

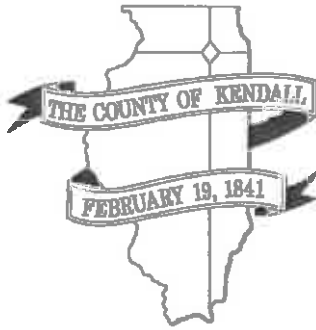
COUNTY OF KENDALL, ILLINOIS
Boards and Commissions Review Ad Hoc Committee
County Office Building, County Board Room 210
111 W. Fox Street; Yorkville IL 60560

Thursday, July 6, 2017 - 9:45a.m.

AGENDA

- 1. Call to Order**
- 2. Roll Call and Establishment of a Quorum:** Tony Giles (Chair), Matthew Prochaska (Vice Chair), John Purcell, Judy Gilmour, Audra Hendrix
- 3. Committee Purpose:** To review all county commissions that are a creation of the Kendall County Board or that are appointed by the Kendall County Board or other commissions or committees or boards that the committee should determine to be applicable to the residents of Kendall County as well as the qualifications for individuals serving on those boards. Committee expiration is September 30, 2017.
- 4. Approval of Agenda**
- 5. Items of Business**
 - *Review of Kendall County's Appointed Public Entity Listing*
 - *Review of Planning, Building and Zoning Committees – Matt Asselmeier*
- 6. Public Comment**
- 7. Questions from the Media**
- 8. Executive Session**
- 9. Action Items for County Board**
- 10. 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



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

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MEMORANDUM

To: Boards and Commissions Review Ad-Hoc Committee
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: June 29, 2017
Re: Committees and Commissions Associated with the Planning, Building and Zoning Department

Recommendations

Many of the committees and commissions that interact with the Planning, Building and Zoning Department are required by State law. If Kendall County abolished the Zoning and Subdivision Control Ordinances, the Zoning Board of Appeals could be abolished. If Kendall County abolished the Stormwater Management Ordinance, the Stormwater Oversight Committee could be abolished. If Kendall County abolished the Historic Preservation Ordinance, the Historic Preservation Commission could be abolished.

The Kendall County Board could abolish the Kendall County Regional Planning Commission, Special Use Hearing Officer and Zoning and Platting Advisory Committee by amending the Zoning Ordinance and Subdivision Control Ordinance. Amending these ordinances would require review by the Zoning and Platting Advisory Committee and the Kendall County Regional Planning Commission in addition to the public hearing before the Zoning Board of Appeals and approval of the County Board after recommendation from the Planning, Building and Zoning Committee.

The Ad-Hoc Zoning Ordinance Committee should either have a clearer definition of responsibility or should be abolished. There is nothing preventing the remaining zoning, building and subdivision committees and the County Board from meeting jointly provided the requirements of the Open Meetings Act are followed.

The Kendall County Regional Planning Commission basically serves as a sub-committee of the Kendall Zoning Board of Appeals, even though no members of the Kendall County Zoning Board of Appeals are members of the Kendall County Regional Planning Commission or vice versa. The Kendall County Regional Planning Commission gives the public the opportunity to review proposals prior to a public hearing. If issues arise, the petitioner may be able to resolve those issues prior to a public hearing. The Kendall County Regional Planning Commission would be needed if the County decided to update the Land Resource Management Plan or if the County Board desired additional planning related studies. Staff's main concern with the Kendall County Regional Planning Commission is the date of its meetings compared to the Kendall County Zoning Board of Appeals meetings; only five days (Thursday, Friday, Saturday, Sunday, and Monday) exist between the two meetings. During these five days, Staff must complete the minutes of the Kendall County Regional Planning Commission, update necessary documents, and send the packets to the Zoning Board of Appeals. The Zoning Board of Appeals has limited time to review materials. If the Kendall County Regional Planning Commission met on a Monday or Tuesday, like the Kendall County Zoning Board of Appeals and the Planning, Building and Zoning Committee, more time would be available to prepare the packets and review the information.

