

**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
April 8, 2015**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building, Room 209, in the City of Yorkville on Wednesday, April 8, 2015 at 7:25 p.m. The Clerk called the roll. Members present: Lynn Cullick, Bob Davidson, Elizabeth Flowers, Judy Gilmour, Scott Gryder, Dan Koukol, Matthew Prochaska, John Purcell and Jeff Wehrli. Member absent: John Shaw.

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

THE MINUTES

Member Cullick moved to approve the submitted minutes from the Adjourned County Board Meeting of 3/3/15. Member Prochaska seconded the motion. Vice Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

THE AGENDA

Member Cullick moved to approve the amended agenda to move Executive Session to before new business and to move Finance to after New Business. Member Gilmour seconded the motion. Vice Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

SPECIAL RECOGNITION

State Representative John Anthony updated the board on events in Springfield regarding the State's budget for both fiscal year 2015 and for fiscal year 2016; be prepared to work off a lean budget for the next several years. Representative Anthony also spoke about public safety bills.

CITIZENS TO BE HEARD

Todd Milliron from Yorkville stated that the state will no longer be paying for indigenous burials; plan accordingly. Mr. Milliron stated that if Mr. Nelson prevailed at the Supreme Court he would be entitled to his expenses for legal fees. Mr. Milliron had concerns that no invoice, time records, or itemized detail were provided regarding the fees for the case.

EXECUTIVE SESSION

Larry Nelson from Plano stated that the case as it proceeded through the courts, Eric Weis is not the county's attorney, and the county has a separate attorney because the county's interests are different. Mr. Nelson stated that Eric Weis cannot update the board without the board's lawyer present that is the code of ethics. Mr. Nelson does not see how Mr. Weis can advise the board because the Appellate Prosecutor has advised the county.

Member Cullick made a motion to go into Executive Session for litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, Member Flowers seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

RECONVENE

NEW BUSINESS

Intergovernmental Agreement for Police Services

Sheriff Baird asked that the item be tabled until the next meeting.

Member Flowers moved to have the Intergovernmental Agreement between the County of Kendall, Illinois and the Village of Newark, Illinois for police services tabled until the next meeting. Member Prochaska seconded the motion. Vice Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Interagency Agreement Adult Redeploy Illinois

Member Flowers moved to approve the Interagency Agreement Adult Redeploy Illinois, Agreement #195066 from April 1, 2015 to June 30, 2015 in the amount not to exceed \$15,375.00. Member Cullick seconded the motion.

State’s Attorney, Eric Weis explained that Adult Redeploy looks at financial ways to allow counties to reduce their population they send to the Department of Corrections by investing at the local level to do so. The agreement has been approved for a planning grant to look at the data to see if there is sufficient numbers to warrant future grants to be awarded to the county.

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

Proclamation Recognizing National Police Week

Member Wehrli moved to approve the proclamation recognizing National Police Week 2015 with the change in grammar in the last paragraph from publically to publicly. Member Cullick seconded the motion. Vice Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

**COUNTY OF KENDALL, ILLINOIS
PROCLAMATION
IGAM 15-08**

To recognize National Police Week 2015 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including dedicated members of the Kendall County Sheriff’s Office;

WHEREAS, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries;

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, at least 275 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 116 officers killed in 2014 and 159 killed in previous years;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund 27th Annual Candlelight Vigil, on the evening of May 13, 2015;

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this May 10-16, 2015;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

WHEREAS, the Kendall County Board is grateful for the service and dedication of the 60 Patrol Deputies, 53 Corrections Deputies, 3 K-9 Unit Dogs, 30 Auxiliary Officers and 13 Civilian Staff who serve and protect Kendall County, and for the sacrifices made by their families;

THEREFORE, BE IT RESOLVED that the Kendall County Board formally designates May 10-16, 2015, as Police Week in Kendall County, and publicly salutes the service of law enforcement officers in our county and in communities across the nation.

Adopted by the Kendall County Board on this 8th day of April, 2015

Approved:
Scott R. Gryder, Acting County Board Chair

Attest:
Debbie Gillette, County Clerk/Recorder

Cook and Collar Counties 2015 Legislative Program

County Administrator Jeff Wilkins said that the surrounding counties tried to pick 3 to 4 topics that all of the counties could agree to. The 4 initiatives are participation in drug court, wireless surcharge for E-911, electronics recycling funding, and court services fees.

Independent Outside Counsel

Member Flowers moved to approve to retain the services of independent outside counsel in the case of Larry Nelson, Nelson Multimedia, Inc., WSPY AM, Inc., and WSPY-TV, Inc v Kendall County et al. Member Cullick seconded the motion.

State's Attorney Eric Weis stated that the appellate prosecutor's office was appointed back in 2011 to represent the county. Mr. Weis explained that there is procedure to follow to ask for the appointment of counsel.

Larry Nelson stated that during the case there was a point that the county was dismissed, which is why the appellate prosecutor was not at the hearing on the fees.

Member Davidson made a motion to amend the original motion to instruct the vice chairman to proceed to the judge and ask him to reappoint an attorney as soon as possible to represent the county in the case. Member Flowers seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

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

STANDING COMMITTEE REPORTS

Finance

CLAIMS

Member Purcell moved to approve the claims submitted in the amount of \$788,412.31. Member Prochaska seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$96,246.97, B&Z \$1,263.63, CO CRK & RCDR \$308.58, ELECTION \$31,725.34, SHRFF \$2,391.72, CRRCTNS \$18,624.24, EMA \$135.26, CRCT CT CLK \$80.53, JURY COMM \$2,044.12, CRCT CT JDG \$3,459.85, CRNR \$604.76, CMB CRT SRV \$4,115.77, ST ATTY \$981.39, SPRV OF ASSMNT \$838.75, EMPLY HLTH INS \$361,542.95, AUD & ACCT \$7,500.00, PPOST \$21,155.00, OFF OF ADM SRV \$35.00, GNRL INS & BNDG \$198.00, CO BRD \$998.42, ECON DEV EXPND \$1,653.00, CO HWY \$19,428.67, CO BRDG \$113,200.00, TRANSPRT SALES TX \$326.00, HLTH & HMN SRV \$20,217.69, FRST PRSRV \$9,112.14, ANML MED CR FND \$525.00, ANML CNTRL EXPNS \$518.77, RCRDR DOC STRG \$1,476.25, DRG ABS EXP \$430.00, HIDTA \$41,855.96, CO CMSRY FND \$482.05, CT SEC FND \$367.50, LAW LBRY FND \$5,910.14, CRCT CT DOC STRG \$4,500.00, PRBTN SRV \$5,905.49, ENG/CNSLTG ESCRW \$1,675.00, CO ANML POP CNTRL \$50.00, VAC \$5,277.62, SHRFF VHCL FND \$208.00, CRNR SPCL FND \$31.75, FP BND PRCDS '07 \$1,011.00

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

Senior Tax Levy Grants

Members discussed the percentage of increases given to the entities and keeping a fund balance.

Member Purcell moved to approve the Senior Tax Levy Grant Award to the Community Nutrition Network in an amount not to exceed \$16,797. Member Davidson seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Prochaska moved to approve the Senior Tax Levy Grant Award to the Fox Valley Family YMCA in an amount not to exceed \$1,018. Member Davidson seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Purcell who abstained. **Motion carried.**

Member Purcell moved to approve the Senior Tax Levy Grant Award to the Fox Valley Older Adult Services in an amount not to exceed \$55,226. Member Davidson seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Purcell moved to approve the Senior Tax Levy Grant Award to the Kendall County Health Department in an amount not to exceed \$59,178. Member Prochaska seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Flowers, Gilmour and Wehrli who voted nay. **Motion carried.**

Member Purcell moved to approve the Senior Tax Levy Grant Award to the Oswegoland Seniors Inc in an amount not to exceed \$39,749. Member Koukol seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Gilmour and Wehrli who voted nay and Cullick who abstained. **Motion carried.**

Member Purcell moved to approve the Senior Tax Levy Grant Award to Prairie State Legal Service in an amount not to exceed \$7,126. Member Cullick seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Purcell moved to approve the Senior Tax Levy Grant Award to Senior Services Associates, Inc in an amount not to exceed \$121,142. Member Davidson seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Purcell moved to approve the Senior Tax Levy Grant Award to Visiting Nurse Association in an amount not to exceed \$8,144. Member Davidson seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

**COUNTY OF KENDALL, ILLINOIS
RESOLUTION 2015-20**

A RESOLUTION ESTABLISHING DISTRIBUTION OF GRANTS FROM THE 2015 SENIOR CITIZEN SOCIAL SERVICES LEVY

WHEREAS, the Kendall County Board annually extends a property tax levy for Senior Citizen Social Services to enhance the independence of the elderly residents of Kendall County; and

WHEREAS, the Kendall County Board has appropriated \$324,500 for grants to agencies to benefit the senior citizens in Kendall County; and

WHEREAS, the Kendall County Board has determined the allocation of grants to agencies to benefit the senior citizens in Kendall County.

NOW, THEREFORE, BE IT RESOLVED that the Tax Year 2014, Fiscal Year 2015 Senior Citizen Levy is granted to these agencies, providing services to the seniors of Kendall County in these amounts:

Community Nutrition Network	\$ 16,797
Kendall County Health Department	\$ 59,178
Fox Valley Older Adult Services	\$ 55,226
Fox Valley YMCA	\$ 1,018
Oswegoland Seniors, Inc.	\$ 39,749
Prairie State Legal Service	\$ 7,126
Senior Services Associates, Inc.	\$121,142
VNA Health Care	\$ 8,144

Approved and adopted by the County Board of Kendall County, Illinois, this 8th day of April, 2015.

Attest:

Scott R. Gryder
Acting County Board Chairman

Debbie Gillette
County Clerk/Recorder

Members Cullick and Purcell excused at 8:45pm.

Public Safety

Member Prochaska stated that the minutes are in the packet from the meeting.

Administration/HR

Public Hearing for Public Transportation Capital Assistance Grant

County Administrator Jeff Wilkins stated that they were looking to apply for a couple of replacement vehicles for the Kendall Area Transit System. These typically take 2 to 3 years to get; a public hearing has to be done as part of the application process.

Member Flowers moved to approve the May 5, 2015 as the date for a public hearing regarding application for the Public Transportation Capital Assistance Grant. Member Prochaska seconded the motion. Vice Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Illinois Road Centerlines Terms of Use

Member Flowers moved to approve an amendment to the Kendall County, Illinois road centerlines terms of use for the Census Bureau's Geographic Support System Initiative. Member Gilmour seconded the motion. Vice Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

**IGAM 15-09
Amendment to the Kendall County, Illinois Road Centerlines Terms of Use**

This amendment clarifies that, under the Terms of Use, Kendall County authorizes the Census Bureau to use the County's road centerlines data files for the Census Bureau's Geographic Support System Initiative (GSS-I).

This amendment also clarifies that the U.S. Census Bureau (a federal agency) is not subject to the laws of the State of Illinois. Any provisions that state otherwise are hereby stricken from the Terms of Use.

Finally, this amendment clarifies that the Census Bureau agrees to recognize and honor the copyrights and other intellectual property claims of Kendall County, Illinois to the extent such claims are permitted by law. The provision restricting distribution could conflict with the Census Bureau's obligations under federal law, including obligations imposed by the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and such provision is hereby stricken from the Terms of Use.

All other terms of the original Terms of Use remain unchanged.

Illinois Road Site Addresses Terms of Use

Member Flowers moved to approve an amendment to the Kendall County, Illinois site addresses terms of use for the Census Bureau's Geographic Support System Initiative. Member Koukol seconded the motion. Vice Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

IGAM 15-10

Amendment to the Kendall County, Illinois Site Addresses Terms of Use

This amendment clarifies that, under the Terms of Use, Kendall County authorizes the Census Bureau to use the County's site addresses data files for the Census Bureau's Geographic Support System Initiative (GSS-I).

This amendment also clarifies that the U.S. Census Bureau (a federal agency) is not subject to the laws of the State of Illinois. Any provisions that state otherwise are hereby stricken from the Terms of Use.

Finally, this amendment clarifies that the Census Bureau agrees to recognize and honor the copyrights and other intellectual property claims of Kendall County, Illinois to the extent such claims are permitted by law. The provision restricting distribution could conflict with the Census Bureau's obligations under federal law, including obligations imposed by the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and such provision is hereby stricken from the Terms of Use.

