

**KENDALL COUNTY BOARD  
ADJOURNED SEPTEMBER MEETING  
March 19, 2014**

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, March 19, 2014 at 9:00 a.m. The Clerk called the roll. Members present: Chairman John Shaw, Amy Cesich, Lynn Cullick, Elizabeth Flowers, Judy Gilmour, Scott Gryder, Dan Koukol, Matthew Prochaska, 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 2/18/14. 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 Flowers seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

**NEW BUSINESS**

**Public Hearing for Public Transportation Financial Assistance under Section 5311**

County Administrator, Jeff Wilkins stated that each year when they submit the 5311 application they need to have a public hearing to allow public comment for the project. They are working towards getting to 37,000 trips it is a demand response. They will give a quarterly report. There is a Kendall Area Transit fund that is used to collect the revenues and expenditures are made out of the fund. We have had the program since March of 2010. The drivers are employees of the Voluntary Action Center.

Member Prochaska made a motion to close the public hearing. Member Gryder seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

**HIDTA Agreement**

State's Attorney, Eric Weis asked that the item be moved to the next meeting.

**ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS**

**Sheriff**

Sheriff Randall stated that spring is coming and we have been blessed with a severe winter. Sheriff Randall reported that the 4H Polar Plunge had 433 individuals take the plunge and raised \$145,285.

**County Clerk**

**Revenue Report**

**2/1/14-2/28/14**

<u>Line Item</u>	<u>Fund</u>	<u>Revenue</u>
County Clerk Fees	\$	1,702.50
County Clerk Fees - Marriage License	\$	600.00

	County Clerk Fees - Civil Union	\$	-
	County Clerk Fees - Misc	\$	828.64
	County Clerk Fees - Recording	\$	17,061.00
01010061205	Total County Clerk Fees	\$	20,192.14
01010001185	County Revenue	\$	16,856.75
38010001320	Doc Storage	\$	10,642.50
51010001320	GIS Mapping	\$	17,984.00
37010001320	GIS Recording	\$	2,244.00
01010001135	Interest	\$	37.65
01010061210	Recorder's Misc	\$	2,496.50
81010001320	RHSP/Housing Surcharge	\$	8,649.00
CK # 17516	To KC Treasurer	\$	79,102.54

County Clerk, Debbie Gillette stated that the election ran smoothly and the turnout was 19%. Turnout was very low across the state as well.

### 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 THREE MONTHS ENDED 02/28/2014

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2014 YTD Actual</u>	<u>2014 YTD %</u>	<u>2013 YTD Actual</u>	<u>2013 YTD %</u>
Personal Property Repl. Tax	\$365,000	\$84,428	23.13%	\$71,125	22.58%
State Income Tax	\$2,410,000	\$515,727	21.40%	\$498,458	25.56%
Local Use Tax	\$395,000	\$109,553	27.73%	\$99,634	29.30%
State Sales Tax	\$900,000	\$242,542	26.95%	\$220,137	23.25%
County Clerk Fees	\$452,000	\$80,703	17.85%	\$124,990	31.25%
Circuit Clerk Fees	\$1,100,000	\$221,716	20.16%	\$284,689	23.72%
Fines & Foreits/St Atty.	\$520,000	\$116,219	22.35%	\$141,538	25.73%
Building and Zoning	\$40,000	\$9,056	22.64%	\$5,401	13.50%

Interest Income	\$35,000	\$3,480	9.94%	\$5,531	15.80%
Health Insurance - Empl. Ded.	\$1,112,053	\$306,812	27.59%	\$259,588	23.59%
1/4 Cent Sales Tax	\$2,460,000	\$640,307	26.03%	\$622,677	25.94%
County Real Estate Transf Tax	\$330,000	\$86,915	26.34%	\$99,274	52.25%
Correction Dept. Board & Care	\$850,000	\$229,140	26.96%	\$222,080	27.59%
Sheriff Fees	\$650,000	\$109,930	16.91%	\$184,682	26.31%
<b>TOTALS</b>	<b>\$11,619,053</b>	<b>\$2,756,529</b>	<b>23.72%</b>	<b>\$2,839,804</b>	<b>25.88%</b>
<b>Public Safety Sales Tax</b>	<b>\$4,300,000</b>	<b>\$1,122,482</b>	<b>26.10%</b>	<b>\$1,107,852</b>	<b>26.38%</b>
<b>Transportation Sales Tax</b>	<b>\$4,300,000</b>	<b>\$1,122,482</b>	<b>26.10%</b>	<b>\$1,107,852</b>	<b>26.38%</b>

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

To be on Budget after 3 months the revenue and expense should at 24.99%

Treasurer, Jill Ferko stated that they did not receive a disbursement on state income tax in February. Public Safety and Transportation in the month of March is looking very good.

#### Clerk of the Court

Circuit Clerk, Becky Morganegg filed the annual audit report. There were no findings.

#### State's Attorney

State's Attorney, Eric Weis stated that they provided concealed carry training to law enforcement. State's Attorney Weis informed the board that CASA is looking for financial assistance to keep their services afloat. They provide a very valuable service at very little cost to the county. Their services are invaluable to the courts and State's Attorney's Office.

#### Coroner

##### Statistics:

2014 Statistics		Stats for Same Period in 2013		Difference
2014 Total Deaths.....	65	Total Deaths.....	76	-14%
Autopsies to Date.....	3	Autopsies....	6	-50%
Toxicology Samples.	5	Toxicology Samples..	3	67%
Cremation Permits....	33	Cremation Permits...	40	-18%

\*Deputy Purcell presented at Trauber Jr. High School on Tuesday, February 11.

#### Health Department

Dr. Tokars stated that a Board of Health member, Jan Kellogg, is retiring. Ms. Kellogg has always had a lot of integrity, understands policy work, and has been a rigorous member of the board.

## Supervisor of Assessments

Supervisor of Assessments, Andy Nicoletti explained the sales ratio study for 2014 that has been included in the packet.

## STANDING COMMITTEE REPORTS

### Planning, Building & Zoning

#### Host Fee Agreement with Green Organics Inc.

Member Gryder made a motion to approve a host fee agreement between Kendall County, Illinois and Green Organics Inc. from March 19, 2014 through December 1, 2023 with a host fee schedule in an amount not to exceed \$0.75 per ton of waste received from March 19, 2014 through November 30, 2016; \$0.80 per ton of waste received from December 1, 2016 through November 30, 2019; and \$0.85 per ton of waste received from December 1, 2019 through December 1, 2023. Member Gilmour seconded the motion.

