#### KENDALL COUNTY BOARD ADJOURNED SEPTEMBER MEETING August 20, 2013

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, August 20, 2013 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 Cullick moved to approve the submitted minutes from the Adjourned County Board Meeting of 7/16/13. Member Koukol seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.** 

# THE AGENDA

Chairman Shaw asked to move the Executive Session to the end of the meeting. <u>Member Purcell moved to approve the agenda as amended</u>. <u>Member Gryder seconded the motion</u>. <u>Chairman Shaw</u> <u>asked for a voice vote on the motion</u>. <u>All members present voting aye</u>. <u>Motion carried</u>.

# **CITIZENS TO BE HEARD**

Gary Carlson, 3541 Creek Rd, Plano, voiced his opinion regarding the roundabout. Mr. Carlson's number one problem is the cost. Mr. Carlson stated that the idea of a roundabout is to keep traffic moving and improve safety. Mr. Carlson asked why other intersections were not considered. Mr. Carlson said that he lives on that corner and he sees what happens there every day.

# **NEW BUSINESS**

# **Collective Bargaining Agreement with Patrol Sergeants**

Assistant State's Attorney Leslie Johnson reviewed the terms of the contract. The contract is for 3 years. The wage increase is 2%, 2%, 2% and longevity pay is \$0.15 per hour per year of service. The cost for the replacement of a bullet proof vest is \$650. They have agreed to changes in the county's health insurance and an implementation of a pay lag. They have eliminated their right to grieve discrimination claims, they will have the ability to pursue a discrimination claim will be provided under state and federal law.

Member Wehrli moved to approve the Ratification of Collective Bargaining Agreement between the Illinois Fraternal Order of Police Labor Council, Kendall County and the Kendall County Sheriff (Patrol Sergeants) effective December 1, 2012 through November 30, 2015. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.** 

# SPECIAL RECOGNITION

Senator Sue Rezin gave the Board a brief update on what has been going on in district and at the state level. Senator Rezin stated that the conceal and carry bill passed and several energy bills passed one regarding fracking. There was no agreement on a pension reform. They passed an economic development bill SB20.

# ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

# Sheriff

Sheriff Randall stated that July was status quo. Sheriff Randall commented that the update on the mobile data computer terminals and in car cameras is complete. There will be a car show on August 31<sup>st</sup> to benefit the Fox Valley United Way.

# **County Clerk**

County Clerk, Debbie Gillette stated that she will host a meeting of Illinois County Clerks and Recorders. There will be a representative from the State Board of Election to talk about the recent changes in the election laws.

# 7/1/13-7/31/13

# **Revenue Report**

Line Item	ine Item Fund		Revenue	
	County Clerk Fees	\$	1,069.50	
	County Clerk Fees - Marriage License	\$	1,140.00	
	County Clerk Fees - Civil Union	\$	30.00	
	County Clerk Fees - Misc	\$	2,754.00	
	County Clerk Fees - Recording	\$	36,335.00	
01010061205	Total County Clerk Fees	\$	41,328.50	
01010001185	County Revenue	\$	30,052.75	
38010001320	Doc Storage	\$	22,624.50	
51010001320	GIS Mapping	\$	38,228.00	
37010001320	GIS Recording	\$	4,774.00	
01010001135	Interest	\$	18.76	
01010061210	Recorder's Misc	\$	6,416.32	
81010001320	RHSP/Housing Surcharge	\$	19,251.00	
CK # 17378	To KC Treasurer	\$	162,693.83	

# 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 EIGHT MONTHS ENDED 07/31/2013

<u>REVENUES*</u>	Annual <u>Budget</u>	2013 YTD <u>Actual</u>	2013 YTD <u>%</u>	2012 YTD <u>Actual</u>	2012 YTD <u>%</u>
Personal Property Repl. Tax	\$315,000	\$315,376	100.12%	\$220,501	70.00%
State Income Tax	\$1,950,000	\$1,860,825	95.43%	\$1,465,961	81.44%
Local Use Tax	\$340,000	\$274,245	80.66%	\$246,728	72.57%
State Sales Tax	\$947,000	\$570,996	60.30%	\$626,935	64.63%
County Clerk Fees	\$400,000	\$312,442	78.11%	\$275,712	72.56%
Circuit Clerk Fees	\$1,200,000	\$789,897	65.82%	\$841,327	64.72%
Fines & Foreits/St Atty.	\$550,000	\$351,178	63.85%	\$357,119	63.77%
Building and Zoning	\$40,000	\$26,405	66.01%	\$28,920	82.63%
Co Board 8/20/2013		- 2 -			

Interest Income	\$35,000	\$15,234	43.53%	\$19,612	39.22%
Health Insurance - Empl. Ded.	\$1,100,464	\$732,622	66.57%	\$705,658	71.88%
1/4 Cent Sales Tax	\$2,400,000	\$1,634,456	68.10%	\$1,602,204	66.76%
County Real Estate Transf Tax	\$190,000	\$231,978	122.09%	\$149,010	87.65%
Correction Dept. Board & Care	\$805,000	\$573,900	71.29%	\$629,223	83.90%
Sheriff Fees	\$702,000	\$481,054	68.53%	\$488,009	108.45%
TOTALS	\$10,974,464	\$8,170,608	74.45%	\$7,656,919	72.91%
Public Safety Sales Tax	\$4,200,000	\$2,885,899	68.71%	\$2,848,670	71.22%
Transportation Sales Tax	\$4,200,000	\$2,885,899	68.71%	\$2,848,670	71.22%

\*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 8 months the revenue and expense should at 66.64%

#### **EXPENDITURES**

All General Fund Offices/Categories

\$26,336,375	\$
--------------	----

\$16,810,202

63.83%	\$15,824,814

61.84%

Treasurer, Jill Ferko stated that they are working on a distribution. They have several projects that they are working on; as they get closer to finalizing them they will bring them forward.

#### State's Attorney

State's Attorney, Eric Weis stated that the court system has tried to take it to the next level as far as technology goes. The Supreme Court has pushed for a technology program. They are looking at turning the courtrooms into a more electronic courtroom using computers as opposed to the paper system. The State's Attorney's office has the JANO system that ties into the Circuit Clerk's office. The State's Attorney's office can view in squad video.

#### Coroner

Statistics: 2013 Statistics	Stats for Same Period in	Difference		
2013 Total Deaths	199	Total Deaths	187	6%
Autopsies to Date	13	Autopsies	12	0%
Toxicology Samples.	11	Toxicology Samples	17	-35%
Cremation Permits	97	Cremation Permits	87	11%

Deputy Coroner Purcell attended the Master's 15 Conference for Advanced Death Investigation at St. Louis University School of Medicine, Division of Forensic Sciences. This training also satisfied her CEU hours required for maintaining her Diplomate Status with the American Board of Medicolegal Death Investigators.

#### **Health Department**

No report.

#### Supervisor of Assessments

Supervisor of Assessments, Andy Nicoletti stated that 5 assessors, 7 townships have turned in. They are ahead of schedule and new construction is a little more than \$2 million more than anticipated.

# **STANDING COMMITTEE REPORTS**

## Planning, Building & Zoning

Member Gryder reviewed the minutes in the packet from the July 8, 2013 meeting.

# Contract with Wilkinson Excavating for Fields of Farm Colony

Member Gryder moved to approve the contract with Wilkinson Excavating and the County of Kendall, Illinois for the Fields of Farm Colony Detention Pond Outlet Remediation and Trail Reconstruction in the amount of \$63,005.00. 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 13-15 is available in the Office of the County Clerk.

#### Intergovernmental Agreement with Village of Millbrook

Member Gryder moved to approve the Intergovernmental Agreement with the Village of Millbrook and the County of Kendall for planning, building and zoning services in the amount of \$1. Member Koukol seconded the motion.

Member Purcell asked how much work the county was performing for the villages and what expenses the county has incurred. Member Purcell questioned at what point does the county need to look at encouraging the villages to accept the responsibilities that come with incorporating.

Chairman Shaw asked for a voice vote on the motion. All members present voting aye except Purcell who voted nay and Shaw who voted present. **Motion carried**.

A complete copy of IGAM 13-16 is available in the Office of the County Clerk.

#### Intergovernmental Agreement with Village of Plattville

Member Gryder moved to approve the Intergovernmental Agreement with the Village of Plattville and the County of Kendall for planning, building and zoning services in the amount of \$1. Member Koukol seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye except Purcell who voted nay. **Motion carried.** 

A complete copy of IGAM 13-17 is available in the Office of the County Clerk.

#### **Resolution – Pay As We Grow Application**

<u>Member Gryder moved to approve the Resolution in support of the LTA Grant – Pay As We Grow Application.</u> <u>Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present</u> <u>voting aye.</u> **Motion carried.** 

# RESOLUTION 2013-26

## **RESOLUTION SUPPORTING THE "COUNTYWIDE PAY AS WE GROW PLAN" GRANT APPLICATION TO CHICAGO METROPOLITAN AGENCY FOR PLANNING**

<u>WHEREAS</u>, Kendall County has submitted a grant application for local technical assistance offered through CMAP (Chicago Metropolitan Agency for Planning) to create a "Countywide Pay As We Grow Plan"; and

<u>WHEREAS</u>, this proposed plan would comprehensively analyze the annual rate of residential growth that can be absorbed and served effectively by each taxing unit within Kendall County, including the county, schools, villages/cities, library districts, park districts, forest preserve district, fire districts, sanitary sewer districts, townships, and other taxing districts, while minimizing property tax impact on residents; and

<u>WHEREAS</u>, the implementation of the proposed "Countywide Pay As We Grow Plan" would fulfill the GO TO 2040 recommendations as a comprehensive sustainability plan incorporating goals for livable communities, education and efficient governance; and

<u>WHEREAS</u>, the "Countywide Pay As We Grow Plan" would also benefit the public and people of Kendall County; and

<u>WHEREAS</u>, Kendall County acknowledges that undertaking such a plan requires a firm commitment and use of staff resources; and

<u>WHEREAS</u>, Kendall County desires to participate and lead in regional cooperative efforts to improve our entire community and serve as a model of such a collaborative effort; and

<u>NOW, THEREFORE, BE IT RESOLVED</u>, if Kendall County is awarded a local technical assistance grant by CMAP, Kendall County agrees to participate and lead in this effort;

BE IT FURTHER RESOVLVED, Kendall County appoints the following contact for this project:

Angela Zubko Senior Planner Kendall County Planning, Building & Zoning 111 West Fox Street, Room 203 Yorkville, IL 60560 630-553-4139

The "Countywide Pay As We Grow Plan" is hereby supported by the County Board of Kendall County.

ADOPTED BY KENDALL COUNTY, THIS \_\_\_ DAY OF \_\_\_\_\_, 2013.

Attest: Kendall County Clerk Debbie Gillette

Kendall County Board Chairman John Shaw

#### **Public Safety**

Member Gilmour reviewed the minutes from the August 12, 2013 meeting.

#### Highway

#### Bid from Corrective Asphalt Materials for restorative seal

<u>Member Koukol moved to approve the bid from Corrective Asphalt Materials in the amount of \$142,360 for restorative</u> seal. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.** 

#### Bid from Corrective Asphalt Materials for crack filling

Member Koukol moved to approve the bid from Corrective Asphalt Materials in the amount of \$\$83,640 for crack filling. Member Wehrli 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. 13-27

WHEREAS, bids were received at the County Highway Office on August 9, 2013 on the following listed project:

Caton Farm Road & Millbrook Road, Crack Filling, the low bid of Corrective Asphalt Materials in the amount of \$83,640.00.

Galena Road & Plattville/Chicago Road, Restorative Seal, the low bid of Corrective Asphalt Materials in the amount of \$142,360.00.

**NOW, THEREFORE, BE IT RESOLVED,** that the County Board of Kendall County award the above listed projects to the low bidder as listed above.

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 20<sup>th</sup> day of August, 2013.

#### Kendall Farms Access Variance

Rick Burton, President of Land Consultants Inc, represented the owners of the 40 acre industrial park, Plano Industrial Acquisition LLC. Mr. Burton stated that the 40 acre industrial park in directly north of Menards on Eldamain Rd. In order to get full access they would need some relief from the access ordinance. The request is for a temporary full access located approximately 900 feet south of Corneils, the temporary access to remain in effect for 10 years.

Member Purcell asked if a divided highway was in the future of the road. Member Purcell asked if a sunset clause can be done on the intersection after 10 years. Members discussed a transfer station and the number of trucks that would go in and out. The roadway will be concrete.

<u>Member Gryder moved to approve the Kendall Farms Access Variance on Eldamain Road. Member Purcell</u> seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. <u>Motion carried.</u>

# KENDALL COUNTY, ILLINOIS Ordinance No. 13-17

# Ordinance Granting Temporary Variance to the Kendall County Highway Access Regulation Ordinance

**WHEREAS**, the County of Kendall, Illinois (hereinafter referred to as "County") is a duly organized unit of local government existing within the State of Illinois;

**WHEREAS,** access to Kendall County Highways has been regulated by the Kendall County Board through the Kendall County Highway Access Regulation Ordinance, as amended from time to time and originally adopted by the Board on May 18, 1999 (hereinafter referred to as "Ordinance"); and

**WHEREAS,** Eldamain Road has been classified as an Access 2 Highway in said Ordinance, requiring unsignalized spacing of public streets to be not less than one thousand seven hundred and sixty (1,760) feet; and

**WHEREAS,** Plano Industrial Acquisition, LLC, hereinafter referred to as "Petitioner", has petitioned the County to allow full access to the west side of Eldamain Road approximately nine hundred (900) feet south of Corneils Road, Little Rock Township, Kendall County, Illinois, as depicted in attached **Exhibit A**; and

WHEREAS, the Petitioner will ultimately have full access to the Kendall Farms Industrial Subdivision from Corneils Road extended westerly along the north side of said Subdivision; at which point the full access that is the subject of this instrument will be unnecessary and redundant, and shall become a right-in / right-out only access in conformance with the Ordinance.

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

<u>Section 1.</u> Recitals. The foregoing recitals shall hereby be incorporated into and made a part of this Ordinance as though fully set forth in this Section 1.

<u>Section 2.</u> Approval and Grant of Variance. The Kendall County Board hereby grants a temporary variance to the Ordinance, for the purpose specified above, subject to the following terms and conditions:

- A. That Kendall County Ordinance 05-64 mandates access spacing of one thousand seven hundred and sixty (1,760) feet for unsignalized full-access spacing of public streets.
- B. That a temporary variance is hereby authorized to the Petitioner, for the purpose of a full-access driveway on the west side of Eldamain Road, not closer than nine hundred (900) feet south of Corneils Road. The temporary variance shall be in full force and effect until January 1, 2025 or until such time that the Petitioner has access to Corneils Road extended westerly, whichever occurs first. Said access shall conform in all ways to the construction requirements of the Kendall County Highway Department (hereinafter referred to as "Department"), and shall be constructed at no cost to the Department.
- C. At such time that the Petitioner has full-access to Corneils Road extended westerly, the temporary fullaccess variance that is the subject of this instrument shall be reconstructed as a right-in / right-out access. The conversion from full-access to right-in / right-out access shall include complete removal of the northbound left turn lane, including all concrete pavement and appurtenances, as well as

installation of concrete curb and gutter, topsoil, seeding, and erosion control blanket. Removal and reconstruction plans must be approved by the Kendall County Engineer, and all costs associated with the removal and reconstruction shall be borne by the Petitioner.

D. Any exceptions, violations or noncompliance to the requirements contained herein, on behalf of the Petitioner, will result in the immediate forfeiture of the variance.

<u>Section 3.</u> Conflicting Provision. All prior ordinances, resolutions, motions, or orders in conflict herewith are hereby repealed to the extent of such conflict.

<u>Section 4.</u> Publication and Effective Date. This Ordinance shall be in full force and effect immediately upon its passage and approval as provided by law. Within thirty (30) calendar days after approval of this Ordinance, the County Board shall file this Ordinance and the attached Exhibit A with the Kendall County Clerk.

PASSED by the County Board of Kendall County, State of Illinois this 20th day of August, 2013.

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 an ordinance adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the 20th day of August, 2013.

Debbie Gillette – County Clerk

#### Intergovernmental Agreement with Village of Oswego for TAP Funds

Member Koukol moved to approve the Intergovernmental Agreement with the Village of Oswego For TAP Funds in the amount of \$15,000. Member Purcell 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 13-18 is available in the Office of the County Clerk.

#### Intergovernmental Agreement with Village of Lisbon for TAP Funds

Member Koukol moved to approve the Intergovernmental Agreement with the Village of Lisbon For TAP Funds in the amount of \$10,000. 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 13-19 is available in the Office of the County Clerk.

#### Facilities

Member Koukol reviewed the minutes in the packet from the August 5, 2013 meeting.

# Finance

# CLAIMS

<u>Member Purcell moved to approve the claims submitted in the amount of \$1,755,661.37.</u> Member Cesich seconded the motion.

**COMBINED CLAIMS**: FCLT MGMT \$103,527.67, B&Z \$1,654.25, CO CLK & RCDR \$946.36, ELECTION \$9,508.88, ED SRV REG \$6,237.41, SHRFF \$21,949.00, CRRCTNS \$20,435.13, EMA \$338.41, CRCT CT CLK \$503.99, JURY COMM \$3,976.31, CRCT CT JDG \$20,951.41, CRNR \$1,349.41, CMB CRT SRV \$1,318.37, PUB DFNDR \$128.00, ST ATTY \$1,943.26, TRSR \$91.15, EMPLY HLTH INS \$12,625.00, PPPOST \$15,241.99, OFF OF ADM SRV \$461.05, GNRL INS & BNDG \$98.00, CO BRD \$513.80, TECH SRV \$7,901.73, PRPTY TX SRV \$13,860.00, CAP EXPEND \$14,691.70, ECON DEV \$677.08, CO HWY \$34,517.18, CO BRDG \$379,020.94, TRNSPRT SALES TX \$829,078.54, HLTH & HMN SRV \$79,956.76, FRST PRSRV \$19,767.19, ANML CNTRL \$601.27, CO RCDR DOC STRG \$23,500.00, DRG ABS EXP \$470.40, HIDTA \$42,898.89, SHRFF \$5,500.00, COMM FND \$13,889.03, CRT SEC FND \$1,238.47, LAW LBRY \$13,599.92, ST ATTY REC AUTO \$486.08, CHLD SUP COL EXP \$236.79, PRBTN SRV \$7,745.18, GIS \$126.11, KEN AREA TRAN FND \$3,191.00, SHRFF FTA FND \$2,224.95, VAC \$3,397.41, SHRFF VEH FND \$1,312.90, CRNR \$290.41, BND PROC 2007 \$31,167.59, CRTHSE DBT SRV \$515.00

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

# Sheriff's Office Record Office Renovation/Expansion

Member Purcell made a motion to authorize the funding source for Phase 1 of the Sheriff's Office Record Office Renovation/Expansion not to exceed \$31,000 in FY 2013 from line item 01021009109. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion** <u>carried.</u>

Member Purcell stated that they discussed the 5 year capital plan; they will have to prioritize the projects.

#### Committee of the Whole

Chairman Shaw reviewed the minutes in the packet from the August 14, 2013 meeting.

#### STANDING COMMITTEE MINUTES APPROVAL

<u>Member Koukol moved to approve all of the Standing Committee Minutes and Reports. Member Cullick seconded</u> 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 did not meet.

#### VAC

Member Wehrli stated that they will meet on September 4<sup>th</sup> for the quarterly meeting.

#### **Historic Preservation**

Chairman Wehrli reviewed the minutes in the packet from the July 17, 2013 meeting.

# UCCI

Member Prochaska stated that they met in July. At the meeting they discussed the impact of Obama Care on the Counties and the impact of pending legislation, attorney general opinions and appellate decisions that could have an impact on county government. There are 4 board members going through the leadership academy.

#### **Rivervalley Workforce Investment Board**

Member Koukol stated that they met August 14. They have several new members; they are trying to get a CEO agreement. In September they will hold the election of officers. They received a Treasurer's report.

#### Housing Authority

Member Prochaska stated that they met in July and approved an agreement with the county for the lease of the room in the Health Department. They approved an extension of 1 year with DuPage County, allowing DuPage to handle all of the staffing. They are going through the 5 year plan and annual plan revisions.

# **CMAP MPO Policy Committee**

No report.

# CHAIRMAN'S REPORT

No report.

# **QUESTIONS FROM THE PRESS**

Steve Lord from the Beacon News asked if the transfer station would affect the solid waste plan. Plano would do the citing.

Matt Schury from the Kendall County Record asked what the TAP fund was being used for in Lisbon.

Ryan Morton from WSPY asked if there were any comments on the new website.

#### BREAK

# RECONVENE

# **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 and for collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes or employees. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried**.

# ADJOURNMENT

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

Approved and submitted this 11th day of September, 2013.

Respectfully submitted by, Debbie Gillette, Kendall County Clerk