

**KENDALL COUNTY BOARD  
ADJOURNED SEPTEMBER MEETING  
May 20, 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 Tuesday, May 20, 2014 at 9:00 a.m. The Clerk called the roll. Members present: Chairman John Shaw, Amy Cesich, Lynn Cullick, 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 4/15/14. 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 Wehrli moved to approve the agenda. Member Cullick seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

**SPECIAL RECOGNITION**

Chairman Shaw mentioned that Jannette Nesson who was the first female member of the County Board passed away. Ms. Nesson was responsible and spearheaded the formation of the Kendall County Human Services Department and was a supporter and volunteer at the Kendall County Food Pantry. Ms. Nesson volunteered tenant home for a home for runaway girls.

**EXECUTIVE SESSION**

Member Wehrli made a motion to go into Executive Session for the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, for collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees, the purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired, and for litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

**RECONVENE**

**ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS**

**Sheriff**

Sheriff Randall stated that they had a gentleman come and discuss AED's and CPR training. Commander Phil Smith has resigned from the Sheriff's Office. There has been significant traffic crashes related to impaired driving either texting or DUI. Sheriff Randall stated that they assist the State Police; the State Police were unable to respond to 6,400 calls because they do not have the man power. The municipalities and county steps in to help in those cases.

**County Clerk**

**Revenue Report**

**4/1/14-4/30/14**

Line Item	Fund	Revenue
	County Clerk Fees	\$ 605.00
	County Clerk Fees - Marriage License	\$ 1,020.00
	County Clerk Fees - Civil Union	\$ 30.00
	County Clerk Fees - Misc	\$ 2,186.00
	County Clerk Fees - Recording	\$ 20,985.00
01010061205	Total County Clerk Fees	\$ 24,826.00
01010001185	County Revenue	\$ 17,581.25
38010001320	Doc Storage	\$ 12,925.00
51010001320	GIS Mapping	\$ 21,567.00
37010001320	GIS Recording	\$ 2,683.00
01010001135	Interest	\$ 29.65
01010061210	Recorder's Misc	\$ 2,676.50
81010001320	RHSP/Housing Surcharge	\$ 10,890.00
CK # 17562	To KC Treasurer	\$ 93,178.40

**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 FIVE MONTHS ENDED 04/30/2014

<u>REVENUES*</u>	Annual <u>Budget</u>	2014 YTD <u>Actual</u>	2014 YTD <u>%</u>	2013 YTD <u>Actual</u>	2013 YTD <u>%</u>
Personal Property Repl. Tax	\$365,000	\$190,211	52.11%	\$169,225	53.72%
State Income Tax	\$2,410,000	\$990,646	41.11%	\$1,067,914	54.76%
Local Use Tax	\$395,000	\$195,976	49.61%	\$182,125	53.57%
State Sales Tax	\$900,000	\$374,790	41.64%	\$365,656	38.61%
County Clerk Fees	\$452,000	\$127,838	28.28%	\$194,904	48.73%
Circuit Clerk Fees	\$1,100,000	\$387,054	35.19%	\$497,837	41.49%
Fines & Foreits/St Atty.	\$520,000	\$200,798	38.61%	\$238,437	43.35%

Building and Zoning	\$40,000	\$18,562	46.41%	\$11,152	27.88%
Interest Income	\$35,000	\$6,799	19.43%	\$9,888	28.25%
Health Insurance - Empl. Ded.	\$1,112,053	\$486,773	43.77%	\$473,450	43.02%
1/4 Cent Sales Tax	\$2,460,000	\$1,065,625	43.32%	\$1,043,455	43.48%
County Real Estate Transf Tax	\$330,000	\$121,918	36.94%	\$132,320	69.64%
Correction Dept. Board & Care	\$850,000	\$366,480	43.12%	\$376,120	46.72%
Sheriff Fees	\$650,000	\$204,999	31.54%	\$338,925	48.28%
<b>TOTALS</b>	<b>\$11,619,053</b>	<b>\$4,738,468</b>	<b>40.78%</b>	<b>\$5,101,408</b>	<b>46.48%</b>
<b>Public Safety Sales Tax</b>	<b>\$4,300,000</b>	<b>\$1,895,715</b>	<b>44.09%</b>	<b>\$1,861,423</b>	<b>44.32%</b>
<b>Transportation Sales Tax</b>	<b>\$4,300,000</b>	<b>\$1,881,309</b>	<b>43.75%</b>	<b>\$1,861,423</b>	<b>44.32%</b>

\*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 5 months the revenue and expense should at 41.65%

Treasurer, Jill Ferko stated that revenues are down a little bit. Tax collections are coming in and the first distribution will be out later in the week.

### State's Attorney

State's Attorney, Eric Weis stated that they received a public notice from the Illinois Environmental Protection Agency of a proposed renewal of the Clean Air Act Permit Program Permit ANR Pipeline Company near Sandwich. If the county wishes to make comment on the draft permit it must be received by June 13, 2014.

### Coroner

#### Statistics:

2014 Statistics		Stats for Same Period in 2013		Difference
2014 Total Deaths.....	121	Total Deaths.....	123	-2%
Autopsies to Date.....	5	Autopsies....	9	-44%
Toxicology Samples.	9	Toxicology Samples..	6	50%
Cremation Permits....	58	Cremation Permits...	60	-3%

\*Deputy Purcell presented at Yorkville High School – Operation Impact on April 3.

\*Deputy Purcell presented at Oswego High School for Operation Impact on April 8.

\*Deputy Purcell was a panelist/speaker at the Heroin Forum in Minooka on April 10.

\*Deputy Purcell presented to 2 Law Enforcement classes at IVVC on April 17.

\*Coroner Toftoy attended the IACO Spring Conference in Springfield, IL April 27-30.

### Supervisor of Assessments

Supervisor of Assessments, Andy Nicoletti informed the board that the Farmland Review Board will meet on June 2<sup>nd</sup> and the Board of Review will be opening up for the season starting on June 2<sup>nd</sup>. Mr. Nicoletti stated that in 2015 the way farmland was going to be assessed has changed, instead of a blanket 10% on all soils, they found a medium PI (PI111) 10% of that less \$5.00 and then add that to all PI's – all PI's will be going up \$15.33 after 2015 going forward it will be 10% of whatever 111 is will be added to all PI's. This is to close the gap between the poor soils and the good soils.

## STANDING COMMITTEE REPORTS

### Planning, Building & Zoning

#### Reinert Fox Road Subdivision

Member Purcell made a motion to approve petition 14-06: Granting approval of a Preliminary & Final Plat of Subdivision for 4.23 Acres: Reinert Fox Road Subdivision at 12345 Fox Road. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

State of Illinois  
County of Kendall

Zoning Petition  
#14-06

### ORDINANCE NUMBER 2014 - 12 GRANTING APPROVAL OF A PRELIMINARY AND FINAL PLAT OF SUBDIVISION FOR 4.23 ACRES REINERT FOX ROAD SUBDIVISION

WHEREAS, George & Ronald Reinert have filed a petition for a preliminary and final plat within the R-2 Single Family Zoning District for a 4.23 acre property located on the north side of Fox Road, 0.2 miles east of Highpoint Road commonly known as 12345 Fox Road, (PIN# 04-01-402-004), in Fox Township; and

WHEREAS, said property is currently zoned R-2 Single Family Residential; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request for rezoning from A-1 Agricultural to R-2 Single Family residential for two lots as Ordinance 1994-01 on December 21, 1993; and

WHEREAS, said property is legally described as:

THAT PART OF THE EAST ½ OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF FOX ROAD WITH THE CENTER LINE OF FOX COURT; THENCE NORTHEASTERLY ALONG SAID FOX ROAD CENTER LINE, 254.61 FEET FOR A POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID FOX ROAD CENTER LINE 290.23 FEET TO THE EAST LINE OF SUB LOT 7 IN SAID SECTION 1 AS DEPICTED ON A PLAT RECORDED IN PLAT BOOK 3 ON PAGE 1; THENCE NORTHERLY ALONG SAID EAST LINE, 500.73 FEET TO THE SOUTHERLY LINE OF THE BURLINGTON NORTHERN RAILWAY COMPANY RIGHT-OF-WAY; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY LINE 509.90 FEET TO THE NORTHEASTERLY LINE, EXTENDED NORTHERLY, OF LOT B AS DEPICTED ON THE PLAT OF FOX STATION RECORDED IN PLAT BOOK 4, PAGE 99; THENCE SOUTHERLY ALONG SAID EXTENDED, NORTHEASTERLY LINE AND SAID NORTHEASTERLY LINE, 238.34 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT B; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT B EXTENDED, 56.37 FEET TO A LINE DRAWN NORTHWESTERLY, PARALLEL WITH SAID NORTHEASTERLY LINE OF LOT B, FROM THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE, 207.40 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF FOX ROAD WITH THE CENTER LINE OF FOX COURT IN "FOX STATION"; THENCE NORTHEASTERLY ALONG SAID FOX ROAD CENTER LINE, 254.61 FEET TO A LINE DRAWN PARALLEL WITH AND 254.33 FEET, NORMALLY DISTANT, EASTERLY OF SAID FOX COURT CENTER LINE FOR A POINT OF BEGINNING; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE 45.09 FEET; THENCE NORTHEASTERLY PARALLEL WITH SAID FOX ROAD CENTER LINE 305.65 FEET TO THE EAST LINE OF SUB LOT 7 OF SAID SECTION 1; THENCE SOUTHEASTERLY ALONG SAID EAST

LINE 47.21 FEET TO SAID FOX ROAD CENTER LINE; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE, 290.23 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS AND CONTAINING 0.308 ACRES, OF WHICH 0.169 ACRES IS IN THE EXISTING FOX ROAD RIGHT-OF-WAY.

WHEREAS, all procedures required by the Kendall County Subdivision Control Ordinance were followed including notice for public hearing and favorable recommendation from the Zoning, Platting Advisory Committee in accordance with Section 7.02 and Section 7.04 of the Subdivision Control Ordinance, and recommendation for approval by the Kendall County Regional Plan Commission on April 23, 2014; and

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

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby approves a preliminary and final plat of subdivision for said tract of land entitled "Reinert Fox Road Subdivision" included as "Exhibit A" attached hereto and incorporated herein.

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 May 20<sup>th</sup>, 2014.

Attest:

Debbie Gillette  
Kendall County Clerk

John Shaw  
Kendall County Board Chairman

#### **Special Use for 3437 Wolf Crossing Road**

Member Purcell made a motion to approve petition 14-13: Granting approval of a special use for 3437 Wolf Crossing Road for Shara Stephens D/B/A New Day Montessori School. Member Cesich 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 14-13 is available in the Office of the County Clerk.

#### **Camelot Farms Plat Extension**

Member Purcell made a motion to approve a 1 year plat extension for Camelot Farms: Petition 08-18. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

#### **Historic Preservation Month**

Member Cesich made a motion to approve the proclamation declaring historic preservation month. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### **A PROCLAMATION Declaring Historic Preservation Month in Kendall County, Illinois**

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, "New Age of Preservation: Embark, Inspire, Engage," is the theme for National Preservation Month 2014, cosponsored by Kendall County and the National Trust for Historic Preservation

THEREFORE, the Board of Kendall County do proclaim May 2014 as National Preservation Month, and call upon the people of Kendall County to join their fellow citizens across the United States in recognizing and participating in this special observance.

ADOPTED BY THE COUNTY BOARD THIS 20th DAY OF May, 2014.

Attest:

Debbie Gillette  
Kendall County Clerk

John Shaw  
Kendall County Board Chairman

### **Public Safety**

#### **Law Enforcement Mutual Aid Agreement**

Member Prochaska made a motion to approve a resolution authorizing the execution of a Law Enforcement Mutual Aid Agreement and the existence and formation of the Illinois Law Enforcement Alarm System by Intergovernmental Cooperation, effective upon execution until the public body terminates the agreement. 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 Resolution 14-22 is available in the Office of the County Clerk.

#### **Fees for the Taking of Bond**

Member Prochaska made a motion to approve the ordinance increasing fees charged by the Kendall County Sheriff's Office for the taking of bond in an amount not to exceed \$35.00 effective May 20, 2014. Member Cullick seconded the motion.

Member Prochaska explained the process as to how the fee was reached. The Sheriff's Office engaged in a fee study which takes into account the actual costs to provide the service.

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

### **KENDALL COUNTY**

#### **Ordinance No. 14-14**

#### *An Ordinance Increasing Fees Charged by the Kendall County Sheriff's Office for the Taking of Bond*

**WHEREAS**, the County of Kendall, pursuant to Section 5/4-5001 of Chapter 55 of the Illinois Compiled Statutes, may charge fees for providing services by the Sheriff's Office of Kendall County, including a fee for the Taking of Bond. Said amount is currently set at \$14.00.

**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 fees being charged; and

**WHEREAS**, the County Board of Kendall County, by resolution or ordinance, may charge an increase fee for the Taking of Bond by the Sheriff of Kendall County if a user fee study indicates that an increase of fees is warranted; 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 Taking of Bonds, among other services, were sufficient to cover the costs of providing the service; and

**WHEREAS**; the cost study prepared by Fiscal Choice Consulting documented that the full cost of the services provided by the Sheriff of Kendall County for the fee charged for the Taking of Bond exceeds the current revenue received by the Sheriff of Kendall County for such service and, therefore, the County Board of Kendall County is permitted to increase the current fee for the Taking of Bond to recover the actual cost of the service provided; and

**WHEREAS**, the cost study by Fiscal Choice Consulting documented that the full cost to the Sheriff of Kendall County for the Taking of Bond is \$35.00; and

**WHEREAS**, the Sheriff of Kendall County has reviewed the cost study by Fiscal Choice Consulting and is recommending that the County Board of Kendall County increase fees for the Taking of Bond to cover the full cost of service 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 Taking of Bond shall be set in the amount of \$35.00.
- 3). 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.
- 4). All supporting documents shall be public records and subject to public examination and audit.
- 5). 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 20 day of May, 2014

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John 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 20 day of May, 2014.

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Debbie Gillette-County Clerk

### **Fees for the Taking of Bond**

Member Prochaska made a motion to approve the ordinance increasing fees charged by the Kendall County Sheriff's Office for the Service of Writs in an amount not to exceed \$105.00, Civil Process in an amount not to exceed \$59.50 and Execute/Acknowledge Real Estate Deed of Sale in an amount not to exceed \$15.00 effective May 20, 2014. 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**

Ordinance No. 14-15

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

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**WHEREAS**, the County Board of Kendall County has previously established, by resolution or ordinance, the fees for Service of Writs, Civil Process and the Execution/Acknowledge Real Estate Deed of Sale in the amounts of \$83.00, \$53.00 and \$4.00 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 and the Execution/Acknowledge Real Estate Deed of Sale are sufficient to cover the costs of providing the service; and

**WHEREAS**, the cost study 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 and the Execution/Acknowledge Real Estate Deed of Sale 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 and the Execution/Acknowledge Real Estate Deed of Sale 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 and the Execution/Acknowledge Real Estate Deed of Sale are \$105.00, \$59.50 and \$15.00 respectively; and

**WHEREAS**, the Sheriff of Kendall County has reviewed the cost study by Fiscal Choice Consulting and is recommending that the County Board of Kendall County increase fees for Service of Writs, Civil Process and the Execution/Acknowledge Real Estate Deed of Sale 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.
- 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 including, but not limited to the fee amount previously set for evictions in the amount of \$260 per Ordinance No. 07-02.
- 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 20 day of May, 2014

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John 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 20 day of May, 2014.

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Debbie Gillette-County Clerk

#### **Discussion of a Resolution Opposing Senate Bill 3411**

Member Prochaska stated that this item has been scheduled for vote in the House today.



## Administration/HR

Member Gilmour reviewed the minutes in the packet from the May 1, 2014 meeting.

## Highway

### Transportation Alternatives Program – Village of Oswego

Member Koukol made a motion to approve the Intergovernmental Agreement between Kendall County and the Village of Oswego for construction of paths and walks on Ill. Rte. 71 as part of the Transportation Alternatives Program in an amount not to exceed \$20,000. Member Gryder 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 14-16 is available in the Office of the County Clerk.

### Transportation Alternatives Program – Oswegoland Park District

Member Koukol made a motion to approve the Intergovernmental Agreement between Kendall County and the Oswegoland Park District for construction of paths at Grove Road as part of the Transportation Alternatives Program in an amount not to exceed \$6,000. 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 IGAM 14-17 is available in the Office of the County Clerk.

### Transportation Alternatives Program – City of Plano

Member Koukol made a motion to approve the Intergovernmental Agreement between Kendall County and the City of Plano for construction of sidewalks on Ben Street as part of the Transportation Alternatives Program in an amount not to exceed \$25,000. 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 IGAM 14-18 is available in the Office of the County Clerk.

### Transportation Alternatives Program – City of Yorkville

Member Koukol made a motion to approve the Intergovernmental Agreement between Kendall County and the City of Yorkville for construction of sidewalks on Ill. Rte. 47 as part of the Transportation Alternatives Program in an amount not to exceed \$5,000. 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 14-19 is available in the Office of the County Clerk.

### Engineering Services within the Village of Millbrook

Member Koukol made a motion to approve the Intergovernmental Agreement between Kendall County and the Village of Millbrook to provide engineering services for the improvement of roadways within the Village. Member Wehrli 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 14-20 is available in the Office of the County Clerk.

### Preliminary Engineering Services with Hampton, Lenzini and Renwick

Member Koukol made a motion to approve the Preliminary Engineering Services Agreement with Hampton, Lenzini and Renwick for roadway improvements to Grove Road from Sherrill Road to US Route 52 in an amount not to exceed \$450,730 from transportation sales tax. Member Wehrli seconded the motion.

County Engineer, Fran Klaas stated that this project is for a complete reconstruct along with a bridge and major culvert.

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

A complete copy of IGAM 14-21 is available in the Office of the County Clerk.

### **Phase I Engineering Services with Willett Hofmann & Associates Inc**

Member Koukol made a motion to approve the Phase I Engineering Services Agreement with Willett, Hofmann & Associates Inc for roadway and bridge improvements to Grove Road south of Chicago Road in an amount not to exceed \$139,835.80 from transportation sales tax. Member Gryder seconded the motion.

County Engineer, Fran Klaas stated that this is the bridge on Grove just south of Van Dyke, they will be looking at other bridges in the area as well.

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

A complete copy of IGAM 14-22 is available in the Office of the County Clerk.

### **Phase II Engineering Services with HR Green**

Member Koukol made a motion to approve the Phase II Engineering Services Agreement with HR Green for professional engineering services on Eldamain Road Extension Project in an amount not to exceed \$2,888,426.09 from bridge fund. Member Cullick seconded the motion.

County Engineer, Fran Klaas stated that this is for the bridge going from High Point Road north to Route 34. Mr. Klaas stated that this would come out of the County Bridge Fund, 80% of the funding is reimbursed.

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

A complete copy of IGAM 14-23 is available in the Office of the County Clerk.

### **Access variance 12345 Fox Road**

Member Koukol made a motion to approve the access variance ordinance providing for a private access to the north side of Fox Road just east of 12345 Fox Road. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

## **KENDALL COUNTY Ordinance No. 14-16**

### **An Ordinance Granting Variance to the Kendall County Highway Access Regulation Ordinance**

**WHEREAS**, access to Kendall County Highways has been regulated by the Kendall County Board through the Kendall County Highway Access Regulation Ordinance, originally adopted by the Board on May 18, 1999 and notwithstanding subsequent revisions; and

**WHEREAS**, Fox Road (County Highway 1) has been classified as an Access 3 Highway in said Ordinance, requiring a spacing for private accesses of not less than 1000 feet; and

**WHEREAS**, Ronald and George Reinert have petitioned Kendall County for the installation of a private access on the north side of Fox Road approximately 125 feet east of the existing private access at 12345 Fox Road as depicted on the attached Location Map; and

**WHEREAS**, in consideration of other private accesses in the immediate vicinity of said proposed access, the extremely low volume nature of the private access proposed, and the minimal conflict created by installation of said access.

**THEREFORE, BE IT ORDAINED**, that the Kendall County Board hereby grants a variance to the Kendall County Highway Access Regulation Ordinance, for the specified purpose, subject to the terms and conditions imposed herein.

1. The above listed recitals are incorporated herein as if fully set out herein.
2. That a variance is hereby authorized for Ronald and George Reinert, for the installation of a single, full-access driveway on the north side of Fox Road approximately 125 feet east of 12345 Fox Road. Said access shall conform in all ways to the construction requirements of the Kendall County Highway Department, and shall be constructed at no cost to the Department.
3. That said access shall serve a single family residence and shall be constructed for no other purpose.
4. Any exceptions, violations or noncompliance to the requirements contained herein, on behalf of the petitioner, will result in the immediate forfeiture of the variance.

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 an ordinance adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the 20 day of May, A.D., 2014

Debbie Gillette – County Clerk

Member Purcell commented that he opposes county dollars being spent on Mitchel Rd.

**BREAK**

**RECONVENE**

Chairman Shaw reconvened the county board meeting at 10:45 am.

**Facilities**

Member Koukol reviewed the minutes in the packet from the May 5, 2014 meeting.

**Project Manager Position**

Member Koukol made a motion for the authorization to establish a Project Manager position in the Kendall County Facilities Management Department effective June 1, 2014 with an annual salary amount not to exceed \$50,000 annually. Member Wehrli seconded the motion.

Facilities Manager, Jim Smiley stated that they have added 128,000 sq ft to the Courthouse. Member Koukol stated that no new staff has been added. Members discussed the amount of the salary with the addition of benefits and the budget impact. Members discussed how a new employee be hired, the amount of duties that the Facilities Director performs, job descriptions, and that fact that there is some support for additional help for the department.

Chairman Shaw asked for a roll call vote on the motion. Members voting aye include Koukol, Shaw and Wehrli. Members voting nay include Cesich, Cullick, Gilmour, Gryder, Prochaska and Purcell. **Motion failed 3-6.**

**Finance**

**CLAIMS**

Member Purcell moved to approve the claims submitted in the amount of \$486,864.35. Member Cesich seconded the motion.

**COMBINED CLAIMS:** FCLT MGMT \$19,874.61, CO CLK & RCDR \$365.12, ELECTION \$7,579.90, SHRFF \$6,710.70, CRRCTNS \$19,940.90, EMA \$201.63, CRCT CT CLK \$170.70, JURY COMM \$4,244.75, CRCT CT JDG \$2,264.96, CRNR \$1,489.81, CMB CRT SRV \$769.31, ST ATTY \$2,758.58, TRSR \$361.56, EMPLY HLTH INS \$154.40, PPPOST \$20,000.00, GNRL INS & BNDG \$49.00, CO BRD \$112.00, TECH SRV \$3,484.36, CONTINGEN \$4,253.53, CAP EXPEND \$80,884.72, CAP IMPRV FND-EXP \$586.98, HLTH & HMN SRV \$890.00, FRST PRSRV \$7,599.40, ANML CNRTL EXP \$20.78, CO RCDR DOC STRG \$925.90, HIDTA \$42,406.58, CMSRY FND \$521.13, CRT SEC FND \$137.12, LAW LBRY \$1,185.11, JUV JUST CNCL \$375.00, PRBTN SRV EXP FND \$6,093.83, GIS \$60.66, TX SALE AUTO EXP FND \$ 4,356.95, KAT \$3,101.00, ADMIN DBT SRV \$65,152.50, JAIL EXP BND DBT EXP \$150,350.00, SHRFF FTA FND \$2,294.90, CRNR SPCL FND \$222.80, FP BND PROC \$24,913.17

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

Member Purcell moved to approve the claims submitted in the amount of \$805,960.12. Member Cullick seconded the motion.

**COMBINED CLAIMS:** FCLT MGMT \$67,238.08, B&Z \$1,746.34, CO CLK & RCDR \$225.25, ELECTION \$17,172.30, ED SRV REG \$5,826.42, SHRFF \$147,510.57, CRRCTNS \$12,290.19, EMA \$913.56, JURY COMM \$313.08, CRCT CT JDG \$5,046.62, CRNR \$386.45, PUB DFNDR \$1,808.00, SPRV OF ASSMNT \$207.56, TRSR \$471.44, UNEMPLY CMP \$11,018.49, EMPLY HLTH INS \$16,500.00, OFF OF ADM SRV \$132.72, CO BRD \$127.64, TECH SRV \$333.99, CONTINGEN \$20,000.00, PRPRTY TX SRV \$13,860.00, CAP EXPEND \$1,756.63, ECON DEV EXP \$10.50, CAP IMPRV FND-EX \$50,747.84, CO HWY \$25,945.25, CO BRDG EXP \$805.14, TRNSPRT SALES TX EXP \$242,330.36, HLTH & HMN SRV \$126,213.55, FRST PRSRV \$10,724.39, ANML CNRTL EXPNDTR \$352.97, ANML CNTRL EXPNS \$173.58, CO RCDR DOC STRG \$5,500.00, HIDTA \$3,833.66, CMSRY FND \$417.16, CRT SEC FND \$384.05, KAT \$1,395.00, ENG/CNSLTNG ESCRW \$1,237.50, FLDS OF FRM CLNY \$330.00, VAC \$4,658.12, SHRFF VHCL FND \$30.00, FP BND PROC \$5,985.72

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

### **Questica Budget Software**

Latreese Caldwell, Budget & Research Coordinator explained that the budget software can keep track of the union contract salaries for the different departments across several budget line items.

Member Purcell made a motion to authorize the purchase of Questica budget software, implementation, training and support in an amount not to exceed \$34,995. Member Gilmour seconded the motion.

Members discussed the annual maintenance cost and the fact that all users can see their budgets real time.

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

### **Health & Environment**

Chairman Gilmour reviewed the minutes in the packet from the May 12, 2014 meeting.

### **Committee of the Whole**

Chairman Shaw reviewed the minutes in the packet from the May 15, 2014 meeting.

## **STANDING COMMITTEE MINUTES APPROVAL**

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

## **SPECIAL COMMITTEE REPORTS**

### **Public Building Commission**

Member Wehrli stated that they met on May 14, 2014 and paid a bond payment. They discussed the amount of money that is left in the fund and the time they have left and the ability to help a couple of facilities.

### **VAC**

Member Wehrli stated that they will meet on June 4, 2014.

### **Historic Preservation**

Chairman Wehrli stated that they are meeting on May 21, 2014. The minutes are in the packet from the April 16, 2014 meeting.

### **UCCI**

Member Prochaska stated that they met on May 19, 2014; they discussed items regarding the state budgeting and an overview of proposed constitutional amendments that will be on the ballot. The summer conference will be on July 28 and 29, 2014.

### **Board of Health**

Member Wehrli stated that they are doing well.

### **708 Mental Health Board**

Member Gilmour reported that they will meet June 11<sup>th</sup>.

### **Rivervalley Workforce Investment Board**

Member Koukol stated that they did not have a meeting.

### **Per Diem Ad Hoc**

### **Resolution to modify Mileage Reimbursement pursuant to the list of eligible meetings**

Member Cesich made a motion to approve the resolution to modify the mileage reimbursement for County Board Members elected to a term beginning December 1, 2014 and ending November 30, 2018 pursuant to the list of

eligible meetings attached as exhibit A to the Resolution (effective December 1, 2016). Member Cullick seconded the motion.

Members discussed the need to modify the board rules of order before 2016. State's Attorney Weis explained that this motion is a set list of meetings that the members could go to and receive mileage reimbursement. The board rules of order need to be changed to reflect that. The second resolution establishes that whatever is in the board rules of order for mileage is what is compensated for effective December 1, 2016. To change the board rules of order it will take 7 votes.

Chairman Shaw asked for a roll call vote on the motion. Members voting aye include Cesich, Cullick, Gryder and Shaw. Members voting nay include Gilmour, Koukol, Prochaska, Purcell and Wehrli. **Motion failed 4-5.**

### **Resolution to modify Mileage Reimbursement pursuant to the Kendall County Board Rules of Order**

Member Cesich made a motion to approve the resolution to modify the mileage reimbursement for County Board Members elected to a term beginning December 1, 2014 and ending November 30, 2018 pursuant to the Kendall County Board Rules of Order (effective December 1, 2016). Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. Members voting aye include Cesich, Gilmour, Koukol, Prochaska, Purcell, Shaw and Wehrli. Members voting nay include Cullick and Gryder. **Motion carried 7-2.**

## **COUNTY OF KENDALL, ILLINOIS RESOLUTION 2014-23**

### **RESOLUTION TO MODIFY MILEAGE REIMBURSEMENT FOR COUNTY BOARD MEMBERS ELECTED TO A TERM BEGINNING DECEMBER 1, 2014 AND ENDING NOVEMBER 30, 2018**

WHEREAS, 55 ILCS 5/4-10001 authorizes Kendall County Board members and Board Chairman to receive such compensation as is fixed by the Kendall County Board in accordance with the method of compensation selected by the Kendall County Board; and

WHEREAS, 55 ILCS 5/5-1010 requires the County Board to establish the compensation of County officers prior to the election of the officers whose compensation is being established; and

WHEREAS, 55 ILCS 5/4-10001 authorizes County Board members to receive such compensation as is fixed by the County Board in accordance with the method of compensation selected by the County Board, and such compensation shall be set before the general election at which the county board members are elected. Additionally, pursuant to 55 ILCS 5/4-10001, County Board members and the Chairman of the County Board are entitled to travel and expense allowances as determined by the County Board; and

WHEREAS, if the County Board desires before the next reapportionment to change the basis of payment or amount of compensation after fixing those items, it may do so by ordinance or by resolution pursuant to 55 ILCS 5/2-3008; and

WHEREAS, pursuant to 55 ILCS 5/2-3008 and Article VII, Section 9(b) of the Illinois Constitution of 1970, those changes shall not take effect during the term for which an incumbent county board member has been elected; and

WHEREAS, on May 15, 2012, the Kendall County Board approved Resolution 2012-26 - "Resolution Establishing The Compensation Schedule Including Salary, Stipend, Per Diem, Mileage Reimbursement, and Health insurance for the Kendall County Board, Kendall County Board Chairman, and Kendall County Liquor Control Commissioner; and

WHEREAS, the Kendall County Board desires to modify the eligible mileage reimbursement for Kendall County Board members elected to a term beginning December 1, 2014 and ending November 30, 2018; and

NOW, THEREFORE, BE IT RESOLVED that, effective December 1, 2014 to November 30, 2016, all mileage reimbursement shall remain status quo as stipulated in Resolution 2012-26, approved by the County Board on May 15, 2012;

BE IT FURTHER RESOLVED that, effective December 1, 2016, County Board members elected to a term beginning December 1, 2014 and ending November 30, 2018, shall be eligible to receive mileage reimbursement in accordance with the terms and conditions set forth in the "Rules of Order of the County Board of Kendall County" in effect at the time the County Board member incurs the mileage.

Approved and adopted by the County Board of Kendall County, Illinois, this 20th day of May, 2014.

Board Chairman Signature:

John A. Shaw, Chairman County Board

Attest:

Debbie Gillette County Clerk

**Resolution to modify forms for County Board Committee and Special Appointment Attendance Mileage Reimbursement and Salary Voucher**

Member Cesich made a motion to approve the resolution modifying forms for County Board Committee and Special Appointment attendance mileage reimbursement and salary voucher to be completed and submitted by County Board Members a- County Board, County Board Committee attendance Record, b- Special Appointment Attendance record, c- Kendall County Board Mileage Log, and d- County of Kendall Board Member Salary Voucher. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Cesich stated that the demand letters have not gone out yet; a request letter will be sent out to allow the 11 members in question to have an opportunity to come to the State's Attorney's Office to discuss the findings. The total amount was \$46,000 approximately.

**OTHER BUSINESS**

Chairman Shaw stated that there will be a Health & Environment meeting to discuss the Host Community Benefit agreement on May 23, 2014.

**Chairman's Report**

**Appointments**

Ken Johnson – Bristol-Kendall Fire Protection District Trustee – fill vacancy of James McCarty former Marine – expires April 2017  
Mike Perkins – Little Rock-Fox Fire Protection District Trustee – 3 year term – expires April 2017  
Brian DeBolt – Little Rock-Fox Fire Protection District Trustee – 3 year term – expires April 2017  
Darrell Gaar – Board of Review – 2 year term – expires May 2016  
Pam Gegenheimer – Board of Review – 2 year term – expires May 2016  
Richard Dickson – Bristol-Kendall Fire District Representative for the Kencom Executive Board  
David Stewart – Bristol-Kendall Fire District Alternate for the Kencom Executive Board

Member Purcell moved to approve the appointments. Member Prochaska seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

**QUESTIONS FROM THE PRESS**

Steve Lord from the Beacon News asked if the meeting on Friday the 23<sup>rd</sup> is a Health & Environment meeting. Mr. Lord asked for clarification on the two resolutions for the per diems mileage and he asked where the demand letters will be filed. Mr. Lord asked about the Subat acres.

**ADJOURNMENT**

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

Approved and submitted this 9th day of June, 2014.

Respectfully submitted by,  
Debbie Gillette,  
Kendall County Clerk