

**KENDALL COUNTY FOREST PRESERVE DISTRICT
MEETING AGENDA**

TUESDAY, JUNE 15, 2021

9:00 A.M.

KENDALL COUNTY OFFICE BUILDING - ROOMS 209 & 210

- I. Call to Order
- II. Pledge of Allegiance
- III. Invocation
- IV. Roll Call
- V. Approval of Agenda
- VI. Public Comments
- *CONSENT AGENDA**
- VII. Approval of Minutes
 - Kendall County Forest Preserve District Finance Committee Meeting of May 27, 2021
 - Kendall County Forest Preserve District Commission Meeting of June 1, 2021
- VIII. *Approval of Claims in the Amount of \$631,720.22
- OLD BUSINESS**
 - No items posted for consideration*
- NEW BUSINESS**
- IX. ***ORDINANCE #06-21-003:** Approval of an Ethics Policy for the Kendall County Forest Preserve District as Required by the State Officials and Employees Ethics Act (5-ILCS 430/)
- X. *Approval of a 2-Year Fixed Price Purchase Contract for Propane Gas for Ellis House and Equestrian Center and Harris Forest Preserve from GRAINCO FS, INC. of Morris, Illinois for \$4,156.80 (3,200 Gallons at \$1.299 per Gallon).for each Contract Year
- XI. Public Comments
- XII. Executive Session
- XIII. Other Items of Business
- XIV. Adjournment

(Requires affirmative vote of the majority of those elected (6) for passage (KCFPD Rules of Order Section I.G.2.b.v.a)*

**KENDALL COUNTY FOREST PRESERVE DISTRICT
FINANCE COMMITTEE MEETING MINUTES
MAY 27, 2021**

I. Call to Order

Finance Committee Chairman Gengler called the meeting to order at 4:04 pm in the Kendall County Office Building, rooms 209 and 210.

II. Roll Call

X	Cesich		Gryder
	DeBolt	X	Kellogg (entered meeting at 4:08)
	Flowers		Koukol
X	Gengler		Rodriguez
X	Gilmour	X	Vickers

Commissioners Cesich, Gengler, Gilmour, and Vickers were all present.

Commissioner Kellogg entered the meeting at 4:08 pm.

III. Approval of Agenda

Commissioner Gilmour made a motion to approve the meeting agenda as presented. Seconded by Commissioner Cesich.

Motion: Commissioner Gilmour					
Second: Commissioner Cesich					
Roll call: Approval of Agenda					
Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
DeBolt			Gryder		
Cesich	X		Kellogg		
Flowers			Koukol		
Gengler	X		Rodriguez		
Gilmour	X		Vickers	X	
Motion unanimously approved.					

Roll call: Commissioners Cesich, Gilmour, Vickers, and Gengler, aye. Opposed, none. Motion unanimously approved.

IV. Public Comments

No public comments were offered from citizens present.

V. Motion to Forward Claims to Commission for Approval

Commissioner Kellogg entered the meeting.

Commissioner Vickers made a motion to forward claims in the amount of \$23,637.58 to Commission. Seconded by Commissioner Cesich.

Motion: Commissioner Vickers					
Second: Commissioner Cesich					
Roll call: Motion to Forward Claims to Commission for \$23,637.58					
Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
DeBolt			Gryder		
Cesich	X		Kellogg		
Flowers			Koukol		
Gengler	X		Rodriguez		
Gilmour	X		Vickers	X	
Motion unanimously approved.					

Roll call: Commissioners Cesich, Gilmour, Kellogg, Vickers, and Gengler, aye. Opposed, none. Motion unanimously approved.

VI. Review of Preliminary Financial Statements through April 30, 2020

Director Guritz presented a report on the preliminary financial statements through April 30, 2021.

VII. FY21 Proposed Budget Amendments

Commissioner Kellogg made a motion to forward the FY21 Budget Amendments to Commission. Seconded by Commissioner Gilmour.

Motion: Commissioner Kellogg					
Second: Commissioner Gilmour					
Roll call: Motion to Forward the FY21 Proposed Budget Amendments to Commission					
Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
DeBolt			Gryder		
Cesich	X		Kellogg	X	
Flowers			Koukol		
Gengler	X		Rodriguez		
Gilmour	X		Vickers	X	
Motion unanimously approved.					

Roll call: Commissioners Cesich, Gilmour, Kellogg, Vickers, and Gengler, aye. Opposed, none. Motion unanimously approved.

VIII. Projected Medical Benefits Costs Update and Revised FY21 Budget Figures

Director Guritz presented the projected medical benefits costs and revised FY21 budget figures included within the FY21 amended budget figures.

IX. Ordinance #06-21-001 Amending the Combined Annual Budget and Appropriations Ordinance #02-21-001

Commissioner Kellogg made a motion to forward Ordinance #06-21-001 Amending the Combined Annual Budget and Appropriations Ordinance #02-21-001 to Commission for approval. Seconded by Commissioner Gilmour.

Motion: Commissioner Kellogg					
Second: Commissioner Gilmour					
Roll call: Motion to Forward Ordinance #06-21-001 to Commission for Approval					
Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
DeBolt			Gryder		
Cesich	X		Kellogg	X	
Flowers			Koukol		
Gengler	X		Rodriguez		
Gilmour	X		Vickers	X	
Motion unanimously approved.					

Roll call: Commissioners Cesich, Gilmour, Kellogg, Vickers, and Gengler, aye. Opposed, none. Motion unanimously approved.