All other terms of the original Terms of Use remain unchanged.

Economic Development

Member Koukol reviewed the minutes in the packet from the March 27, 2015 meeting.

Judicial/Legislative

Member Prochaska stated that the minutes are in the packet from the March 25, 2015 meeting and they will most likely have a special meeting in the middle of May.

Animal Control

Member Wehrli reviewed the minutes in the packet from the March 18, 2015 meeting.

Health and Environment

Member Gilmour reviewed the minutes in the packet from the March 16, 2015 meeting.

Rain Barrel Month Proclamation

Member Gryder moved to approve the Mary rain Barrel Month Proclamation. Member Davidson seconded the motion. Vice Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

PROCLAMATION

Kendall County
Rain Barrel Month
May, 2015
(Resolution # 15-21)

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Whereas, water is a valuable, limited natural resource; and

Whereas, municipal and rural residents in Kendall County depend on water for numerous home and commercial uses; and

Whereas, conserving and protecting water supplies is of benefit to all residents of Kendall County; and

Whereas, many residents are interested in methods to personally practice conservation of this valuable resource; and

Whereas, for every 100 square foot of roof area, one inch of rain generates approximately 60 gallons of rainwater runoff; and

Whereas, wasteful runoff of rainwater from homes and other buildings into storm sewers or other drainageways can add to the damaging and overwhelming stormwater volumes in our natural waterways; and

Whereas, collecting rainwater is one type of best management practice to reduce stormwater runoff; and by redirecting and collecting rainwater runoff from buildings, it can be available for more productive, cost-efficient uses; and

Whereas, rain barrels are an economical, convenient method of collecting rainwater runoff for future uses; and

Whereas, The Conservation Foundation (TCF) and the Kendall County Soil and Water Conservation District (SWCD), in cooperation with local communities, such as Kendall County, promote the reduction of off-site stormwater runoff and best management practices to redirect and conserve rainwater; and

Whereas, TCF, SWCD and Kendall County encourage homeowners and businesses to implement methods such as rain barrels to capture and efficiently use rainwater; and

Whereas, Kendall County endorses such best management practices to help protect our local water resources and wishes to promote the use of such practices to its residents;

Be it Hereby Resolved, The Kendall County Board proclaims the month of May, 2015 as *Rain Barrel Promotion month* in Kendall County.

Passed and adopted on this 8th day of April, 2015.

Scott R. Gryder
Acting County Board Chairman

Attest:
Debbie Gillette
County Clerk/Recorder

STANDING COMMITTEE MINUTES APPROVAL

Member Flowers moved to approve all of the Standing Committee Minutes and Reports. Member Davidson seconded the motion. Vice Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

SPECIAL COMMITTEE REPORTS

Kencom Executive Board

Member Gilmour stated that they meet April 23, 2015. Ms. Gilmour pointed out that telecommunicator week is April 12-18th.

Housing Authority

Member Prochaska stated that they met and they approved the finances and audit. They made some minor changes to the administrative plan to put them into best practices with the Federal Department of Housing and Urban Development.

CHAIRMAN'S REPORT

County Administrator Jeff Wilkins talked about the letter received from Waste Management that they are selling the property that was formerly proposed to be a landfill. The deed restriction is in perpetuity that requires a termination.

Appointments

Richard Gaffney – Merit Commission – 6 year term – Expires March 2021
Rodney Schobert – Morgan Creek Drainage District – 3 year term – Expires 2018

Member Davidson moved to approve the appointments. Member Flowers seconded the motion. Vice Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

OTHER BUSINESS

Member Davidson stated that there is a Meals on Wheels fundraiser at Mike & Denise's tomorrow.

State's Attorney Eric Weis reminded everyone of the SKY run/walk on Saturday April 18, 2015.

CITIZENS TO BE HEARD

Todd Milliron from Yorkville stated that in Illinois it costs as much to incarcerate somebody for a year as it would be to send that person to college, anything we can do to keep them out jail and make them into taxpayers he is all for that. Mr. Milliron also stated that the county is paying for an appellate prosecutor whether their services are used or not.

ADJOURNMENT

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

Approved and submitted this 23rd day of April, 2015.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk