

**KENDALL COUNTY BOARD
ADJOURNED JUNE MEETING
July 21, 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 Tuesday, July 21, 2015 at 9:25 a.m. The Clerk called the roll. Members present: Chairman John Shaw, Lynn Cullick, Bob Davidson, Elizabeth Flowers, Judy Gilmour, Scott Gryder, Dan Koukol, John Purcell and Jeff Wehrli.

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

THE MINUTES

Member Gilmour moved to approve the submitted minutes from the Adjourned County Board Meeting of 6/16/15. Member Cullick seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

THE AGENDA

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

EXECUTIVE SESSION

Chairman Shaw asked the executive session be moved to the end of the meeting.

Member Purcell moved to amend the agenda to move executive session to the end of the meeting. Member Gryder seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

OLD BUSINESS

Surrender Class D Liquor License

Member Gryder made a motion to approve the Resolution in regard to the surrender of a Class D Liquor License reducing the total licenses available and to subsequently amend the ordinance regulating the retail sale of alcoholic liquors for unincorporated Kendall County. Member Wehrli seconded the motion.

County Administrator Jeff Wilkins explained that the Gas Mart has ceased to sell liquor; the resolution is acknowledging that surrender. When an agency surrenders the license the maximum reduces automatically.

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

RESOLUTION 2015- 35

Resolution in Regard to the Surrender of a Class D Liquor License Reducing the Total Licenses Available and to Subsequently Amend the Ordinance Regulating the Retail Sale of Alcoholic Liquors for Unincorporated Kendall

WHEREAS, the Kendall County Board, on October 19, 1999, adopted an Ordinance regulating the retail sale of alcoholic liquors outside the corporate limits of any city, village or incorporated town in Kendall County, Illinois (hereinafter referred to as "the Ordinance"), and said Ordinance has been amended thereafter by the Kendall County Board on several occasions; and

WHEREAS, Article III, Section 1 of the Ordinance establishes the Class "D" License classification for the retail sale, on the premises specified, of beer and wine by original package for consumption off the premises; and

WHEREAS, the County Board approved and passed Ordinance 05-02 on January 18, 2005, to amend Article V, Section 1 of the Ordinance by authorizing the maximum number of Class "D" liquor licenses at two (2) licenses and the Board has not increased the maximum number of Class "D" licenses in subsequent years; and

WHEREAS, the Kendall County Liquor Control Commissioner issued a Class "D" liquor license to Gas Mart USA of 2501 Light Road on January 18, 2005 and said liquor license was renewed by Gas Mart USA on an annual basis each year thereafter; and

WHEREAS, Gas Mart USA did not file an application to renew the Class "D" liquor license expiring on January 18, 2015,

has ceased all retail sale of all beer and wine by original package for consumption off the premises and surrendered the Class "D" liquor license issued to Gas Mart USA ; and

WHEREAS, Article V, Section 1 of the Ordinance provides in relevant part, "In the event any license issued hereunder is surrendered, for any reason whatsoever, the maximum number of licenses authorized in that class is accordingly reduced by the number of licenses surrendered. No further licenses may be issued until action of the Kendall County Board appropriately increases the maximum number allowed"; and

WHEREAS, as a result of the expiration and surrender of Gas Mart USA's Class "D" liquor license on or about January 18, 2015, the current number of Class "D" liquor licenses in Kendall County was reduced to one (1) at that time by operation of Article V, Section 1 of the Ordinance; and

WHEREAS, pursuant to Article V, Section 1 of the Ordinance, the Kendall County Board seeks to once again increase the amount of Class "D" liquor licenses to a maximum of two (2) at this time.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL, STATE OF ILLINOIS, AS FOLLOWS:

Section 1—Recitals

The foregoing recitals shall hereby be incorporated into and made a part of this Resolution as if fully set forth in this Section 1.

Section 2—Amendment of Ordinance

Pursuant to Article V, Section 1 of the Ordinance, the Ordinance shall be amended to allow the maximum number of Class "D" liquor licenses to be increased from one (1) to two (2) licenses effective July 21, 2015.

ADOPTED AND APPROVED by the County Board this 21st Day of July, 2015.

APPROVED: John A. Shaw, County Board Chairman

ATTEST: Debbie Gillette, County Clerk

Amendment to Ordinance Regulating the Retail Sale of Alcoholic Liquors

Member Flowers made a motion to approve the amendment of the ordinance regulating the retail sale of alcoholic liquors for unincorporated Kendall County to increase the Class D licenses from the current maximum to a maximum of 2 Class D licenses. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

A complete copy of Ordinance 15-12 is available in the Office of the Kendall County Clerk.