X. FY21-23 Updated Capital Fund Cash Flow Analysis and Draft Capital Fund (1907) Fund Balance Policy

Commissioner Kellogg made a motion to forward the FY21-23 Updated Capital Fund Cash Flow Analysis and Draft Capital Fund Balance Policy to Commission. Seconded by Commissioner Gilmour.

Motion: Commissioner Kellogg					
Second: Commissioner Gilmour					
Roll call: Motion to Forward the Capital Fund 1907 Fund Balance Policy to Commission for Approval					
Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
DeBolt			Gryder		
Cesich	X		Kellogg	X	
Flowers			Koukol		
Gengler	X		Rodriguez		
Gilmour	X		Vickers	X	
Motion unanimously approved.					

Roll call: Commissioners Cesich, Gilmour, Kellogg, Vickers, and Gengler, aye. Opposed, none. Motion unanimously approved.

XI. Ordinance #06-21-002 Authorizing the Issuance of Not-to-Exceed \$1,300,000 General Obligation Limited Tax Bond Series 2021, of the Kendall County Forest Preserve District

Commissioner Gilmour made a motion to forward Ordinance #06-21-002 authorizing the Issuance of Not-to-Exceed \$1,300,000 General Obligation Limited Tax Bond Series 2021, of the Kendall County Forest Preserve District. Seconded by Commissioner Vickers.

Motion: Commissioner Gilmour					
Second: Commissioner Vickers					
Roll call: Motion to Forward Ordinance #06-21-002 to Commission for Approval					
Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
DeBolt			Gryder		
Cesich	X		Kellogg	X	
Flowers			Koukol		
Gengler	X		Rodriguez		
Gilmour	X		Vickers	X	
Motion unanimously approved.					

Roll call: Commissioners Cesich, Gilmour, Kellogg, Vickers, and Gengler, aye. Opposed, none. Motion unanimously approved.

XII. Illinois Department of Natural Resources PARC Grant Agreement #21-114 – Pickerill Estate House Public Access Project

Commissioner Kellogg made a motion to forward the Illinois Department of Natural Resources Parc Grant Agreement #21-114 – Pickerill Estate House Public Access Project to Commission for approval. Seconded by Commissioner Gilmour.

Motion: Commissioner Kellogg					
Second: Commissioner Gilmour					
Roll call: Motion to Forward IDNR-PARC Grant Agreement #21-114 to Commission for Approval					
Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
DeBolt			Gryder		
Cesich	X		Kellogg	X	
Flowers			Koukol		
Gengler	X		Rodriguez		
Gilmour	X		Vickers	X	
Motion unanimously approved.					

Roll call: Commissioners Cesich, Gilmour, Kellogg, Vickers, and Gengler, aye. Opposed, none. Motion unanimously approved.

XIII. Other Items of Business

a) Pickerill-Pigott OSLAD Grant – Final Billing Statement and Auditor’s Letter

b) Pickerill Estate House Roof Replacement Project – Architect’s Responses on Costs and Approaches

Commissioner Kellogg made a motion to forward the Pickerill Estate House roof replacement project proposal to Commissions for approval. Seconded by Commissioner Vickers.

Motion: Commissioner Kellogg					
Second: Commissioner Vickers					
Roll call: Motion to Forward the Kluber Pickerill-Estate House Roof Replacement Proposal to Commission					
Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
DeBolt			Gryder		
Cesich	X		Kellogg	X	
Flowers			Koukol		
Gengler	X		Rodriguez		
Gilmour	X		Vickers	X	
Motion unanimously approved.					

Roll call: Commissioners Cesich, Gilmour, Kellogg, Vickers, and Gengler, aye. Opposed, none.
Motion unanimously approved.

c) Waste Management Refund Update

Director Guritz reported that the District had received one of two anticipated refund checks from Waste Management for overcharges made to the District’s accounts.

d) Equipment Repair (Kubota) and Replacement (Cub Cadet Mower)

Director Guritz provided updates on recently approved equipment repair and replacement proposals.

XIV. Public Comments

No public comments were offered from citizens in attendance.

XV. Executive Session

None.

XVI. Adjournment

Commissioner Kellogg made a motion to adjourn. Seconded by Commissioner Vickers.

Motion: Commissioner Kellogg

Second: Commissioner Vickers

Roll call: Motion for Adjournment

Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
DeBolt			Gryder		
Cesich	X		Kellogg	X	
Flowers			Koukol		
Gengler	X		Rodriguez		
Gilmour	X		Vickers	X	

Motion unanimously approved.

Roll call: Commissioners Cesich, Gilmour, Kellogg, Vickers and Gengler, aye. Opposed, none.

Motion unanimously approved.

Meeting adjourned at 5:08 pm.

Respectfully submitted,

David Guritz
Director, Kendall County Forest Preserve District

**KENDALL COUNTY FOREST PRESERVE DISTRICT
COMMISSION MEETING MINUTES
JUNE 1, 2021**

I. Call to Order

President Gilmour called the meeting to order at 6:00 pm in the Kendall County Office Building - Second Floor Board Rooms 209 and 210.

II. Pledge of Allegiance

All present recited the Pledge of Allegiance at the start of the meeting.

III. Invocation

An invocation was offered by Commissioner Gengler.

IV. Roll Call

X	Cesich	X	Gryder
X	DeBolt		Kellogg
X	Flowers	X	Koukol
X	Gengler	X	Rodriguez
X	Gilmour	X	Vickers

Roll call: Commissioners Cesich, DeBolt, Flowers, Gengler, Gryder, Koukol, Rodriguez, Vickers, and Gilmour were all present.

V. Approval of Agenda

Commissioner Cesich made a motion to approve the Commission meeting agenda as presented. Seconded by Commissioner Koukol. All, aye. Opposed, none. Motion unanimously approved.