The Zoning and Platting Advisory Committee allows County Staff and allied organizations an opportunity to review proposals. These proposals would be reviewed in some form by these agencies even if this Committee did not exist; this review could occur more on a department-by-department interaction and would not be public meetings. Having a set meeting date ensures that

the necessary departments meet to collectively discuss the proposal.

The Special Use Hearing Officer position could be abolished by transferring his/her duties back to the Zoning Board of Appeals. It should be noted that Special Use Hearing Officer and the Hearing Officer sometimes discussed in administrative adjudication discussions do not have to be the same individual; abolishing the Special Use Hearing Office does not necessarily repeal the Hearing Code Unit regulations currently in the Zoning Ordinance.

Kendall County is not required to have a Stormwater Planning Committee. However, because many of the municipalities in Kendall County use the Kendall County Stormwater Management Ordinance in some form, Staff recommends retaining the Committee in the event that a countywide stormwater issue arises or if the County Board desires to amend the Stormwater Management Ordinance at some point in the future.

Introduction

Not including the County Board and Planning, Building and Zoning Committee, the Kendall County Planning, Building and Zoning Department currently interacts heavily with the following Committees and Commissions:

1. Zoning Board of Appeals
2. Special Use Hearing Officer
3. Kendall County Regional Planning Commission
4. Zoning and Platting Advisory Committee
5. Ad-Hoc Zoning Ordinance Committee
6. Stormwater Planning Committee
7. Stormwater Oversight Committee (Committee of the Whole)
8. Historic Preservation Commission

For the purposes of this memo, the first five committees listed previously are associated with zoning, building and subdivision generally. Two committees are associated with stormwater. The Historic Preservation Commission could be classified as "other." However, if the number of County recognized historic properties and districts increased (there is currently one locally designated historic structure in Kendall County), the Historic Preservation Commission would review building permit applications for alterations, additions and demolition to these structures.

Zoning, Building and Subdivision Related Committees and Commissions

Zoning Board of Appeals-Of the five zoning, building and subdivision related committees, the Zoning Board is the only one required under State law as long a Kendall County has a Zoning Ordinance. As required by State law, the Zoning Board of Appeals holds public hearings on the following items:

1. Map Amendments (Rezoning of Property) (55 ILCS 5/5-12014)
2. Text Amendments to the Zoning Ordinance (55 ILCS 5/5-12014)
3. Variances to the Zoning Ordinance 10% or Greater of the Requirements of the Zoning Ordinance (55 ILCS 5/5-12009)
4. Appeals of the Decision of the Zoning Administrator (55 ILCS 5/5-12011)

The composition of the Zoning Board of Appeals, their procedures and the requirement that they be paid are also included in State law (55 ILCS 5/5-12010, -12011, -12012 and -12013). While not currently practiced, the Zoning Board of Appeals could hear applications for special use permits (55 ILCS 5/5-12009.5).

The Zoning Board of Appeals makes the final non-judicial decisions on variances of at least 10% of the requirements and administrative appeals of the Zoning Administrator's interpretation of the Zoning Ordinance. The Zoning Board of Appeals holds public hearings and creates recommendations to the County Board for map amendment petitions and text amendments petitions.

Members of the Zoning Board of Appeals are paid \$50 per meeting plus mileage from their home to the meeting location. The County Board sets the pay of Zoning Board of Appeals members (55 ILCS 5/5-12010).

The Zoning Board of Appeals meets the Monday following the 4th Wednesday of the Month, unless it is a holiday; they meet the following week in that case.

Special Use Hearing Officer-Kendall County established a Special Use Hearing Officer in 2004 following the *Klaeren v. Village of Lisle* court decision. This court decision declared that the issuance of special use permits was an administrative decision and not a legislative decision. In the intervening years, the General Assembly and Governor approved legislation declaring the issuance of special use permits were legislative decisions (55 ILCS 5/5-12012.1). The power to create a Special Use Hearing Officer is found in State law (55 ILCS 5/5-12015).