NEW BUSINESS

Amended Job Description for Technology Director

Member Cullick made a motion to approve the amended job description for the Technology Director. Member Flowers seconded the motion.

Members had questions regarding the changes that had been made.

Member Davidson made a motion to table to the next meeting. Member Gryder seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Purcell who voted nay. Motion carried 8-1.

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Sheriff Baird informed the board of a Special Olympics fundraiser of August 27th and the National Night out on August 4th rag ball game, to take a swing out of crime.

County Clerk

Revenue Report

6/1/15-6/30/15

6/1/14-6/30/14

Line Item	Fund	Revenue	Revenue
	County Clerk Fees	\$ 840.00	\$ 714.50
	County Clerk Fees - Marriage License	\$ 1,770.00	\$ 2,040.00
	County Clerk Fees - Civil Union	\$ -	\$ -
	County Clerk Fees - Misc	\$ 2,391.00	\$ 1,695.00
	County Clerk Fees - Recording	\$ 28,350.00	\$ 25,236.00
01010061205	Total County Clerk Fees	\$ 33,351.00	\$ 29,685.50
01010001185	County Revenue	\$ 26,115.00	\$ 31,802.25
38010001320	Doc Storage	\$ 17,294.00	\$ 15,541.50
51010001320	GIS Mapping	\$ 29,241.00	\$ 26,354.00
37010001320	GIS Recording	\$ 3,655.00	\$ 3,294.00
01010001135	Interest	\$ 43.74	\$ 22.57
01010061210	Recorder's Misc	\$ 7,901.45	\$ 4,231.50
81010001320	RHSP/Housing Surcharge	\$ 15,120.00	\$ 12,861.00
CK # 17823	To KC Treasurer	\$ 132,721.19	\$ 123,792.32

County Clerk, Debbie Gillette informed the board that the office was working on updating the election forms and preparing for the upcoming changes that include same day voter registration on Election Day.

Treasurer

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

Kendall County General Fund

**QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
 FOR SEVEN MONTHS ENDED 06/30/2015**

<u>REVENUES*</u>	Annual <u>Budget</u>	2015 YTD <u>Actual</u>	2015 YTD <u>%</u>	2014 YTD <u>Actual</u>	2014 YTD <u>%</u>
Personal Property Repl. Tax	\$370,000	\$269,749	72.91%	\$254,009	69.59%
State Income Tax	\$2,390,000	\$1,432,467	59.94%	\$1,374,524	57.03%
Local Use Tax	\$450,000	\$315,057	70.01%	\$264,190	66.88%
State Sales Tax	\$825,000	\$492,787	59.73%	\$502,574	55.84%
County Clerk Fees	\$358,000	\$196,530	54.90%	\$179,231	39.65%
Circuit Clerk Fees	\$950,000	\$480,927	50.62%	\$549,836	49.99%
Fines & Foreits/St Atty.	\$500,000	\$240,918	48.18%	\$270,304	51.98%
Building and Zoning	\$55,000	\$32,865	59.75%	\$35,720	89.30%

Interest Income	\$30,000	\$9,503	31.68%	\$9,033	25.81%
Health Insurance - Empl. Ded.	\$1,114,336	\$639,976	57.43%	\$659,606	59.31%
1/4 Cent Sales Tax	\$2,575,000	\$1,571,334	61.02%	\$1,461,856	59.43%
County Real Estate Transf Tax	\$250,000	\$193,885	77.55%	\$170,342	51.62%
Correction Dept. Board & Care	\$900,000	\$463,180	51.46%	\$499,420	58.76%
Sheriff Fees	\$575,000	\$195,775	34.05%	\$278,166	42.79%
TOTALS	\$11,342,336	\$6,534,953	57.62%	\$6,508,811	56.02%
Public Safety Sales Tax	\$4,300,000	\$2,762,223	64.24%	\$2,554,503	59.41%
Transportation Sales Tax	\$4,300,000	\$2,762,223	64.24%	\$2,554,503	59.41%

*Includes major revenue line items excluding real estate taxes which are to be collected later.

To be on Budget after 7 months the revenue and expense should at 58.33%

Clerk of the Court

Circuit Clerk Robyn Ingemunson stated that she got electronic filing up and everything is running smoothly. The electronic traffic citation application has been completed and they are working on the electronic plea.