VI. Public Comment

No public comments were offered from citizens in attendance.

CONSENT AGENDA

VII. Approval of Minutes

- Kendall County Forest Preserve District Commission meeting of May 18, 2021

VIII. Approval of Claims in the Amount of \$23,637.58

IX. Approval of an Illinois Clean Energy County Foundation Grant Amendment to the District's Land Acquisition Grant Agreement #8133 Providing for Disbursement of the Full \$10,000.00 Portion of the Grant for Natural Area Restoration Activities Following Completion of Land Acquisition.

Commissioner Cesich made a motion to approve the Consent Agenda. Seconded by Commissioner DeBolt. All, aye. Opposed, none. Motion unanimously approved.

OLD BUSINESS

X. ORDINANCE #06-21-001: Amending the Combined Annual Budget and Appropriations Ordinance #02-21-001 Setting Forth the Annual Budget of the Kendall County Forest Preserve District, Kendall County, Illinois for the Fiscal Year Beginning December 1, 2020 and Ending November 30, 2021 for an Amount Not-to-Exceed \$9,488,295

Commissioner Cesich made a motion to approve Ordinance #06-21-001 amending the combined annual budget and appropriations ordinance #02-21-001 setting forth the annual budget of the Kendall County Forest Preserve District, Kendall County, Illinois for the fiscal year beginning December 1, 2020 and ending November 30, 2021 for an amount Not-to-Exceed \$9,488,295. Seconded by Commissioner Gryder.

Motion: Commissioner Cesich					
Second: Commissioner Gryder					
Roll call: Approval of Ordinance #06-21-001					
Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
Cesich	X		Gryder	X	
DeBolt	X		Kellogg		
Flowers	X		Koukol	X	
Gengler	X		Rodriguez	X	
Gilmour	X		Vickers	X	
Motion unanimously approved.					

Roll call: Commissioners Cesich, DeBolt, Flowers, Gengler, Gryder, Koukol, Rodriguez, Vickers, and Gilmour, aye. Opposed, none. Motion unanimously approved.

NEW BUSINESS

XI. ORDINANCE #06-21-002: Consideration of the Adoption of Ordinance #06-21-002 Authorizing the Issuance of Not to Exceed \$1,300,000 General Obligation Limited Tax Bonds, Series 2021, of the Kendall County Forest Preserve District

Commissioner Cesich made a motion to approve Ordinance #06-21-002 authorizing the issuance of not-to-exceed \$1,300,000 General Obligation Limited Tax Bonds, Series 2021, of the Kendall County Forest Preserve District. Seconded by Commissioner Gryder.

Motion: Commissioner Cesich					
Second: Commissioner Gryder					
Roll call: Approval of Ordinance #06-21-002					
Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
Cesich	X		Gryder	X	
DeBolt	X		Kellogg		
Flowers	X		Koukol		X
Gengler	X		Rodriguez	X	
Gilmour	X		Vickers	X	
Motion carried by a vote of 8:1.					

Roll call: Commissioners Cesich, DeBolt, Flowers, Gengler, Gryder, Rodriguez, Vickers, and Gilmour, aye. Opposed, Commissioner Koukol. Motion carried by a vote of 8:1.

XII. Approval of Grant Agreement No. PARC 21-114 between the State of Illinois – Department of Natural Resources and the Kendall County Forest Preserve District Awarding \$828,200.00 of Grant Funding and a District Required Match of \$279,695.10 for Completion of the Pickerill-Pigott Estate House Public Access Improvements Project

Commissioner Cesich made a motion to approve grant agreement No. PARC 21-114 between the State of Illinois – Department of Natural Resources and the Kendall County Forest Preserve District Awarding \$828,200.00 of Grant Funding and a District Required Match of \$279,695.10 for completion of the Pickerill-Pigott Estate House Public Access Improvements Project. Seconded by Commissioner DeBolt.

Motion: Commissioner Cesich
 Second: Commissioner DeBolt

Roll call: Approval of Grant Agreement No. PARC 21-114

Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
Cesich	X		Gryder	X	
DeBolt	X		Kellogg		
Flowers	X		Koukol	X	
Gengler	X		Rodriguez	X	
Gilmour	X		Vickers	X	

Motion unanimously approved.

Roll call: Commissioners Cesich, DeBolt, Flowers, Gengler, Gryder, Koukol, Rodriguez, Vickers, and Gilmour, aye. Opposed, none. Motion unanimously approved.

XIII. Approval of a Capital Fund 1913 Reserve Policy to Retain the Full Balance of the Anticipated \$828,200.00 Reimbursed Grant Funds from the State of Illinois – Department of Natural Resources Grant Agreement No. PARC 21-114 as a Capital Reserve to be Expended, with Commission Pre-Approval, on Upfront and Fully Reimbursable Capital Project Costs Only

Commissioner Cesich made a motion to approve of a Capital Fund 1913 Reserve Policy to retain the full balance of the anticipated \$828,200.00 reimbursed grant funds from the State of Illinois – Department of Natural Resources Grant Agreement No. PARC 21-114 as a Capital Reserve to be expended, with Commissioner pre-approval, on upfront and fully reimbursable capital project costs only. Seconded by Commissioner Koukol.

Motion: Commissioner Cesich
 Second: Commissioner Koukol

Roll call: Capital Fund 1913 Fund Balance Policy

Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
Cesich	X		Gryder	X	
DeBolt	X		Kellogg		
Flowers	X		Koukol	X	
Gengler	X		Rodriguez	X	
Gilmour	X		Vickers	X	

Motion unanimously approved.

