

**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
November 19, 2019**

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, November 19, 2019 at 9:00 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Amy Cesich, Scott Gengler, Tony Giles (excused 10:21am), Judy Gilmour, Audra Hendrix (excused 10:21am), Matt Kellogg, Matt Prochaska and Robyn Vickers. Member absent: Elizabeth Flowers.

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

THE AGENDA

Member Prochaska moved to approve the agenda as amended to remove items 7F, K & L from the consent agenda and place 7F under Standing Committee Reports Highway and K & L under Planning, Building and Zoning. Member Cesich seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

PUBLIC COMMENT

Jerry Bannister spoke about the GIS legal description agenda item and a county employee probably does not have the training to determine ownership. He is asking that the board pull the item and rethink the language.

CONSENT AGENDA

Member Giles moved to approve the consent agenda of A) County Board minutes from October 15, 2019; B) standing committee minutes; C) claims in an amount not to exceed \$2,461,313.57; D) Low bid of Arneson Oil Company to provide 15,000 gallons of gas at \$2.152/gallon and 20,000 gallons of diesel fuel at \$2.546/gallon to the Highway Department for fiscal year 2020; E) Resolution accepting the low bid of Corrective Asphalt Materials, LLC in the amount of \$129,708.50 for crack filling on various county highways; G) Preliminary Engineering Services Agreement between Kendall County and Hampton, Lenzini and Renwick, Inc. in the amount of \$43,500 for replacement of the River Road Bridge over the Rob Roy Creek using Township Bridge Program Funds; H) Chicago HIDTA Finance Assistant Service contract with Kendall County as the Fiduciary Agent effective December 2, 2019 through December 1, 2020, in the amount of \$78,000.00; I) Chicago HIDTA Executive Director Service contract with Kendall County as the Fiduciary Agent effective November 29, 2019 through November 30, 2023, in the amount of \$177,443.00; J) Chicago HIDTA Finance Assistant Service contract with Kendall County as the Fiduciary Agent effective December 2, 2019 through December 1, 2020, in the amount of \$78,000.00; M) 2019 Noxious Weed Annual Report; N) Plumbing Inspection Contract Between Kendall County and Randy Erickson, D.B.A. Erickson Construction for a Period of Three Years with One Additional One Year Option; Plumbing Inspection Fees Would Increase from \$140 Per Inspection to \$150 Per Inspection; O) 2020 County Board Annual Meeting Schedule. Member Prochaska seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. **Motion carried.**

C) COMBINED CLAIMS: FCLT MGMT \$45,675.52, B&Z \$4,473.04, CO CLK & RCDR \$1545.81, ELCTNS \$5,964.92, ED SRV REG \$6,247.84, SHRFF \$58,402.38, CRRCTNS \$565.49, EMA \$1,178.32, CRCT CT CLK \$6,161.50, JURY COMM \$3,967.48, CRCT CT JDG \$4,020.69, CRNR \$46.80, CMB CRT SRV \$1,440.55, PUB DFNDR \$3,510.00, ST ATTY \$12,598.75, SUPR ASSMT \$36,712.05, TRSR \$4,493.10, EMPLY HLTH INS \$4,316.00, OFF OF ADM SRV \$540.58, GEN INS & BNDG \$108.00, CO BRD \$531.49, TECH SRV \$61,987.94, PROP TX SVC \$32,256.98, FAC MGT UTILS \$14,450.33, ECON DEV \$16.48, CAP IMPRV \$2,188.18, LIAB INS \$8,283.47, CO HWY \$147,095.42, CO BRDG \$10,566.15, TRNSPRT SALES TX \$34,478.22, HLTH & HMN SRV \$120,406.91, FRST PRSRV \$1,710.90, ELLIS HS \$375.21, ELLIS GRNDS \$414.62, ELLIS CMPS \$264.91, ELLIS RIDNG \$363.17, SUNRISE CNTR \$136.86, ELLIS WED \$1,040.40, HOOVER \$4,353.38, ENV ED SCHL \$1,425.93, ENV ED NTRL BEG \$152.29, ENV ED OTHR \$35.00, ENV ED LAW \$29.99, NAT AREA VOL \$34.82, GRNDS & NTRL RSCS \$6,398.31, PCKRLL PGTT FP \$370.85, ANML CNTRL EXPND \$358.64, ANML CNTRL EXPS \$4,607.21, CO CLK AUTO \$248.91, CO RCDR DOC STRG \$11,390.21, SHRFF PREV ALCH CRM \$3,066.57, HIDTA \$52,293.48, SHF RNGE \$125.00, CMSRY FND \$16,466.33, SCAAP GRNT \$6,817.80, CRT SEC FND \$39,758.34, CIR CLK DOC STRG \$11,384.46, SA RCRDS AUTO \$2,790.16, CRT AUTOM \$63,028.00, CHLD SUPPRT \$15,894.00, CRNR \$242.68, PRBTN SRV \$5,836.62, DRG CRT \$9,701.39, FAM FIOI COORD \$3,455.11, SA DRG ENF \$1,755.41, GIS \$18,886.63, KAT \$79,401.51, ADMIN DEBT SVC \$207,248.22, JAIL BND DEBT \$1,147,573.34, PUB SFTY \$41,558.62, ELCTRIC CITATN \$22,734.75, CRTHSE RENO \$100.00, VAC \$2,000.23, HAVA GRNT \$3,873.84, CRNR SPCL FND \$190.00, FP BND PRCDS '07 \$37,189.08

E) A complete copy of Resolution 19-31 is available in the Office of the County Clerk.

G) A complete copy of IGAM 19-45 is available in the Office of the County Clerk.

N) A complete copy of IGAM 19-46 is available in the Office of the County Clerk.

OLD BUSINESS

GIS Legal Description Policy

Member Cesich moved to approve the GIS Department legal description policy. Member Kellogg seconded the motion.

Members discussed the interaction of documents recorded and the mapping of the legal description after recording.

Member Hendrix moved to take the GIS Department legal description policy back to the Committee of the Whole. Member Gilmour seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Sheriff Baird informed the board that they passed the jail inspection with the Illinois Department of Inspections. 2 Correctional Deputies have graduated from the Academy. They have raised \$1,080.00 with t-shirt sales and no shave November for donation to Batch for Life.

County Clerk

Revenue Report		10/1/19-10/31/19	10/1/18-10/31/18	10/1/17-10/31/17
Line Item	Fund			
	County Clerk Fees	\$984.00	\$739.00	\$800.50
	County Clerk Fees - Marriage License	\$1,560.00	\$1,560.00	\$1,500.00
	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
	County Clerk Fees - Misc	\$3,075.00	\$2,580.50	\$2,070.50
	County Clerk Fees - Recording	\$33,694.00	\$25,060.00	\$26,987.00
01010061205	Total County Clerk Fees	\$39,313.00	\$29,939.50	\$31,358.00
01010001185	County Revenue	\$33,311.50	\$55,299.25	\$33,679.25
38010001320	Doc Storage	\$19,596.00	\$14,740.00	\$15,938.50
51010001320	GIS Mapping	\$33,085.00	\$24,890.00	\$26,866.00
37010001320	GIS Recording	\$4,139.00	\$3,400.00	\$3,356.00
01010001135	Interest	\$21.12	\$21.15	\$15.51
01010061210	Recorder's Misc	\$3,742.25	\$2,596.00	\$3,342.00
81010001320	RHSP/Housing Surcharge	\$17,712.00	\$13,302.00	\$14,409.00
37210001575	Tax Certificate Fee	\$1,000.00	\$920.00	\$480.00
37210001576	Tax Sale Fees	\$15.00	\$100.00	
37210001577	Postage Fees	\$0.00		
CK # 18796	To KC Treasurer	\$151,934.87	\$145,207.90	\$129,444.26

Death Certificate Surcharge sent from Clerk's office \$1608.00 ck # 18794

Dom Viol Fund sent from Clerk's office \$260.00 ck # 18795

County Clerk Debbie Gillette stated that the Recorder's Office is doing e-recording and will be using MyDec with the Illinois Department of Revenue in December. Filing petitions for candidates for the Primary Election will begin on November 25, 2019. They have been training on the new Accounts Payable system to go live on December 2, 2019.

