeier summarized the request, stating that Ron Smrz, on behalf of Bank of Lyon Trust, would like to establish a storage business for boats and RVs at the subject property. The amended site plan was created after the Kendall County Regional Planning Commission meeting. The Petitioner updated the site plan to reflect concerns expressed by neighbors.

The property was granted a special use permit for the retail sale of nursery stock through Ordinance 1985-10. This proposal will not impact the existing special use permit.

The property is approximately seventeen (17) acres in size, but the special use area is approximately one (1) acre in size.

The current land use is agricultural. The future land use is rural residential. Route 71 is a State maintained highway and is considered a Scenic Route at the subject property. Yorkville has a trail planned along Route 71. There is a farmable wetland on the property consisting of approximately a tenth (0.1) of an acre.

Mr. Asselmeier reported this item has been discussed at six County meetings prior to this Committee of the Whole meeting. Discussion on the negative fact findings reviewed by the Zoning Board of Appeals, and normal expectations for the area.

Ron Smrz and his wife, Melissa Maye presented their plan, proposed expansion of Route 71 and 126 near the proposed storage site, businesses surrounding the proposed storage site, multiple AG properties with special uses down the same road, and his attempt to comply with his neighbors requests, and his willingness to make changes if possible, and his neighbors that haven't been able to attend County meetings to voice their support. Mr. Smrz stated that the area is changing, and as the economy is growing, he feels that allowing businesses in that area increase revenue and benefit the County.

Member Prochaska asked that the item be sent to the County Board for final determination. The vote would need to be majority present to pass or fail.

- *Approval of a Request from the Planning, Building and Zoning Committee to Refer Petition 20-01 Pertaining to an Amendment to Kendall County's Recreational Vehicle and Campground Regulations to the Planning, Building and Zoning Committee for Further Review – PBZ Committee Chairman Prochaska made a motion to Refer Petition 20-01 Pertaining to an Amendment to Kendall County's Recreational Vehicle and Campground Regulations to the Planning, Building and Zoning Committee for Further Review, second by Member Gilmour. **With seven members present voting aye, the motion carried.***

QUESTIONS FROM THE MEDIA – NONE

CHAIRMAN'S REPORT – NONE

REVIEW BOARD ACTION ITEMS – Chairman Gryder asked the committee to review the draft County Board agenda. Mr. Koeppl stated there would be the addition of the Solid Waste Plan to the Board agenda for final approval. Member Hendrix asked to report on the NWPA at the Board meeting. Member Cesich asked that Highway items be removed from the Consent Agenda, and moved to the regular agenda.

EXECUTIVE SESSION – Not Needed

ADJOURNMENT – Member Prochaska made a motion to adjourn the meeting, second by Member Hendrix. **With eight members voting aye, the meeting was adjourned at 5:29p.m.**

Respectfully Submitted,
Scott Koeppl
County Administrator

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Remote Meeting Via Teleconference
5:00 p.m.
Meeting Minutes of May 11, 2020 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Prochaska at 5:00p.m.

ROLL CALL

Committee Members Present by Remote Attendance: Elizabeth Flowers, Scott Gengler (joined remotely at 5:08 p.m.), Judy Gilmour, and Matthew Prochaska (Chairman)

Committee Members Absent: Matt Kellogg (Vice-Chairman)

Also Present: Matt Asselmeier (Senior Planner) and Scott Koeppel (County Administrator)

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Member Flowers made a motion, seconded by Member Gilmour, to approve the minutes of the April 13, 2020, meeting. With a voice vote of three (3) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report.

Member Gilmour made a motion, seconded by Member Flowers, to forward the expenditures to the Finance Committee. With a voice vote of three (3) ayes, the motion carried.

PETITIONS

20 – 12 – Christopher Wilson on Behalf of the Christopher E Wilson Trust and Kellie Rae Wilson Trust

Mr. Asselmeier summarized the request.

A twenty foot (20') maintenance and construction easement and a ten foot (10') drainage and utility easement presently exists at the northern end of lot 171 and southern end of lot 172 in Whitetail Ridge Subdivision. A ten foot (10') drainage and utility easement also exists on the east side of both lots.

Christopher Wilson on behalf of the Christopher E. Wilson Trust and Kellie Rae Wilson Trust owns lots 171 and 172 in Whitetail Ridge Subdivision. He has a home on lot 171 (7148 Ironwood Court). He would like to construct an addition and attached garage on the northern side of the existing house. The addition would encroach into the easements between the two (2) lots and the new garage would be constructed on lot 172.

After submitting the application to vacate the easements between the two lots, the Petitioner agreed to relocate the easements to the northern boundary of lot 172 and expand the easement east of the subject lots to a total of twenty feet (20').

The current land uses are one-family residential and vacant.

The future land use is rural residential.

No trails are impacted by the proposal.

No floodplains or wetlands are impacted by the proposal.

The adjacent land uses are single-family residential and a golf course.

The adjacent zonings are RPD-2 and RPD-2 with a special use permit.

The Land Resource Management Plan calls for the area to be either rural residential or open space.

Na-Au-Say Township was emailed information on April 22nd. No comments have been received.

The United City of Yorkville was emailed information on April 22nd. They decided not review the request.

The Village of Oswego was emailed information on April 22nd. No comments have been received.

ZPAC reviewed this proposal on May 5, 2020. They recommended approval with an additional condition that the Petitioner submit a parcel consolidation to the County. The Petitioner agreed to this request. The vote at ZPAC was nine (9) in favor and zero (0) in opposition and one (1) member was absent.

The application materials and plat were provided.

The Petitioner originally wanted to vacate the easements between lots 171 and 172.

On April 1, 2020, Greg Chismark sent an email requesting that the easements be moved to the northern line of lot 172, creating a twenty foot (20') maintenance and construction easement in addition to the existing five foot (5') drainage and public utility easement and that the rear easement be increased to twenty feet (20'). On April 2, 2020, Fran Klaas sent an email concurring with Greg Chismark's suggestion. These emails were provided. On April 2, 2020, the Petitioner agreed with this request.

On April 2, 2020, the Petitioner submitted an email indicating that the Whitetail Ridge Homeowners' Association was agreeable to the requested easement relocation on the condition that the two (2) lots be combined. This email was provided.

The Petitioner contacted several of the utilities and no utilities would be impacted by vacating the easement.

The information from the utilities was provided.

Staff recommended that the easement be relocated and extended per the recommendations of Fran Klaas and Greg Chismark and that the Petitioner submit a revised plat to that effect. Staff would also like conditions be added that lots 171 and 172 shall remain under the same ownership and no additional single-family residences be constructed on lot 172. Staff concurs with the additional recommendation from ZPAC.

The draft ordinance was provided.

Member Gilmour asked if lot 170 would be impacted. Mr. Asselmeier responded that lot 170 would not be impacted. No changes were proposed to the existing easements along the shared property line of lots 170 and 171.

Chairman Prochaska made a motion, seconded by Member Gilmour, to add the parcel consolidation requirement proposed by ZPAC to the ordinance. With a voice vote of three (3) ayes, the motion carried.

Chairman Prochaska asked if the Whitetail Ridge Homeowners' Association had been contacted. Mr. Asselmeier stated that the Petitioner had contacted the HOA. Chairman Prochaska and Member Gilmour expressed concerns that the document in the packet was from the Petitioner and not the HOA itself. The County does not enforce HOA covenants and restrictions.

Member Gengler joined the meeting remotely at this time (5:08 p.m.).

The proposed use of the property is for residential use only.

Member Gilmour made a motion, seconded by Member Flowers, to add a stipulation that the proposal not be considered by the County Board until an approval letter is received from the Whitetail Ridge Homeowners' Association. With a voice vote of four (4) ayes, the motion carried.

Member Gengler made a motion, seconded by Member Flowers, to recommend approval of the proposal as amended.

The votes were as follows:

Yeas (4): Flowers, Gengler, Gilmour, and Prochaska
Nays (0): None
Abstain (0): None
Absent (1): Kellogg

The motion carried. This matter will go to the County Board on May 19, 2020, if the letter from the Homeowners' Association is provided.

NEW BUSINESS

Recommendation on Annual Facility Inspection Report for NPDES Permit for Stormwater Discharges from Separate Storm Sewer Systems

Mr. Asselmeier summarized the request and noted that the report was still due to the State by June 1st. He noted he received his Certified Floodplain Manager's certification and that the number of townships that responded to the survey increased from one (1) to five (5). Also, the Information Technology Department has not yet provided website statistics; the missing data was highlighted in yellow. The plan for the next year included updating the enforcement provisions. It was noted that any public outreach could be impacted by public health regulations in relation to the coronavirus.

Member Flowers made a motion, seconded by Member Gengler, to recommend approval of the Annual Report. With a voice vote of four (4) ayes, the motion carried.

This proposal will go to the County Board on May 19, 2020.

Recommendation on Zoning Ordinance Citation Letter

The Committee reviewed the letter.

Member Flowers made a motion, seconded by Member Gengler, to recommend approval the letter. With a voice vote of four (4) ayes, the motion carried.

The proposal will go to the County Board on May 19, 2020.

Update on Historic Preservation Ordinance

The Committee reviewed the proposal.

The Illinois Historic Preservation Agency did not favor the proposed application fee, but having the fee was not against any regulation. The State wanted the Commissioners' terms to be staggered. State law required that the Chairman of the Commission be selected at the time of appointment by the County Board and that the Commissioners' terms be set at five (5) years.

The proposal is presently at the Committee of the Whole.

Discussion occurred regarding having the Historic Preservation Commission review the proposal. The Historic Preservation Commission could request that the proposal be referred back to them or the Committee of the Whole could refer the proposal back to the Historic Preservation Commission at their own initiative.

OLD BUSINESS

None

REVIEW VIOLATION REPORT

The Committee reviewed the violation report.

REVIEW NON-VIOLATION REPORT

The Committee reviewed the non-violation report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Mr. Asselmeier noted that May is Historic Preservation Month and the Commission has not met for several months due to the public health situation.

REVIEW PERMIT REPORT

The Committee reviewed the permit report.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

ADJOURNMENT

Member Flowers made a motion, seconded by Member Gilmour, to adjourn. With a voice vote of four (4) ayes, the motion carried. Chairman Prochaska adjourned the meeting at 5:24 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, Senior Planner

**COUNTY OF KENDALL, ILLINOIS
FACILITIES MANAGEMENT COMMITTEE
MEETING MINUTES
MONDAY, MAY 4, 2020**

Committee Chair Matt Kellogg called the meeting to order at 4:00 p.m.

Roll Call: Members Present: Amy Cesich, Matt Kellogg, Judy Gilmour, Audra Hendrix
Members Absent: Tony Giles

With enough members present, a quorum was formed to conduct business.

Others Present: Facilities Management Director Jim Smiley, County Administrator Scott Koeppel

Approve the March 2, 2020 Facilities Committee Meeting Minutes – There were no changes to the March 2, 2020 minutes; Member Cesich made a motion to approve the minutes, second by Member Gilmour. **With enough present members voting aye, the minutes were approved.**

Approval of Agenda – Member Hendrix made a motion to approve the agenda. Member Gilmour second the motion. **All Aye. Motion approved.**

Public Comment – None

Old Business/Projects

1. *Animal Control Project* – Director Smiley informed the Committee of current costs of the renovation project total \$210,054.42. The extra cost is mainly due to adding a new fiber optic network circuit to this facility. Director Smiley stated in the past when lightning storms occurred the lightning protection devices would blow out, causing the network to go offline. Mr. Smiley, Chair Kellogg and County Administrator Koeppel discussed this issue and Director Smiley was directed to add the fiber optic circuit to replace the existing copper trunk data circuit to the building. Total cost for the fiber optic circuit installation is \$13,538.00. Mr. Smiley also stated the air exchangers for the kennels have shipped from Canada, installation will occur when they are received. Jim also informed the Committee the old paint removal process has begun. The electricians are wiring the exhaust fans, trimming out the outlets, data jacks and boxes for a future card access system. Mr. Smiley hopes to have the ceiling tiles and new lights fixtures installed next week after the City of Yorkville inspection.
2. *Carpet Replacement Projects at the Courthouse* – Director Smiley is waiting for background screens to be completed before the installation can begin. As soon as the screens are approved, KCFM techs will begin to empty CR 113 with old carpet removal and installation tentatively scheduled to begin May 8th.
3. *Courthouse BCU Replacement Utilizing the U.S. Communities Contract* – Director Smiley stated the system has been running for a few weeks. There are a few punch list items that need to be completed.

New Business/Projects

1. *Chair's Report*
 - a. *Solar Project Update* – Director Smiley informed the Committee the trees have been removed from the site. The shrubbery that is left will be part of the new landscaping around the solar field. Mr. Smiley will meet next week with the fence contractor to discuss their plan. It is anticipated that the solar panel equipment will be arriving in June. Electrical equipment will be ordered in the next few weeks. GRNE is in the final engineering stage. GRNE requested drawings of underground utilities. Director Smiley informed the Committee electrical upgrades will be needed as follows: the transformer at the Courthouse will need to be replaced and the interconnections at the Public Safety Center will need to be upgraded.

- b. *County Board Room and Security Improvements Meeting* – Director Smiley will be receiving 50% drawings by Tuesday, May 5, 2020. Dewberry, Mr. Smiley, CA Koepfel and Chair Kellogg will be meeting next week to review the 50% drawings. Jim anticipates a timeline of; 100% review of drawings and specification later this month and out to bid by the end of June. Director Smiley estimates construction to start late July to early August.
2. *Public Safety Center Boiler & MZU #4 Controls Upgrade* – Director Smiley informed the Committee this project began sooner than expected. The new controls have been installed and the system has been operating the last few weeks. Jim requested some heating valves be replaced which have been ordered. Mr. Smiley stated there are a few punch list items that need to be completed.
3. *A/C Issue at Courthouse MDF room* – Director Smiley informed the Committee the unit located in the computer data and phone system room has failed. The cost to fix the existing unit versus replacing it with a new unit is nearly the same. Director Smiley decided to replace with a new unit since it's already 11 years old. This will be paid for under the equipment repair line item on the Facilities Maintenance budget. The cost is \$15,000.00.
4. *A/C Issue at Public Safety Center Jail AHU#6 – South Jail* – Director Smiley stated this unit was installed in 2006 and the coil was replaced 4 years ago at a cost of \$11,000.00. Mr. Smiley stated another failure has occurred to the coil and was recommended it be replaced. Jim would like to try to repair the coil instead of replacement. Work is scheduled for tomorrow barring weather issues.
5. *COVID 19 Purchases* – Director Smiley estimated spending between \$20,000.00 to \$30,000.00 on items due to COVID – 19. Items purchased are disinfect wipes and gallons of mixable disinfect spray, Automatic Hand Sanitizer dispensers with stand to be placed in the vestibules of the buildings however as of right now the replacement cartridges for these dispensers are hard to find and are on back order. Judge Pilmer requested acrylic shielding on the desks in the courtrooms 111 -114 and these were purchased and completed. These shields will not work at Fox Street as that site has stand up counters. So, Mr. Smiley had a glass vendor quote tempered glass for the counters for the Treasurer, Voting, Recorder, PBZ, Clerk, Assessor and Administration offices along with the Health department side and main counters on both levels, Circuit Clerk's main counter transaction points, Circuit Clerk anti-room and sliding glass for the lower open parts of the public defender's reception desk. The quote received was \$15,600.00 including installation and will take 5-10 business days to receive.
6. *Historic Courthouse 2020 Window Replacements* – Director Smiley stated down payment has been made, the drawings have been developed and the windows have been ordered. Mr. Smiley is waiting for a production schedule and final installation timeline.
7. *2020 Paving Projects* – Chair Kellogg stated the budget for the project was \$107,500.00 and the bid came in significantly lower than budgeted. Also Director Smiley found out the City of Yorkville will pave the Westside parking spaces along Main Street this year as that is their property. Chair Kellogg stated the \$39,219.00 left from the paving project could be used toward the COVID supplies purchases. However, Director Smiley is also getting pricing to replace several sidewalks at The Health Department, Public Safety Center and the Courthouse. To be determined if we do these repairs once Jim has pricing from the vendor.

Staffing/Training/Safety

- *Reportable Labor Hours* – Reports were included in the packet.

Other Items of Business

- *CMMS Charts* – Reports were included in the packet for:
 - Reported versus Completed Work Orders, Reported by Building Current Month
 - Work Orders by Work Type Current month

Questions from the Media – Katie Finlon, Kendall County Record, requested clarification on which fund the unbudgeted capital expense of the Plexiglas and glass shields will be paid. Chair Kellogg responded the paving projects came in under budget as well as other projects approved to be paid for from the Public Safety sales tax capital fund. The COVID-19 items are for the health and safety of the public and employees these items will be added to this line item.

Executive Session – None

Adjournment – Chair Kellogg asked if there was a motion to adjourn. Member Cesich made a motion to adjourn the meeting, second by Member Hendrix. **With all members present voting aye, the meeting adjourned at 4:45 p.m.**

Respectfully submitted,

Christina Wald
Administrative Assistant

Kendall County Clerk				
Revenue Report		4/1/20-4/30/20	4/1/19-4/30/19	4/1/18-4/30/18
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$974.00	\$707.00	\$739.50
MARFEE	County Clerk Fees - Marriage License	\$420.00	\$1,320.00	\$1,200.00
CIVFEE	County Clerk Fees - Civil Union	\$30.00	\$0.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$15.00		
CRTCOP	County Clerk Fees - Certified Copy	\$1,190.00		
NOTARY	County Clerk Fees - Notary	\$35.00		
MISINC	County Clerk Fees - Misc	\$6.00	\$1,803.50	\$1,797.00
	County Clerk Fees - Misc Total	\$2,670.00	\$3,830.50	\$3,736.50
RECREE	County Clerk Fees - Recording	\$32,752.00	\$24,460.00	\$24,190.00
	Total County Clerk Fees	\$35,422.00	\$28,290.50	\$27,926.50
CTYREV	County Revenue	\$34,037.00	\$42,870.25	\$31,164.75
DCSTOR	Doc Storage	\$19,208.00	\$14,254.00	\$14,662.50
GISMAP	GIS Mapping	\$60,780.00	\$24,074.00	\$24,750.00
GISRCD	GIS Recording	\$4,052.00	\$3,010.00	\$3,096.00
INTRST	Interest	\$26.53	\$18.24	\$18.48
RECMIS	Recorder's Misc	\$3,026.50	\$3,125.25	\$4,031.25
RHSP	RHSP/Housing Surcharge	\$17,532.00	\$12,726.00	\$13,311.00
TAXCRT	Tax Certificate Fee	\$1,040.00	\$1,280.00	\$1,200.00
TAXFEE	Tax Sale Fees	\$35.00	\$40.00	\$25.00
PSTFEE	Postage Fees	\$20.85	\$0.00	\$0.00
CK # 18934	To KC Treasurer	\$175,179.88	\$129,688.24	\$120,185.48
Death Certificate Surcharge sent from Clerk's office \$1360.00 ck # 18932				
Dom Viol Fund sent from Clerk's office \$75.00 ck 18933				

Office of Jill Ferko

Kendall County Treasurer & Collector
111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR FIVE MONTHS ENDED 04/30/2020

<u>REVENUES*</u>	Annual <u>Budget</u>	2020 YTD <u>Actual</u>	2020 YTD <u>%</u>	2019 YTD <u>Actual</u>	2019 YTD <u>%</u>
Personal Property Repl. Tax	\$390,000	\$180,366	46.25%	\$155,790	42.11%
State Income Tax	\$2,300,000	\$1,064,151	46.27%	\$993,979	44.74%
Local Use Tax	\$700,000	\$404,800	57.83%	\$349,868	51.08%
State Sales Tax	\$550,000	\$274,715	49.95%	\$236,419	42.99%
County Clerk Fees	\$325,000	\$160,090	49.26%	\$115,789	35.63%
Circuit Clerk Fees	\$1,350,000	\$512,997	38.00%	\$241,797	30.22%
Fines & Foreits/St Atty.	\$300,000	\$133,169	44.39%	\$79,686	24.52%
Building and Zoning	\$68,000	\$31,168	45.84%	\$26,051	38.31%
Interest Income	\$200,000	\$104,303	52.15%	\$123,602	82.40%
Health Insurance - Empl. Ded.	\$1,266,656	\$478,741	37.80%	\$464,190	36.68%
1/4 Cent Sales Tax	\$3,105,000	\$1,332,288	42.91%	\$1,284,579	41.37%
County Real Estate Transf Tax	\$425,000	\$227,723	53.58%	\$140,599	33.08%
Federal Inmate Revenue	\$2,044,000	\$955,040	46.72%	\$645,825	39.90%
Sheriff Fees	\$170,000	\$99,488	58.52%	\$70,457	39.73%
TOTALS	\$13,193,656	\$5,959,039	45.17%	\$4,928,631	40.78%
Public Safety Sales Tax	\$5,324,000	\$2,312,463	43.43%	\$2,266,475	43.42%
Transportation Sales Tax	\$6,000,000	\$2,312,463	38.54%	\$2,266,475	45.33%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 5 months the revenue and expense should at 41.65%