Roll call: Commissioners Cesich, DeBolt, Flowers, Gengler, Gryder, Koukol, Rodriguez, Vickers, and Gilmour, aye. Opposed, none. Motion unanimously approved.

XIV. Approval of an AIA Professional Services Agreement with Kluber Architects + Engineers of Batavia, Illinois for Completion of Schematic Designs, Construction Documents, Bidding, and Construction Administration for Renovation and Public Access Improvements of the Pickerill Estate House at Pickerill-Pigott Forest Preserve for a Cost Not-to-Exceed \$71,830.00 plus Reimbursable Expenses up to \$1,500.00, plus Well and Septic System Design and Permitting in the Amount of \$2,500.00 for a Total Cost Not-to-Exceed \$75,830.00

Commissioner DeBolt made a motion to approve an AIA professional services agreement with Kluber Architects + Engineers of Batavia, Illinois for the completion of schematic designs, construction documents, bidding, and construction administration for renovation and public access improvements of the Pickerill-Pigott Forest Preserve for a cost not-to-exceed \$71,830.00 plus reimbursable expenses up to \$1,500.00, plus well and septic system design and permitting in the amount of \$2,500.00 for a total cost not-to-exceed \$75,830.00. Seconded by Commissioner Cesich.

Motion: Commissioner DeBolt
 Second: Commissioner Cesich

Roll call: AIA Professional Services Agreement – Kluber Architects + Engineers

Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
Cesich	X		Gryder	X	
DeBolt	X		Kellogg		
Flowers	X		Koukol	X	
Gengler	X		Rodriguez	X	
Gilmour	X		Vickers	X	

Motion unanimously approved.

Roll call: Commissioners Cesich, DeBolt, Flowers, Gengler, Gryder, Koukol, Rodriguez, Vickers, and Gilmour, aye. Opposed, none. Motion unanimously approved.

XV. Approval of Proposal 210430.01 from Kluber Architects + Engineers of Batavia, Illinois for Development of Construction Documents, Competitive Bidding, and Construction Administration for the Pickerill Estate House Roof Replacement Project at Pickerill-Pigott Forest Preserve for a Cost Not-to-Exceed \$8,370.00, plus Reimbursable Expenses up to \$450.00

Commissioner DeBolt made a motion to approve proposal 210430.01 from Kluber Architects + Engineers of Batavia, Illinois for development of construction documents, competitive bidding, and construction administration for the Pickerill Estate House roof replacement project at Pickerill-Pigott Forest Preserve for a cost not-to-exceed \$8,370.00, plus reimbursable expenses up to \$450.00. Seconded by Commissioner Flowers.

Motion: Commissioner DeBolt
Second: Commissioner Flowers

Roll call: Kluber Proposal 210430.01

Commissioner	Aye	Opposed	Commissioner	Aye	Opposed
Cesich	X		Gryder	X	
DeBolt	X		Kellogg		
Flowers	X		Koukol	X	
Gengler	X		Rodriguez	X	
Gilmour	X		Vickers	X	

Motion unanimously approved.

Roll call: Commissioners Cesich, DeBolt, Flowers, Gengler, Gryder, Koukol, Rodriguez, Vickers, and Gilmour, aye. Opposed, none. Motion unanimously approved.

XVI. Public Comments

No public comments were offered from citizens in attendance.

XVII. Executive Session

None.

XVIII. Other Items of Business

None.

XIX. Adjournment

Commissioner Cesich made a motion to adjourn. Seconded by Commissioner Rodriguez. Aye, all. Opposed, none. Motion unanimously approved.

Meeting adjourned at 6:15 pm.

Respectfully submitted,

David Guritz
Director, Kendall County Forest Preserve District

Claims Listing

6/9/2021 3:13:23 PM

Department	Vendor #	Vendor Name	Invoice #	Invoice Description	GL Account	Description	Invoice Amount
Ellis Birthday Parties	51	SYNCB/AMAZON	4859 4891 3612 6660	Ellis supplies	19001165 63030	Program Supplies	\$77.58
						Sub-Total	\$77.58
					Ellis Birthday Parties	Total	\$77.58
Ellis Camps	51	SYNCB/AMAZON	17P9-1WDL- R4C6	Ellis Camp Supplies	19001163 63030	Program Supplies	\$8.89
						Sub-Total	\$8.89
					Ellis Camps	Total	\$8.89
Ellis Grounds	1060	JOHN DEERE FINANCIAL	11113-41567 June2021	Ellis supplies	19001162 68580	Grounds and Maintenance	\$39.98
						Sub-Total	\$39.98
					Ellis Grounds	Total	\$39.98
Ellis House	51	SYNCB/AMAZON	4859 4891 3612 6660	Ellis supplies	19001160 62000	Office Supplies	\$12.47
						Sub-Total	\$12.47
	51	SYNCB/AMAZON	4859 4891 3612 6660	Ellis supplies	19001160 68580	Grounds and Maintenance	\$55.40
	124	BARRETT'S ECOWATER	0010381 June 2021	ellis water softener	19001160 68580	Grounds and Maintenance	\$25.00