The Special Use Hearing Officer holds hearings on special use permit applications, major amendments to special use permits and non-owner initiated special use permit revocations. Within 30 days of the hearing, the Special Use Hearing Officer issues a recommendation to the County Board.

Prior to 2004, the Zoning Board of Appeals held hearings on special use permit applications.

The Special Use Hearing Officer is paid \$350 for the first hour of a hearing and \$100 per hour for subsequent hours. This fee is paid by the petitioner. The Special Use Hearing Officer meets on the same day and time as the Zoning Board of Appeals.

DuPage County and DeKalb County are the only neighboring counties that use a hearing officer; their hearing officers can also hear variance applications.

Kendall County Regional Planning Commission-The Kendall County Regional Planning Commission was created under the provisions of 55 ILCS 5/5-14001. The primary responsibilities of a regional planning commission under State law are to create and assist in the implementation of a regional plan. The specific duties of the Kendall County Regional Planning Commission are found in Section 13.01.C of the Zoning Ordinance and include the following:

1. To receive from the Zoning Administrator copies of all applications for amendments and special use permits along with the committee report from the Zoning and Platting Advisory Committee (ZPAC) and report thereon with its recommendations.
2. To hold conferences in regard to proposed plan developments under this Ordinance and submit a written report with its recommendations.
3. To initiate, direct and review a study of the provisions of this Ordinance and the zoning map attached hereto and to make reports on its recommendation to the County Board not less frequently than annually.

In addition to the above duties, the Kendall County Regional Planning Commission is responsible for reviewing subdivision plats and holding hearings for amendments to the Land Resource Management Plan.

The members of Kendall County Regional Planning Commission are the only zoning, building and subdivision related committee members that are not paid.

The Kendall County Regional Planning Commission meets the 4th Wednesday of the Month. The Kendall County Regional Planning Commission does not meet in December and they usually have an annual meeting in February.

All of the neighboring counties have an equivalent committee for subdivision review. Only Grundy County requires Planning Commission review of map amendments, text amendments, and special use permits. Will County has a joint Planning and Zoning Commission. DeKalb County uses their Regional Planning Commission for research projects and projects impacting large portions of the County.

Zoning and Platting Advisory Committee-The Zoning and Platting Advisory Committee is a Committee of County Staff, stormwater engineering, soil and water conservation and forest preserve personnel. They review all applications except variances.

An internal review by Staff of applications, particularly subdivision applications and site plan reviews, is a common practice nationwide. The formality of the practice (whether a dedicated committee exists, whether they met in public, have a chairperson, etc.) varies from place-to-place and the complexity of the project.

The Zoning and Platting Advisory Committee meets the 1st Tuesday of the Month.

Ad-Hoc Zoning Ordinance Committee-This Committee is supposed to be the research Committee for all of the development Committees. This Committee possesses no by-laws and is not defined in the Zoning Ordinance.

The Ad-Hoc Zoning Ordinance Committee meets before the Kendall County Regional Planning Commission on the 4th Wednesday of the Month.

Procedural Issue Related to Zoning, Building and Subdivision Related Committees

Lately, the most frequent petitions that the zoning, building and subdivision committees encounter are map amendments (rezonings), special use permit requests and variances. Few large subdivisions have been proposed in Kendall County in recent years.

Map Amendments-Below is a list of meetings an applicant for a map amendment would have to attend if their property was within the planning jurisdiction of a municipality under the current Kendall County Zoning Ordinance:

1. Zoning and Platting Advisory Committee
2. Kendall County Regional Planning Commission Meeting
3. **Township Planning Commission Meeting**
4. **Township Board Meeting**
5. **Municipal Planning Commission Meeting**
6. **Municipal Council Meeting**
7. **Kendall County Zoning Board of Appeals Hearing/Meeting**
8. Planning, Building and Zoning Committee
9. **County Board**

The meetings in bold are required pursuant to State law.

