



**COUNTY OF KENDALL, ILLINOIS  
COMMITTEE OF THE WHOLE  
COUNTY OFFICE BUILDING  
County Board Room 210  
Thursday, September 12, 2019 at 4:00 PM  
AGENDA**

- 1. Call to Order and Pledge of Allegiance**
- 2. Roll Call:** Scott Gengler, Tony Giles, Scott Gryder, Amy Cesich, Judy Gilmour, Matt Kellogg, Audra Hendrix, Matthew Prochaska, Robyn Vickers, Elizabeth Flowers
- 3. Approval of Agenda**
- 4. Old Business**
- 5. New Business**

**From the Finance Committee:**

- *Discussion of Updated Lakewood Springs SSA Agreement*

**From the Economic Development Committee:**

- *Discussion of Kendall County Economic Development Organization*

**From the Law, Justice & Legislation Committee:**

- *Discussion and Approval of an Ordinance Prohibiting Cannabis Business Establishments*

- 6. Public Comment**
- 7. Questions from the Media**
- 8. Chairman's Report**
- 9. Review Board Action Items**
- 10. Executive Session**
- 11. Adjournment**

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

**COUNTY OF KENDALL, ILLINOIS**  
**COMMITTEE OF THE WHOLE**  
 Thursday, August 15, 2019

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE** - The meeting was called to order at 4:00p.m. by County Board Chair Scott Gryder, who led the Pledge of Allegiance to the American Flag.

**ROLL CALL**

Attendee	Status	Arrived	Left Meeting
Amy Cesich	ABSENT		
Elizabeth Flowers	ABSENT		
Scott Gengler	Here		
Tony Giles	Here		
Judy Gilmour	ABSENT		
Scott Gryder	Here		
Audra Hendrix	Here		4:45p.m.
Matt Kellogg	Here		
Matthew Prochaska	Here		
Robyn Vickers	Here		

Others present: Matt Asselmeier, Assistant State’s Attorney Leslie Johnson, Scott Koeppel

**APPROVAL OF AGENDA** – Motion made by Member Hendrix to approve the agenda, second by Member Gengler. With seven member’s present voting aye, the motion to approve the agenda carried by a vote of 7-0.

**OLD BUSINESS** - None

**NEW BUSINESS**

- *Waubensee College Small Business Development Center Presentation – Harriet Parker, SBDC Coordinator* – Ms. Parker provided information on the funding sources for the center, the purpose and goals, the different resources they offer to potential and current business owners including various workshops, research tools, “Readiness” assistance, “How to” assistance, Strategic Planning, Infrastructure, Financial Literacy, Forecasting, and Analysis, Marketing Strategies, Succession Planning, and Growth and Expansion Planning. Ms. Parker reported on the Center’s impact in 2018, the number of client established business that were assisted, and center’s keys to success which are Partnerships, Expert Advisors, and trusted and long term Client Relationships.
- *Discussion and Approval of a 30-day extension of the Settlement Agreement for the Payment of Interest Attributable to Delinquent Taxes in Yorkville SSA 2004-107* – Scott Koeppel briefed the committee on the Lennar/CalAtlantic request for a

30-day extension to the Settlement Agreement previously approved by the County Board. Lennar Counsel Dave Silverman explained the reasoning behind the request, and the issues that occurred with the Bond security and land closing. Discussion on the impact to the County, and the Treasurer's Office, and the closing date. Mr. Silverman stated that he would work with the State's Attorney's Office in preparing the proper documentation, etc. **There was consensus to forward the item to the County Board meeting on August 27, 2019.**

**From the PBZ Committee:**

- *Discussion of Petition 19-21 Request from the Kendall County Planning, Building and Zoning Committee for Amendments to the Kendall County Land Cash Ordinance by Updating the School Enrollment Figures, Fair Market Value Calculation, and Related Tables – Member Prochaska reviewed the request from the PBZ Committee, and stated that the Committee received an opinion from the State's Attorney's Office stating they can update the Land Cash Ordinance by Township, and they would like to have updated school enrollment figures for this year. Member Prochaska made a motion to refer the item to the PBZ Committee meeting on September 9, 2019, second by Member Hendrix. Member Vickers reported that she spoke with SD308 officials who stated they would have more precise enrollment figures by October 1, 2019 as required by the State. **With seven members voting aye, the motion carried.***
  
- *Discussion of Petition 18-04 Request from the Kendall County Regional Planning Commission for Amendments to the Land Resource Management Plan for Properties Located Near Route 47 in Lisbon Township – Member Prochaska reported that this item was sent back to the RPC from the July 11, 2019 Committee of the Whole meeting because of issues that were raised concerning four parcels owned by Vulcan, and the annexation agreement between Vulcan and the Village of Lisbon. Matt Asselmeier stated that the agreement has not been updated to date. Discussion on the allowed activities for mining, business and commercial areas.*
  
- *Discussion of Petition 19-12 Request from Robert Bright on Behalf of Madison Trust and Castle Bank N A and JoAnn Bright-Theis for a Special Use Permit for a Banquet Center at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008) in Fox Township; Property is Zoned A-1 – Member Prochaska reviewed the input of all of the committees that have reviewed the petition, and the votes of each committee.*

**PUBLIC COMMENT –** Scott Friestad, Bob Friestad, Kristin Friestad, Scott Wallin and Linda Fulson all voiced their concerns about the Land Resource Management Plan for Properties Located near Route 47 in Lisbon Township.

**QUESTIONS FROM THE MEDIA –** None

**REVIEW BOARD ACTION ITEMS FOR THE AUGUST 20, 2019 MEETING** – County Board agenda was not available for review.

**ITEMS FOR THE SEPTEMBER 12, 2019 COMMITTEE OF THE WHOLE MEETING** - None

**CHAIRMAN’S REPORT** – Chairman Gryder informed the group about the joint Yorkville Public Works Committee and Kendall County Highway Department on August 20, 2019 at 6:15p.m. at the Yorkville City Hall to discuss the Mill Road project.

**EXECUTIVE SESSION** – Member Prochaska made a motion to enter into Executive Session for the purpose of Litigation when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered in the minutes of the closed meeting (5 ILCS 120/2C11), Member Vickers seconded the motion.

**ROLL CALL**

<b>Attendee</b>	<b>Status</b>
Amy Cesich	ABSENT
Elizabeth Flowers	ABSENT
Scott Gengler	Yes
Tony Giles	Yes
Judy Gilmour	ABSENT
Scott Gryder	Yes
Audra Hendrix	ABSENT
Matt Kellogg	Yes
Matthew Prochaska	Yes
Robyn Vickers	Yes

**With six members voting aye, the committee entered into Executive Session at 4:49p.m.**

The committee reconvened into Open Session at 4:58p.m.

**ADJOURNMENT** – Member Prochaska made a motion to adjourn the meeting, second by Member Gengler. **The meeting was adjourned at 4:59p.m.**

Respectfully Submitted,

Valarie McClain  
Administrative Assistant and Recording Secretary

**COUNTY OF KENDALL, ILLINOIS**  
**ORDINANCE 2019-\_\_\_\_\_**

**AN ORDINANCE PROHIBITING CANNABIS BUSINESS ESTABLISHMENTS**

**WHEREAS**, County of Kendall, a body politic and corporate of the state of Illinois (“Kendall County”) is a non-home rule unit of local government pursuant to Article VII, § 8 of the 1970 Illinois Constitution; and

**WHEREAS**, this Ordinance is adopted pursuant to the provisions of the Illinois Cannabis Regulation and Tax Act, Public Act 101-0027, which provides that the County has the authority to enact ordinances to prohibit or significantly limit a cannabis business establishment’s location; and

**WHEREAS**, the County has determined that the operation of cannabis business establishments would present adverse impacts upon the health, safety and welfare of the residents, and additional costs, burdens and impacts upon law enforcement and regulatory operations of the County; and

***NOW, THEREFORE, BE IT ORDAINED,***

1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

2. Cannabis Business Establishments Prohibited.

A. Definitions. The following words and phrases shall, for the purposes of this [Article/Chapter /SECTION], have the meanings respectively ascribed to them by this section, as follows:

**ADULT-USE CANNABIS BUSINESS ESTABLISHMENT:** A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

**ADULT-USE CANNABIS CRAFT GROWER:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS CULTIVATION CENTER:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS DISPENSING ORGANIZATION:** A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER:** An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**PERSON:** Any person, firm, corporation, association, club, society or other organization, including any owner, manager, proprietor, employee, volunteer or agent.

**B. Cannabis Business Establishments Prohibited.** The following Adult-Use Cannabis Business Establishments are prohibited in the unincorporated territory of the County of Kendall. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within the County of Kendall of any of the following:

- Adult-Use Cannabis Craft Grower
- Adult-Use Cannabis Cultivation Center
- Adult-Use Cannabis Dispensing Organization
- Adult-Use Cannabis Infuser Organization or Infuser
- Adult-Use Cannabis Processing Organization or Processor
- Adult-Use Cannabis Transporting Organization or Transporter

**3. Severability.** If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the

unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

4. **Effective Date.** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

***IN WITNESS OF***, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this XX<sup>th</sup> day of Month, 2019.

Attest:

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Scott R. Gryder  
Kendall County Board Chairman

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Debbie Gillette  
Kendall County Clerk and Recorder