Ellis House	678	GRAINCO FS, INC.	78023003	Ellis House Grounds	19001160	68580	Grounds and Maintenance	\$69.87
	1323	MENARDS	16626	Ellis House grounds	19001160	68580	Grounds and Maintenance	\$58.92
							Sub-Total	\$209.19
							Total	\$221.66
Ellis Riding Lessons						Ellis House		
	51	SYNCB/AMAZON	4859 4891 3612 6660	Ellis supplies	19001164	63000	Animal Care & Supplies	\$193.55
	541	FIRST NATIONAL BANK OF OMAHA	4859 4891 3597 3583	Animal supplies, capital project exp., CPR	19001164	63000	Animal Care & Supplies	\$723.47
							Sub-Total	\$917.02
	2057	MATTHEW CAVINESS	12021281	Ellis Vet Care	19001164	63020	Vet & Farrier	\$380.00
							Sub-Total	\$380.00
							Total	\$1,297.02
Ellis Weddings						Ellis Riding Lessons		
	3131	GROOT INC	71411304	Groot Waste Management	19001168	63070	Refuse Pickup	\$99.58
							Sub-Total	\$99.58
							Total	\$99.58
Environmental Educ. Natrl Beg.						Ellis Weddings		
	541	FIRST NATIONAL BANK OF OMAHA	4859 4865 2957 3433	CC Stefanie Wiencke NB supplies	19001178	63030	Program Supplies	\$243.01
							Sub-Total	\$243.01
							Total	\$243.01

695	Forest Preserve Director	GROUND EFFECTS INC	454391-000	Pickerill Mulch	190711	66500	Miscellaneous Expense	\$77.10
695		GROUND EFFECTS INC	454503-000	Pickerill Mulch	190711	66500	Miscellaneous Expense	\$77.10
1323		MENARDS	16531	Harris shop supplies	190711	66500	Miscellaneous Expense	\$166.15
							Sub-Total	\$435.03
1665		SHAW MEDIA	10085118 june2021	website posting	190011	68430	Marketing / Publicity	\$59.99
							Sub-Total	\$59.99
51		SYNCB/AMAZON	1JVV-14VD- YLVQ	Millbrook bridge signs	190711	68500	Project Fund Expenses	\$44.91
							Sub-Total	\$44.91
1535		PIZZO & ASSOC, LTD	25009	2021 prairie plug planting	190711	68510	ICECF K-12 Pollinator	\$4,388.00
3162		PIZZO NATIVE PLANT NURSERY	SI-17911	Prairie plants grant	190711	68510	ICECF K-12 Pollinator	\$4,667.99
							Sub-Total	\$9,055.99
49		AMALGAMATED BANK OF CHICAGO	BOND2012 JULY	BOND SERIES 2012 JULY 2021	190211	68650	Debt Service Interest Pmt	\$12,525.00
							Sub-Total	\$12,525.00
49		AMALGAMATED BANK OF CHICAGO	BOND5720 JULY	BOND 5720 SERIES 2015 JULY 2021	190311	68710	Dbt Srv 2015 Interest Pmt	\$177,250.00
							Sub-Total	\$177,250.00
49		AMALGAMATED BANK OF CHICAGO	BOND 6060 JULY	BOND SERIES 2016 JULY 2021	190311	68730	Dbt Srv 2016 Interest Pmt	\$146,093.75
							Sub-Total	\$146,093.75

Grounds and Natural Resources		3131	GROOT INC	71411304	Groot Waste Managment	19001183 63070	Refuse Pickup	\$405.13
							Sub-Total	\$679.13
506	ELBURN NAPA, INC.	4860	Grounds Shop supplies and equipment	19001183 63110	Shop Supplies		Shop Supplies	\$129.00
1323	MENARDS	15970	Grounds Shop supplies	19001183 63110	Shop Supplies		Shop Supplies	\$5.97
1323	MENARDS	16531	Harris shop supplies	19001183 63110	Shop Supplies		Shop Supplies	\$13.44
							Sub-Total	\$148.41
1849	VERIZON	9880107201	Verizon cellphones	19001183 63540	Telephones		Telephones	\$1,312.32
2225	AIR WANS WIRELESS BROADBAND	167795	Ellis Internet	19001183 63540	Telephones		Telephones	\$69.00
							Sub-Total	\$1,381.32
							Total	\$3,007.65
Hoover								
1937	WIRE WIZARD OF ILLINOIS INC	355933	Meadowhawk Bldg. monitoring	19001171 62270	Utilities		Utilities	\$180.00
1937	WIRE WIZARD OF ILLINOIS INC	355934	Monitoring Hoover Center Bldg.	19001171 62270	Utilities		Utilities	\$105.00
							Sub-Total	\$285.00
3152	DAVE MILLEN	21-00027	Dave Millen Meadowhawk Security Deposit Return	19001171 63040	Security Deposit Refund		Security Deposit Refund	\$145.00
3153	LYNN HARRINGTON	21-00060	Lynn Harrington Meadowhawk Lodge Security Deposit	19001171 63040	Security Deposit Refund		Security Deposit Refund	\$125.00
3154	JOAN MUNDSINGER	21-00006	Joan Mundsinger Meadowhawk Security Deposit Return	19001171 63040	Security Deposit Refund		Security Deposit Refund	\$132.50

Hoover									Sub-Total	\$402.50
	2047	COMED	0756081017	ComEd Hoover Bath house	19001171 63100	19001171 63100	Electric			\$229.82
	2047	COMED	0793673015 June 2021	ComEd Hoover Multiple	19001171 63100	19001171 63100	Electric			\$719.91
	2047	COMED	1938021081 June 2021	ComEd Hoover House	19001171 63100	19001171 63100	Electric			\$56.38
								Sub-Total	\$1,006.11	
Pickerill - Pigott								Hoover	Total	\$1,693.61
	2047	COMED	5514228011	ComEd Pickerill House	19001184 63100	19001184 63100	Electric			\$51.76
	2047	COMED	5514229027 June 2021	ComEd Pickerill	19001184 63100	19001184 63100	Electric			\$66.09
								Sub-Total	Total	\$117.85
							Pickerill - Pigott	Total	\$117.85	
								Grand Total	\$631,720.22	

Kendall County Forest Preserve District Forest Preserve District

ORDINANCE NO: 06-21-003

PREAMBLE

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;

NOW, THEREFORE, BE IT ORDAINED BY THE KENDALL COUNTY FOREST PRESERVE DISTRICT BOARD OF COMMISSIONERS AS FOLLOWS:

ARTICLE 1:

DEFINITIONS

Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

"Collective Bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

"Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

"Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

"Employee" means a person employed by the Kendall County Forest Preserve District, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

"Employer" means the Kendall County Forest Preserve District.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

"Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

"Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

"Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Political Party" for the purposes of this ordinance means a Political Organization as defined within this ordinance.