State's Attorney

Assistant State's Attorney, Leslie Johnson stated that the HR best practices audit presentation began at the Committee of the Whole meeting; she is working on finding a date to complete the presentation. They have hired a new secretary.

Coroner

Statistics:

2015 Statistics		Stats for Same Period in 2014		Difference
2015 Total Deaths.....	153	Total Deaths.....	154	-1%
Autopsies to Date.....	13	Autopsies....	9	44%
Toxicology Samples.	17	Toxicology Samples..	12	42%
Cremation Permits....	93	Cremation Permits...	78	19%

Coroner's Office Personnel Update:

* Deputy Purcell provided an Inservice and morgue tour for police interns from the Oswego Police Department and Kendall County Sheriff's Office.

*Deputy Purcell provided Orientation and Inservice for 2 New Hire Deputies from the Kendall County Sheriff's Office.

Health Department

Dr. Tokars informed the board that on August 27th at the Health Department, they will be presenting the community health needs assessment. This assessment will look at big and small data sets and many types of health indicators.

Supervisor of Assessments

Andy Nicoletti, Supervisor of Assessments stated that Senate Bill 107 is waiting for the Governor's signature; this relates to the disabled veteran's exemption. Some of the criteria will be changing – this is service connected disability. 30-49% is a \$2,500 exemption off the assessment, 50-69% is \$5,000, 70% or more is tax exempt. We have a 135 currently that qualify for the exemptions about 100 are over the 70%. New construction is \$18,130,437.

STANDING COMMITTEE REPORTS

Planning, Building & Zoning

Member Gryder stated that they did not meet.

Public Safety

Ordinance Increasing Sheriff Office Fees

Member Gryder made a motion to approve the Ordinance increasing fees charged by the Kendall County Sheriff's Office for the Service of Writs, Civil Process, Execute/Acknowledge Real Estate Deed of Sale and Evictions. Member Cullick seconded the motion.

Sheriff Baird stated that they are including in the ordinance any overtime charges incurred during evictions.

Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Koukol. **Motion carried 8-1.**

KENDALL COUNTY

Ordinance No. 15-13

An Ordinance Increasing Fees Charged by the Kendall County Sheriff's Office for the Service of Writs, Civil Process, Execute/Acknowledge Real Estate Deed of Sale and Evictions

WHEREAS, the County Board of Kendall County has previously established, by resolution or ordinance, the fees for Service of Writs, Civil Process, Execution/Acknowledge Real Estate Deed of Sale and Evictions in the amounts of \$83.00, \$53.00, \$4.00 and \$285 respectively; and

WHEREAS, Section 5/4-5001 of Chapter 55 of the Illinois Compiled Statutes allows the County Board of Kendall County and the Sheriff's of Kendall County to conduct a user fee study of the fees charged by the Sheriff and to allow for an increase of fees if the cost of the services provided by the Sheriff exceeds the statutory fee; and

WHEREAS, the Sheriff of Kendall County, pursuant to Section 5/4-5001 of Chapter 55 of the Illinois Compiled Statutes, retained the services of Fiscal Choice Consulting, an independent national cost accounting firm, to conduct a cost study to determine if the fees currently charged by the Sheriff for the Service of Writs, Civil Process, Execution/Acknowledge Real Estate Deed of Sale and Evictions are sufficient to cover the costs of providing the service; and

WHEREAS, the cost study and the June 12, 2015 addendum ("Addendum") prepared by Fiscal Choice Consulting documented that the full cost of the services provided by the Sheriff of Kendall County for the Service of Writs, Civil Process, the Execution/Acknowledge Real Estate Deed of Sale and Evictions exceeds the current revenue received by the Sheriff of Kendall County and, therefore, the County Board of Kendall County is permitted to adjust the current fees for the Service of Writs, Civil Process, the Execution/Acknowledge Real Estate Deed of Sale and Evictions to recover the actual cost of the services provided; and

WHEREAS, the cost study by Fiscal Choice Consulting documented that the full cost to the Sheriff of Kendall County for the Service of Writs, Civil Process, the Execution/Acknowledge Real Estate Deed of Sale and Evictions are \$105.00, \$59.50, \$15.00 and \$285.00 (for the first 4.5 hours), respectively; and

WHEREAS, the Addendum to the cost study documented the additional costs incurred when an Eviction lasts longer than the allotted 4.5 hours. These additional costs are \$9.20 for additional processing by the Civil Process Clerk, and \$64.82 per additional hour spent by the deputy during the Eviction.