Member Purcell asked how this fee is compared to what was being paid in previous years. Angela Zubko stated that in previous years it increases \$0.05 each year and they have been at \$0.70 per ton since 2006. 16,000 tons, about \$11,000 were received in 2012; 28,000 tons, about \$20,000 received in 2011, and in 2010 about \$16,000 was received. State's Attorney, Eric Weis stated that the host fee agreement and the special use are two separate documents. The host agreement is with the operator and provides for the tipping fees. The host fee agreement would not affect the special use.

Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Koukol who abstained and Purcell who voted present. **Motion carried.**

A complete copy of IGAM 14-12 is available in the Office of the County Clerk.

#### Petition 13-26 Green Organics

Member Gryder made a motion to approve petition 13-26: Granting a Major Amendment to a Special Use for Green Organics Inc., Milroy Farms LLC & Bristol Ventures LLC at 1270 East Beecher Road to continue operation of their regional compost facility modifying the site plan and modifying the special use conditions placed on the property. Member Wehrli seconded the motion.

Angela Zubko explained that the major amendment was where the current stockpile is, they will no longer lease that property. They are upping how much they can take in from 150,000 cubic yards to 175,000 cubic yards of separated landscape material.

Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Koukol who abstained and Purcell who voted present. **Motion carried.**

## ORDINANCE NUMBER 2014 - 04

### GRANTING A MAJOR AMENDMENT TO A SPECIAL USE FOR GREEN ORGANICS INC. AT 1270 EAST BEECHER ROAD

WHEREAS, Green Organics, Inc., Milroy Farms LLC and Bristol Ventures LLC has filed a petition for a major amendment to their Special Use within the A-1 Agricultural Zoning District for a 58 acre property located on the east side of Beecher Road about 0.5 miles south of Galena Road, commonly known as 1270 E. Beecher Road, (PIN# 02-08-100-006, part of PIN# 02-08-200-015, part of PIN# 02-08-200-018, part of PIN# 02-08-200-019 and part of PIN# 02-08-200-022), in Bristol Township; and

WHEREAS, said petition is to amend their existing special use permit to continue operation of their regional compost facility at 1270 E. Beecher Road modifying the site plan to eliminate about 10.5 acres, add about 9.5 acres northeast in the City of Yorkville and seek new conditions on property; and

WHEREAS, said property is currently zoned A-1 Agricultural with an existing Special Use for operation for a landscape waste composting site; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for as Ordinance 1993-19 on October 19, 1993; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a renewal as Ordinance 1997-13 on August 19, 1997; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a renewal as Ordinance 2000-18 on April 18, 2000; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a renewal as Ordinance 2008-17 on May 20, 2008; and

WHEREAS, the Zoning Administrator and/or deputies did grant the petitioner a minor amendment to the existing special use to allow the facility to begin accepting and processing food waste as Ordinance 10-25-11 on October 25, 2011; and

WHEREAS, said special uses will continue on the property; and

WHEREAS, said property is legally described as:

PARCEL 1

THAT PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 88 DEGREES 29 MINUTES 44 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER 953.68 FEET TO A POINT IN THE CENTER LINE OF A BRANCH OF THE ROB ROY CREEK FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 29 MINUTES 44 SECONDS EAST ALONG SAID NORTH LINE 1699.46 FEET TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 0 DEGREES 07 MINUTES 06 SECONDS EAST ALONG THE EAST LINE OF SAID QUARTER SECTION 1124.58 FEET; THENCE SOUTH 88 DEGREES 27 MINUTES 18 SECONDS WEST 2655.97 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION THAT IS 1126.52 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE NORTH 0 DEGREES 01 MINUTES 23 SECONDS EAST ALONG SAID WEST LINE 100.00 FEET; THENCE NORTH 87 DEGREES 51 MINUTES 12 SECONDS EAST 1498.53 FEET TO A POINT IN THE CENTER OF SAID ROB ROY CREEK; THENCE NORTH 28 DEGREES 38 MINUTES 38 SECONDS WEST ALONG SAID CREEK, 1134.24 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF BRISTOL, KENDALL COUNTY, ILLINOIS

PIN: 02-08-100-006

PARCEL 2

THAT PART OF THE NORTHEAST QUARTER OF SECTION 8 IN TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 36 MINUTES 31 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 187.01 FEET; THENCE SOUTH 61 DEGREES 46 MINUTES 39 SECONDS EAST, 332.00 FEET; THENCE SOUTH 71 DEGREES 34 MINUTES 14 SECONDS EAST, 463.00 FEET; THENCE SOUTH 45 DEGREES 09 MINUTES 49 SECONDS EAST, 58.00 FEET; THENCE SOUTH 00 DEGREES 33 MINUTES 15 SECONDS WEST, 356.00 FEET; THENCE SOUTH 89 DEGREES 48 MINUTES 46 SECONDS WEST, 541.26 FEET TO A POINT ON A LINE 400.00 FEET EAST OF, AND PARALLEL WITH, THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 01 DEGREE 14 MINUTES 06 SECONDS EAST, ALONG SAID LINE, 171.42 FEET; THENCE ALONG THE SOUTH LINE OF A PARCEL OF LAND WITH PARCEL IDENTIFICATION NUMBER 02-08-200-015 FOR THE NEXT FOUR CALLS; SOUTH 83 DEGREES 45 MINUTES 54 SECONDS WEST, 130.42 FEET, MORE OR LESS; SOUTH 86 DEGREES 27 MINUTES 54 SECONDS WEST, 65.30 FEET; NORTH 08 DEGREES 04 MINUTES 41 SECONDS WEST, 23.88 FEET; NORTH 87 DEGREES 04 MINUTES 28 SECONDS WEST, 202.52 FEET, MORE OR LESS, TO A POINT 850.00 FEET SOUTHERLY OF THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER, AS MEASURED ALONG THE WEST LINE THEREOF; THENCE NORTH 01 DEGREE 14 MINUTES 06 SECONDS WEST, ALONG SAID WEST LINE, 850.00 FEET TO THE POINT OF BEGINNING, ALL IN KENDALL COUNTY, ILLINOIS, AND CONTAINING 13.72 ACRES, MORE OR LESS.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer on December 9, 2013; and

WHEREAS, the findings of fact were approved as follows:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The operation is controlled by the EPA and inspected regularly by the Health Department and have not found anything to endanger the public health, safety, morals, comfort, or general welfare.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The operation has been open since 1993 with some minor debris issues a long time ago and since then there have been no complaints or issues. The newer water park exists less than a mile away to the east and still there have been no complaints about affecting the area properties.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The special use will not be adding any new utilities, roadways or drainage to the property. They will use the current access point onto Beecher Road which has a gate which will be closed unless the operation is open.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **The special use conforms to all applicable regulations of the A-1 Special use district.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **This operation existed before the Land Resource Management Plan existed and the plan calls for the area to be residential which it could be when/if this operation ever ceases to exist.***

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns of the property owner as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall County Ordinances #93-17, #97-13, #00-18, #08-17 and #10-28-11 in their entirety and hereby grants approval of a major amendment to their existing special use zoning permit to continue operation of their regional compost facility at 1270 E. Beecher Road modifying the site plan to eliminate about 10.5 acres, add about 9.5 acres northeast in the City of Yorkville subject to the following conditions:

1. The facility shall comply with the conditions listed in Section 7.01.D.15 (composting of landscape waste and food waste) of the Zoning Ordinance:
  - Composting of landscape waste and food waste, subject to the following:
    - a. The facility shall meet all Illinois Environmental Protection Agency requirements as identified in Title 35, Subtitle G, Chapter 1, Sub-chapter 1, Park 830, Standards for compost facilities.
    - b. Operational personnel shall be present on site during all hours which the facility is open for the receipt of landscape waste.
    - c. The hours during which landscape waste may be received shall be 7:00am to 4:00pm Monday through Friday and 7:00am to 12:00 noon Saturday. Processing operations shall cease after each day's receipts have been processed and placed in windrows, not to exceed three (3) additional hours.
    - d. The decibel levels at the property line shall not exceed Illinois Pollution Control Board standards.
    - e. A locked gate shall restrict vehicle access during closed hours except that a "lock-box" shall allow

access to emergency vehicles.

- f. Water samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling.
  - g. Soil samples shall be taken by an independent testing service and analyzed by an independent laboratory. The locations, methods and frequency of sampling and testing shall be approved by the Kendall County Environmental Health Department Director. The test results shall be sent to the Environmental Health Department within forty-five (45) days of sampling.
  - h. Authorized Kendall County personnel shall be allowed on site during business hours for inspection and testing.
  - i. The facility operator shall send up-to-date copies of the State permit and related documents including Operational Plan, Surface water management Plan, Pest Control Plan, Site Drawing, and an Annual Report to the County Solid Waste Coordinator.
  - j. Truck weights shall be limited to 73,280 pounds.
  - k. The operator shall provide weight receipts to Kendall County.
  - l. Off-site debris and trash generated by the site must be cleaned-up on a daily basis on surrounding properties with the owner's permission.
  - m. Other conditions as appropriate for the particular facility. (*Amended 6/20/2006*)
2. The facility will be permitted to take in 175,000 cubic yards of source-separated landscape materials (i.e. brush, leaves, tree trimmings and grass)
  3. The site plan shall be kept on file as "Exhibit A" attached hereto
  4. The facility operator shall maintain plantings on the berm and ditch.
  5. The facility operator shall maintain the gate and landscaping as indicated on "Exhibit B" attached hereto
  6. The facility operator shall maintain a sampling schedule as shown on "Exhibit C" attached hereto dated March 11, 2008.
  7. The County Solid Waste Coordinator shall maintain a log of complaints received on the facility.
  8. This special use Ordinance shall expire on December 1, 2023 and the petition for renewal shall be made prior to July 1, 2023.
  9. If any Illinois Environmental Protection Agency (IEPA) violations or citations are received they need to be submitted to the County Solid Waste Coordinator within 30 days.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on March 19<sup>th</sup>, 2014.

Attest:

Debbie Gillette  
Kendall County Clerk

John Shaw  
Kendall County Board Chairman

#### **Petition 14-02: Special Use Dickson Valley Ministries**

Member Gryder made a motion to approve Petition 14-02 granting a special use for Dickson Valley Ministries at 8250 Finnie Road. Member Gilmour seconded the motion.

Angela Zubko stated that the previous special uses for the property were for a total of 110 acres. The property will now become 160 acres.

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

#### **ORDINANCE NUMBER 2014 - 05**

#### **GRANTING A MAJOR AMENDMENT TO A SPECIAL USE FOR DICKSON VALLEY MINISTRIES AT 8250 FINNIE ROAD**

WHEREAS, Dickson Valley Ministries dba of Dickson Valley Camp and Retreat Center has filed a petition for a major amendment to their Special Use within the A-1 Agricultural Zoning District for a 161 acre property located On the north & south side of Finnie Road, 0.8 miles south of Finnie & Rogers Road, commonly known as 8250 Finnie Road, (PIN# 04-17-100-002, 04-17-300-002 & 04-17-300-007), in Fox Township; and

WHEREAS, said property is currently zoned A-1 Agricultural with an existing Special Use for operation for a camp and retreat center; and

WHEREAS, said petition is to amend their existing special use permit to continue operation of their camp and retreat center and add 51.74 acres and modify their site plan; and

WHEREAS, during the 1974 Countywide rezoning the County Board of Kendall County, Illinois rezoned this property to A-1SU for non-profit camping uses; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a special use for a Christian Youth Camp for 108 acres as Ordinance 1983-17 on December 13, 1983; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request to amend the site plan to include a dining and meeting hall north of the original site plan and expand the bath house and chapel as Ordinance 2000-17A & 2000-24 on June 20, 2000; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for a lighted sign at the camp entrance with conditions as Ordinance 2002-12 on May 21, 2002; and

WHEREAS, said property is legally described as:

PARCEL 1:

THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER 1319 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHWEST QUARTER; THENCE SOUTH ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHWEST QUARTER 1376.78 FEET TO THE CENTER LINE OF A ROAD RUNNING NORTHEASTERLY AND SOUTHWESTERLY THROUGH SAID NORTHWEST QUARTER; THENCE NORTHEASTERLY ALONG SAID CENTER LINE TO THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH ALONG SAID EAST LINE 778 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS; ALSO THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHEAST QUARTER 11.70 CHAINS (772.2 FEET) TO THE CENTER LINE OF A ROAD; THENCE NORTHEASTERLY ALONG SAID CENTER LINE TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE WEST ALONG SAID NORTH LINE 12.63 CHAINS (833.58 FEET) TO THE POINT OF BEGINNING, CONTAINING 42.59 ACRES MORE OR LESS, IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE WEST HALF OF SECTION 17, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH 01 DEGREES 07 SECONDS 54 MINUTES EAST ALONG THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 380.17 FEET; THENCE SOUTH 76 DEGREES 29 MINUTES 58 SECONDS EAST, A DISTANCE OF 4010.24 FEET; THENCE SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST, A DISTANCE OF 33.6 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST, A DISTANCE OF 1377.07 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 38 DEGREES 58 MINUTES 51 SECONDS EAST, A DISTANCE OF 1378.96 FEET; THENCE NORTH 48 DEGREES 46 MINUTES 57 SECONDS WEST, A DISTANCE OF 659.61 FEET; THENCE NORTH 60 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 98.54 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 58 SECONDS EAST, A DISTANCE OF 455.16 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE NORTH 90 DEGREES EAST, A DISTANCE OF 346.63 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, THENCE NORTH 01 DEGREES 14 MINUTES 05 SECONDS WEST ALONG THE WEST LINE OF SAID QUARTER/QUARTER SECTION A DISTANCE OF 1269.52 FEET TO THE CENTER LINE OF FINNIE ROAD; THENCE NORTH 63 DEGREES 32 MINUTES 29 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 51.54 FEET; THENCE NORTH 73 DEGREES 54 MINUTES 02 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 785.94 FEET; THENCE NORTH 57



DEGREES 52 MINUTES 02 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 459.76 FEET; THENCE NORTH 46 DEGREES 37 MINUTES 32 SECONDS EAST ALONG SAID CENTER LINE, A DISTANCE OF 158.96 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 16 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 1864.30 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE SOUTH 01 DEGREES 12 MINUTES 58 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 513.64 FEET TO THE WESTERLY BANK OF THE FOX RIVER; THENCE SOUTH 36 DEGREES 20 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 227.1 FEET; THENCE SOUTH 34 DEGREES 34 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 224.1 FEET; THENCE SOUTH 40 DEGREES 48 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 346.69 FEET; THENCE SOUTH 35 DEGREES 57 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 257.65 FEET; THENCE SOUTH 47 DEGREES 35 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 201.1 FEET; THENCE SOUTH 46 DEGREES 16 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 256.45 FEET; THENCE SOUTH 44 DEGREES 58 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 415.78 FEET; THENCE SOUTH 39 DEGREES 20 MINUTES 02 SECONDS WEST ALONG SAID WESTERLY BANK, A DISTANCE OF 424.92 FEET TO A POINT ON A LINE DRAWN SOUTH 66 DEGREES 02 MINUTES 58 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE NORTH 66 DEGREES 02 MINUTES 58 SECONDS WEST 1001.65 FEET TO THE POINT OF BEGINNING CONTAINING 118.00 ACRES ALL IN THE TOWNSHIP OF FOX, KENDALL COUNTY, ILLINOIS.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on March 3, 2014; and

WHEREAS, the findings of fact were approved as follows:

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **Dickson Valley Ministries is formed only for the purpose to benefit the community, and has proved to be a very safe and people focused organization.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **Dickson Valley has had great relationships with all neighbors, never causing any negative situations and quite often benefiting neighbors with the use of the land and resources.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **Of the 160 acres of mostly wooded land, only about 25% has been developed, leaving a lot of great natural resources. The township road has been updated and has always proved adequate for our traffic and still is a seldom traveled road.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **Dickson Valley has had 30+ years in the county with no problems in following regulations.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **Dickson Valley has worked with many local agencies on resource management and other plans and continues to follow through and work within them.***

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns of the property owner as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby repeals Kendall County Ordinances #02-12, #00-24, #00-17A & #83-17 in their entirety and grants approval of a major amendment to their existing special use zoning permit to continue operation of their camp and retreat center at 8250 Finnie Road in accordance to the submitted Site Plan included as "Exhibit A" attached hereto and incorporated herein subject to the following conditions:

1. The property can be utilized all year long.
2. At such time if the not-for-profit status is discontinued for any reason a new special use shall be applied for if the property is to be used for profit.
3. The number of over-night campers shall be limited to no more than 350 at any one time.
4. No more than 8 hook-ups for RV's.
5. The sign shall be in conformance with the standards of sign illumination as set forth in the Kendall County Zoning Ordinance and can be externally lit.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on March 19<sup>th</sup>, 2014.

Attest:

Debbie Gillette  
Kendall County Clerk

John Shaw  
Kendall County Board Chairman

#### **Public Safety**

#### **Mediation agreement**

Member Prochaska made a motion for the approval of a Mediation Agreement between the Illinois Fraternal Order of Police Labor Council (Corrections Sergeants), the County of Kendall and the Kendall County Sheriff to use the mediation services of the Federal Mediation and Conciliation Services if mediator services are required. Member Gilmour seconded the motion.

Assistant State's Attorney, Leslie Johnson stated that the Illinois Labor Relations Board has certified the bargaining unit for the Corrections Sergeants. In the event that they are unable to reach a collective bargaining agreement in this round or in future rounds of negotiations; first step is would be to utilize a mediator who would try to assist the parties in reaching a resolution in an agreement on a union contract. The Labor Board either requires the use of the services of the Labor Board or the services of the Federal Mediation & Conciliation Service. This agreement is done once a unit is certified by the Labor Board and lasts for perpetuity.

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

#### **Administration/HR**

#### **Resolution Authorizing Application for Public Transportation Financial Assistance**

Member Gilmour made a motion to approve a resolution authorizing application for Public Transportation Financial Assistance Under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. § 5311). Member Gryder seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

County of Kendall  
Resolution 14 – 09

**RESOLUTION AUTHORIZING APPLICATION FOR PUBLIC TRANSPORTATION FINANCIAL ASSISTANCE  
UNDER SECTION 5311 OF THE FEDERAL TRANSIT  
ACT OF 1991, AS AMENDED (49 U.S.C § 5311).**

WHEREAS, the provision of public transit service is essential to the people of Illinois; and

WHEREAS, 49 U.S.C. § 5311 ("Section 5311"), makes funds available to the State of Illinois to help offset certain operating deficits and administrative expenses of a system providing public transit service in non-urbanized areas; and

WHEREAS, the Downstate Public Transportation Act (30 ILCS 740/2-1 *et seq.*) ("Act") authorizes the State of Illinois, acting by and through the Illinois Department of Transportation, to provide grants and make funds available to assist in the development and operation of public transportation systems; and

WHEREAS, grants for said funds will impose certain obligations upon the recipient, including the provision by it of the local share of funds necessary to cover costs not covered by funds provided under Section 5311 or the Act;

WHEREAS, a public hearing was held on March 19, 2014 to obtain public comment on the environmental and economic impacts of the application for public transportation financial assistance.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF KENDALL COUNTY:**

Section 1. That KENDALL COUNTY finds that the Kendall Area Transit project is consistent with official plans for developing the community.

Section 2. That an application be made to the Division of Public and Intermodal Transportation, Department of Transportation, State of Illinois, for a financial assistance grant under Section 5311 and the Act for fiscal year 2015, for the purpose of off-setting a portion of the Public Transportation Program operating expenses and deficits of KENDALL COUNTY.

Section 3. That while participating in said operating assistance program KENDALL COUNTY will provide all required local matching funds.

Section 4. That the County Administrator of KENDALL COUNTY is hereby authorized and directed to execute and file on behalf of KENDALL COUNTY such application.

Section 5. That the County Administrator of KENDALL COUNTY is authorized to furnish such additional information as may be required by the Division of Public and Intermodal Transportation and the Federal Transit Administration in connection with the aforesaid application for said grant.

Section 6. That the Kendall County Board Chairman of KENDALL COUNTY is hereby authorized and directed to execute and file on behalf of KENDALL COUNTY a Section 5311-Downstate Operating Assistance Grant Agreement ("Agreement") with the Illinois Department of Transportation and amend such Agreement, if necessary, in order to obtain grant assistance under the provisions of Section 5311 and the Act for fiscal year 2015.

Section 7. That the County Administrator of KENDALL COUNTY is hereby authorized to provide such information and to file such documents as may be required to perform the Agreement and to receive the grant for fiscal year 2015.

Section 8. That the Kendall County Board Chairman of KENDALL COUNTY is hereby authorized to provide Affirmation of Applicant and the State's Attorney is authorized to provide Affirmation of the Applicant's Attorney to the Federal Fiscal Year 2014 FTA Certifications and Assurances, attached hereto as Exhibit "A".

Section 9. That the Kendall County Board approves the Acceptance of Special Warranty, attached hereto as Exhibit "B", and understands as a condition of receipt of funds under 49 U.S.C. § 5311 funds, that 49 U.S.C. § 5333(b) requires fair and equitable arrangements must be made to protect the interests of employees affected by such assistance.

PRESENTED and ADOPTED this 19<sup>th</sup> day of March 2014

*John Shaw, County Board Chairman*

Attest:

*Debbie Gillette, County Clerk and Recorder*

**Highway**

**Motor Fuel Taxes for Orchard Road**

Member Koukol made a motion to approve the resolution appropriating an amount not to exceed \$1,100,000 of County Motor Fuel Taxes for the resurfacing of Orchard Road from Mill Road to U.S. Route 30. Member Wehrli seconded the motion.

County Engineer, Fran Klaas informed the board that the road was last resurfaced at three different times in sections; 5 years ago, 15 years ago and 10-12 years ago. The traffic count is 25,000 a day. The project is expected to take less than a month, they can only work one lane at a time and they have to leave one lane in each direction open at all times.

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



14-06  
County Maintenance Resolution  
Sec. 14-00000-00-GM, Orchard Road

RESOLVED, by the County board of \_\_\_\_\_ Kendall \_\_\_\_\_ County, that \$1,100,000 is appropriated from the Motor Fuel Tax allotment for the maintenance on county or State highways and meeting the requirements of the Illinois Highway Code, and be it further

RESOLVED, that maintenance sections or patrols be maintained under the provision of said Illinois Highway Code beginning January 1, 2014 and ending December 31, 2014, and be it further

RESOLVED, that the County Engineer/County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

STATE OF ILLINOIS }  
Kendall \_\_\_\_\_ County, ss.

I, Debbie Gillette County Clerk, in and for said County, in the State aforesaid, and 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 resolution adopted by the County Board of

Kendall County, at its County Board

meeting held at Yorkville, IL

on 3/19/14  
Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and

affixed the seal of said County at my office in Yorkville

in said County, this 19 day of March A.D. 2014

(SEAL) \_\_\_\_\_ County Clerk  
Debbie Gillette

**Motor Fuel Taxes for Millbrook Road**

Member Koukol made a motion to approve the resolution appropriating an amount not to exceed \$300,000 of County Motor Fuel Taxes for the resurfacing of Millbrook Road from Ill. Rte. 71 to Fox River Drive. Member Wehrli seconded the motion.

County Engineer, Fran Klaas stated that the project is for 2.05 miles.

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



14-07  
County Maintenance Resolution  
Sec. 14-00000-01-GM, Millbrook Road

RESOLVED, by the County board of \_\_\_\_\_ Kendall \_\_\_\_\_ County, that \$300,000  
is appropriated from the Motor Fuel Tax allotment for the maintenance on county or State highways and meeting the  
requirements of the Illinois Highway Code, and be it further

RESOLVED, that maintenance sections or patrols be maintained under the provision of said Illinois Highway Code  
beginning \_\_\_\_\_ January 1, 2014 \_\_\_\_\_ and ending \_\_\_\_\_ December 31, 2014 \_\_\_\_\_, and be it further

RESOLVED, that the County Engineer/County Superintendent of Highways shall, as soon as practicable after the close of  
the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified  
statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under  
this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two certified copies of this resolution to the district office of  
the Department of Transportation.

STATE OF ILLINOIS }  
Kendall \_\_\_\_\_ County, ss.