Special Use Permits, Major Amendments to Special Use Permits and Non-Owner Initiated Revocation of Special Use Permits-For special use permits, major amendments to special use permits (change 10% or greater of use area) and non-owner initiated revocation of special use

permits, the procedure is the same expect that the Special Use Hearing Officer holds the hearing and issue a recommendation instead of the Kendall County Zoning Board of Appeals. Also, unlike map amendments, objections filed by a municipality or township do not force supermajority votes at the County Board. Revocations of special use permits do not require review by the township or a municipality.

In instances where a special use permit and variance or map amendment is required, the Special Use Hearing Officer sits in on the Kendall County Zoning Board of Appeals meeting.

Minor Amendments of Special Use Permits and Conditional Use Permits-For minor amendments to an existing special use permit (less than 10% of use area) and for conditional use permits, a meeting before the Planning, Building and Zoning Committee is required per the Kendall County Zoning Ordinance.

Variances 10% or Greater of the Zoning Requirements-For variance applications exceeding 10% of the zoning requirements, the required meetings are as follows:

1. **Kendall County Zoning Board of Appeals Hearing/Meeting**
2. **Township Planning Commission Meeting**
3. **Township Board Meeting**
4. **County Board (If the Township files a formal objection within 15 days of the hearing before the Kendall County Zoning Board of Appeals)**

All of the above meetings for variances are required by State law (55 ILCS 5/5-12009).

Variances Less Than 10% of the Zoning Requirements- Variances requiring less than 10% relief from the Zoning Ordinance may be approved by Staff administratively. The adjoining property owners are notified and given an opportunity to file and objection. If an objection is filed, then the variance shall follow the same procedures as a larger variance request. The procedures for administrative variances are defined in 55 ILCS 5/5-12009.

Text Amendments-Below is the list of meetings for text amendments under the current Kendall County Zoning Ordinance:

1. Zoning and Platting Advisory Committee
2. Kendall County Regional Planning Commission Meeting
3. **Township Planning Commission Meeting in Each Township with a Planning Commission**
4. **Township Board Meeting In Each Township with a Planning Commission**
5. **Kendall County Zoning Board of Appeals Hearing/Meeting**
6. Planning, Building and Zoning Committee
7. **County Board**

The meetings in bold are required pursuant to State law.

Concept, Preliminary and Final Plats-Below is the list of meetings for concept, preliminary and final plats of subdivisions if they are within the planning jurisdiction of a municipality:

1. Zoning and Platting Advisory Committee
2. Kendall County Regional Planning Commission Meeting
3. Township Planning Commission Meeting in Each Township with a Planning Commission
4. Township Board Meeting in Each Township with a Planning Commission
5. Municipal Planning Commission Meeting
6. Municipal Council Meeting

7. Planning, Building and Zoning Committee
8. County Board (For Approval of Final Plat)

While it is not noted on the above the list, the creation of a subdivision normally requires a map amendment (i.e. rezoning agricultural land to RPD). The rezoning requires a public hearing before the Kendall County Zoning Board of Appeals. The Kendall County Zoning Board of Appeals could hold a public hearing on a proposed subdivision instead of the Kendall County Regional Planning Commission.

Site Plan Review-Site review plans require a meeting by the Zoning and Platting Advisory Committee only.

Amendments to the Land Resource Management Plan-Amendments to the Land Resource Management Plan require review by:

1. Zoning and Platting Advisory Committee
2. Kendall County Regional Planning Commission Meeting
3. **Kendall County Zoning Board of Appeals**
4. Planning, Building and Zoning Committee
5. **County Board**

The meetings in bold are required pursuant to State law.

General-Each municipality and township are free to create their own review process. For example, with the recent petition by Semper Fi, Inc. to operate a landscape waste composting facility at 1996 Cannonball Trail, the United City of Yorkville required that the petition be reviewed by their Economic Development Committee in addition to review by the Planning Commission and City Council.

Any board or committee reviewing an application is free to request additional time to review an application.

Stormwater Committees

Because Kendall County has a Stormwater Control Ordinance, two Committees exist to handle matters related to this Ordinance.

The Stormwater Planning Committee consists of representatives of the County Board and representatives of local municipalities (usually Mayors). This Committee exists because many of the municipalities adopted the same or similar Stormwater Management Ordinances as the County. Accordingly, if the County amended its Stormwater Management Ordinances, these municipalities would also be impacted. This Committee last met in April 2013 and only meets if a stormwater concern requiring a potential amendment to the Stormwater Management Ordinance exists or if a Countywide stormwater issue arises.

The Stormwater Oversight Committee is responsible for holding public hearings for variance to the Stormwater Management Ordinance. Pursuant to the Ordinance, the Committee of the Whole is the Stormwater Oversight Committee (Section 1004 of the Stormwater Control Ordinance).

In cases where variances to the Stormwater Management Ordinances are requested, the Committee of the Whole holds a public hearing and issues a recommendation to the County Board. The County Board then rules on the application.

If a stormwater variance request is located inside one of the certified communities, then that certified community also holds a public hearing and their municipal council issues a ruling as well.

Both of the stormwater related committees meet on an as-needed basis.

Historical Commission

Because Kendall County has an Historic Preservation Ordinance, Kendall County is required to have an Historic Preservation Commission as defined by 55 ILCS 5/5-30001.

The duties of the Historic Preservation Commission are:

1. To conduct an ongoing survey of the County to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and, therefore, potential landmarks or historic districts.
2. **To hold public hearings and recommend to the County Board the designation of landmarks or historic districts.**
3. To compile information concerning and prepare descriptions of the landmarks and historic districts identified and recommended for designation and the characteristics that meet the standards for designation.
4. To prepare, keep current, and publish a map or maps showing the locations and exact boundaries of proposed and designated landmarks and historic districts and, if the Commission so chooses, the locations and boundaries of designated state or federal landmarks or districts.
5. To keep a register of all designated landmarks and historic districts.
6. To establish an appropriate system of markers or plaques for all designated landmarks, historic districts, and for streets, roads, trails, and highways leading from one landmark or historic district to another and to confer recognition upon the owners of landmarks or property within historic districts by means of certificates, plaques, or markers.
7. To nominate, landmarks and historic districts to any state or federal registers of historic places.
8. To advise and assist owners of landmarks and property within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on any state or federal register of historic places.
9. To inform and educate the citizens of the County concerning the historic, archaeological, architectural, or scenic heritage of the County by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars.
10. **To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting landmarks or property within historic districts and issue or deny Certificates of Appropriateness for such actions.**
11. **To consider applications for Certificates of Economic Hardship that would allow the performance of work for which a Certificate of Appropriateness has previously been denied.**
12. To develop specific criteria and guidelines for the proper alteration, construction, demolition, or removal of landmarks, or of property within historic districts.
13. **To review proposed amendments to zoning regulations and map amendments, applications for special uses or applications for zoning variations that affect any and all landmarks or historic districts. Proposed zoning amendments, applications for special use, or zoning variations that affect any landmark or historic district as defined in this ordinance or any application for demolition of any structure which is more than 50 years old shall be reviewed by support staff and forwarded to the Preservation Commission for review within seven (7) working days.**
14. To administer on behalf of the County Board any property, or full or partial interest in real property, including a conservation right, by approval of the County Board.
15. To accept and administer on behalf of the County Board gifts, grants, money or other personal property as may be appropriate for the purpose of this Ordinance. Such money may

- be expended for publishing maps and brochures, for hiring staff or consultants or performing otherwise appropriate functions for the purpose of carrying out the duties and powers of the Preservation Commission and the purposes of this Ordinance.
16. To administer any system established by the County Board for the transfer or development rights.
 17. To call upon available County agencies and staff as well as other experts for technical advice; costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget.
 18. To retain specialists or consultants, or to appoint citizen, neighborhood or area advisory committees, as may be required, costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget.
 19. To testify before all boards, commissions, committees and municipalities on any matter affecting potential or designated landmarks or historic districts.
 20. **To periodically review any County Land Resource Management Plan and to develop a preservation component in any comprehensive plan of the County and to recommend it to the Regional Plan Commission, the Planning, Building & Zoning Committee and the County Board.**
 21. **To periodically consult the County zoning administrator, review any County zoning ordinance and building code, and to recommend to the County Board any amendments appropriate for the protection and continued use of landmarks or property within historic districts.**
 22. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or the implementation of the purposes of this Ordinance.
 23. **To recommend to the County Board the adoption of intergovernmental agreements between the County Board and Kendall County municipalities that allow for the nomination and designation by the County Board of individual landmarks and historic districts within incorporated areas and that afford the protection of landmarks and historic districts through the provisions of this Article.**
 24. To periodically monitor designated landmarks and preservation districts for demolition by neglect and to refer negligent cases to the appropriate county agency for enforcement.

Bolded items above could impact zoning, building and subdivision matters and/or require County Board approval. Historic preservation commissions in municipalities spend the bulk of their time on items 10 and 11. Whenever someone owning an historical property wants to alter an historic house or house within a historic district, the historic preservation commission reviews the application. Because Kendall County only has one locally designated historic house, the only time that the Historic Preservation Commission meets on a development matter is under item 13. The Historic Preservation Commission meetings would be different if more locally designated structures and districts existed.

The Historic Preservation Commission meets on the 3rd Wednesday of the Month. Members of the Historic Preservation Commission are not paid.

Conclusion

The Zoning Board of Appeals, Stormwater Oversight Committee and the Historic Preservation Commission are required per State law. The remaining committees could be abolished.

If you have any questions, please let me know.

MHA

**County of Kendall, Illinois
55 ILCS 5/5-44060 Response**

PUBLIC ENTITY	PRINCIPAL PLACE OF BUSINESS	DESCRIPTION OF SERVICES PROVIDED	# OF MEMBERS	CREATION PROCESS	PLANS FOR CONSOLIDATION OR DISSOLUTION	LEVIES A PROPERTY TAX	HOW FUNDED (IF NOT LEVY FUNDED)
Big Slough Drainage Dist		Drainage Maint.	3	State Statute	No		Referendum
Rob Roy Drainage Dist		Drainage Maint.	3	State Statute	No		Referendum
Raymond Drainage Dist		Drainage Maint.	3	State Statute	No		Referendum
Morgan Creek Drainage Dist		Drainage Maint.	3	State Statute	No		Referendum
Board of Health	902 W. John Str; Yorkville	Health & Welfare	8	State Statute	No	Yes	County Board Authorized, Referendum, Property Tax Levy, Grants, User Fees
Bristol-Kendall Fire District	103 Beaver Str; Yorkville	Fire Protection	5	State Statute	No	Yes	
Lisbon-Seward Fire District	6410 Chicago Rd; Yorkville	Fire Protection	2	State Statute	No	Yes	
Little Rock - Fox Fire Dist	5 E. North Str; Plano	Fire Protection	5	State Statute	No	Yes	
Minooka Fire District	7901 E. Minooka Rd; Minooka	Fire Protection	1	State Statute	No	Yes	
Newark Fire District	101 E. Main Str; Newark	Fire Protection	3	State Statute	No	Yes	
Oswego Fire District	3511 Woolley Rd; Oswego	Fire Protection	5	State Statute	No	Yes	
Ethics Commission	1102 Cornell Lane, Yorkville	Review Complaints	6	State Statute & County Ord	No		County Budget
Farmland Review CMT	111 W. Fox Str, Yorkville	Farm Value	5	State Statute	No		County Budget
Farmland Protection CMS	111 W. Fox Str, Yorkville	Farm Protection	8	County Ordinance	No		County Budget
Historic Preservation CMS	111W. Fox Str, Yorkville	Historic Preservation	8	County Ordinance	No		County Budget
Housing Authority	811 W. John Str, Yorkville	Affordable Housing	5	Federal Regulation	No		Federal Grant
Merit Commission	1102 Cornell Lane, Yorkville	Sheriff's Ofc Staff Selection	5	State Statute, County Resolution	No		County Budget
Newark Sanitary District	Lower Coy Park Drive; Newark	Waste Water Treatment	3	State Statute	No		User Fees
Yorkville-Bristol Sanitary District	304 River Str; Yorkville	Waste Water Treatment	3	State Statute	No		User Fees
Public Aid Appeals		Review Denied Requests	6	State Statute	No		County Resolution
Tax Board of Review	111 W. Fox Str, Yorkville	Assessment & Appeals	4	State Statute	No		County Budget
Tuberculosis Board	802 W. John Str, Yorkville	TB Prevention	2	State Statute	No		County Board with Tax Levy
University of Illinois Extension Board	7775-B IL Route 47; Yorkville	Ag Education	3	State Statute, Referendum	No		County Board, Tax Levy & State of IL
Workforce Investment Board	1905 Sequoia Dr; Aurora	Worforce Training	7 of 32	State Statute, Federal Regulation	No		Federal Grants
KenCom 911 Board	1102 Cornell Lane; Yorkville	911 Dispatch	12	State Statute & Intergovernmental Agreements	No		County and Municipality Resources

KC Board Member is assigned according to the following:

BOARD/COMMITTEE	Statutory Requirement	By-Laws or Ordinance Requirement	Preference of Organization	Discretion of KC Board	Red = added by SAO, relating to whether County Board presence is required Blue = added by SAO, relating to compensation Notes
708 Mental Health Board	X				Required under 405 ILCS 20/3a: "Only one member shall be a member of the governing body." Per 405 ILCS 20/3d, "The expenses incurred by any community mental health board in the performance of duties imposed upon it or its members shall be a charge on the board and shall be paid out of the 'Community Mental Health Fund' hereinafter established. <u>No member shall receive payment, except expenses, for service on the board.</u> " (NO PER DIEM PERMITTED PURSUANT TO STATUTE.)
Aurora Visitors Bureau				X	KC does not sit on this Board. If KC did, it would have to be an At-Large member, appointed by Aurora Area CVB Chair
CMAP MPO Policy Committee			X		CMAP strongly prefers the county rep to be either the Chair or Board member but it is not required. The Policy Committee is the designated MPO under 23 U.S.C. 134 (see also 23 C.F.R. 450.310). The federal statute supports this "strong preference" and could potentially support an argument that a county board member is required to be a member of the Committee. Per (d)(2) of the federal statute, the MPO "shall consist of (A) local elected officials; (B) officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and (C) appropriate State transportation officials." 70 ILCS 1707/25, says that CMAP board members can receive compensation for expenses but cannot be generally compensated. However, members of the Policy Committee are <i>not</i> board members. There is no state or federal law establishing whether or not a Policy Committee member can be compensated.
CMAP Transportation Committee				X	Per CMAP, typical county representatives are county engineers. This appears to be a working committee most likely created by the CMAP Board, under 70 ILCS 1707/25(f). There is no law requiring a board member sit on the transportation committee. There is no statutory basis under which the working committee members may be compensated.
Farmland Protection		X			County Ordinance 05-48. Pursuant to the ordinance, one county board member must sit on the Commission. Nothing in the ordinance establishes whether or not the commissioners should receive compensation.
Health Department Liaison	X				55 ILCS 5/5-25012 requires one Board of Health member to be a County Board member. Section 5-25012 states, " <u>All members shall serve without compensation, but may be reimbursed for actual necessary expenses.</u> " (NO PER DIEM PERMITTED PURSUANT TO STATUTE.)

					The IL Housing Authorities Act does not specify a commissioner must be a County Board member. Only states a County Board member is eligible. 310 ILCS 10/3 ("may" appoint 2 county board members). 310 ILCS 10/7 says the County may establish a per diem for all commissioners, and commissioners may be reimbursed for necessary expenditures and travel expenses.
Housing Authority				X	
ICRMT				X	No by-laws exist, some counties use staff as representatives
Historic Preservation				X	Per Art. II, part 1, sec. B of the Historic Preservation Ordinance (last amended by Ord. 11-12) a County Board member may be assigned but is not required. Art. II, part 1, sec. H, of the Historic Preservation Ordinance states: " <u>The members shall serve without compensation, but they shall be reimbursed for their expenses necessarily incurred in the performance of their duties as such and approved by the Director of the Planning, Building & Zoning Department, and if funds are available in the Historic Preservation Commission's reserves.</u> " (NO PER DIEM PERMITTED PURSUANT TO ORDINANCE.)
KenCom		X			Kencom Agreement IGA 11-06
Mayors/Managers			X		Mayors/Village Presidents/CB Chair and Administrators/Managers typically attend
Metro Counties		X			CB Chair is the only voting member but may send a Legislative Cmt Chair or County Administrator as a proxy vote
NWPA Executive Board		X			By-laws state that County Board chairman is only voting member
Oswego Senior Center			X		Senior Center prefers that County representative is a County Board member.
Board of Review				X	35 ILCS 200/6-5 says "Members of the county board may be appointed to the board of review." 35 ILCS 200/6-15 says, "Each member of the board of review shall receive an annual salary to be fixed by the county board and paid out of the county treasury."
Oswego Visitors Bureau				X	No official membership or appointment to Tourism Bureau (Governed by Village Board)
PBZ Ad Hoc				X	No ordinance or by-law address committee

Resource Conservation & Development					Group has disbanded
River Valley WIB			X		CB member not required but preferred by WIB to have one CB member who is involved in business. Created under 29 U.S.C. § 2832. Per federal statute, County Board member not required, but statute gives state governor authority to set other requirements. I could not find Illinois requirements. There is no identifiable statutory provision addressing compensation for Workforce Investment Board members.
Soil & Water Conservation District			X		No official by-laws but SWCD Board prefers "liaison" to be a KC Board member. 70 ILCS 405/21 (Directors "may invite" a county representative). The directors of the District are entitled to compensation under 405/21, but the directors are elected. There is no statutory provision for the "invited" county representative to be compensated.
UCCI				X	No by-laws exist, some counties use staff as representatives
UIRVDA				X	Statute established UIRVDA but no requirement that a county rep must be a board member. 70 ILCS 530/4. One member appointed by each county board, but it need not be a board member. The statute also says members, "shall <u>not</u> be entitled to compensation" but they are entitled to reimbursement for necessary expenses. (NO PER DIEM PERMITTED PURSUANT TO STATUTE.)
VAC Liaison			X		VAC prefers county representative to be CB member. County Board presence is not statutorily required however, the County Board has oversight responsibilities: 330 ILCS 45/9 (County Chairman or County Officer "shall have general oversight of the distribution of all moneys and supplies appropriated by the county for the benefit of military veterans and their family.") 330 ILCS 45/10 (County Board has additional responsibilities with regard to funding the VAC). There is no statutory provision relating to compensation of a county board liaison, however, section 45/10 address compensation of other officers and personnel.
ZPAC		X			The KC Zoning Ordinance stipulates the PBZ Chair or, designee, from the PBZ Committee shall serve on ZPAC. (Section 3, page 3-31 of the Kendall County Zoning Ordinance). The ordinance provides no mechanism for compensation for ZPAC members. The ordinance also states ZPAC is "not a County Board committee."
Juvenile Justice Council	X	X			Article V, Section B of By-laws require County Board Chairman, or his/her designee, to sit on the council. 705 ILCS 405/6-12 states, "Each of the following county officers shall designate a representative to serve on the council: the sheriff, the State's Attorney, Chief Probation Officer, and the county board." There is no statutory provision addressing compensation of Juvenile Justice Council members.