"Prohibited political activity" means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including but not limited purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (6) Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum questions.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.

"Prohibited source" means any person or entity who:

- (1) is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
- (2) does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
- (3) conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
- (4) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

ARTICLE 5:

PROHIBITED POLITICAL ACTIVITIES

Section 5-1. Prohibited political activities.

(a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Kendall County Forest Preserve District in connection with any prohibited political activity. However, nothing in this section is intended to prohibit the officer or employee from using District property or resources if such District property and resources are available for similar use by members of the general public.

(b) At no time shall any officer employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.

(e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 10:

GIFT BAN

Section 10-1. Gift ban.

Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 10-2. Exceptions. Section 10-1 is not applicable to the following:

- (1) Opportunities, benefits, and services which are available on the same conditions as for the general public.
- (2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business related to the officer or employee's official duties.
- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt,

great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
- (8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
- (9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
- (10) Intra-governmental and inter-governmental gifts. For the purpose of this ~~Ordinance Act~~, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity not exceeding \$100.00.
- (11) Bequests, inheritances, and other transfers at death.
- (12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Section 10-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

ARTICLE 15

ETHICS ADVISOR

Section 15-1. The appointed Ethics Advisor for the County of Kendall shall also serve as the Ethics Advisor for the The President of the Board of Commissioners, with the advice and consent of the Board of Commissioners, shall designate an Ethics Advisor for the Kendall County Forest Preserve District. The Ethics Advisor's powers, duties, rights, obligations, and procedures with respect to the Kendall County Forest Preserve District and this Ordinance shall be the same as the Ethics Advisor's powers, duties, rights, obligations, and procedures with respect to the County of Kendall, as set forth in the County of Kendall Ethics Ordinance, as amended from time to time.—The duties of the Ethics Advisor may be delegated to an officer or employee of the District unless the position has been created as an office by the Kendall County Forest Preserve District.

ARTICLE 20

ETHICS COMMISSION

Section 20-1. There is hereby created a Commission to be known as The appointed Ethics Commission of the County of Kendall shall also serve as the the Ethics Commission of the Kendall County Forest Preserve District. The Ethics Commission's powers, duties, rights, obligations, and procedures with respect to the Kendall County Forest Preserve District and this Ordinance shall be the same as the Ethics Commission's powers, duties, rights, obligations, and procedures with respect to the County of Kendall, as set forth in the County of Kendall Ethics Ordinance, as amended from time to time. The Kendall County Forest Preserve District adopts those provisions of the County of Kendall Ethics Ordinance, as amended from time to time, that describe the functions of the Ethics Commission, with the following modifications and clarifications:

(a) Any complaints the County of Kendall Ethics Ordinance requires be filed with the Kendall County Clerk shall instead be filed with the Kendall County Forest Preserve Executive Director.

(b) Any duties the County of Kendall Ethics Ordinance imposes on the Kendall County Clerk shall instead be the responsibility of the Kendall County Forest Preserve Executive Director.

(c) Any reports, recommendations, or notices the County of Kendall Ethics Ordinance requires to be issued to the Kendall County Board Chair shall instead be issued to the Kendall County Forest Preserve District President.

(d) Any references within the County of Kendall Ethics Ordinance to "this Ordinance" in relation to the activities of the Ethics Commission shall mean the Kendall County Forest Preserve District Ethics Ordinance, not the County of Kendall Ethics Ordinance.

(e) The Kendall County Board Chair and the Kendall County Board shall retain sole authority for the appointment and removal of members of the Ethics Commission.

(f) Kendall County Forest Preserve District officers and employees are obligated to cooperate with the Ethics Commission during the course of its investigations. The Commission shall be comprised of five members appointed by the President of the Board of Commissioners with the advice and consent of the Board of Commissioners. No person shall be appointed as a member of the Commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of the Kendall County Forest Preserve District. No more than three members of the Commission shall belong to the same political party at the time such appointments are made. Party affiliation shall be determined by affidavit of the person appointed.

Section 20-2. When the President of the Board of Commissioners, with the advice and consent of the Board of Commissioners, makes the initial appointments, he or she shall designate three appointments for a term of three years and two appointments for a term of two years. One appointment from each political party shall be for an original two year term. After the initial appointments, terms shall be for a period of two years. The President, with the advice and consent of the Board of Commissioners will designate one member as the chairperson of the commission.

Section 20-3. The Kendall County Forest Preserve District President, with the advice and consent of the Board of Commissioners, may remove an Ethics Commissioner in case of incompetency, neglect of duty, or malfeasance in office after service on the Commissioner by certified mail, return receipt requested, of a copy of the written charges against the Commissioner and after providing an opportunity to be heard in person or by counsel upon not less than 10 days' notice. All vacancies shall be filled in the same manner as original appointments and shall serve the remainder of the original term.

Section 20-4. The Ethics Commission shall have the following powers and duties:

~~(1) To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.~~

~~(2) Upon receipt of a signed, notarized, and written complaint, filed with the Kendall County Clerk, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 25-1(c) of this Ordinance and refer violations of Article 5 or Article 10 of this Ordinance to the appropriate attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this Ordinance and not upon its own prerogative.~~

~~(3) To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Ordinance.~~

~~(4) To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the Kendall County Forest Preserve District to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.~~

~~(5) The powers and duties of the Commission are limited to matters clearly within the purview of this Ordinance.~~

~~Section 20-5.~~

~~(a) Complaints alleging a violation of this Ordinance shall be filed with the Ethics Commission.~~

~~(b) Within 5 business days after the receipt of a signed, notarized, and written complaint, filed with the Kendall County Clerk, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within 5 business days after receipt by the Commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed. Additional notice may be sent by e-mail in addition to certified mail. The Kendall County Clerk shall be responsible for sending the required notifications as set forth in this Ordinance and shall be responsible for keeping the official minutes of any meetings or hearings of the Ethics Commission.~~

~~(c) Upon not less than 48 hours' public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed~~

~~sufficient to allege a violation of this Ordinance, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within 21 business days after receiving the complaint.~~

~~If the complaint is deemed sufficient to allege a violation Article 10 of this Ordinance and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within 4 weeks after the complaint's receipt. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.~~

~~If the complaint is deemed sufficient to allege a violation Article 5 of this Ordinance, then the Commission shall notify in writing the Kendall County State's Attorney to request prosecution of such action and shall transmit to the State's Attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.~~

~~In the event that the Kendall County State's Attorney serves as the Ethics Advisor and has provided guidance to the respondent regarding the allegations contained in the complaint, the State's Attorney may request the Circuit Court of Kendall County to appoint a Special Prosecutor to prosecute the complaint if there is a potential legal conflict of interest.~~

- ~~(d) On the scheduled date and upon at least 48 hours' public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.~~
- ~~(e) Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a recommendation for discipline to the alleged violator and to the Kendall County Forest Preserve District President, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.~~

- ~~(f) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within 7 business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within 7 days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the Kendall County Forest Preserve District President, or impose a fine upon the violator, or both.~~
- ~~(g) If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection (e) within 7 days after the complaint is filed, and during the 7 days preceding that election, the Commission shall render such decision before the date of that election, if possible.~~
- ~~(h) The Commission may fine any person who intentionally violates any provision of Article 10 of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may fine any person who knowingly files a frivolous complaint alleging a violation of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may recommend any appropriate discipline up to and including discharge.~~
- ~~(i) A complaint alleging the violation of this Act must be filed within one year after the alleged violation.~~

ARTICLE 25

PENALTIES

11 Section 25-1. Penalties.

(a) A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(b) A person who intentionally violates any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5, 000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal

institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(d) A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by the Kendall County State's Attorney by filing in the circuit court a sworn complaint charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

(e) A violation of Article 10 of this Ordinance shall be prosecuted by the Ethics Commission through the designated administrative procedure.

(f) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge.

SECTION 3: This Ordinance shall be in effect upon its passage, as provided by law.

Dated: This 15th day of June, 2021.

Judy Gilmour
President, Kendall County Forest Preserve District

Elizabeth Flowers
Secretary, Kendall County Forest Preserve District

Kendall County Forest Preserve District Forest Preserve District

ORDINANCE NO: 06-21-003

PREAMBLE

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;

NOW, THEREFORE, BE IT ORDAINED BY THE KENDALL COUNTY FOREST PRESERVE DISTRICT BOARD OF COMMISSIONERS AS FOLLOWS:

ARTICLE 1:

DEFINITIONS

Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

"Collective Bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

"Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

"Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

"Employee" means a person employed by the Kendall County Forest Preserve District, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

"Employer" means the Kendall County Forest Preserve District.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

"Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

"Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

"Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Political Party" for the purposes of this ordinance means a Political Organization as defined within this ordinance.

"Prohibited political activity" means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including but not limited purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (6) Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum questions.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.

"Prohibited source" means any person or entity who:

- (1) is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
- (2) does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
- (3) conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
- (4) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

ARTICLE 5:

PROHIBITED POLITICAL ACTIVITIES

Section 5-1. Prohibited political activities.

(a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Kendall County Forest Preserve District in connection with any prohibited political activity. However, nothing in this section is intended to prohibit the officer or employee from using District property or resources if such District property and resources are available for similar use by members of the general public.

(b) At no time shall any officer employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.

(e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 10:

GIFT BAN

Section 10-1. Gift ban.

Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 10-2. Exceptions. Section 10-1 is not applicable to the following:

- (1) Opportunities, benefits, and services which are available on the same conditions as for the general public.
- (2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business related to the officer or employee's official duties.
- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt,

great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
- (8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
- (9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
- (10) Intra-governmental and inter-governmental gifts. For the purpose of this Ordinance Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity not exceeding \$100.00.
- (11) Bequests, inheritances, and other transfers at death.
- (12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Section 10-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

ARTICLE 15

ETHICS ADVISOR

Section 15-1. The President of the Board of Commissioners, with the advice and consent of the Board of Commissioners, shall designate an Ethics Advisor for the Kendall County Forest Preserve District. The duties of the Ethics Advisor may be delegated to an officer or employee of the District unless the position has been created as an office by the Kendall County Forest Preserve District.

ARTICLE 20

ETHICS COMMISSION

Section 20-1. There is hereby created a Commission to be known as the Ethics Commission of the Kendall County Forest Preserve District. The Commission shall be comprised of five members appointed by the President of the Board of Commissioners with the advice and consent of the Board of Commissioners. No person shall be appointed as a member of the Commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of the Kendall County Forest Preserve District. No more than three members of the Commission shall belong to the same political party at the time such appointments are made. Party affiliation shall be determined by affidavit of the person appointed.

Section 20-2. When the President of the Board of Commissioners, with the advice and consent of the Board of Commissioners, makes the initial appointments, he or she shall designate three appointments for a term of three years and two appointments for a term of two years. One appointment from each political party shall be for an original two year term. After the initial appointments, terms shall be for a period of two years. The President, with the advice and consent of the Board of Commissioners will designate one member as the chairperson of the commission.

Section 20-3. The Kendall County Forest Preserve District President, with the advice and consent of the Board of Commissioners, may remove an Ethics Commissioner in case of incompetency, neglect of duty, or malfeasance in office after service on the Commissioner by certified mail, return receipt requested, of a copy of the written charges against the Commissioner and after providing an opportunity to be

heard in person or by counsel upon not less than 10 days' notice. All vacancies shall be filled in the same manner as original appointments and shall serve the remainder of the original term.

Section 20-4. The Ethics Commission shall have the following powers and duties:

(1) To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.

(2) Upon receipt of a signed, notarized, and written complaint, filed with the ~~Kendall County Clerk~~ Kendall County Forest Preserve Executive Director, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 25- 1(c) of this Ordinance and refer violations of Article 5 or Article 10 of this Ordinance to the appropriate attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this Ordinance and not upon its own prerogative.

(3) To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Ordinance.

(4) To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the Kendall County Forest Preserve District to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.

(5) The powers and duties of the Commission are limited to matters clearly within the purview of this Ordinance.

Section 20 -5.

(a) Complaints alleging a violation of this Ordinance shall be filed with the Ethics Commission.

(b) Within 5 business days after the receipt of a signed, notarized, and written complaint, filed with the Kendall County Forest Preserve Executive Director ~~Kendall County Clerk~~, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within 5 business days after receipt by the Commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed. Additional notice may be sent by e-mail in addition to certified mail. The ~~Kendall County Clerk~~ Kendall County Forest Preserve Executive Director

shall be responsible for sending the required notifications as set forth in this Ordinance and shall be responsible for keeping the official minutes of any meetings or hearings of the Ethics Commission.

- (c) Upon not less than 48 hours' public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this Ordinance, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within 21 business days after receiving the complaint.

If the complaint is deemed sufficient to allege a violation Article 10 of this Ordinance and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within 4 weeks after the complaint's receipt. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

If the complaint is deemed sufficient to allege a violation Article 5 of this Ordinance, then the Commission shall notify in writing the Kendall County State's Attorney to request prosecution of such action and shall transmit to the State's Attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

In the event that the Kendall County State's Attorney serves as the Ethics Advisor and has provided guidance to the respondent regarding the allegations contained in the complaint, the State's Attorney may request the Circuit Court of Kendall County to appoint a Special Prosecutor to prosecute the complaint if there is a potential legal conflict of interest.

- (d) On the scheduled date and upon at least 48 hours' public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.
- (e) Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a

recommendation for discipline to the alleged violator and to the Kendall County Forest Preserve District President, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.

- (f) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within 7 business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within 7 days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the Kendall County Forest Preserve District President, or impose a fine upon the violator, or both.
- (g) If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection (e) within 7 days after the complaint is filed, and during the 7 days preceding that election, the Commission shall render such decision before the date of that election, if possible.
- (h) The Commission may fine any person who intentionally violates any provision of Article 10 of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may fine any person who knowingly files a frivolous complaint alleging a violation of this Ordinance in an amount of not less than \$1,001 and not more than \$5,000. The Commission may recommend any appropriate discipline up to and including discharge.
- (i) A complaint alleging the violation of this Act must be filed within one year after the alleged violation.

ARTICLE 25

PENALTIES

11 Section 25-1. Penalties.

(a) A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(b) A person who intentionally violates any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5, 000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(d) A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by the Kendall County State's Attorney by filing in the circuit court a sworn complaint charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

(e) A violation of Article 10 of this Ordinance shall be prosecuted by the Ethics Commission through the designated administrative procedure.

(f) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge.

SECTION 3: This Ordinance shall be in effect upon its passage, as provided by law.

Dated: This 15th day of June, 2021.

Judy Gilmour
President, Kendall County Forest Presreve District

Elizabeth Flowers
Secretary, Kendall County Forest Preserve District



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 2295 Rt. 47
 Morris, IL 60540
 PH (815) 942-1022
 FAX (815) 942-1805

Home Office
 3107 N State Route 23
 Ottawa, IL 61350
 PH (815) 434-0131

**Fixed Price Contract
 Propane**

Contract # 1341197 / 1348116 Date 6.2.21

Kendall Forrest ^{Ellis} of Yorkville IL
 Patron Harris City State

By signing this contract, above patron agrees to purchase the following product(s) from GRAINCO FS, Inc according to the terms and conditions listed below:

<u>Price</u>	<u>Gallons</u>	<u>Product</u>	<u>Contract Duration</u>
\$ <u>1.299</u>	<u>3200</u>	<u>LP Gas Bulk</u>	<u>9/1/21 thru 3/31/22</u>
\$ <u>1.299</u>	<u>3200</u>	<u>LP Gas Bulk</u>	<u>9/1/22 thru 3/31/23</u>

Terms and Conditions

- Prices are subject to all applicable federal, state, and local taxes at time of delivery.

Grainco FS, INC.
 Seller

 Buyer

 Date

All correspondence related to this contract should be directed to the Propane Office at (815) 942-1022