I, \_\_\_\_\_ Debbie Gillette \_\_\_\_\_ County Clerk, in and for said County,  
in the State aforesaid, and 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 resolution adopted by the County Board of

\_\_\_\_\_ Kendall \_\_\_\_\_ County, at its \_\_\_\_\_ County Board \_\_\_\_\_

meeting held at \_\_\_\_\_ Yorkville, IL \_\_\_\_\_

o \_\_\_\_\_ 3/19/14 \_\_\_\_\_  
Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and  
affixed the seal of said County at my office in \_\_\_\_\_ Yorkville \_\_\_\_\_

in said County, this \_\_\_\_\_ 19 \_\_\_\_\_ day of \_\_\_\_\_ March \_\_\_\_\_ A.D. \_\_\_\_\_ 2014 \_\_\_\_\_

(SEAL) \_\_\_\_\_ County Clerk  
\_\_\_\_\_ Debbie Gillette \_\_\_\_\_

**Motor Fuel Taxes for Ridge Road**

Member Koukol made a motion to approve the resolution appropriating an amount not to exceed \$425,000 of County  
Motor Fuel Taxes for the resurfacing of Ridge Road from Caton Farm Road to Wheeler Road. Member Wehrli  
seconded the motion.

County Engineer, Fran Klaas stated that the project is for 1.86 miles.

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



RESOLVED, by the County board of Kendall County, that \$425,000 is appropriated from the Motor Fuel Tax allotment for the maintenance on county or State highways and meeting the requirements of the Illinois Highway Code, and be it further

RESOLVED, that maintenance sections or patrols be maintained under the provision of said Illinois Highway Code beginning January 1, 2014 and ending December 31, 2014, and be it further

RESOLVED, that the County Engineer/County Superintendent of Highways shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation, and be it further

RESOLVED, that the County Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

STATE OF ILLINOIS }  
Kendall County, ss.

I, Debbie Gillette County Clerk, in and for said County, in the State aforesaid, and 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 resolution adopted by the County Board of

Kendall County, at its County Board meeting held at Yorkville, IL on 3/19/14 Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County at my office in Yorkville in said County, this 19 day of March A.D. 2014

(SEAL) Debbie Gillette County Clerk

**Local Agency Agreement for safety shoulders on Newark Road**

Member Koukol made a motion to approve the Local Agency Agreement for Federal Participation to construct safety shoulders on Newark Road at an estimated total cost not to exceed \$1,200,000 with a local share of costs not to exceed \$240,000. Member Gilmour 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 14-11 is available in the Office of the County Clerk.

## Revised Supplemental Engineering Agreement with Hutchison Engineering

Member Koukol made a motion to approve the revised supplemental engineering agreement for professional engineering services between Kendall County and Hutchison Engineering, Inc. for completion of Phase II Engineering on the proposed Eldamain Road improvement from Menards Distribution Center to Galena Road in an amount not to exceed \$30,000. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

### SUPPLEMENTAL AGREEMENT FOR PROFESSIONAL SERVICES

This SUPPLEMENTAL AGREEMENT NO. 1, made this 19 day , of March, 2014 between the COUNTY OF KENDALL, hereinafter called the OWNER and **Hutchison Engineering, Inc.**, Consulting Engineers, 605 Rollingwood Drive, Shorewood, Illinois, 60404, hereinafter called the ENGINEER.

WITNESSETH:

That whereas the OWNER and the ENGINEER entered into a Preliminary Engineering Services Agreement, approved by the County of Kendall on January 20, 2009 for preparation of contract plans and documents and associated work for the improvement of Eldamain Road (CH 7), from Menards' Distribution Center to Galena Road, referred to as Section 07-00096-00-RP, and whereas the OWNER desires additional Professional Engineering Services as follows:

Additional design and design review to investigate engineering changes necessary to incorporate elements of the work zone safety guidance issued as the "IDOT Drop-off Exposure Policy"; as well as, plan and specification updates.

NOW THEREFORE:

The ENGINEER AGREES to provide the above described services in accordance with the original Preliminary Engineering Services Agreement executed on January 20, 2009 .

The ENGINEER AGREES to comply with all applicable federal, state and local laws and regulatory requirements and to secure such licenses as may be required for its employees and to conduct business in the state, municipality, county and location. Such obligation includes, but is not limited to, environmental laws, civil rights laws, prevailing wage and labor laws.

ENGINEER shall indemnify, hold harmless ~~and defend with counsel of OWNER's own choosing~~, Kendall County, its officials, officers, employees, including their past, present, and future board members, elected officials and agents from and against all liability, claims, suits, demands, proceedings and actions, including costs, reasonable fees and expense of defense, arising from, to, any loss, damage, injury, death, or loss or damage to property (collectively, the "Claims"), to the extent such Claims result from or arise out of the negligent, intentional and/or wanton and willful acts or omissions of ENGINEER itself, its agents and its employees under this Agreement. Nothing contained herein shall be construed as prohibiting The OWNER, its officials, directors, officers, agents and employees, from defending through the selection and use of their own agents, attorneys and experts, any claims, suits, demands, proceedings and actions brought against them. Pursuant to Illinois law, 55 ILCS 5/3-9005, any attorney representing the County under this paragraph, shall be approved by the Kendall County State's Attorney and shall be appointed a Special Assistant State's Attorney, as provided in 55 ILCS 5/3-9005. The OWNER's participation in its defense shall not remove ENGINEER's duty to indemnify, defend, and hold the OWNER harmless, as set forth above.

ENGINEER will obtain and continue in force, during the term of this Agreement, all insurance as set forth below. Each insurance policy shall not be cancelled or changed without thirty (30) days prior written notice, given by the insurance carrier to Kendall County at the address set forth below. Before starting work hereunder, ENGINEER shall deposit with Subscriber certificates evidencing the insurance it is to provide hereunder: (a) Worker's Compensation and Occupational Disease Disability insurance, in compliance with the laws of the jurisdiction where the work is being performed, (b) Employer's comprehensive general liability insurance for both personal injury and property damage in the minimum amount of \$1,000,000 for each accident, (c) Comprehensive business automobile liability insurance in the minimum amount of \$1,000,000 combined single limit, (d) Minimum umbrella occurrence insurance of \$45,000,000 per occurrence and \$45,000,000 aggregate, (e) Professional liability insurance in the minimum amount of \$1,000,000 per claim/aggregate ~~combined single limit~~. Kendall County shall be named as an Additional Insured on a Primary and Non-Contributory basis with respect to the general liability, business auto liability and excess liability insurance. Further, the general liability and workers' compensation policies must include

a waiver of subrogation in favor of Kendall. Kendall County shall also be designated as the certificate holder.

ENGINEER certifies that it, its parent companies, subsidiaries, and affiliates are not barred from entering into this Agreement as a result of a violation of either 720 ILCS 5/33E-3 or 5/33E-4 (bid rigging or bid rotating) or as a result of a violation of 820 ILCS 130/1 *et seq.* (the Illinois Prevailing Wage Act). ENGINEER further certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois nor has ENGINEER made admission of guilt of such conduct which is a matter of record, nor has any official, officer, agent, or employee of this company been so convicted nor made such an admission.

ENGINEER certifies that it, its officers, employees, and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations. In accordance with 30 ILCS 500/50-5,

The OWNER AGREES to compensate the ENGINEER for this additional work in accordance with Paragraph 2 of "The LA Agrees," of the original Preliminary Engineering Services Agreement cited above. The design services as detailed above shall not exceed Thirty Thousand Dollars (\$30,000.00) without the consent of the Kendall County Department of Highways.

This Agreement shall be construed in accordance with the law and Constitution of the State of Illinois and if any provision is invalid for any reason such invalidations shall not render invalid other provisions which can be given effect without the invalid provision.

Payment shall be made in accordance with the Illinois Local Government Prompt Payment Act, as amended (50 ILCS 505/1 *et seq.*)

Any notice required or permitted to be given pursuant to this Agreement shall be duly given if sent by fax, certified mail, or courier service and received, in the case of notice to the COUNTY, to: Kendall County, Highway Department, Attention: County Engineer, 6780 Route 47, Yorkville, Illinois, 60560, fax (630) 553-9583 with copy sent to: Kendall County State's Attorney, 807 John Street, Yorkville, Illinois, 60560, fax (630) 553-4204. And, in the case of Engineer, to: Hutchison Engineering, Inc., Consulting Engineers, 605 Rollingwood Drive, Shorewood, Illinois, 60404.

**Change the name of Grove Road remnant**

Member Koukol made a motion to approve the resolution to change the name of Grove Road remnant to Old Grove Road at Rte. 126. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

**KENDALL COUNTY**

**Resolution No. 14-10**

***A Resolution Renaming a Part of Grove Road to Old Grove Road***

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**WHEREAS**, reconstruction of the Grove Road / Illinois Route 126 intersection has created a remnant of the original north leg of Grove Road (see attached Exhibit A); and,

**WHEREAS**, Kendall County has transferred jurisdiction of the Grove Road remnant to Na-Au-Say Road District by Resolution 13-33, approved by the Kendall County Board on December 17, 2013, and certified by the Illinois Department of Transportation on January 13, 2014; and,

**WHEREAS**, Kendall County desires to reduce potential confusion created by duplication of the Grove Road name; and,

**WHEREAS**, authority to change the name of any street, lane, road or highway has been granted to county boards, pursuant to 55 ILCS 5/5-1067.

**NOW, THEREFORE BE IT RESOLVED**, that the Kendall County Board hereby renames that part of Grove Road beginning at its intersection with Illinois Route 126 and extending northerly approximately ¼ mile to the northerly terminus in accordance with the attached Exhibit A, to "Old Grove Road".

This resolution approved by the County Board of Kendall County, State of Illinois.

John Shaw – Kendall County Board Chairman



I, Debbie Gillette, County Clerk in and for said County, in the State aforesaid, and 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 resolution adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the 19 day of March, A.D. 2014.

Debbie Gillette – County Clerk

### **Award Transportation Alternatives Program Grants**

#### **Oswegoland Park District**

Member Koukol made a motion to award Transportation Alternatives Program Grant to Oswegoland Park District in an amount not to exceed \$6,000. Member Cullick seconded the motion.

The Oswegoland Park District is making a sidewalk along the East side of Grove Rd to connect to the existing asphalt path right at Prairie Point Center.

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

#### **Village of Oswego**

Member Koukol made a motion to award Transportation Alternatives Program Grant to the Village of Oswego in an amount not to exceed \$20,000. Member Gryder seconded the motion.

The Village of Oswego plans to use the award for a sidewalk.

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

#### **City of Plano**

Member Koukol made a motion to award Transportation Alternatives Program Grant to City of Plano in an amount not to exceed \$25,000. Member Gryder seconded the motion.

The City of Plano is working on the Ben Street area.

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

#### **City of Yorkville**

Member Koukol made a motion to award Transportation Alternatives Program Grant to City of Yorkville in an amount not to exceed \$5,000. Member Cullick seconded the motion.

The City of Yorkville will be spending the money on sidewalks along Route 47. The City of Yorkville is on a 10 year payback period that they were able to negotiate with the State. They will be requesting \$5,000 a year for 10 years.

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

#### **Engineering Agreement with Willett Hofmann & Associates Inc.**

Member Koukol made a motion to approve the Engineering Agreement with Willett Hofmann & Associates, Inc. to analyze all bridges on the County Highway System (28 bridges total) to determine allowable overweight loads that can be permitted at a cost not to exceed \$30,000, with the funds coming from the County Bridge Fund. Member Wehrli seconded the motion.

County Engineer, Fran Klaas explained that it is not listed as a specific line item in the budget because it is proposed to come out of the County Bridge Fund which has 2 expenditure line items (Construction of County Bridges and Township Bridge Program). The project is related to oversize and overweight permits. The county issues them for anything over 80,000 pounds, over length, height and width. They have not been able to give permits on many structures. The consulting company has a program where they can analyze our structures based on the data collected in Will County. The Highway Department has had to turn the 130,000 plus loads away, this would allow some of the loads that can go over the bridges, go over the bridges.

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

A complete copy of IGAM 14-10 is available in the Office of the County Clerk.

## County Engineer's Salary

Member Koukol made a motion to approve the resolution appropriating funds for the payment of the County Engineer's salary in an amount not to exceed \$106,306 and authorizing IDOT to transfer an amount not to exceed \$53,153 of Federal Surface Transportation Funds in return for an equal amount of State funds. Member Gilmour 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 Resolution 14-11 is available in the Office of the County Clerk.

## Facilities

Member Koukol reviewed the minutes in the packet from the March 3, 2014 meeting.

## Finance

### CLAIMS

Member Purcell moved to approve the claims submitted in the amount of \$1,175,039.51. Member Gilmour seconded the motion.