EXPENDITURES

All General Fund Offices/Categories	\$29,562,287	\$10,877,507	36.80%	\$10,242,384	35.83%
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KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	April 2020	Fiscal Year-to-Date	April 2019
Total Deaths		34	165	21/119
Natural Deaths		33	155	20/114
Accidental Deaths		0	6	1/1
Pending		0	0	0/0
Suicidal Deaths		1	4	0/3
Homicidal Deaths		0	0	0/0
Toxicology		0	13	2/8
Autopsies		0	11	2/8
Cremation Authorizations		23	101	11/67
Scenes Responded to:		Transported by Coroner's Office:		External Examinations:
1		1		1

**

(S):

1. 04/08/2020 – Minooka – 83yo, Male, Gunshot Wound to the Head

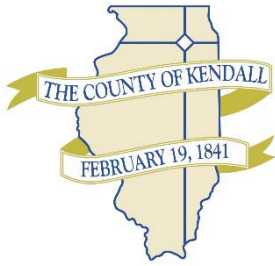
PERSONNEL/OFFICE ACTIVITY:

1. On April 7, Chief Deputy Coroner Gotte provided in-house training for Kendall County Corrections employees.

COVID-19 (Pandemic Response) Deaths WITHIN Kendall County

1. 04/29/2020 – 95 yo, Male, Yorkville, Facility

CARORUM AD CURAM



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 11, 2020

Amount: N/A

Budget: N/A

Issue: Petition 2012-12 Request from Chris Wilson on Behalf of the Christopher E. Wilson Trust and Kellie Rae Wilson Trust for Approval of a Plat of Vacation, Relocation, and Expansion of a Construction and Drainage Easement and Drainage and Utility Easement on Lots 171 and 172 in Whitetail Ridge Subdivision (7148 and 7136 Ironwood Court, Yorkville)(PINs: 06-07-130-001 and 06-07-130-002) in Na-Au-Say Township

Background and Discussion:

Petitioner owns both lots 171 and 172 in Whitetail Ridge Subdivision. Petitioner wishes to construct an addition to their home and add an attached garage which would encroach on the existing easements located at the boundary of lots 171 and 172.

The proposal would vacate the easements located at the boundary of lots 171 and 172 and shift the location of the 20 feet maintenance and construction easement to the northern boundary of lot 172. The rear (east) easement along lot 172 would also be increased to 20 feet.

Draft ordinance is attached.

Record for the Petition can be found here: <https://www.co.kendall.il.us/home/showdocument?id=13276>.

Committee Action:

ZPAC-Approval with Conditions (9-0-1); United City of Yorkville-Declined to Review; Village of Oswego-No Comments; Na-Au-Say Township-No Comments; PBZ Committee-Approval with Conditions (4-0-1)

Staff Recommendation:

Approval with Conditions- Must develop the site in accordance to site plan. Lots 171 and 172 of Whitetail Ridge Subdivision shall not be sold as individual lots upon the successful recording of the plat. Within ninety days of the effective date of the ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County. No separate primary residence may be constructed on lot 172. Must comply with the Subdivision Control Ordinance regarding timing of recording the plat. Petitioner must supply approval letter from HOA before County Board action.

Prepared by: Matthew H. Asselmeier, AICP

Department: Planning, Building and Zoning Department

Date: May 11, 2020

ORDINANCE NUMBER 2020-_____

APPROVING A PLAT OF VACATION AND RELOCATION OF A TWENTY FOOT MAINTENANCE AND CONSTRUCTION EASEMENT, A VACATION OF A TEN FOOT DRAINAGE AND UTILITY EASEMENT, AND THE DEDICATION OF A TEN FOOT MAINTENANCE AND CONSTRUCTION EASEMENT ON LOTS 171 AND 172 OF WHITETAIL RIDGE ON PARCELS IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 06-07-130-001 AND 06-07-130-002 IN NA-AU-SAY TOWNSHIP

WHEREAS, Section 7.06 of the Kendall County Subdivision Control Ordinance permits the Kendall County Board to approve plats of vacation and provides the procedure through which plats of vacation are approved; and

WHEREAS, the two ten-foot maintenance and construction easements and two five-foot drainage and utility easements which are the subject of this Ordinance were established by Ordinance 2005-16 which granted approval of a final plat of Whitetail Ridge Subdivision and was approved by the Kendall County Board on March 1, 2005, and

WHEREAS, the final plat of Whitetail Ridge Subdivision was recorded in the Kendall County Recorder of Deeds Office on June 9, 2005, and

WHEREAS, the two ten-foot maintenance and construction easements and two five-foot drainage and utility easements which are the subject of this Ordinance are located along and parallel to the shared property line of Lots 171 and 172 in Whitetail Ridge Subdivision. The legal descriptions of the easements are set forth in Exhibit A attached hereto and incorporated by reference; and

WHEREAS, on or about June 20, 2018, the Christopher E. Wilson Trust and Kellie Rae Wilson Trust acquired ownership of Lot 171 of Whitetail Ridge Subdivision and the property identified by Parcel Identification Number 06-07-130-001; and

WHEREAS, on or about April 13, 2020, the Christopher E. Wilson Trust and Kellie Rae Wilson Trust acquired ownership of Lot 172 of Whitetail Ridge Subdivision and the property identified by Parcel Identification Number 06-07-130-002; and

WHEREAS, on or about April 21, 2020, Christopher Wilson, on behalf of the Christopher E. Wilson Trust and Kellie Rae Wilson Trust, hereinafter referred to as "Petitioners," filed a petition for approval of a plat of vacation of the two ten-foot maintenance and construction easements and two five-foot drainage and utility easements located along the property line of Lots 171 and 172, relocate the maintenance and construction easement at a width of twenty feet along the north property line of Lot 172, and dedicate an additional ten-foot wide maintenance and construction easement along the east end of Lot 172. The legal descriptions of the relocated and proposed easement are set forth in Exhibit A attached hereto and incorporated by reference; and

WHEREAS, on May 5, 2020, the Kendall County Zoning, Platting and Advisory Committee has reviewed this petition and has forwarded to the Kendall County Board a recommendation of approval with conditions of the requested plat; and

WHEREAS, on May 11, 2020, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the information presented and recommendation of the Kendall County Zoning, Platting and Advisory Committee, and has forwarded to the Kendall County Board a recommendation of

approval of the requested plat of relocation; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the recommendation of the Kendall County Zoning, Platting and Advisory Committee, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Subdivision Control Ordinance and other applicable Ordinances; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Kendall County Board hereby grants approval of Petitioners' petition for plat of vacation, relocation, and dedication of the easements legally described in Exhibit A attached hereto and shown on the site plan attached hereto as Exhibit B Plat of Grant of Easement and Easement Vacation.
2. Lots 171 and 172 of Whitetail Ridge Subdivision shall not be sold as individual lots upon the successful recording of Exhibit B. Within ninety days of the effective date of this ordinance, the Petitioner shall submit a parcel consolidation request to Kendall County.
3. No separate primary residence may be constructed on Lot 172.
4. This vacation, relocation, and dedication shall become effective upon the successful recording of Exhibit B in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 19th day of May, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

LEGAL DESCRIPTION OF MAINTENANCE AND CONSTRUCTION EASEMENT ON LOT 171 TO BE VACATED:

THE NORTH 10.00 FEET OF LOT 171 (EXCEPT THE EASTERLY 10.00 FEET THEREOF AND ALSO EXCEPT THE WESTERLY 15.00 FEET THEREOF), OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAIS-KEE-SHAW RESERVATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985 IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF MAINTENANCE AND CONSTRUCTION EASEMENT ON LOT 172 TO BE VACATED:

THE SOUTH 10.00 FEET OF LOT 172 (EXCEPT THE EASTERLY 10.00 FEET THEREOF AND ALSO EXCEPT THE WESTERLY 15.00 FEET THEREOF), OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAIS-KEE-SHAW RESERVATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985 IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF MAINTENANCE AND CONSTRUCTION EASEMENT ON LOT 172 TO BE GRANTED:

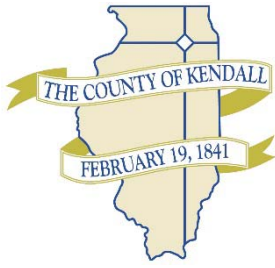
THE NORTH 20.00 FEET AND THE EAST 20.00 FEET (EXCEPT THE NORTH 20.00 FEET THEREOF) OF LOT 172 OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAIS-KEE-SHAW RESERVATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985 IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF PUBLIC UTILITY & DRAINAGE EASEMENT ON LOT 171 TO BE VACATED:

THE NORTH 5.00 FEET OF LOT 171 (EXCEPT THE EASTERLY 10.00 FEET THEREOF AND ALSO EXCEPT THE WESTERLY 15.00 FEET THEREOF), OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAIS-KEE-SHAW RESERVATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985 IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.

LEGAL DESCRIPTION OF PUBLIC UTILITY & DRAINAGE EASEMENT ON LOT 172 TO BE VACATED:

THE SOUTH 5.00 FEET OF LOT 172 (EXCEPT THE EASTERLY 10.00 FEET THEREOF AND ALSO EXCEPT THE WESTERLY 15.00 FEET THEREOF), OF WHITETAIL RIDGE SUBDIVISION, A SUBDIVISION OF PART OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FORMER WAIS-KEE-SHAW RESERVATION, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2005 AS DOCUMENT NUMBER 200500015985 IN KENDALL AND NA-AU-SAY TOWNSHIPS, KENDALL COUNTY, ILLINOIS.



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning Committee

Meeting Date: May 11, 2020

Amount: \$1,000

Budget: Yes - Planning, Building and Zoning Department NPDES Permit Fee Line Item (1101902-63670)

Issue: Approval of Annual NPDES Report

Background and Discussion:

Kendall County is required to submit certain documents annually by June 1st as required by its NPDES Permit.

Attached please find the proposed annual report.

The 2020 annual report is similar to the 2019 annual report.

The County experienced increased responses to the annual survey from the townships; five townships submitted responses in 2019 compared to one in 2018.

It was noted that any public outreach that the County originally planned to do could be impacted and reduced because of COVID-19.

Updating the enforcement procedures in the Stormwater Management Ordinance was also listed as an objective for 2020.

There is a \$1,000 submittal fee, which has been unchanged for several years.

Committee Action:

PBZ Committee - Approval (4-0-1)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP

Department: Planning, Building and Zoning Department

Date: May 11, 2020



Illinois Environmental Protection Agency

Bureau of Water • 1021 N. Grand Avenue E. • P.O. Box 19276 • Springfield • Illinois • 62794-9276

Division of Water Pollution Control ANNUAL FACILITY INSPECTION REPORT

for NPDES Permit for Storm Water Discharges from Separate Storm Sewer Systems (MS4)

This fillable form may be completed online, a copy saved locally, printed and signed before it is submitted to the Compliance Assurance Section at the above address. Complete each section of this report.

Report Period: From March, 2019 To March, 2020

Permit No. ILR40 0261

MS4 OPERATOR INFORMATION: (As it appears on the current permit)

Name: Kendall County Mailing Address 1: 111 West Fox Street
Mailing Address 2: _____ County: Kendall
City: Yorkville State: IL Zip: 60560 Telephone: 630-553-4150
Contact Person: Matthew Asselmeier Email Address: masselmeier@kendall.il.us
(Person responsible for Annual Report)

Name(s) of governmental entity(ies) in which MS4 is located: (As it appears on the current permit)

Kendall County

THE FOLLOWING ITEMS MUST BE ADDRESSED.

A. Changes to best management practices (check appropriate BMP change(s) and attach information regarding change(s) to BMP and measurable goals.)

- | | | | |
|--|--------------------------|---|--------------------------|
| 1. Public Education and Outreach | <input type="checkbox"/> | 4. Construction Site Runoff Control | <input type="checkbox"/> |
| 2. Public Participation/Involvement | <input type="checkbox"/> | 5. Post-Construction Runoff Control | <input type="checkbox"/> |
| 3. Illicit Discharge Detection & Elimination | <input type="checkbox"/> | 6. Pollution Prevention/Good Housekeeping | <input type="checkbox"/> |

B. Attach the status of compliance with permit conditions, an assessment of the appropriateness of your identified best management practices and progress towards achieving the statutory goal of reducing the discharge of pollutants to the MEP, and your identified measurable goals for each of the minimum control measures.

C. Attach results of information collected and analyzed, including monitoring data, if any during the reporting period.

D. Attach a summary of the storm water activities you plan to undertake during the next reporting cycle (including an implementation schedule.)

E. Attach notice that you are relying on another government entity to satisfy some of your permit obligations (if applicable).

F. Attach a list of construction projects that your entity has paid for during the reporting period.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

Owner Signature: _____
Scott R. Gryder
Printed Name:

Date: _____
Chairman
Title:

EMAIL COMPLETED FORM TO: epa.ms4annualinsp@illinois.gov

or Mail to: ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
WATER POLLUTION CONTROL
COMPLIANCE ASSURANCE SECTION #19
1021 NORTH GRAND AVENUE EAST
POST OFFICE BOX 19276
SPRINGFIELD, ILLINOIS 62794-9276

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues (415 ILCS 5/42) and may also prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

Illinois Environmental Protection Agency
ANNUAL FACILITY INSPECTION REPORT
for NPDES Permit for Storm Water Discharges from Separate Storm Sewer Systems (MS4)

Kendall County, Illinois (NPDES Permit No. ILR400261)
YEAR 4: March 2019-March 2020

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Part 1. Changes to Best Management Practices

There are no changes to the Best Management Practices in Year 4 (March 2019-March 2020) for the six minimum control measures as described in the Notice of Intent for Kendall County submitted on July 19, 2016.

Note: **X** indicates BMPs performed that were proposed for Year 4 in NOI
 + indicates BMPs performed that were not originally proposed for Year 4 in NOI

A. Public Education and Outreach	
X	A.1 Distributed Paper Material
X	A.2 Speaking Engagement
	A.3 Public Service Announcement
X	A.4 Community Event
	A.5 Classroom Education Material
X	A.6 Other Public Education
B. Public Participation/Involvement	
	B.1 Public Panel
	B.2 Educational Volunteer
X	B.3 Stakeholder Meeting
	B.4 Public Hearing
	B.5 Volunteer Monitoring
	B.6 Program Coordination
X	B.7 Other Public Involvement
C. Illicit Discharge Detection and Elimination	
X	C.1 Storm Sewer Map Preparation
	C.2 Regulatory Control Program
X	C.3 Detection/Elimination Prioritization Plan
X	C.4 Illicit Discharge Tracing Procedures
X	C.5 Illicit Source Removal Procedures
X	C.6 Program Evaluation and Assessment
X	C.7 Visual Dry Weather Screening
	C.8 Pollutant Field Testing
	C.9 Public Notification
	C.10 Other Illicit Discharge Controls

D. Construction Site Runoff Control	
X	D.1 Regulatory Control Program
X	D.2 Erosion and Sediment Control BMPs
X	D.3 Other Waste Control Programs
X	D.4 Site Plan Review Procedures
	D.5 Public Information Handling Procedures
X	D.6 Site Inspection/Enforcement
X	D.7 Other Construction Site Runoff Controls
E. Post-Construction Runoff Control	
	E.1 Community Control Strategy
	E.2 Regulatory Control Program
X	E.3 Long-Term O&M Procedures
	E.4 Pre-Construction Review of BMP
X	E.5 Site Inspections During Construction
	E.6 Post-Construction Inspections
X	E.7 Other Post-Const. Runoff Controls
F. Pollution Prevention/Good Housekeeping	
X	F.1 Employee Training Program
	F.2 Inspection and Maintenance Program
	F.3 Municipal Operations Storm Water Control
X	F.4 Municipal Operation Waste Disposal
X	F.5 Flood Management/Assess Guidelines
X	F.6 Other Municipal Operations Controls

Part 2. Status of Compliance with Permit Conditions

(Provide the status of compliance with permit condition, an assessment of the appropriateness of your identified best management practices and progress towards achieving the statutory goal of reducing the discharge of pollutants to the maximum extent practicable [MEP] , and your identified measurable goals for each of the minimum control measures.)

Kendall County submitted a Notice of Intent on July 19, 2016, which initiated a new 5-year permit cycle. The BMPs listed in the 2016 NOI were selected to meet the requirements of the NPDES Phase II program and reduce nonpoint source pollution in Kendall County.

The status of BMPs and measurable goals performed in Year 4 (March 2019-March 2020) are described below.

A. Public Education and Outreach

A.1 Distributed Paper Material

Measurable Goals: 1) Track number of people requesting to see the County's Plan on an annual basis.

Due to the increased preference of electronic documents and the effort to minimize paper waste, Kendall County provides much of their information on the County's website. Kendall County continues to provide links on their website to PDFs of the Stormwater Management Program Plan, the NOI, and Annual Reports. The website also includes materials about sources of stormwater pollution and ways to minimize pollutants. The County's website includes EPA web links as well as web links to other sites that contain information about the benefits of green infrastructure and rain gardens, impacts of climate change on water resources, and the impacts of climate change on the Midwest.

Kendall County typically tracks the number of views the County website receives annually. Due to technical issues, the County was unable to track the number of views the County website and NPDES documents received in Year 4.

A.2 Speaking Engagement

Measurable Goals: An increase in number of presentations annually and amount of public attendance/participation.

On May 8, 2019, the Kendall County Soil and Water Conservation District (SWCD) held a "Natural Resources Tour" with different youth learning stations. The event had 250 participants. The SWCD also held a SESC workshop on March 22, 2019 that had 40 attendees.

A.4 Community Event

Measurable Goals: Increased interest and attendance in annual workshops/seminars.

The Kendall County Soil and Water Conservation District (SWCD) hosted a used oil drop off recycling event on June 15. Many local residents participated by bringing their used oil, anti-freeze, and oil filters to be safely disposed. During the event 940 gallons of used oil, 30 gallons of used anti-freeze, and 1 large container of used oil filters were collected.

On April 25, 2019 the SWCD hosted its annual tree sale. 25 orders were placed with a total of 192 trees ordered.

A.6 Other Public Involvement

Measurable Goals: 1) Inquiries to linked websites and annual increase in hits to website. 2) Annual evaluation surveys.

Kendall County typically tracks the number of views the County website receives annually. Due to technical issues, the County was unable to track the number of views the County website and NPDES documents received in Year 4.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 4 to get input on how they can improve public education and outreach. Five townships and four Oswego Township Board Members completed the survey. The survey results are included at the end of this report in Appendix 1. The survey results are included at the end of this report in Appendix 1.

B. Public Participation/Involvement

B.3 Stakeholder Meetings

Measurable Goals: Attend the annual public meeting and work with the County to establish a positive dialogue and eventually develop County-wide coordination of stormwater management efforts.

The Kendall County Stormwater Management Oversight Committee held an annual public meeting on December 12, 2019 at 4:00pm in the County Board Room located in the Kendall County Office Building, 111 W. Fox Street, Yorkville, IL. The meeting was held to receive public input regarding stormwater management related regulations and enforcement and to discuss proposed changes to the Kendall County Stormwater Management Ordinance.

At the meeting, 9 of the 10 committee members were present. Also in attendance was the Kendall County Senior Planner, a representative of the State's Attorney's Office, and the Kendall County Forest Preserve Commission Director.

B.7 Other Public Involvement

Measurable Goals: 1) Inquiries to linked websites and annual increase in hits to website. 2) Annual evaluation surveys.

Kendall County typically tracks the number of views the County website receives annually. Due to technical issues, the County was unable to track the number of views the County website and NPDES documents received in Year 4.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 4 to get input on how they can improve public participation and involvement. Five townships and four Oswego Township Board Members completed the survey. The survey results are included at the end of this report in Appendix 1. The survey results are

included at the end of this report in Appendix 1.

C. Illicit Discharge Detection and Elimination

C.1 Storm Sewer Map Preparation

Measurable Goals: Update storm sewer mapping annually.

No additional GIS mapping was done in Year 4, all mapping has been completed. Kendall County will continue to update the storm sewer mapping as necessary.

C.3 Detection/Elimination Prioritization Plan

Measurable Goals: Track the number of illicit dischargers discovered and track removal process.

Kendall County continues to work with the health department on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There were no illicit discharges detected during the past reporting period.

The Highway Department performs stormwater related inspections on a daily basis throughout the County as they relate to road maintenance.

C.4 Illicit Discharge Tracing Procedures

Measurable Goals: Track number of illicit discharges discovered and track removal process annually.

Kendall County continues to work with the health department on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There were no illicit discharges detected during the past reporting period.

The County has an Outfall Inspection Procedure Flow Chart (Figure 2) in their Kendall County Stormwater Management Program Plan for detecting and tracing illicit discharges. There is also an Indirect Illicit Discharge Tracking Form available in Appendix 5.6 of the Kendall County Stormwater Management Program Plan for use by County personnel.

C.5 Illicit Source Removal Procedures

Track the number of illicit dischargers discovered and track removal process.

Kendall County continues to work with the health department on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. There were no illicit discharges detected during the past reporting period.

The County has an 8-step protocol in place for ensuring the removal of illicit discharges. This protocol is explained under Section 3.3.D.3 of the Kendall County Stormwater Management Program Plan.

C.6 Program Evaluation and Assessment

Measurable Goals: Annual evaluation surveys.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 4 to get input on how they can continue to prevent stormwater pollution. Five townships and four Oswego Township Board Members completed the survey. The survey results are included at the end of this report in Appendix 1.

C.7 Visual Dry Weather Screening

Measurable Goals: Track the number of illicit dischargers discovered and track removal process.

Kendall County continues to work on an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County’s MS-4. There were no illicit discharges detected during the past reporting period.

The County has a Stormwater Outfall Inspection Data Form available in Appendix 5.3 of the Kendall County Stormwater Management Program Plan for use by County personnel.

D. Construction Site Runoff Control

D.1 Regulatory Control Program

Measurable Goals: Implementation of the Kendall County Stormwater Ordinance.

On May 21, 2013, the Kendall County Stormwater Management Ordinance was revised. This Ordinance specifically outlines regulations on runoff for NPDES (Sec. 202). The Ordinance includes revised regulations for stormwater management, plan reviews, and long-term maintenance. Kendall County continues to implement and comply with the Kendall County Stormwater Ordinance.

Kendall County has been working with a review consultant since 2008 who continues to provide stormwater, engineering, wetland, and Soil Erosion and Sediment Control (SESC) review for proposed developments. The consultant conducted SESC inspections at two sites during the past reporting period on behalf of Kendall County. Those sites include the Fox Metro Water Reclamation District (FMWRD) Plant Expansion Site and the FMWRD Operations & Maintenance Building Site. The table below provides a breakdown of the projects and the number of SESC inspections completed by the consultant in Year 4.

Construction Project	Date SESC Inspections Started	Date SESC Inspections Ended	# of Inspections Completed in Year 4
FMWRD Plant Expansion	April 2019	October 2019	12 inspections
FMWRD O&M Building	July 2019	Ongoing project	19 inspections

Soil Erosion and Sediment control inspections were also completed by the Kendall County SWCD throughout the year.

D.2 Erosion and Sediment Control BMPs

Measurable Goals: Adoption of County ordinance amendments as developed.

The County outlines the Soil Erosion and Sediment Control requirements for construction sites in Article 3 of the Kendall County Stormwater Management Ordinance.

In March of 2019, Bulletin 70 was updated and adopted by the Kendall County Stormwater Ordinance. No additional amendments to the Soil Erosion and Sediment Control requirements were developed because none were needed this year.

D.3 Other Waste Control Program

Measurable Goals: Adoption of County ordinance amendments as developed.

No amendments to the Other Waste Control Program were developed because none were needed this year.

D.4 Site Plan Review Procedures

Measurable Goals: Adoption of ordinance amendments as developed.

All construction projects are required to have a Soil Erosion and Sediment Control Plan in place prior to construction as stated in Sec. 301 of the Ordinance. The SESC Plan must be prepared in accordance with the requirements of the Ordinance as well as the standards and specifications contained in the most recent Illinois Urban Manual.

No amendments to the Site Plan Review Procedures were developed because none were needed this year.

D.6 Site Inspection/Enforcement Procedures

Measurable Goals: Develop enforceable procedures for construction site inspections.

Construction site inspections are enforced under Sec. 303 and Sec. 304 of the Kendall County Stormwater Management Ordinance.

If a site is not in compliance with the Ordinance, the property owner has 7 days to correct the issue. If the issue is not corrected in that time frame, a Stop-Work Order will be issued and the permit may be revoked.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County constructions sites. The County will also continue to work with the Kendall County Soil & Water Conservation District to conduct stormwater inspections.

D.7 Other Construction Site Runoff Controls

Measurable Goals: Soil Erosion and Sediment Control (SESC) inspections will be monitored and filed until final site acceptance by Kendall County.

Kendall County evaluates their Construction Site Runoff Control Program by monitoring and recording Construction Site Runoff Control compliance.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County construction sites. The County will also continue to work with the Kendall County Soil & Water Conservation District to conduct stormwater inspections.

E. Post-Construction Runoff Control

E.3 Long Term O&M Procedures

Measurable Goals: Adoption of revised Kendall County Stormwater Management Ordinance.

Kendall County continues to monitor and enforce long term maintenance requirements of the Kendall County Stormwater Management Ordinance. No revisions were made in the past year.

E.5 Site Inspections During Construction

Measurable Goals: Implementing ordinance amendments, as developed.

Kendall County continues to monitor and enforce soil erosion and sediment control requirements of the Kendall County Stormwater Management Ordinance under Sec. 303 and Sec. 304. No amendments were developed in the past year.

Kendall County will update the Kendall County Stormwater Management Ordinance to include enforcement procedures as needed.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County construction sites until final stabilization is achieved.

E.7 Other Post-Construction Runoff Controls

Measurable Goals: 1) Collaborate with other MS-4's in Kendall County and stakeholders, including the Conservation Foundation and the Kendall County Soil and Water Conservation District, to evaluate relevant flood control techniques to determine the potential effects of climate change. 2) Annual evaluation survey.

Kendall County has not begun implementation of a MS-4/stakeholder plan. The County will continue to provide an evaluation survey to get feedback about County programs.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 4 to get input on how they can continue to prevent stormwater pollution. Five townships and four Oswego Township Board Members completed the survey. The survey results are included at the end of this report in Appendix 1.

F. Pollution Prevention/Good Housekeeping

F.1 Employee Training Program

Measurable Goals: Increase participation at workshops.

Kendall County provides links on the County website to EPA's websites about green infrastructure and climate change. They also have EPA information posted on the County website about NPDES and clean water. This information is available to County staff, townships, and the public. The Kendall County SWCD has developed a variety of training materials which include presentations related to erosion and sediment control, best management practices, and associated regulations. These materials can be requested from the SWCD as needed.

Kendall County's Senior Planner has now become a Certified Floodplain Manager, which is a nation-wide certification program established by the Association of State Floodplain Managers (ASFPM).

F.4 Municipal Operation Waste Disposal

Measurable Goals: Reduce the impact of Municipal Operations of stormwater runoff.

Kendall County continues to collect litter and track the amount of material collected. Kendall County collected 7.29 tons of garbage from within County right-of-way in 2019. Kendall County continues to minimize the discharge of pollutants from vehicle washing by treating the wash water by collection in a sediment basin or using an inlet filter prior to discharge. The County continues to properly store building materials, building products, construction waste, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, deicing materials, detergents, and other materials to guard against exposure to precipitation and stormwater.

F.5 Flood Management/Assess Guidelines

Measurable Goals: Incorporate revised floodplain guidelines and DFIRMs by reference.

On May 21, 2013, the Kendall County Stormwater Management Ordinance was revised. This Ordinance states as one of its goals the reduction of flooding and its economic and human impacts, while also stating a goal to make federally subsidized flood insurance available. Kendall County did not make any revisions to the floodplain guidelines this past year.

Kendall County's Senior Planner received the certification of a Certified Floodplain Manager. This certification will help the County reach its goals listed in the ordinance by providing the Senior Planner with knowledge to assess and deal with the issues of flooding and its damaging effects.

Kendall County did not revise the Kendall County Stormwater Management Ordinance to incorporate more floodplain guidelines and DFIRMs by reference in Year 4.

F.6 Other Municipal Operations Controls

Measurable Goals: Annual Evaluation surveys.

Kendall County sent out an annual evaluation survey to all 9 townships within the County in Year 4 to get input on how they can continue to prevent stormwater pollution. Five townships and four Oswego Township Board Members completed the survey. The survey results are included at the end of this report in Appendix 1.

Part 3. Information and Data Collection Results

(Provide information and water quality sampling/monitoring data related to illicit discharge detection and elimination collected during the reporting period.)

There were no illicit discharges detected during the reporting period, therefore, water quality sampling/monitoring data was not collected.

Part 4. Summary of Next Reporting Period Stormwater Activities

(Present a summary of the storm water activities you plan to undertake during the next reporting cycle, including and implementation schedule in the sections following the table.)

The table shown below summarizes the BMPs committed to for Year 5 (March 2020-March 2021). Specific BMPs and measurable goals for Year 5 program development activities are presented in the sections following the table.

Note: **X** indicates BMPs committed to for Year 5 in NOI
+ indicates BMPs committed to for Year 5 that were not originally in NOI

A. Public Education and Outreach	
X	A.1 Distributed Paper Material
X	A.2 Speaking Engagement
	A.3 Public Service Announcement
X	A.4 Community Event
	A.5 Classroom Education Material
X	A.6 Other Public Education
B. Public Participation/Involvement	
	B.1 Public Panel
	B.2 Educational Volunteer
X	B.3 Stakeholder Meeting
	B.4 Public Hearing
	B.5 Volunteer Monitoring
	B.6 Program Coordination
X	B.7 Other Public Involvement
C. Illicit Discharge Detection and Elimination	
X	C.1 Storm Sewer Map Preparation
	C.2 Regulatory Control Program
X	C.3 Detection/Elimination Prioritization Plan
X	C.4 Illicit Discharge Tracing Procedures
X	C.5 Illicit Source Removal Procedures
X	C.6 Program Evaluation and Assessment
X	C.7 Visual Dry Weather Screening
	C.8 Pollutant Field Testing
	C.9 Public Notification
	C.10 Other Illicit Discharge Controls

D. Construction Site Runoff Control	
X	D.1 Regulatory Control Program
X	D.2 Erosion and Sediment Control BMPs
X	D.3 Other Waste Control Programs
X	D.4 Site Plan Review Procedures
	D.5 Public Information Handling Procedures
X	D.6 Site Inspection/Enforcement Procedures
X	D.7 Other Construction Site Runoff Controls
E. Post-Construction Runoff Control	
	E.1 Community Control Strategy
	E.2 Regulatory Control Program
X	E.3 Long-Term O&M Procedures
	E.4 Pre-Construction Review of BMP Designs
X	E.5 Site Inspections During Construction
	E.6 Post-Construction Inspections
X	E.7 Other Post-Construction Runoff Controls
F. Pollution Prevention/Good Housekeeping	
X	F.1 Employee Training Program
	F.2 Inspection and Maintenance Program
	F.3 Municipal Operations Storm Water Control
X	F.4 Municipal Operation Waste Disposal
X	F.5 Flood Management/Assess Guidelines
X	F.6 Other Municipal Operations Controls

A. Public Education and Outreach

A.1 Distributed Paper Material

Measurable Goals: 1) Track number of people requesting to see the County's Plan on an annual basis

Kendall County will maintain educational links on their website providing information on what residents can do to minimize and reduce stormwater runoff pollution, the benefits of green infrastructure and rain gardens, and the impacts of climate change. The County will add the Year 4 NPDES Annual Report to their website for public viewing. The County will track the number of people requesting and viewing the Stormwater Management Program Plan, the NOI, and Annual Reports in Year 5.

A.2 Speaking Engagement

Measurable Goals: An increase in number of presentations annually and amount of public attendance/participation.

Kendall County will present to local groups regarding the Ordinance to encourage input from stakeholders and will work with the Kendall County Health Department and the Kendall County Soil and Water Conservation District (SWCD) to provide educational opportunities to residents provided the legislation surrounding COVID-19 permits it.

A.4 Community Event

Measurable Goals: Increased interest and attendance in annual workshops/seminars.

Kendall County will work with the Kendall County Soil and Water Conservation (SWCD), the Conservation Foundation, and other county departments to promote educational efforts and workshops related to stormwater and conservation activities provided the legislation surrounding COVID-19 permits it.

A.6 Other Public Education

Measurable Goals: 1) Inquiries to linked websites and annual increase in hits to website. 2) Annual evaluations.

Kendall County will maintain the current links on their website and track the number of views on the Kendall County NPDES webpage. The County will add links to the websites of local watershed committees and conservation groups to further promote public education.

Kendall County will create an annual evaluation survey and send it out to the public for feedback about County programs.

B. Public Participation/Involvement

B.3 Stakeholder Meetings

Measurable Goals: Hold an annual public meeting to establish positive dialogue and eventually develop County-wide coordination of stormwater management efforts.

Kendall County will work to establish a dialogue with local communities in the County to coordinate stormwater efforts. The County will continue to hold an annual public meeting to provide input into the MS4 program and will comply with State and local public notice requirements when implementing public participation and involvement activities provided the legislation surrounding COVID-19 permits it. The County will work to identify environmental justice areas and include public participation on these issues.

B.7 Other Public Involvement

Measurable Goals: 1) Inquiries to linked websites and annual increase in hits to website. 2) Annual evaluation surveys.

Kendall County will place new links to the County website as needed and maintain existing links. The County will track the number of views on the NPDES website and related links. The County will send out an evaluation survey to the community for feedback.

C. Illicit Discharge Detection and Elimination

C.1 Storm Sewer Map Preparation

Measurable Goals: Update storm sewer mapping annually.

Kendall County will conduct field verifications for locations of sewer features in Year 5. The County will continue to update their in-house GIS mapping layer of storm sewer systems as needed.

C.3 Detection/Elimination Prioritization Plan

Measurable Goals: Track the number of illicit dischargers discovered and track removal process.

Kendall County will work with the Kendall County Health Department and the Kendall County Highway Department to implement an Illicit Discharge Detection and Elimination program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. The Highway Department will continue to perform stormwater related inspections on a daily basis throughout the County as they relate to road maintenance provided the legislation surrounding COVID-19 permits it.

C.4 Illicit Discharge Tracing Procedures

Measurable Goals: Track number of illicit dischargers discovered and track removal process annually.

Kendall County will continue development of a program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. The County will perform dry and wet weather monitoring and tracing of flow upstream to source with field mapping.

C.5 Illicit Source Removal Procedures

Measurable Goals: Track number of illicit dischargers discovered and track removal process.

Kendall County will continue development of a program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. The County will issue notices to source of illicit discharge discovered under the tracing process for removal of discharge under the Kendall County Stormwater Management Ordinance with compliance dates.

C.6 Program Evaluation and Assessment

Measurable Goals: Annual evaluation surveys.

Kendall County will evaluate their Illicit Discharge Detection and Elimination Program once established by having participants fill out an evaluation form.

C.7 Visual Dry Weather Screening

Measurable Goals: Track the number of illicit dischargers discovered and track removal process.

Kendall County will continue development of a program to identify, trace, and remove illicit discharges and non-stormwater discharges that are significant polluters of the County's MS-4. Kendall County will do periodical visual monitoring of outfalls during dry weather to determine non-stormwater discharges and their significance.

D. Construction Site Runoff Control

D.1 Regulatory Control Program

Measurable Goals: Implementation of the Kendall County Stormwater Ordinance.

Kendall County will continue to implement the Kendall County Stormwater Ordinance.

D.2 Erosion and Sediment Control BMPs

Measurable Goals: Adoption of ordinance amendments as developed.

Kendall County will continue to evaluate if amendments to the soil erosion and sediment control requirements are needed.

D.3 Other Waste Control Program

Measurable Goals: Adoption of ordinance amendments as developed.

Kendall County will continue to evaluate if amendments are needed. The County will develop an amendment to the Stormwater County Management Ordinance incorporating additional SESC requirements, BMPs, and Illinois Urban Manual revisions as necessary.

D.4 Site Plan Review Procedures

Measurable Goals: Adoption of ordinance amendments as developed.

Kendall County will continue to evaluate if amendments are needed. The County will develop an amendment to the Stormwater County Management Ordinance incorporating additional SESC requirements, BMPs, and Illinois Urban Manual revisions as necessary.

D.6 Site Inspection/Enforcement Procedures

Measurable Goals: Develop enforceable procedures for construction site inspections.

Kendall County will work to develop enforcement procedures as necessary.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County constructions sites. The County will also continue to work with the Kendall County Soil & Water Conservation District to conduct stormwater inspections.

D.7 Other Construction Site Runoff Controls

Measurable Goals: Soil Erosion and Sediment Control (SESC) inspections will be monitored and filed until final site acceptance by Kendall County.

Kendall County will continue evaluating their Construction Site Runoff Control Program by monitoring and recording Construction Site Runoff Control compliance.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County construction sites. The County will also continue to work with the Kendall County Soil & Water Conservation District to conduct stormwater inspections provided the legislation surrounding COVID-19 permits it.

E. Post-Construction Runoff Control

E.3 Long-Term O&M Procedures

Measurable Goals: Adoption of revised Kendall County Stormwater Management Ordinance.

Kendall County will work on revisions for long term maintenance within the Kendall County Stormwater Management Ordinance as needed.

E.5 Site Inspections During Construction

Measurable Goals: Implementing ordinance amendments, as developed.

Kendall County will update the Kendall County Stormwater Management Ordinance to include enforcement procedures as needed.

The County will continue working with a consultant who will conduct SESC inspections at Kendall County constructions sites until final stabilization is achieved.

E.7 Other Post-Construction Runoff Controls

Measurable Goals: 1) Collaborate with other MS-4's in Kendall County and stakeholders, including the Conservation Foundation and the Kendall County Soil and Water Conservation District, to evaluate relevant flood control techniques to determine the potential effects of climate change. 2) Annual evaluation surveys.

Kendall County will begin implementation of a MS-4/stakeholder plan. The County will continue to provide an evaluation survey to get feedback about County programs.

F. Pollution Prevention/Good Housekeeping

F.1 Employee Training Program

Measurable Goals: Increase participation at workshops.

Kendall County will continue to provide training resources and opportunities to County staff. The county will work to host workshops provided the legislation surrounding COVID-19 permits it.

F.4 Municipal Operation Waste Disposal

Measurable Goals: Reduce the impact of Municipal operations on stormwater run-off.

The Kendall County Highway Department will continue to collect litter from county highways and track the amount of material collected and make sure that material is properly disposed. The County will work to minimize discharge of pollutants from vehicle washing by collecting the wash water in a sediment basin or through use of an inlet filter and treating the water prior to discharge. The County will continue to properly store building materials, building products, construction waste, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, detergents, and other materials to guard against exposure to precipitation and stormwater. The County will continue inspections to maintain the integrity of the stormwater system and has procedures in place to respond to spills and leaks into stormwater.

F.5 Flood Management/Assess Guidelines

Measurable Goals: Incorporate revised floodplain guidelines and DFIRMS by reference.

Kendall County will revise the Kendall County Stormwater Management Ordinance to incorporate more floodplain guidelines and DFIRMS by reference as needed.

F.6 Other Municipal Operations Controls

Measurable Goals: Annual evaluation surveys.

Kendall County will continue to evaluate their Pollution Prevention/Good Housekeeping program by having participants fill out an evaluation survey.

Part 5. Notice of Qualifying Local Program

Kendall County does not rely on any other government entity to satisfy permit obligations.

Part 6. Construction Projects Conducted During Year 4

(Provide a list of construction projects your entity has paid for during the reporting period)

Construction Project	Description
Little Rock Road Box Culvert	This project is located near Vilmin Road heading north about 950 feet. The site is 1.75 acres. Construction began in September of 2018 and was completed in August of 2019. Section No. 17-00140-00-BR
Eldamain Road Reconstruction	This project involves reconstruction of Eldamain Road from U.S. Route 34 south to River Road. The site is 33 acres. Construction began on January 4, 2018 and was completed in September of 2019. Section No. 16-00136-00-RP
Grove Road Widening & Resurfacing	This project involves reconstruction of Grove Road from U.S. Route 53 heading south to a point 900 feet north of Sherrill Road. The site is 41 acres. Construction began in April of 2019 and is still ongoing. It is expected to be completed by Summer of 2020. Section No. 14-00126-00-WR
Grove Road Bridge and Road Reconstruction	This project is located in the area of the Grove Road and Van Dyke Road intersection. The site is 10 acres. Utility relocation began in February of 2020 and construction is expected to start in the Spring of 2020. The work is expected to be completed by Fall of 2020. Section No. 14-00127-00-BR
Ridge Road & Holt Road Intersection Reconstruction	This project is located in the area of Ridge Road and Holt Road intersection. The site is 8 acres. Utility relocation began in February of 2020 and construction is expected to start in the spring of 2020. The work is expected to be completed by the end of 2020. Section No. 16-00135-00-RP

APPENDIX 1

2019 NPDES ANNUAL EVALUATION SURVEY RESPONSES

APPENDIX 1

2019 NPDES ANNUAL EVALUATION SURVEY RESPONSES

2019 NPDES Annual Evaluation Survey Responses
Kendall County

Public Education and Outreach

1. What topics are you interested in learning more about that the County could provide information on? Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
 - A. How to properly store and dispose of common household products such as fuel, oil, paint, etc.
Most Interested (4) Oswego (1) Little Rock (1) Seward (1) Lisbon (1) Fox
Middle Interested
Least Interested
 - B. How to incorporate green infrastructure such as rain gardens, rain barrels, or permeable pavement onto my property to improve rainwater runoff.
Most Interested
Middle Interested (2) Oswego (1) Seward (1) Lisbon (1) Fox
Least Interested (1) Little Rock
 - C. How to compost to reduce the amount of waste my household generates.
Most Interested
Middle Interested
Least Interested (2) Oswego (1) Little Rock (1) Seward (1) Lisbon (1) Fox
2. Do you utilize the stormwater information listed on the County's website at <https://www.co.kendall.il.us/planning-building-zoning/npdes/>?
 - A. Yes (1) Oswego
 - B. No (3) Oswego (1) Little Rock (1) Seward (1) Lisbon (1) Fox
3. Do you find the stormwater information listed on the County's website helpful?
 - A. Yes (1) Oswego (1) Seward
 - B. No (2) Oswego (1) Lisbon (1) Fox
No Response (1) Oswego (1) Little Rock (1) Seward

Public Participation/Involvement

1. Do you think the County offers enough volunteer opportunities for members of the community?
 - A. Yes (1) Oswego (1) Seward
 - B. No (2) Oswego (1) Little Rock (1) Lisbon (1) Fox
No Response (1) Oswego
2. Do you utilize the volunteer opportunities information listed on the County's website at <https://www.co.kendall.il.us/administration/volunteer-opportunities/>?
 - A. Yes (1) Seward

- B. No (4) Oswego (1) Little Rock (1) Lisbon (1) Fox
3. Do you find the volunteer opportunities information listed on the County's website helpful?
- A. Yes (1) Oswego (1) Seward
 B. No (1) Oswego (1) Lisbon (1) Fox
 No Response (2) Oswego (1) Little Rock
4. What volunteer opportunities would you be interested in participating in the future? Please rank the following list from 1 to 3 with 1 being most interested and 3 being least interested.
- A. River clean-up
 B. Electronic recycling
 C. Household waste (fuel, oil, paint, etc.) recycling

Little Rock- Electronic Recycling

Bristol-

Oswego-1. River Clean-Up (2 Responses); 1. Electronic Recycling (1 Response)

2. River Clean-Up (1) Response 3. Household Waste (1) Response None (1)

Fox-Electronic Recycling, Household Waste Recycling, River Clean-Up

Kendall-

Na-Au-Say-

Big Grove-

Lisbon- Electronic Recycling, Household Waste Recycling, River Clean-Up

Seward- Electronic Recycling, Household Waste Recycling, River Clean-Up

Illicit Discharge Detection & Elimination

1. If an illicit discharge is identified by a Township staff member or reported to the Township office, do you work with the County to get it removed?
- A. Yes (2) Oswego
 B. No
 C. Have not identified illicit discharge. (2) Oswego (1) Little Rock (1) Seward (1) Lisbon (1) Fox
2. Do you feel the County is doing a sufficient job in identifying, tracking, and removing illicit discharges and non-stormwater discharges that are significant polluters within the County?
- A. Yes (1) Oswego
 B. No
 C. There have not been illicit discharges identified within my Township. (3) Oswego (1) Little Rock (1) Seward (1) Lisbon (1) Fox
3. What can the County do to better identify and track illicit discharges?
- A. Perform more visual inspections at outfalls throughout the County.

- B. Once an illicit discharge is identified perform more grab samples downstream of the location. (1) Seward
 - C. Both of the above. (3) Oswego (1) Little Rock (1) Lisbon
 - D. None of the above.
 - E. Other: Both C and D (1) Oswego
(1) Fox-Educate the public and public officials
-

Construction and Post-Construction Runoff Control

- 1. Do you feel that the County does an adequate job inspecting soil erosion and sediment control on construction sites within your township?
 - A. Yes (3) Oswego
 - B. No (1) Lisbon (1) Fox
 - C. There have not been construction projects within my Township during the past year. (1) Little Rock (1) Seward
Both A and B (1) Oswego

- 2. What can the County do to better monitor soil erosion and sediment control issues on construction sites?

Little Rock- (1) No Response
 Bristol-
 Oswego- (1) Work Closer with Township
 Fox- (1) Enforce Maintenance of Silt Fences
 Kendall-
 Na-Au-Say-
 Big Grove-
 Lisbon- (1) Keep Sediment out of Road Ditches
 Seward- (1) No Response

Pollution Prevention/Good Housekeeping

- 1. Do you feel the County provides adequate training to staff members to keep them informed on stormwater pollution prevention practices?
 - A. Yes (2) Oswego (1) Seward
 - B. No (1) Oswego (1) Little Rock (1) Fox
No Response (1) Oswego
We don't know what training is provided (1) Lisbon
Don't know about County Staff but we have not received any training at the Township level (1) Fox
- 2. Do you feel the County is taking necessary measures to reduce flooding throughout the County?
 - A. Yes (1) Seward
 - B. No (3) Oswego (1) Little Rock (1) Lisbon (1) Fox
No Response (1) Oswego

Responding Townships:

Oswego

Little Rock

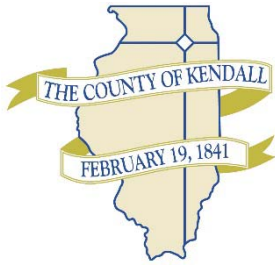
Seward

Lisbon

Fox

Name of Person Completing Survey:

Oswego Township Board (4 Members)



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 11, 2020

Amount: N/A

Budget: N/A

Issue: Approval of Zoning Ordinance Citation Letter

Background and Discussion:

The Kendall County Planning, Building and Zoning Department has been working with the State's Attorney's Office on the citation for violations to the Kendall County Zoning Ordinance. A copy of the proposed citation is attached for your consideration.

Committee Action:

PBZ-Approval (4-0-1)

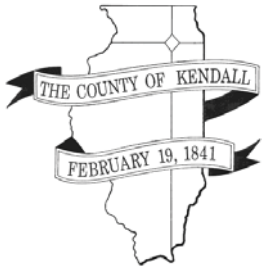
Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP

Department: Planning, Building and Zoning Department

Date: May 11, 2020



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

CITATION AND NOTICE TO APPEAR

CASE NO. INSERT CASE NO.
County of Kendall vs. **INSERT OWNER NAME**

INSERT DATE

To: OWNER NAME
OWNER ADDRESS
OWNER C/S/Z

RE: **P.I.N. # INSERT PIN**
Property Location: **SITE ADDRESS, CITY/STATE/ZIP**

Please be aware that an inspection of the above described property on **INSERT INSPECTION DATE AND TIME** by the Code Enforcement Officer from the Kendall County Planning, Building & Zoning Department ("Department") revealed the following violation of Section **X:XX** of the Kendall County Ordinance Zoning Ordinance:

INSERT DESCRIPTION OF VIOLATION

Kendall County prays to the Court that you be found guilty of the above-identified ordinance violation and that a judgment be entered against you in an amount up to \$500.00 for the initial violation and up to \$500.00 for each week the violation continues beyond the initial violation, plus all applicable court costs and fees.

You are required to **APPEAR IN COURT** on **INSERT HEARING DATE (MONDAY-THURSDAY)**, at 8:30 a.m. in the Kendall County Courthouse, 807 W. John Street, Yorkville, Illinois 60560. You may demand a jury trial by filing a jury demand and paying a jury demand fee when entering your appearance, plea, answer to the charge, or other responsive pleading. A **default judgment** in the amount up to \$500.00 for the initial violation and up to \$500.00 for each week the violation continues beyond the initial violation may be entered in the event you fail to appear in court or answer the charge made on the date set for your court appearance or any date to which the case is continued. An **arrest warrant** may issue if you fail to appear at any hearing.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

Brian Holdiman
Code Enforcement Officer

I, Brian Holdiman, swear under oath that I served this Citation and Notice to Appear on **INSERT NAME OF DEFENDANT** as follows:

Personally on **INSERT NAME OF DEFENDANT**

Male/ Female _____ Approx. Age: _____ Hair Color: _____

Height: _____ Weight: _____

On this date: _____ at this time: _____

Address: _____

Signature

**COUNTY OF KENDALL, ILLINOIS
RESOLUTION 20 – _____**

**Resolution of Support for Faith In Designs Inc. Downstate Small Business Stabilization
Program Application**

WHEREAS, Kendall County is applying to the State of Illinois for a Community Development Block Grant Program grant, and

WHEREAS, it is necessary that an application be made, and agreements entered with the State of Illinois.

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1) that Kendall County apply for a grant under the terms and conditions of the State of Illinois and shall enter in to and agree to the understandings and assurances contained in said application.
- 2) that the County Board Chairman and County Clerk on behalf of Kendall County execute such documents and all other documents necessary for the carrying out of said application.
- 3) that the County Board Chairman and the County Clerk are authorized to provide such additional information as may be required to accomplish the obtaining of such grant.

PRESENTED and ADOPTED by the County Board, this 19th day of May 2020.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder



PARTICIPATION AGREEMENT

THIS AGREEMENT is made as of the 19 day of May, 2020 by and between the County of Kendall, Illinois (“Unit of Local Government”) and Faith In Designs Inc., (Benefiting “Business”).

WHEREAS, the Unit of Local Government is interested in maintaining its economic base with the primary emphasis on retaining jobs.

WHEREAS, the Unit of Local Government has entered into an agreement with the Illinois Department of Commerce and Economic Opportunity to implement an economic development program that significantly impacts upon the Unit of Local Government’s economic base; and

WHEREAS, the Business is interested in maintaining its employment base; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

I. GENERAL DEFINITIONS

- 1.1 "Application" shall mean all materials submitted by the Business to the Unit of Local Government or the State of Illinois in connection with this Agreement.
- 1.2 "DCEO Funds" shall mean the sum of \$25,000 representing the grant received by the Unit of Local Government pursuant to its agreement with the Illinois Department of Commerce and Economic Opportunity (DCEO).

II. PERFORMANCE

- 2.1 The Unit of Local Government agrees, subject to the terms and conditions of this Agreement, to provide grant funds to the Business for the purpose of working capital.
- 2.2 Grant funds shall be paid with Community Development Block Grant funds through DCEO.
- 2.3 Business must remain open or reopen and retain or re-employ permanent jobs prior to the grant end date (one year from grant award).
- 2.4 In the event the Unit of Local Government fails to receive the DCEO funds, for any reason, this Agreement shall be terminated, at the sole option of the Unit of Local Government, without fault as to either party.

III. COVENANTS, REPRESENTATIONS AND WARRANTIES OF THE BUSINESS

- 3.1 On or prior to the date of this Agreement, all legal matters incident to this Agreement and the transactions contemplated hereby shall be satisfactory to the Unit of Local Government.

3.2 Business represents and warrants that:

(a) Business is a sole proprietorship, corporation or partnership, as the case may be, duly formed, validly existing and in good standing under the laws of Illinois, is duly licensed and duly qualified as a foreign corporation or partnership, as the case may be, in good standing in all the jurisdictions in which the character of the property owned or leased or the nature of the business conducted by it requires such licensing or qualification and has all proprietorship, corporate or partnership powers, as the case may be, and all material governmental licenses, authorizations, consents and approvals required to carry on its business as now conducted.

(b) The execution, delivery and performance by Business of this Agreement, are within Business's proprietorship, corporate or partnership powers, have been duly authorized by all necessary proprietorship, corporate or partnership action, require no action by or in respect of, or filing with, any governmental body, agency or official and do not contravene any provision of applicable law or regulation or of the Articles of Incorporation or By-Laws or Partnership Agreement of Business, as the case may be.

(c) This Agreement constitutes a valid and binding agreement of Business.

(d) The Application is in all respects true and accurate and there are no omissions or other facts or circumstances which may be material to this Agreement or the Project.

(e) The financial information delivered to Unit of Local Government pursuant to the Application fully and accurately present the financial condition of the Business. No material adverse change in the condition, financial or otherwise, of Business has occurred since the date of the financial statements most recently delivered to the Unit of Local Government.

(f) Neither Business nor, to the best of Business's knowledge, any of Business's employees have been convicted of bribing or attempting to bribe an officer or employee of the Unit of Local Government, nor has the Business made an admission of guilt of such conduct which is a matter of record.

3.3 The Business shall keep detailed records of all matters related to this Agreement (including the Exhibits hereto). The Business shall provide to the Unit of Local Government all materials necessary for the Unit of Local Government to meet reporting and other requirements of this grant.

3.4 The Business shall comply with all applicable state and federal law and regulations promulgated thereunder. Business shall comply with all applicable laws and regulations prohibiting discrimination on the basis of race, sex, religion, national origin, age or handicap, including but not limited to the Illinois Human Rights Act,

as now or hereafter amended, and the Equal Employment Opportunity Clause promulgated pursuant thereto.

- 3.5 Business shall fully and completely indemnify, defend with counsel of the Unit of Local Government's own choosing and hold harmless the Unit of Local Government and the State of Illinois and their officers, directors, employees and agents against any liability, judgment, loss, cost, claim, damage (including consequential damage) or expense (including attorney's fees and disbursements, settlement costs, consultant fees, investigation and laboratory fees) to which any of them may become subject insofar as they may arise out of or are based upon this Agreement or any agreement or document executed by Business and Unit of Local Government as part of the transaction described herein.

Pursuant to 55 ILCS 5/3-9005, no attorney may be assigned to represent the Unit of Local Government pursuant to this Section unless the attorney has been pre-approved in writing by the Kendall County State's Attorney. The Unit of Local Government's participation in its defense shall not remove the Business's duty to indemnify, defend and hold harmless the Unit of Local Government, as set forth above. The Unit of Local Government does not waive its defenses or immunities under the Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/1 et seq.) by reason of this indemnification provision. Indemnification shall survive the termination of this Agreement.

- 3.6 The Unit of Local Government shall have the right of access, at all reasonable hours, to Business's premises and books and records for purpose of determining compliance with this Agreement. In addition to the reporting specifically required hereunder, Business shall furnish to the Unit of Local Government such information as the Unit of Local Government may reasonably request with respect to this Agreement.

IV. DEFAULT AND REMEDIES

- 4.1 If one or more of the following events ("Defaults") occurs and is not timely cured, then, the Unit of Local Government may declare Business in default under this Agreement and seek any of the enumerated remedies described in this Section.

(a) Business fails to observe or perform any covenant or agreement contained in this Agreement, including the Exhibits hereto, for 10 days after written notice to cure thereof has been given to Business by the Unit of Local Government;

(b) Any representation, warranty, certificate or statement made by Business in this Agreement, including the Exhibits hereto, or in any certificate, report, financial statement or other document delivered pursuant to this Agreement shall prove to have been incorrect when made in any material respect;

(c) Business shall commence a voluntary case or other proceeding seeking liquidation, reorganization or other relief with respect to itself or its debts under any bankruptcy, insolvency or other similar law now or hereafter in effect or seeking the appointment of a trustee, receiver, liquidator, custodian or other similar official of it

or any substantial part of its property, or shall consent to any such relief or to the appointment of or taking possession by any such official in an involuntary case or other proceeding commenced against it, or shall make a general assignment for the benefit of creditors, or shall fail generally to pay its debts as they become due, or shall take any corporate action to authorize any of the foregoing;

(d) An involuntary case or other proceeding shall be commenced against Business seeking liquidation, reorganization or other relief with respect to it or its debts under any bankruptcy, insolvency or other similar law now or hereafter in effect or seeking the appointment of a trustee, receiver, liquidator, custodian or other similar official of it or any substantial part of its property, and such involuntary case or other proceedings shall remain undismitted and unstayed for a period of 60 days; or an order for relief shall be entered against Business under the federal bankruptcy laws as now or hereafter in effect;

(e) Business ceases the conduct of active trade or business in the Unit of Local Government's community for any reason, including, but not limited to, fire or other casualty; and does not reopen prior to the end date of the grant agreement.

- 4.2 If a Default occurs and is not timely cured, then the Unit of Local Government shall seek reimbursement from the Business for all funds (including DCEO funds) expended by the Unit of Local Government on or related to the Project, including, but not limited to working capital, equipment, architectural engineering, construction, administrative, real estate and incidental costs related thereto.
- 4.3 Upon notice of a Default and if said Default is not timely cured, the Unit of Local Government shall notify the Business that reimbursement shall be made to the Unit of Local Government within 30 days after said notice. If the Business fails to reimburse the Unit of Local Government within 30 days after the date of the notice, the Unit of Local Government shall have the right to collect interest on the unpaid balance beginning on the 31st day after notice at a rate equal to 12% per annum.
- 4.4 If the Unit of Local Government is successful in any proceeding to enforce the terms of this Agreement, then the Unit of Local Government shall have the right to obtain from the Business, as an additional remedy, attorney fees, costs and expenses, related to the proceeding.

V. TERMINATION

- 5.1 This Agreement may be terminated at any time by written, mutual agreement of the parties, provided the Unit of Local Government has obtained written consent from the Illinois Department of Commerce and Economic Opportunity as to such termination.

- 5.2 This Agreement may be terminated by the Unit of Local Government whenever it issues a notice of Default to the Business and the Business does not timely cure the Default pursuant to Section IV.
- 5.3 This Agreement will terminate when the Project has been completed and when all of the terms and conditions of this Agreement (including the Exhibits thereto) creating duties upon the Business, have been satisfied by the Business.

VI. GENERAL PROVISIONS

- 6.1 Notice required hereunder shall be in writing and shall be deemed to have validly served, given or delivered upon deposit in the United States mail, by registered mail, return receipt requested, at the address set forth on the signature page hereof or to such other address as each party may specify for itself by like notice.
- 6.2 All covenants, agreements, representations and warranties made herein and, in the certificates, delivered pursuant hereto shall survive the execution of the Agreement and shall continue in full force and effect so long as the Agreement shall be in force.
- 6.3 No failure or delay by the Unit of Local Government in exercising any right, power or privilege hereunder shall operate as a waiver thereof nor shall any single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right, power or privilege. The rights and remedies herein provided shall be cumulative and not exclusive of any rights or remedies provided by law.
- 6.4 Wherever possible each provision of this Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision shall be invalid under applicable law, such provision shall be ineffective to the extent of such invalidity without invalidating the remaining provisions of this Agreement.
- 6.5 This Agreement represents the full and complete agreement between the parties with respect to the matters addressed herein and there are no oral agreements or understandings between the parties.
- 6.6 This Agreement shall be construed in accordance with and governed by the law of the State of Illinois.
- 6.7 This Agreement may be signed in any number of counterparts, each of which shall be an original, with the same effect as if the signatures thereto and hereto were upon the same instrument.
- 6.8 No modification of or waiver of any provision of this Agreement shall be effective unless the same shall be in writing and signed by the parties hereto, and provided further, that the Unit of Local Government shall obtain written consent of the Illinois Department of Commerce and Economic Opportunity prior to executing any such modification or waiver.

- 6.9 The Business certifies that it has not been barred from bidding on or receiving State contracts as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961 (bid rigging or bid rotating, respectively) (720 ILCS 5/33E-3 and 5/33-4).
- 6.10 The Business certifies that it has not been barred from being awarded a contract or subcontract under Section 50-5 of the Illinois Procurement (Code 30 ILCS 500).
- 6.11 The Business acknowledges that receipt of benefits under this agreement may require compliance with the Prevailing Wage Act (820 ILCS 130). Persons willfully failing to comply with or violating this act may be in violation of the Criminal Code. Questions concerning compliance with the Prevailing Wage Act should be directed to the Illinois Department of Labor.
- 6.12 The Unit of Local Government acknowledges that if the project as proposed by this Agreement is completed in accordance with this Agreement and the Agreement executed between the Unit of Local Government and the Department of Commerce and Economic Opportunity then the provisions cited above in 6.9; 6.10; and 6.11 do not apply to the Business but do apply to the activities to be completed by the Unit of Local Government.

IN WITNESS WHEREOF, the parties executed this Agreement the day and year first above written.

Faith In Designs Inc.

Kendall County, Illinois

By: Kimberly Hanson
Its: President

By: Honorable Scott Gryder,
Chairman of the Kendall County
Board

Address:
16267 Griswold Springs
Rd. Plano, IL 60545

Address:
111 W. Fox Street
Yorkville, Illinois 60560