WHEREAS, the Sheriff of Kendall County has reviewed the cost study by Fiscal Choice Consulting and the Addendum and is recommending that the County Board of Kendall County increase fees for Service of Writs, Civil Process, Execution/Acknowledge Real Estate Deed of Sale and Evictions to cover the full cost of services provided.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Kendall County that:

- 1). The above listed recitals are incorporated herein by reference.

- 2). The fee charged by the Sheriff of Kendall County for the Service of Writs shall be set in the amount of \$105.00. For Civil Process, the fee charged by the Sheriff of Kendall County shall be in the amount of \$59.50. For the Execute/Acknowledge Real Estate Deed of Sale, the fee charged by the Sheriff of Kendall County shall be in the amount of \$15.00. For Evictions, the fee charged by the Sheriff of Kendall County shall be in the amount of \$285.00 for the first 4.5 hours. After the first 4.5 hours of the Eviction, the additional fees to be assessed include a \$9.20 civil processing fee and \$64.82 per additional hour spent by the deputy during the Eviction..
- 3). The fee requirements shall not apply to officers, agencies and departments of the State of Illinois, police departments or other law enforcement agencies.
- 4). This ordinance shall not supersede any other Ordinance enacted by the County Board of Kendall County which establishes or sets fees to be charged for other services provided by the Sheriff of Kendall County.
- 5). All supporting documents shall be public records and subject to public examination and audit.
- 6). This ordinance shall become effective immediately upon adoption by the County Board of Kendall County.

This ORDINANCE is hereby ADOPTED by the County Board of Kendall County, State of Illinois, on the 21 day of July, 2015

John A. Shaw, Kendall County Board Chairperson

I, Debbie Gillette, County Clerk in and said for County, in the State aforesaid, and the keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a ordinance adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the 21 day of July, 2015.

Debbie Gillette, County Clerk and Recorder

Administration – HR

Member Cullick had nothing to report.

Highway

Engineering Agreement

Member Koukol made a motion to approve the Engineering Agreement between Kendall County and Hampton, Lenzini and Renwick in the amount of \$31,162.90 for professional services related to intersection improvement at Orchard Road & Galena Road; to be taken from Transportation Sales Tax Fund. Member Gilmour seconded the motion.

Members discussed the changes being made at the intersection. County Engineer Fran Klaas told the board that they are changing the turning lanes and improving the traffic signals so that the East and West leg will be on the same cycle, which should allow for more efficient flow of traffic. This will also provide an East bound dual left turn lane.

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

A complete copy of IGAM 15-24 is available in the Office of the Kendall County Clerk.

KC-TAP Funds for City of Yorkville

Member Cullick made a motion to approve the Intergovernmental Agreement between Kendall County and the City of Yorkville for the disbursement of \$5,000 of KC-TAP Funds for sidewalk improvements along Route 47. Member Flowers seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 15-25 is available in the Office of the Kendall County Clerk.

Facilities

Rescind Lowest Bidder – Constellation New Energy, Inc.

Member Davidson made a motion to rescind the June 2, 2015 award of the lowest responsible bidder to Constellation New Energy, Inc. for providing electric supply services to Kendall County due to the failure to negotiate and produce an agreed upon contract. Member Wehrli seconded the motion.

Chris Childress from Progressive Energy Group informed the board that they were not able to come to contract terms with Constellation New Energy, their sister company Constellation Energy Services we were able to come to terms with.

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

Approve Lowest Bidder – Constellation Energy Services, Inc.

Member Davidson made a motion to approve the lowest responsible bidder of Constellation Energy Services, Inc. to provide electric supply services to Kendall County for 36 months at a price not to exceed 6.8 cents per kWh. Member Gryder seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Davidson stated that they made need a new elevator in the new courthouse.

Economic Development

Member Koukol stated that they have a meeting on Friday.

Finance

CLAIMS

Member Purcell moved to approve the claims submitted in the amount of \$512,093.68. Member Gryder seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$46,111.31, B&Z \$3,594.29, CO CLK & RCDR \$704.19, ED SRV REG \$5,826.42, SHRFF \$40,649.47, CRRCTNS \$12,532.17, MERIT \$271.00, EMA \$1,106.51, CRCT CT CLK \$7,682.64, JURY COMM \$2,409.10, CRCT CT JDG \$2,491.03, CRNR \$332.70, CMB CRT SRV \$5,758.69, PUB DFNDR \$193.00, ST ATTY \$3,366.26, SPRV OF ASSMNT \$409.25, TRSR \$291.50, EMPLY HLTH INS \$18,487.44, PPPOST \$186.19, OFF OF ADMIN SRV \$1,248.57, GNRL INS & BNDG \$124.00, CO BRD \$335.80, TECH SRV \$5,040.60, ECON DEV \$11.95, CO HWY \$25,905.62, CO BRDG \$122,261.56, TRANSPRT SALES TX \$75,475.80, KC TRANSP ALT PRGM \$13,497.00, HLTH & HMN SRV \$20,856.15, FRST PRSRV \$13,786.06, ANML MED CR FND \$165.00, ANML CNTRL EXPNS \$1,373.81, RCRDR DOC STRG \$5,794.00, SHRFF PREV ALCH-CRIM \$3,258.29, DRG ABS EXP FND \$2,732.97, HIDTA \$4,364.03, CO CMSRY FND \$2,734.13, CRT SEC FND \$60.32, LAW LBRY \$1,901.52, PRBTN SRV \$4,182.94, GIS \$963.48, KAT \$3,368.00, ENG/CNSLTNG ESCRW \$1,369.37, EMPLY BNFT PRGM \$1,367.10, SHRFF FTA FND \$2,992.73, VAC \$1,405.76, SHRFF VHCL FND \$40,370.16, CRNR SPCL FND \$156.50, FP BND PRCDS \$4,312.30

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

GRAND JUROR CLAIMS

Member Purcell moved to approve the claims submitted in the amount of \$1,725.00. Member Flowers seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Labor & Grievance

Member Flowers stated that they did not have a meeting.

Committee of the Whole

Member Gryder said that they had discussions with respect to the security systems presentations, they began the best practices audit presentation by Assistant State's Attorney Leslie Johnson, and they discussed the liquor license and the merger of Public Safety and Judicial Legislative committees.

Members discussed the fact that a previous contractor used indoor wiring outside the building and what the county can do about this.

STANDING COMMITTEE MINUTES APPROVAL

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

BREAK

RECONVENE

Member Flowers did not return to the meeting after the break.

SPECIAL COMMITTEE REPORTS

Public Building Commission

Member Wehrli said that they did not meet, they will probably have one more meeting to pay a bill and the State's Attorney's Office is looking into the transfer of property from the PBC to the County.

VAC

Member Wehrli stated that they met in July and are aware of the house bill and they will help to notify veterans.

Historic Preservation

Member Wehrli informed the board that they need new members.

Board of Health

They will be meeting tonight.

Juvenile Justice

Member Gilmour reported that they met July 17, 2015. They are looking for high school members. State's Attorney Weis will be doing a bullying presentation at Oswego and Plano High Schools. They have new resource guides located throughout the county. The youth-parent campaign begins September 1st; this is an anti drinking campaign. They are going to start a scholarship committee to give 2 scholarships. The SKY 5K run the total raised was \$9,498.00.

CHAIRMAN'S REPORT

Appointments

Member Davidson moved to approve the appointments. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Chief Mike Vesseling (replacing Rick Neitzer) – Oswego Fire District Primary Rep for KenCom Executive Board
Dick Kuhn – Oswego Fire District Alternate Rep for KenCom Executive Board
Richard (Dick) Whitfield – Zoning Board of Appeals – 5 year term – expires July 2020
Jason Bragg – Re- appointment Oswego Fire Protection District – 3 year term – expires April 2018

Announcements

Bette Schoenholtz – River Valley Workforce Investment Board – 2 year term – Expires August 2017

CITIZENS TO BE HEARD

Todd Milliron said that the initiative for exempting veterans is something that is warranted and needed, he encouraged that a flyer be prepared to get to other individuals.

QUESTIONS FROM THE PRESS

Jim Wyman from WSPY asked when the security design contract will be decided for the courthouse/jail. Mr. Wyman said isn't Exelon the parent of Constellation Energy Services and Constellation New Energy and also the parent company of ComEd.

EXECUTIVE SESSION

Member Davidson made a motion to go into Executive Session for the purpose of the meeting is discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

RECONVENE

ADJOURNMENT

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

Approved and submitted this 29th day of July, 2015.

Respectfully submitted by,
Debbie Gillette,
Kendall County Clerk