**COMBINED CLAIMS:** FCLT MGMT \$70,647.20, B&Z \$1,610.19, CO CLK & RCDR \$462.78, ELECTION \$29,794.07, ED SRV REG \$5,628.92, SHRFF \$43,854.70, CRRCTNS \$16,409.70, EMA \$1,185.98, CRCT CT CLK \$59.70, JURY COMM \$744.32, CRCT CT JDG \$15,738.38, CRNR \$1,270.66, CMB CRT SRV \$395.98, PUB DFNDR \$545.00, ST ATTY \$1,536.81, BRD OF RVW \$1,118.80, SPRV OF ASSMNT \$517.78, TRSR \$1,647.96, UNEMPLY CMP \$2,754.00, EMPLY HLTH INS \$154.40, PPPOST \$5,000.00, OFF OF ADM SRV \$584.76, GNRL INS & BNDG \$343.00, CO BRD \$284.48, TECH SRV \$20,597.92, CAP EXPEND \$784.79, CAP IMPRV FND \$231,173.00, LIABIL INSUR EXPS \$125.00, CO HWY \$89,597.71, CO BRDG \$212,063.04, TRNSPRT SALES TX \$24,539.49, HLTH & HMN SRV \$145,122.74, FRST PRSRV \$15,808.24, ANML CNRTL EXPENDITURE \$21.60, ANML MD CR FND \$132.00, ANML CNTRL EXP \$469.55, CO RCDR DOC STRG \$2,208.03, DRG ABUSE EXPND FND \$3,174.90, HIDTA \$41,085.76, CRT SEC FND \$279.21, LAW LBRY \$6,727.50, PRBTN SRV EXP \$822.95, GIS \$359.96, KAT \$165,636.95, PUB SFTY EXP \$949.18, SPEC RES EXP \$375.00, SHRFF FTA FND \$4,731.42, CO ANML POP CONT \$545.00, VAC \$4,126.93, SHRFF VHCL FND \$835.07, CRNR SPCL FND \$457.00.

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

They discussed the 5 year capital plan. Senior levy hearings will be on March 31, 2014.

## Judicial/Legislative

Member Gilmour reviewed the minutes in the packet from the March 12, 2014 meeting.

## Animal Control

Member Cesich reviewed the minutes in the packet from the February 19, 2014 meeting.

## Health & Environment

Member Gilmour reviewed the minutes in the packet from the March 10, 2014 meeting

## Committee of the Whole

Chairman Shaw reviewed the minutes in the packet from the March 13, 2014 meeting

### STANDING COMMITTEE MINUTES APPROVAL

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

### BREAK

### RECONVENE

Chairman Shaw reconvened the county board meeting.  
Member Gryder did not return to the meeting after the break.

## SPECIAL COMMITTEE REPORTS

### Public Building Commission

Member Wehrli stated that did not have a meeting.

### VAC

Member Wehrli stated that the next scheduled meeting is April 8, 2014.

### Historic Preservation

Chairman Wehrli stated that they are meeting on March 19, 2014.

### Board of Health

Member Wehrli stated that Jan Kellogg will be leaving the Board of Health; she has been a great asset to the group for 18 years. The annual report will be out soon.

### 708 Mental Health Board

Member Gilmour reported that they are scheduled to meet in June where they will listen to the presentations by the groups for funding requests.

### Rivervalley Workforce Investment Board

Member Koukol stated that they did not have a meeting.

### Per Diem Ad Hoc

Member Cesich stated that they met on February 25, 2014 meeting. They finalized the reimbursement meetings for the 11 past/present board members. The next meeting is on March 20, 2014.

### Regional Office of Education

Report is in the packet.

## OTHER BUSINESS

Member Flowers reminded board members about the labor and grievance training for a special Committee of the Whole meeting on March 24, 2014 at 9:00am.

## CHAIRMAN'S REPORT

Chairman Shaw stated that Jan Kellogg was appointed to the Board of Health in 1996. She worked with three executive directors and has moved with the department to three different locations. She attended many of the ad hoc committee meetings, county board meetings, and budget meetings and approved three IPLANs during her time on the board. She has been the Board of Health President and Secretary several times; she saw the start of the Emergency Preparedness Program after 911. She approved the travel clinic. She was accredited in CARF.

### Appointments

James McCarty – Bristol-Kendall Fire Protection District Trustee – 3 year term – expires April 2017

David Stewart – Bristol-Kendall Fire Protection District Trustee – 3 year term – expires April 2017

Paul Anderson – Oswego Fire Protection District Trustee – 3 year term – expires April 2017

Brent Ekwski – Yorkville-Bristol Sanitary District – 3 year term – expires May 2017

Jim Jensen – Board of Health – 3 year term – expires March 2017

Jeremy Swanson – Housing Authority – 5 year term – expires June 2019

Robert Tripp – Oswego Fire Protection District Trustee – 3 year term – expires April 2017

Member Purcell moved to approve the appointment of James McCarty to the Bristol-Kendall Fire Protection District Trustee. Member Cesich seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Purcell moved to approve the appointment of David Stewart to the Bristol-Kendall Fire Protection District Trustee. Member Koukol seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Shaw moved to approve the appointment of Paul Anderson to the Oswego Fire Protection District Trustee. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Purcell moved to approve the appointment of Brent Ekwinski to the Yorkville-Bristol Sanitary District. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Cullick moved to approve the appointment of Jim Jensen to the Board of Health. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Wehrli moved to approve the appointment of Jeremy Swanson to Housing Authority. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Cullick moved to approve the appointment of Robert Tripp to the Oswego Fire Protection District Trustee. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

#### **QUESTIONS FROM THE PRESS**

Steve Lord from the Beacon News asked on the application on the transportation the goal is 37,000 trips. Do you apply for a specific dollar amount?

Barb Nadeau from WSPY asked about the Transportation Alternative Program Grants – Oswego has 2; Oswegoland Park District \$6,000 and the Village of Oswego \$20,000, City of Yorkville \$5,000 but she was surprised that the City of Plano is asking for \$25,000. How much of Ben Street are they doing as far as sidewalks? Member Koukol responded Route 34 south to the city limits.

#### **ADJOURNMENT**

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

Approved and submitted this 2nd day of April, 2014.

Respectfully submitted by,  
Debbie Gillette,  
Kendall County Clerk