Coroner

Description	**	Month: October (FY 2019)	Fiscal Year-to-Date	October 2018
Total Deaths		31	281	29/285
Natural Deaths		27	257	26/238
Accidental Deaths		1	8	3/15
Pending		0	0	0
Suicidal Deaths		2	13	0/6
Homicidal Deaths		1	2	0/1
Undetermined		0	1	0/2
Toxicology		2	26	3/31
Autopsies		2	20	3/28
Cremation Authorizations		12	169	17/176

Scenes Responded to:	Transported by Coroner's Office:	External Examinations:
4	3	2

Suicide – October 3, 2019, 44-year-old, White, Male, Oswego Twp., Asphyxia due to Hanging
 Accident - October 16, 2019, 93-year-old, White, Female, Oswego, Intertrochanteric Fracture of the Left Proximal Femur due to a Fall
 Homicide – October 17, 2019, 35-year-old, White, Female, Plano, Gunshot Wound to the Head
 Suicide – October 17, 2019, 40-year-old, White, Male, Plano, Gunshot Wound to the Head

PERSONNEL/OFFICE ACTIVITY:

- On October 2, Coroner Purcell facilitated the Lights of Hope meeting for loved ones who have been impacted by an overdose related death.
 - On October 7, Coroner Purcell presented a training for the staff of Senior Services Associates at the Beecher Center in Yorkville.
 - On October 10, Coroner Purcell presented for Operation Impact at Oswego East High School.
 - On October 11, Chief Deputy Coroner Gotte provided firearm training and annual qualifications for Deputy Coroner Jessica Gotte and Deputy Coroner Dave Jordan.
 - On October 27, Coroner Purcell provided a presentation and hands-on demonstration at the Sugar Grove Library as part of the NIU Teen STEM Café.
 - On October 29, Coroner Purcell presented to the Health Class at Oswego High School.
- A total of 16.0 hours of community service were completed at the coroner's office during the month of October

Health Department

Dr. Tokars read an excerpt from a World Health Organization Mental Health Action Plan 2020 regarding the mental health gap. Dr. Tokars stated that she is grateful for the partnerships in the county.

Supervisor of Assessments

Supervisor of Assessments Andy Nicoletti stated that they received 546 filings for the Board of Review, of those 54% don't want a hearing. They should be done by January 9, 2020.

STANDING COMMITTEE REPORTS

Planning, Building & Zoning

Petition 19-31

Member Prochaska moved to approve a of Petition 19-31-Request from the Kendall County Planning, Building and Zoning Committee for Text Amendments to the Kendall County Zoning Ordinance Pertaining to Recreational and Medical Cannabis Uses. Member Cesich seconded the motion.

Member Vickers moved to approve an Amendment to Petition 19-31 by Adding Adult Use Cannabis Cultivation Center and Medical Cannabis Cultivation Center to the List of Special Uses in the A-1 Agricultural Zoning District with the Same Conditions as Found in the M-1 and M-2 Zoning Districts for These Uses. Member Kellogg seconded the motion. Members discussed that this is for just the growing not large scale in the Ag zone, not consumption or transportation. The concern was the intensity of a use for an A-1 District and the odor. Chairman Gryder asked for a roll call vote on the motion. Members

present voting aye include Cesich, Gilmour, Hendrix, Kellogg and Vickers. Members voting nay include Gengler, Giles, Gryder and Prochaska. **Motion carried 5-4.**

Member Gengler moved to approve an Amendment to Petition 19-31 by Removing Adult-Use Cannabis Dispensing Organization, Medical Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, and Adult Use Cannabis Processing Organization from the List of Special Uses in the B-3 Highway Business District and Removing Contradictory Language in the Proposal Caused by this Removal. Member Prochaska seconded the motion.

Member Prochaska moved to approve an Amendment to Petition 19-31 by Allowing Adult-Use Cannabis Dispensing Organization, Medical Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, and Adult Use Cannabis Processing Organization to Be Special Uses in the B-3 Highway Business District Provided the Use is Located Within One Thousand Feet (1,000') of an Interchange of an Interstate Highway and a County or State Highway and Removing Contradictory Language Caused by this Addition amending the motion to the Amendment to Petition 19-31 by Removing Adult-Use Cannabis Dispensing Organization, Medical Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, and Adult Use Cannabis Processing Organization from the List of Special Uses in the B-3 Highway Business District and Removing Contradictory Language in the Proposal Caused by this Removal. Member Kellogg seconded the motion. Members discussed having establishments within 1,000' of the interstate in the B-3 District. Chairman Gryder asked for a roll call vote on the motion. Members present voting aye include Cesich, Gengler, Gryder, Hendrix, Kellogg, Prochaska and Vickers. Members voting nay include Giles and Gilmour. **Motion carried 7-2.**

Chairman Gryder asked for a roll call vote on the motion to approve an Amendment to Petition 19-31 by Removing Adult-Use Cannabis Dispensing Organization, Medical Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, and Adult Use Cannabis Processing Organization from the List of Special Uses in the B-3 Highway Business District and Removing Contradictory Language in the Proposal Caused by this Removal with the amendment Allowing Adult-Use Cannabis Dispensing Organization, Medical Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, and Adult Use Cannabis Processing Organization to Be Special Uses in the B-3 Highway Business District Provided the Use is Located Within One Thousand Feet (1,000') of an Interchange of an Interstate Highway and a County or State Highway and Removing Contradictory Language Caused by this Addition. Members present voting aye include Cesich, Gengler, Gryder, Hendrix, Kellogg, Prochaska and Vickers. Members voting nay include Giles and Gilmour. **Motion carried 7-2.**

Member Prochaska moved to approve an Amendment to Petition 19-31 by Requiring that Adult-Use Cannabis Cultivation Centers, Medical Cannabis Cultivation Centers, Adult-Use Cannabis Dispensing Organizations, Medical Cannabis Dispensing Organizations, Adult-Use Cannabis Infuser Organizations, Adult-Use Cannabis Processing Organizations, and Adult-Use Cannabis Transporting Organizations Be in Stand-Alone Buildings and Removing Contradictory Language Caused by this Amendment. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Chairman Gryder asked for a roll call vote on the motion to approve a of Petition 19-31-Request from the Kendall County Planning, Building and Zoning Committee for Text Amendments to the Kendall County Zoning Ordinance Pertaining to Recreational and Medical Cannabis Uses with Amendment to Petition 19-31 by Adding Adult Use Cannabis Cultivation Center and Medical Cannabis Cultivation Center to the List of Special Uses in the A-1 Agricultural Zoning District with the Same Conditions as Found in the M-1 and M-2 Zoning Districts for These Uses and an Amendment to Petition 19-31 by Removing Adult-Use Cannabis Dispensing Organization, Medical Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, and Adult Use Cannabis Processing Organization from the List of Special Uses in the B-3 Highway Business District and Removing Contradictory Language in the Proposal Caused by this Removal with the amendment Allowing Adult-Use Cannabis Dispensing Organization, Medical Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, and Adult Use Cannabis Processing Organization to Be Special Uses in the B-3 Highway Business District Provided the Use is Located Within One Thousand Feet (1,000') of an Interchange of an Interstate Highway and a County or State Highway and Removing Contradictory Language Caused by this Addition and an Amendment to Petition 19-31 by Requiring that Adult-Use Cannabis Cultivation Centers, Medical Cannabis Cultivation Centers, Adult-Use Cannabis Dispensing Organizations, Medical Cannabis Dispensing Organizations, Adult-Use Cannabis Infuser Organizations, Adult-Use Cannabis Processing Organizations, and Adult-Use Cannabis Transporting Organizations Be in Stand-Alone Buildings and Removing Contradictory Language Caused by this Amendment. Members present voting aye include Cesich, Gengler, Gryder, Hendrix, Kellogg, Prochaska and Vickers. Members voting nay include Giles and Gilmour. **Motion carried 7-2.**

A complete copy of Ordinance 19-34 is available in the Office of the County Clerk.

Petition 19-26

Member Prochaska moved to approve Petition 19-26-Request from Edward and Robert Baltz on Behalf of Erb Properties, LLC (Owner) and Thomas and Tyler Zurliene on Behalf of TZ Landscaping, LLC (Tenant) for a Special Use Permit for a Landscaping Business at 276 U.S. Route 52 (PIN: 09-13-400-006) in Seward Township. Member Kellogg seconded the motion.

The concerns of Seward Township and Shorewood regarding appearance of the property, type of use, property maintenance, burning, sound, organization of the property, parking for employees were discussed.

Chairman Gryder asked for a roll call vote on the motion. Members present voting aye include Cesich, Gengler, Gilmour, Gryder, Prochaska and Vickers. Members voting nay include Hendrix and Kellogg. **Motion carried 7-2.**

A complete copy of Ordinance 19-32 is available in the Office of the County Clerk.

Petition 19-35

Member Prochaska moved to approve a Petition 19-35-Request from John and Laura Gay for a Special Use Permit for a Kennel and a Variance to Section 7.01.D.27 of the Kendall County Zoning Ordinance Allowing a Kennel to Be Placed 30 Feet 6 1/2 Inches Instead of 150 Feet from Lots Zoned Other Than Residential at 3601 Plainfield Road (PIN: 03-28-100-004) in Oswego Township. Member Kellogg seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 19-33 is available in the Office of the County Clerk.

Administration – Human Resources & Revenue/GIS

ICRMT Renewal

Member Gilmour moved to approve the ICRMT FY 19-20 Property, Liability and Workers Compensation Insurance renewal in the amount of \$663,686. Member Vickers seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Cyber Liability Coverage

Member Gilmour moved to approve the Cyber Liability coverage from BCS Company effective 12/1/2019 to 12/1/2020 in the amount of \$7,647. Member Hendrix seconded the motion.

County Administrator Scott Koeppel stated that they are increasing the coverage from \$1 million to \$3 million because of industry trends and possible new legislation. The deductible was increased from \$10,000 to \$25,000.

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

Law, Justice and Legislation

Advanced Correctional Healthcare Contract

Member Giles moved to approve the contract with Advanced Correctional Healthcare Inc. for \$213,684.79 for healthcare services January 1, 2020 to November 30, 2020, waving the formal bid process under the professional services exemption. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 19-47 is available in the Office of the County Clerk.

Economic Development

Revolving Loan Fund Recapture Strategy

Member Hendrix moved to approve an ordinance amending the Kendall County Revolving Loan Fund Recapture Strategy. Member Giles seconded the motion.

County Administrator Scott Koeppel summarized the ordinance that the changes include: loans can be made to municipalities, inter-fund loans and loans to private businesses, interest increase in a TIF District has been removed, and interest rates for municipal recommendation from the EDC to the Board for final approval.

Chairman Gryder asked for a roll call vote on the motion. Members voting aye include Cesich, Gengler, Giles, Gryder, Hendrix, Kellogg, Prochaska and Vickers. Member voting nay include Gilmour. **Motion carried 8-1.**

A complete copy of Ordinance 19-35 is available in the Office of the County Clerk.

Highway

Speed Zone

Member Gryder moved to approve an ordinance establishing an altered speed zone of 45 mph on Rogers Road in Fox Township. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. Motion carried.

A complete copy of Ordinance 19-31 is available in the Office of the County Clerk.

SPECIAL COMMITTEE REPORTS

Historic Preservation

County Administrator Scott Koeppel informed the board that the Preservation Commission has reviewed the Historic Preservation Ordinance. They have one outstanding question to address after that it will head to PBZ Committee.

Board of Health

Member Giles stated that they have not met.

OTHER BUSINESS

County Administrator Scott Koeppel stated that the cannabis tax ordinance has been received by Illinois Department of Revenue; zoning item passed; HR Admin working on staffing and personnel for the County Handbook.

PUBLIC COMMENT

Todd Milliron informed the board that the Oswego Township Administration Building has changed locations to 99 Boulder Hill Pass and has extra space.

QUESTIONS FROM THE PRESS

Jim Wyman from WSPY noticed on the tentative budget that the Health Department money coming back to the County has gone up, what is the reason for that? County Administrator Scott Koeppel stated that the levy has increased as well.

RECESS

Member Prochaska moved to recess. Member Cesich seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

RECONVENE

EXECUTIVE SESSION

Member Kellogg made a motion to go into Executive Session for (2) 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; and (11) litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. Member Prochaska seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. Motion carried.

ADJOURNMENT

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

Approved and submitted this 2nd day of December, 2019.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk