

**KENDALL COUNTY BOARD AGENDA
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210
Tuesday, May 15, 2018 at 9:00 a.m.**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Previous Month's Minutes
5. Approval of Agenda
6. Special Recognition
 - A. Juvenile Justice Council Scholarship Presentation by Eric Weis, State's Attorney
 - B. Presentation of Award to Kendall County for their dedication to the mission of the Voluntary Action Center, by Mike Neuenkirchen, Kendall Area Transit
7. Citizens to Be Heard
8. Executive Session
9. Old Business
10. New Business
11. Elected Officials Report and Other Department Reports
 - A. Sheriff
 1. Jail and Courthouse Security System Completion Presentation
 2. Approval of Intergovernmental Agreement between the County of Kendall, Illinois and the Village of Newark, Illinois for Police Service
 - B. County Clerk
 - C. Treasurer
 - D. Clerk of the Court
 - E. State's Attorney
 - F. Coroner
 - G. Health Department
 - H. Supervisor of Assessments
12. Standing Committee Reports
 - A. Planning, Building & Zoning
 1. Approval of Petition 18-05-Request from Keith and Kathleen Warpinski for a Map Amendment for a 6.57 Acre +/- Parcel Located Approximately 0.31 Miles East of Route 47 on the North Side of Walker Road and Identified by Parcel Identification Number 05-21-400-011 in Kendall Township Rezoning the Subject Property from A-1 Agricultural to R-1 One-Family Residential
 2. Approval of a Resolution to Release All Claims on a Bank Account Owned by Whitetail Ridge Golf Club, LLC at First National Bank in the Amount of \$3,000.00 Pursuant to Condition 18 of Ordinance 2016-11 (Granting a Special Use Permit at 9111 Ashley Road in Kendall Township to Operate a Banquet Hall)
 - B. Law, Justice and Legislation
 1. Approval of Resolution Supporting SB2260 - Amending the State Revenue Sharing Act for Funds Shared to School Districts
 2. Approval of Resolution Opposing SB 2313 – Amending the Animal Control Act in relation to Animal Control Funds
 3. Approval of Resolution Opposing HB5284 – Property Tax Solar Energy Valuation
 4. Approval of Resolution Opposing SB482 – PTELL Extension Limitation
 - C. Administration/HR
 1. Approval of Resolution Authorizing Application for Public Transportation Financial Assistance Under Section 5311 of the Federal Transit Act of 1991, as Amended (49 U.S.C § 5311) for State Fiscal Year 2019
 2. Approval of Roth Amendment to Nationwide Plan
 3. Approval of Loan Amendment to Nationwide Plan
 4. Approval of Percentage Base Amendment to Nationwide Plan
 5. Approval of one-time Cyber Security Audit from WIPFLI with a cost not to exceed \$2,000
 6. Approval of Administrative Services Department Administrative Assistant Job Description
 7. Approval of Economic Development and Special Project Coordinator Job Description
 - D. Facilities
 - E. Finance
 1. Approval of Claims in an amount not to exceed \$1,111,455.27
 2. Approval of Coroner Claims in an amount not to exceed \$1,699.26

3. Approval of Resolution Establishing the Salary for the Kendall County Sheriff; effective December 1, 2018 \$ 122,408; effective December 1, 2019 \$125,468; effective December 1, 2020 \$128,604; effective December 1, 2021 \$131,820
4. Approval of Resolution Establishing the Salary for the Kendall County Clerk and Recorder; effective December 1, 2018 \$ 97,974; effective December 1, 2019 \$100,423; effective December 1, 2020 \$102,934; effective December 1, 2021 \$105,507
5. Approval of Resolution Establishing the Salary for the Kendall County Treasurer and Collector; effective December 1, 2018 \$ 97,974; effective December 1, 2019 \$100,423; effective December 1, 2020 \$102,934; effective December 1, 2021 \$105,507
6. Approval of Resolution to Establish the Compensation, Mileage Reimbursement and Health Benefits for County Board Members Elected to a Term Beginning December 1, 2018 and County Board Members Elected to Terms beginning December 1, 2020; salary effective December 1, 2020 \$17,500; salary effective December 1, 2021 \$17,763; stipend for County Board Chairman effective December 1, 2020 \$350 per month

F. Standing Committee Minutes Approval

13. Special Committee Reports
 - A. VAC
 - B. UCCI
14. Other Business
15. Chairman's Report
16. Citizens to be Heard
17. Questions from the Press
18. Adjournment

If special accommodations or arrangements are needed to attend this County meeting,
please contact the Administration Office at 630-553-4171, a minimum 24-hours prior to the meeting time

If special accommodations or arrangements are needed to attend this County meeting,
please contact the Administration Office at 630-553-4171, a minimum 24-hours prior to the meeting time

**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
April 17, 2018**

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, April 17, 2018 at 10:05 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Lynn Cullick, Bob Davidson, Elizabeth Flowers, Judy Gilmour, Audra Hendrix, Matt Kellogg, Matt Prochaska and John Purcell. Member absent: Tony Giles.

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

THE MINUTES

Member Hendrix moved to approve the submitted minutes from the Adjourned County Board Meeting of 3/21/18. Member Prochaska seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

THE AGENDA

Member Hendrix moved to approve the agenda. Member Flowers seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

SPECIAL RECOGNITION

National Law Enforcement Week

Member Purcell moved to approve the National Law Enforcement Week Proclamation. Member Prochaska seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

A complete copy of Resolution 18-17 is available in the Office of the County Clerk.

CITIZENS TO BE HEARD

Todd Milliron stated that the Prairie Parkway basically is dissolved and the State spent a lot of money on land acquisition. He is not sure if the county collecting taxes on these properties, he would encourage the land to be inventoried and encourage the state legislators to instruct IDOT to sell the properties to get it back on the tax rolls. The county should use the money to build the Eldamain Bridge.

Member Hendrix moved to move Executive Session to the end of the meeting. Member Flowers seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

NEW BUSINESS

Settlement – Terry and Carol Seggebruch

Member Kellogg moved to approve a settlement in County of Kendall vs. Terry and Carol Seggebruch, as Trustees, case No 2017 ED 14, for the acquisition of highway right-of-way along Grove Rd, Permanent Index No 09-31-200-002 (1.25 acres), for \$19,500. 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 did not have a report.

County Clerk

Revenue Report

3/1/18-3/31/18

3/1/17-3/31/17

3/1/16-3/31/16

Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$691.00	\$693.00	\$673.50
	County Clerk Fees - Marriage License	\$870.00	\$990.00	\$1,020.00
	County Clerk Fees - Civil Union	\$0.00	\$30.00	\$0.00
	County Clerk Fees - Misc	\$2,138.08	\$2,403.42	\$1,718.00
	County Clerk Fees - Recording	\$22,931.00	\$23,800.00	\$23,153.00
01010061205	Total County Clerk Fees	\$26,630.08	\$27,916.42	\$26,564.50
01010001185	County Revenue	\$30,276.75	\$25,442.50	\$24,014.00
38010001320	Doc Storage	\$13,822.00	\$14,252.00	\$13,876.50
51010001320	GIS Mapping	\$23,344.00	\$24,004.00	\$23,335.00
37010001320	GIS Recording	\$2,918.00	\$2,996.00	\$2,911.00
01010001135	Interest	\$16.80	\$25.41	\$39.29
01010061210	Recorder's Misc	\$2,277.00	\$7,924.00	\$4,215.00
81010001320	RHSP/Housing Surcharge	\$12,438.00	\$12,474.00	\$12,123.00
37210001575	Tax Certificate Fee	\$1,720.00	\$1,720.00	
37210001576	Tax Sale Fees	\$731.00	\$60.00	
37210001577	Postage Fees	\$453.56	\$39.54	
CK # 18427	To KC Treasurer	\$114,627.19	\$116,853.87	\$107,078.29

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 FOUR MONTHS ENDED 03/31/2018**

<u>REVENUES*</u>	Annual <u>Budget</u>	2018 YTD <u>Actual</u>	2018 YTD <u>%</u>	2017 YTD <u>Actual</u>	2017 YTD <u>%</u>
Personal Property Repl. Tax	\$400,000	\$86,955	21.74%	\$115,406	31.19%
State Income Tax	\$2,470,000	\$735,833	29.79%	\$964,937	40.21%
Local Use Tax	\$630,000	\$253,616	40.26%	\$231,523	37.04%
State Sales Tax	\$550,000	\$206,320	37.51%	\$201,009	41.88%
County Clerk Fees	\$400,000	\$105,391	26.35%	\$136,696	41.42%
Circuit Clerk Fees	\$850,000	\$201,553	23.71%	\$204,719	21.55%
Fines & Co Board 4/17/18	\$380,000	\$81,844	21.54%	\$94,375	21.95%

Foreits/St Atty.					
Building and Zoning	\$65,000	\$24,339	37.44%	\$21,043	33.94%
Interest Income	\$86,500	\$46,687	53.97%	\$21,497	57.32%
Health Insurance - Empl. Ded.	\$1,299,440	\$365,015	28.09%	\$393,069	31.05%
1/4 Cent Sales Tax	\$2,950,000	\$1,056,161	35.80%	\$1,014,256	34.73%
County Real Estate Transf Tax	\$440,000	\$116,553	26.49%	\$131,199	33.10%
Correction Dept. Board & Care	\$832,200	\$513,792	61.74%	\$265,057	30.29%
Sheriff Fees	\$245,000	\$59,718	24.37%	\$68,422	26.83%
TOTALS	\$11,598,140	\$3,853,777	33.23%	\$3,863,208	33.90%
Public Safety Sales Tax	\$5,068,000	\$1,839,740	36.30%	\$1,792,976	35.38%
Transportation Sales Tax	\$4,750,000	\$1,839,740	38.73%	\$1,792,976	37.75%

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

To be on Budget after 4 months the revenue and expense should at 33.32%

State's Attorney

State's Attorney Weis did not have a report.

Coroner

Description	**	Month: March 2018	Fiscal Year-to-Date	March 2017
Total Deaths		22	102	21
Natural Deaths		21	96	19
Accidental Deaths		0	1	1
Pending	*	1	3	0
Suicidal Deaths		0	2	1
Homicidal Deaths		0	0	0
Toxicology		2	7	2
Autopsies		2	7	2
Cremation Authorizations		12	60	7

PERSONNEL/OFFICE ACTIVITY:

1. Coroner Purcell attended, on March 1, 2018, an ad hoc committee meeting of the Illinois Coroners and Medical Examiner's Association to revise the forensic autopsy protocol.
2. Coroner Purcell and Chief Deputy Coroner Gotte met, on March 2, 2018, with the nursing director at Heritage Woods to establish death reporting guidelines.
3. Coroner Purcell and Chief Deputy Coroner Gotte met, on March 2, 2018, with the nursing director at the Tiller's Nursing Home to establish death reporting guidelines.
4. Coroner Purcell and Chief Deputy Coroner Gotte attended, on March 12, 2018, a FOIA informational meeting to discuss the dynamics of new FOIA software.
5. Coroner Purcell and Chief Deputy Coroner Gotte met, on March 13, 2018, with the nursing director at Hillside Nursing Home to establish death reporting guidelines.
6. Coroner Purcell presented, on March 15, 2018, for Operation Impact at Oswego East High School.
7. Coroner Purcell provided quarterly updates at the March finance committee meeting.

8. Coroner Purcell presented, on March 23, 2018, for the Law Enforcement Class at Oswego East High School.
9. The Coroner's Office Quarterly Full Staff Meeting was held on March 28, 2018.

Health Department

Dr. Tokars read a note regarding synthetic cannabinoids and presented information on the professional seminar series and immunizations offered at the Health Department.

Supervisor of Assessments

Supervisor of Assessments Andy Nicoletti stated the aerial flight has occurred should have them sometime in the fall. He explained that the senior homestead is one of the owners has to be 65 or older and it has to be the primary residence. It takes \$5,000 off the assessed value. The senior freeze the total household gross income is \$65,000 or less.

STANDING COMMITTEE REPORTS

Planning, Building and Zoning

Special Use - Mary Auer

Member Davidson moved to Petition 18-12 request from Mary C Auer to revoke a special use permit for a gravel mining operator awarded by Ordinance 72-08 on the east side of Beecher Road approximately 2.5 miles south of Galena Road (PIN: 02-06-400-005) in Bristol Township; property is zoned A-1. Member Gilmour 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 18-06 is available in the Office of the County Clerk.

Text Amendment

Member Davidson moved to approve the amended petition 17-29 – request from the Kendall County Planning, Building and Zoning Department for text amendments to Section 13.08.H of the Kendall County Zoning Ordinance by increasing the notification requirements for applications for special use permits on A-1 agricultural zoned property to seven hundred fifty feet (750') and clarifying that only adjoining properties must be notified on special use applications for properties not zoned A-1. Member Cullick seconded the motion.

Members discussed the notification of 750 feet if it is enough or not.

Chairman Gryder asked for a roll call vote on the motion. Members present voting aye include Cullick, Flowers, Gilmour, Gryder, Hendrix and Kellogg. Members voting nay include Davidson, Prochaska and Purcell. **Motion carried 6-3.**

A complete copy of Ordinance 18-07 is available in the Office of the County Clerk.

NPDES – MS 4

Member Davidson moved to approve the proposal from WBK Engineering for work related to the submittal of the annual report for the 2018 NPDES – MS 4 requirements in an amount of \$1,700 plus reimbursable costs (costs + 10%). 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 IGAM 18-08 is available in the Office of the County Clerk.

Fee Ordinance

Member Davidson moved to approve the fee ordinance for special use related applications to reflect transfer of hearing authority from the Hearing Officer to the Zoning Board of Appeals. Member Kellogg seconded the motion.

Members discussed Hearing Officer being replaced with Zoning Board of Appeals and Hearing Officer fee is removed.

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

A complete copy of Ordinance 18-08 is available in the Office of the County Clerk.

Senior Planner Job Description

Member Davidson moved to approve the Senior Planner job description. Member Cullick seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye except Hendrix and Purcell who voted nay. **Motion carried 7-2.**

Law, Justice and Legislation

Release Executive Session Minutes

Member Prochaska moved to approve the release of executive session minutes from September 12, 2016, April 10, 2017 and April 9, 2018. Member Purcell seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

HB 4556

Member Prochaska moved to approve the resolution declaring opposition to HB 4556. Member Davidson seconded the motion.

Member Prochaska stated that this bill has passed with the Dangerous Persons Act to have the county pay litigation costs.

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

A complete copy of Resolution 18-18 is available in the Office of the County Clerk.

HB 5486

Member Prochaska moved to approve the resolution declaring opposition to HB 5489. Member Kellogg seconded the motion.

Member Prochaska stated that this deals with amending the Illinois Vehicle Code providing that the Secretary of State would issue plates for non-highway vehicles.

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

A complete copy of Resolution 18-19 is available in the Office of the County Clerk.

HB 4584

Member Prochaska moved to approve the resolution declaring support to HB 4584. Member Davidson seconded the motion.

Member Prochaska stated that this deals with continuing appropriations for state and local sales tax reform fund, motor fuel tax fund, state gaming fund, local gaming distributive fund, and the state 911 fund.

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

A complete copy of Resolution 18-20 is available in the Office of the County Clerk.

Administration/HR

Section 5311

Member Cullick requested that this item be moved to the May meeting. Member Prochaska seconded it. Chairman Gryder asked for a voice vote on the motion. **Motion carried.**

Property, Liability and Workers Compensation Broker RFQ

Member Cullick moved to approve the property, liability and workers compensation insurance broker RFQ. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Highway

Low Bidders Awarded

Member Kellogg moved to approve the resolution awarding all County and Township Motor Fuel Tax projects to the low bidders, as identified on said resolution. Member Cullick 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 Resolution 18-21 is available in the Office of the County Clerk.

County Engineer's Salary Program

Member Kellogg moved to approve resolution appropriating funds for the payment of the County Engineer's salary of \$125,000 and authorizing IDOT to transfer \$62,500 of Federal Surface Transportation Funds in return for an equal amount of State funds. Member Cullick 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 Resolution 18-05 is available in the Office of the County Clerk.

Facilities

Four Seasons Landscaping

Member Davidson made a motion to approve a three (3) year contract with a one (1) year optional extension with Four Seasons Landscaping for landscaping maintenance at County Facilities in the amount of \$39,470.00 for years one and two and \$41,355.00 for years three and four. Member Hendrix 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 18-09 is available in the Office of the County Clerk.

Centrex Phone Circuits

Member Davidson moved to approve a 1 year contract with Call One for the centrex phone circuits in the amount of \$9.00 per month. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Point to Point T1 Circuit

Member Davidson moved to approve a 3 year contract with Call One for the Point to Point T1 circuit in the amount of \$500.00 per month base price plus usage. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

PRI T1 Circuits

Member Davidson moved to approve a 3 year contract with Call One for the PRI T1 circuits in the amount of \$2,124.80 per month plus usage. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Finance

CLAIMS

Member Cullick moved to approve the claims submitted in the amount not to exceed \$819,528.44 and Grand Juror Claims in an amount not to exceed \$288.90. Member Prochaska seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$24,935.45, B&Z \$2,394.39, CO CLK & RCDR \$1,445.54, ELECTION \$7,614.32, ED SRV REG \$6,112.92, SHRFF \$31,640.83, CRRCTNS \$40,136.79, EMA \$806.00, CRCT CT CLK \$444.50, JURY COMM \$301.48, CRCT CT JDG \$3,448.43, CRNR \$1,833.13, CMB CRT SRV \$368.05, PUB DFNDR \$248.85, ST ATTY \$965.90, SPRV OF ASSMNT \$1,019.44, TRSR \$393.75, AUD & ACCT \$6,500.00, PPPOST \$101.82, OFF OF ADM SRV \$270.80, GNRL INS & BNDG \$54.00, CO BRD \$1,052.11, TECH SRV \$44,749.08, FAC MGT UTLTS \$11,402.40, ECON DEV \$640.00, CO HWY \$35,119.49, CO BRDG \$5,844.81, TRNSPRT SALES TX \$283,942.82, HLTH & HMN SRV \$76,491.80, FRST PRSRV \$7,100.16, ELLIS HS \$129.10, ELLIS GRNDS \$13.00, ELLIS CMPS \$50.00, ELLIS RDNG LSSNS \$50.00, ELLIS BDAY PRITIES \$92.75, SUNRISE CNTR \$381.04, ELLIS WDDNGS \$102.08, HOOVER \$1,590.27, ENV ED SCHL \$2.08, ENV ED CMPS \$48.19, ENV ED NTRL BGNNGS \$186.66, ENV ED OTHR PUB PRGMS \$165.68, ENV ED LWS OF NTR \$18.91, GRNDS & NTRL RSRCS \$4,780.21, ANML MED CR FND \$473.75, ANML CNTRL EXPS \$323.30, CO RCDR DOC STRG \$7,104.39, HIDTA \$22,934.57, CO CMSSRY FND \$7,352.38, COOK CO REIMB \$17.06, CRT SEC FND \$527.99, LAW LBRY

\$2,911.00, PRBTN SRV \$8,354.22, GIS \$172.51, KAT \$85,951.64, PUB SFTY \$67,527.44, SHRFF FTA FND \$2,067.72, ANML POP CNTRL \$592.73, VAC \$3,475.03, CRNR SPCL FND \$65.58, FP BND PRCD \$4,977.00

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

Coroner Claims

Chairman Gryder recused member Purcell from the vote; he shall be treated as if not here.

Member Cullick moved to approve the coroner claims in the amount not to exceed \$1,898.71. Member Prochaska seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

STANDING COMMITTEE MINUTES APPROVAL

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

SPECIAL COMMITTEE REPORTS

VAC

Chairman Gryder stated that they are having a golf outing on May 24, 2018.

UCCI

Member Prochaska stated that they will meet in May. They received copies of the statewide salary and fringe benefit survey.

Historic Preservation

Member Flowers stated they met last night.

Juvenile Justice Council

Member Gilmour stated that the SKY run is on this Saturday. Part of the money raised will go to 2 scholarships.

CITIZENS TO BE HEARD

Todd Milliron spoke about the job description and that one of the responsibilities is to track job attendance. Mr. Milliron talked about a biometric payroll tracking.

EXECUTIVE SESSION

Member Purcell made a motion to go into Executive Session for (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 Flowers moved to adjourn the County Board Meeting until the next scheduled meeting. Member Prochaska seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

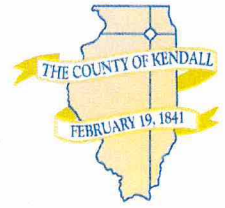
Approved and submitted this 30th day of April, 2018.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk



Kendall County

Office of the Sheriff



INTEROFFICE MEMORANDUM

TO: KENDALL COUNTY BOARD
FROM: HAROLD MARTIN, UNDERSHERIFF
SUBJECT: INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF KENDALL, ILLINOIS AND THE VILLAGE OF NEWARK FOR POLICE SERVICE
DATE: MAY 15, 2018
CC: SHERIFF DWIGHT BAIRD

It has been a long time practice of the Kendall County Sheriff's Office to allow sworn personnel to perform law enforcement services for the Village of Newark. These duties are performed by our deputies on off hours and/or non-duty hours. The Intergovernmental Agreement (IGA) between the Village of Newark and Kendall County expires June 17, 2018 (See copy of attached agreement).

This long time practice continues to be beneficial to both parties in that the Village of Newark has had well trained and equipped deputies to ensure the public safety and welfare of the Village's citizens, as well as helped augment the Kendall County Sheriff's Office response to Village of Newark and surrounding areas as we are responsible for providing police service and public safety services. In order to minimize liability to the County and to the deputies that perform these duties, Sheriff Baird is requesting that the Kendall County Board agree to have Chairman Scott Gryder enter into an IGA between the County of Kendall, Illinois and the Village of Newark for Police Services. This IGA is the same agreement we have used for the past three years which was drafted by the Kendall County State's Attorney's Office and is outlined for your review.

The deputies will continue to be compensated directly by the Village of Newark for police services in the amount of \$30.00 per hour. This agreement continues to allow the deputies to perform police duties while being protected with worker compensation and general liability insurances provided by the Village of Newark.

The Village of Newark will continue to compensate Kendall County for the mileage incurred by police vehicles used to provide police services under the agreement. Mileage will continue to be calculated based on the IRS rate in place at the time the invoice is issued. The Village of Newark continues to be responsible for an insurance policy to cover the \$10,000 vehicle insurance deductible. The Village of Newark continues to be charged an additional amount of \$2.00 per hour for each hour a Kendall County Police vehicle is used to provide police services under this agreement. This amount is intended to cover, in part, the vehicle's equipment maintenance and replacement costs (e.g., radios, camera system, computer, emergency lights

etc.) as well as assist towards the cost of dispatching calls. This Intergovernmental Agreement would allow the Board Chairman to enter into such an agreement on a limited basis and all agreements would remain substantially compliant and similar under the authority that was granted by the County Board resolution.



**INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF
KENDALL, ILLINOIS AND THE VILLAGE OF NEWARK FOR POLICE
SERVICES**

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”), entered into this 15th day of May, 2018, by and between the County of Kendall, a unit of local government of the State of Illinois (“Kendall County”) and the Village of Newark, an Illinois Municipal Corporation of the State of Illinois, (“Village”), is as follows:

RECITALS:

WHEREAS, the Constitution of the State of Illinois of 1970, Article VII, Section 10, provides that units of local government may contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance and may use their credit, revenues, and other resources to pay costs related to intergovernmental activities; and

WHEREAS, the Village and Kendall County are units of local government within the meaning of Article VII, Section 10 of the Illinois Constitution of 1970 who are authorized to enter into intergovernmental agreements pursuant to the Intergovernmental Cooperation Act, 55 ILCS 220/1 *et seq.*; and

WHEREAS, pursuant to the authority granted by the Illinois Counties Code and Illinois Municipal Code, 55 ILCS 5/5-1106 and 65 ILCS 5/11-1-1 *et seq.*, Village and Kendall County have the authority and the duty to provide police protection within their respective jurisdictions; and

WHEREAS, Village desires to obtain the services of well-trained and equipped Sheriff’s deputies (“Deputies”), as defined by 55 ILCS 5/3-6001 *et seq.*, to ensure the public safety and welfare of its citizens, within the jurisdictional boundaries of Village; and

WHEREAS, Kendall County wishes to provide Village with well-trained and equipped Deputies to ensure the public safety and welfare of Village’s citizens, within the jurisdictional boundaries of Village, pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the premises and the mutual covenants hereafter set forth, the parties agree as follows:

1. **Incorporation:** The above recitals are incorporated as if fully restated herein.
2. **Effective Date:** This Agreement is effective as of its date of execution by both parties.
3. **Term:** This Agreement shall be in full force and effect for a period of one (1) year from the date of execution, however, it may be renewed for one additional year upon written agreement of the parties.

4. **Termination:** Either party may terminate this Agreement by providing thirty (30) calendar days' advanced written notice to the other party. No additional penalties or early termination charges will be required upon termination.

5. **Police Services:** Deputies assigned to the Village will provide the following services within the jurisdictional boundaries of Village: patrol public roadways, respond to emergencies, investigate crimes, ticket traffic violations, enforce all federal and State law intended to be enforced by police officers, and enforce all local ordinances intended to be enforced by police officers. All tickets, reports, lab services, and other required documentation or evidence will be processed through, and maintained and preserved by the Kendall County Sheriff's Office ("KCSO") pursuant to record retention requirements of the Local Records Act and all other applicable laws. The fines collected from all tickets issued within the jurisdictional limits of Village will be distributed to Village, unless otherwise required by law.

6. **Assignment of Deputies:** By the 25th of each month, Kendall County will provide Village with a list of Deputies assigned to Village for the subsequent month, and the shifts for which they are assigned. There will be no more than one Deputy assigned to the Village at any given time, unless other arrangements are agreed to, in writing, by both Village and the Sheriff or his designee.

7. **Equipment:** All police equipment used by Deputies will be purchased, provided, and maintained by Kendall County. This equipment includes, but is not limited to, uniforms, body armor, traffic radar guns, police vehicles, service weapons, and radio equipment.

8. **Insurance:** Village will be responsible for general liability and worker's compensation insurance for the Deputies, as well as all deductibles under these policies. Each insurance policy shall not be cancelled or changed without thirty (30) days prior written notice, given by the insurance carrier to Kendall County at the address set forth below. Before starting work hereunder, Village shall deposit with Kendall County certificates evidencing the insurance it is to provide hereunder: (a) worker's compensation and occupational disease disability insurance in compliance with the laws of the jurisdiction where the work is being performed ("Statutory/Coverage A") and in a minimum amount of \$500,000 per accident, \$500,000 policy limit for disease or disability, and \$500,000 per employee for disease or disability ("Coverage B"); (b) employer's comprehensive general liability insurance for both personal injury and property damage in the minimum amount of (i) \$1,000,000 per occurrence for bodily injury, property damage, and bodily injury and property damage combined; (ii) \$2,000,000 aggregate for bodily injury property damage, and bodily injury and property damage combined, and (iii) \$2,000,000 aggregate for personal injury; and (c) an umbrella policy in the minimum of \$10,000,000 per occurrence and \$10,000,000 aggregate. Kendall County and the KCSO shall be named as additional insureds on a primary and non-contributory basis with respect to the general liability and excess liability insurance, as well as a waiver of subrogation with respect to the general liability and workers' compensation in favor of Kendall County and the KCSO. Also,

Kendall County and KCSO shall be designated as the certificate holders. Kendall County's existing automobile insurance policy covering Kendall County law enforcement vehicles will remain in effect and provide coverage for those vehicles while being used to provide services under this Agreement. Village will purchase and maintain, at all times this Agreement is in effect, an insurance policy to cover all of Kendall County's deductibles under its automobile insurance policy. Village hereby affirms its understanding that Kendall County's automobile insurance policy currently maintains the following deductibles: \$10,000 per occurrence for auto liability; \$10,000 per occurrence for uninsured and underinsured motorist liability; \$10,000 for comprehensive per loss auto physical damage liability; and \$10,000 for collision per loss auto physical damage liability. Village shall be responsible for paying all of Kendall County's automobile insurance deductibles for damages, injuries, or claims incurred as a result of this Agreement. Furthermore, the parties stipulate and agree the limits of Kendall County's liability shall be \$1,000,000 (primary automobile) and \$10,000,000 (umbrella).

9. **Compensation:** Village will directly compensate Deputies for police services in the amount of \$30 per hour. Compensation to the Deputies will be processed through the Village's regular payroll during the first pay cycle following the date of service, if practicable, and will be remitted to the Deputies' home address no more than thirty (30) calendar days after the date of service. It shall be the Village's responsibility to track and maintain records of all hours worked by the Deputies assigned to perform the services set forth in this Agreement. The Village will also compensate Kendall County for the mileage incurred by police vehicles while being used to provide police services under this Agreement. Mileage will be calculated based on the IRS rate in place at the time the invoice is issued. Additionally, the Village shall pay to Kendall County the additional amount of \$2.00 per hour for each hour a Kendall County police vehicle is used to provide police services under this Agreement. The parties agree this amount is intended to cover, in part, the vehicle's equipment maintenance and replacement costs (e.g., camera system, computer, radios, etc.). Kendall County will submit to Village an invoice for all amounts due to Kendall County, which were incurred in the previous month. This invoice will be submitted to the Village by the 10th of each month. All payments are to be made in accordance with the Local Government Prompt Payment Act, 50 ILCS 505/1 *et seq.* Failure to timely submit an invoice does not constitute a waiver of the amount owed.

10. **Indemnification:** The Village and Kendall County shall each defend, with counsel of the other party's own choosing, indemnify, and hold harmless the other party, including past, present, and future board members, elected officials, insurers, employees, and agents from and against any and all claims, liabilities, obligations, losses, penalties, fines, damages, and expenses and costs relating thereto, including but not limited to attorneys' fees and other legal expenses, which the other party, its past, present, and future board members, elected officials, insurers, employees, and/or agents may hereafter sustain, incur or be required to pay arising from the other party's negligent conduct. Village shall defend with counsel of the other party's own choosing, indemnify, and hold harmless the

KCSO, including its elected officers, employees, and agents. Pursuant to Illinois law, 55 ILCS 5/3-9005, any attorney representing Kendall County or KCSO, under this paragraph, shall be approved by the Kendall County State's Attorney and shall be appointed a Special Assistant State's Attorney. Kendall County's or KCSO's participation in its defense shall not remove Villages duty to indemnify, defend, and hold Kendall County and KCSO harmless, as set forth above. Nothing in this Agreement shall constitute a waiver of any privileges, defenses, or immunities which either Party may have under the Local Government and Governmental Employees Tort Immunity Act, 745 ILCS 10/1 *et seq.*

11. **Force Majeure:** Neither party will be responsible to the other for damage, loss, injury, or interruption of work if the damage, loss, injury, or interruption of work is caused solely by conditions that are beyond the reasonable control of the parties, and without the intentional misconduct or negligence, of that party (hereinafter referred to as a "force majeure event"). To the extent not within the control of either party, such force majeure events include: acts of God, acts of any governmental authorities, fire, explosions or other casualties, vandalism, strikes or labor disputes, and riots or war. A party claiming a force majeure event ("the claiming party") shall promptly notify the other party in writing, describing the nature and estimated duration of the claiming party's inability to perform due to the force majeure event. The cause of such inability to perform will be remedied by the claiming party with all reasonable dispatch.

12. **Non-Discrimination:** Kendall County and Village officers, employees, and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations.

13. **Assignment:** This Agreement and the rights of the parties hereunder may not be assigned (except by operation of law), and the terms and conditions of this Agreement shall inure to the benefit of and be binding upon the respective successors and assigns of the parties hereto. Nothing in this Agreement, express or implied, is intended to confer upon any party, other than the parties and their respective successors and assigns, any rights, remedies, obligations, or liabilities under or by reason of such agreements.

14. **Applicable Laws/Severability:** In any action with respect to this Agreement, the parties are free to pursue any legal remedies at law or in equity. This Agreement shall be interpreted and enforced under the laws of the State of Illinois. Any legal proceeding related to enforcement of this Agreement shall be brought in the Circuit Court of Kendall County, Illinois. In case any provision of this Agreement shall be declared or found invalid, illegal, or unenforceable by a court of competent jurisdiction, such provision shall, to the extent possible, be modified by the court in such manner as to be valid, legal, and enforceable so as to most nearly retain the intent of the parties, and, if such modification is not possible, such provision shall be severed from this Agreement, and in either case the validity, legality, and enforceability of the remaining provisions of this Agreement shall not

in any way be affected or impaired thereby. If Kendall County prevails in any legal action pertaining to collection of amounts due under this Agreement and or regarding the indemnification provision set forth in paragraph 10, it may recover reasonable attorney's fees and costs.

15. **Notice:** All notices required or permitted hereunder shall be in writing and may be given by (a) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid, and certified with the return receipt requested, (b) delivering the same in person, or (b) sending the same by facsimile with electronic confirmation of receipt. All notices should be sent to the following representatives, or any such other person, counsel, or address as any party hereto shall specify pursuant to this Section from time to time:

If to Kendall County:

Dwight A. Baird, Sheriff
Kendall County Sheriff's Office
1102 Cornell Lane
Yorkville, IL 60560
Fax: 630-553-1972

If to the Village:

Jim Davis, Village President
Village of Newark
P.O. Box
Newark, IL 60541
Fax: 815-695-5111

With copy to:

Kendall County State's Attorney
807 John Street
Yorkville, IL 60560
Fax: 630-553-4204

With copy to:

Boyd Ingemunson
759 John Street, Suite A
Yorkville, IL 60560

16. **Entire Agreement:** This Agreement represents the entire agreement between the parties and there are no other promises or conditions in any other agreement, whether oral or written. This Agreement supersedes any other prior written or oral agreements between the parties and may not be further modified except in writing acknowledged by both parties.

17. **Relationship of Parties:** Nothing contained in this Agreement, nor any act of County or Village pursuant to this Agreement, shall be deemed or construed by any of the parties hereto or by third persons, to create any joint employer relationship and/or any relationship of third-party beneficiary, principal, agent, limited or general partnership, joint venture, or any association or relationship involving County and Village. Deputies are independent contractors and are not employees of, partners of, agents of, or in a joint venture with Village. It is understood and agreed that Village is solely responsible for paying all wages, worker's compensation benefits, and any other compensation due and owing to Deputies for performance of services set forth in the Agreement. Village is solely responsible for making all required payroll deductions and other tax and wage withholdings pursuant to state and

federal law for payments to Deputies for performing services as set forth in the Agreement. Kendall County acknowledges its obligation to provide automobile insurance coverage and Village acknowledges its obligation to provide general liability and worker's compensation insurance as addressed in paragraph 8. Should Village have a complaint regarding the conduct of a Deputy assigned to Village under this Agreement, Village shall notify the Kendall County Sheriff or his designee.

18. **Counterparts:** This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.

19. **Amendments:** This Agreement may be amended only with written consent of all parties hereto.

20. **Authority:** Kendall County and Village each hereby warrant and represent that their respective signatures set forth below have been, and are on the date of this Agreement duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Intergovernmental Agreement to be executed by their duly authorized officers on the above date.

County of Kendall, a unit of local government of the State of Illinois

Village of Newark, a unit of local government of the State of Illinois

By: _____
Chairman, Kendall County Board

By: Jan Davis
Village President

Date: _____

Date: 5/09/18

Attest:

County Clerk

Attest:

Matthew R. J.
Village Clerk



Kendall County Clerk				
Revenue Report		4/1/18-4/30/18	4/1/17-4/30/17	4/1/16-4/30/16
Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$739.50	\$701.00	\$752.00
	County Clerk Fees - Marriage License	\$1,200.00	\$1,050.00	\$1,080.00
	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
	County Clerk Fees - Misc	\$1,797.00	\$1,337.00	\$1,815.50
	County Clerk Fees - Recording	\$24,190.00	\$24,097.00	\$25,633.00
01010061205	Total County Clerk Fees	\$27,926.50	\$27,185.00	\$29,280.50
01010001185	County Revenue	\$31,164.75	\$32,860.00	\$22,829.75
38010001320	Doc Storage	\$14,662.50	\$14,131.00	\$15,394.00
51010001320	GIS Mapping	\$24,750.00	\$23,788.00	\$25,928.00
37010001320	GIS Recording	\$3,096.00	\$2,970.00	\$3,238.00
01010001135	Interest	\$18.48	\$20.97	\$33.96
01010061210	Recorder's Misc	\$4,031.25	\$3,573.50	\$1,178.00
81010001320	RHSP/Housing Surcharge	\$13,311.00	\$12,618.00	\$13,536.00
37210001575	Tax Certificate Fee	\$1,200.00	\$1,640.00	
37210001576	Tax Sale Fees	\$25.00	\$30.00	
37210001577	Postage Fees	\$0.00	\$0.00	
CK#18849	To KC Treasurer	\$120,185.48	\$118,816.47	\$111,418.21
Death Certificate Surcharge sent from Clerk's office \$960.00 ck # 18447				
Dom Viol Fund sent from Clerk's office \$200.00 ck #18448				

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 04/30/2018

<u>REVENUES*</u>	Annual <u>Budget</u>	2018 YTD <u>Actual</u>	2018 YTD <u>%</u>	2017 YTD <u>Actual</u>	2017 YTD <u>%</u>
Personal Property Repl. Tax	\$400,000	\$159,667	39.92%	\$214,203	57.89%
State Income Tax	\$2,470,000	\$948,769	38.41%	\$964,937	40.21%
Local Use Tax	\$630,000	\$301,384	47.84%	\$231,523	37.04%
State Sales Tax	\$550,000	\$236,555	43.01%	\$33,996	7.08%
County Clerk Fees	\$400,000	\$132,021	33.01%	\$164,612	49.88%
Circuit Clerk Fees	\$850,000	\$274,282	32.27%	\$281,742	29.66%
Fines & Foreits/St Atty.	\$380,000	\$116,080	30.55%	\$130,048	30.24%
Building and Zoning	\$65,000	\$30,976	47.66%	\$27,544	44.43%
Interest Income	\$86,500	\$76,275	88.18%	\$32,208	85.89%
Health Insurance - Empl. Ded.	\$1,299,440	\$456,294	35.11%	\$481,719	38.05%
1/4 Cent Sales Tax	\$2,950,000	\$1,267,408	42.96%	\$1,210,113	41.44%
County Real Estate Transf Tax	\$440,000	\$146,830	33.37%	\$156,642	39.51%
Correction Dept. Board & Care	\$832,200	\$642,712	77.23%	\$312,237	35.68%
Sheriff Fees	\$245,000	\$75,500	30.82%	\$86,775	34.03%
TOTALS	\$11,598,140	\$4,864,753	41.94%	\$4,328,298	37.98%
Public Safety Sales Tax	\$5,068,000	\$2,202,012	43.45%	\$2,135,279	42.13%
Transportation Sales Tax	\$4,750,000	\$2,202,012	46.36%	\$2,135,279	44.95%

*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%

EXPENDITURES

All General Fund Offices/Categories

\$28,534,189	\$10,876,234	38.12%	\$11,188,129	40.19%
---------------------	---------------------	---------------	---------------------	---------------



KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	Month: April 2018	Fiscal Year-to-Date	April 2017
Total Deaths		20	122	22
Natural Deaths		18	115	21
Accidental Deaths		0	3	1
Pending	*	2	2	0
Suicidal Deaths		0	2	0
Homicidal Deaths		0	0	0
Toxicology		3	10	1
Autopsies		3	10	1
Cremation Authorizations		15	75	11

PERSONNEL/OFFICE ACTIVITY:

1. Coroner Purcell and Chief Deputy Coroner Gotte attended the training, "Homicide in America" on April 5, 2018.
2. Illinois Violent Death Reporting System personnel reviewed case files for statistical gathering on April 27, 2018.
3. Coroner Purcell attended the training "Protocol for Law Enforcement: Elder Abuse and Abuse of People with Disabilities" on April 30, 2018.
4. Coroner Purcell and Dr. Amaal Tokars hosted an Opioid Study on April 30, 2017. All 2017 opioid related deaths were reviewed.

— CARORUM AD CURAM —

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.

Meeting Minutes of May 7, 2018 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Bob Davidson at 6:38 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick (arrived at 6:47 p.m.), Bob Davidson (Chairman), Judy Gilmour, Scott Gryder, and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Larry Nelson, Carol Hamman, and Joe Hamman

APPROVAL OF AGENDA

Motion by Member Kellogg, seconded by Member Gryder, to move Petition 18-03 to the first item of Old Business. With a voice vote of four ayes, the motion carried. Motion by Member Gilmour, seconded by Member Kellogg, to approve the agenda as amended. With a voice vote of four (4) ayes, the motion carried.

APPROVAL OF MINUTES

Motion by Member Gryder, seconded by Member Kellogg, to approve the minutes of the April 9, 2018 meeting. With a voice vote of four (4) ayes, the motion carried.

EXPENDITURE REPORT

The Committee reviewed the claims report. Motion by Member Kellogg, seconded by Member Gryder, to forward the claims to the Finance Committee. With a voice vote of four (4) ayes, the motion carried.

Member Gryder requested an update of the Fox Metro Escrow Account. Mr. Asselmeier will provide an update at the June meeting.

PUBLIC COMMENT

None

PETITIONS

Petition 18-18-Carol S. Hamman's Request for a Residential Allocation on Property Less Than 40 Acres But Greater Than 20 Acres That Existed in Its Current Configuration Prior to March 8, 1977 Located at the West Side of the T-Intersection Created by Faxon and Needham Roads in Little Rock Township (PIN 01-23-100-005)

Mr. Asselmeier summarized the request. Ms. Hamman desires the housing allocation in order to have the ability to construct a house on the subject property.

Pursuant to Section 7.01.C.18.c, any lot greater than twenty (20) acres that existed prior to March 8, 1977, is considered an "Existing Approved Lot."

Section 7.01.C.18.f states the following:

"Parcels classified as "Existing Approved Lots" under subsection 16.c (incorrect reference) above shall be registered on or before December 29th, 2005. If an owner declines to register a parcel by this date, the burden of proof of the availability of a permit will shift to the owner, who shall be required to prove, by clear and convincing evidence, that a building permit allocation is applicable to the parcel in question. After December 29th, 2005, the owner of a zoning lot meeting the standards of 16.c (incorrect reference) above shall file a petition with the Kendall County Planning, Building and Zoning Department to construct a new single family dwelling on an unregistered prior zoning lot. The petition shall be reviewed by the Zoning Administrator and approved, denied, or referred to the Planning, Building, and Zoning Committee of the County Board."

The Petitioner provided evidence from the 1975 Kendall County Plat Book that the parcel existed in its current configuration prior to March 8, 1977.

No allocations were previously applied for at this parcel.

In considering the request, pursuant to Section 7.01.C.18.f of the Kendall County Zoning Ordinance, the Planning, Building and Zoning Committee shall consider the following Findings of Fact.

The Petitioner Must Have Purchased the Property Prior to May 1, 2000. Based on the attached Quit Claim Deed, the Petitioner has owned the property since September 1995.

The Petitioner Must Demonstrate That The Property Was Buildable Under the Applicable Zoning Regulations at the Time It Was Purchased. Based on the research of the Kendall County Planning, Building and Zoning Department, the subject parcel was buildable at the time of purchase.

Staff recommends approval of the request.

Member Cullick arrived at this time (6:46 p.m.)

Motion by Member Kellogg, seconded by Member Gryder, to approve the requested allocation.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. The Planning, Building and Zoning Department will register the allocation and provide the necessary paperwork to the Petitioner.

NEW BUSINESS

None

OLD BUSINESS

Request from the Kendall County Regional Planning Commission to Amend Petition 18-03 Pertaining to Removing the Requirements for the Zoning, Platting and Advisory Committee and the Kendall County Regional Planning Commission to Meet and Issue Recommendations on Proposed Map Amendments, Special Use Permits, Major Amendments to Special Use Permits, and Text Amendments on Matters Not Involving the Powers and Duties of the Zoning, Platting and Advisory Committee or the Kendall County Regional Planning Commission and Related Zoning Text Citation Amendments

Mr. Asselmeier read his memo on the subject. At their meetings on March 28th and April 25th, the Kendall County Regional Planning Commission reviewed this proposal and unanimously recommended denial. The reasons for their denial recommendation were as follows:

1. The Kendall County Regional Planning Commission would like the proposal to go to the Comprehensive Land Plan and Ordinance Committee to work out issues.
2. The Kendall County Regional Planning Commission had concerns regarding the due process for petitions.
3. The Kendall County Regional Planning Commission felt that Kendall County Regional Planning Commission meetings were the appropriate setting for creating conditions and restrictions for special use permits (express the values of the community).
4. Removing the Kendall County Regional Planning Commission meeting from the timeline for adoption does not slow down the approval process; the Senior Planner indicated that no extra time was needed for Kendall County Regional Planning Commission meetings.
5. The Kendall County Regional Planning Commission had concerns about a lack of thorough vetting of the implications of proposals if the Kendall County Regional Planning Commission did not meet and review proposals.

Commissioner Larry Nelson circulated a draft email to the Planning, Building and Zoning Committee and requested input from Commissioners. A copy of this draft email is attached. Commissioner Nelson wanted to ensure that the Planning, Building and Zoning Committee possessed a history of the process and role of the Commission. One (1) Commissioner also requested that the Planning, Building and Zoning Committee be informed of the level of experience on the Commission.

According to the original proposal, ZPAC and the Kendall County Regional Planning Commission would not have formal meetings for the following applications:

1. Map Amendments
2. Special Use Permits
3. Major Amendments to Special Use Permits
4. Text Amendments to the Zoning Ordinance Not Impacting the Powers and Duties of ZPAC and/or Kendall County Regional Planning Commission

Members of ZPAC and the Kendall County Regional Planning Commission would continue to receive notifications of the above types of applications and individual members of these committees could submit comments on the proposals, but neither body would be required to meet and issue recommendations on these types of applications.

ZPAC would continue to meet for the following types of applications:

1. Site Plan Reviews
2. Text Amendments to the Zoning Ordinance Impacting Its Powers and Duties
3. Amendments to the Kendall County Subdivision Control Ordinance
4. Preliminary Plat Approval
5. Final Plat Approval
6. RPD Related Plat Approvals

The Kendall County Regional Planning Commission would continue to meet for the following types of applications:

1. Text Amendments to the Zoning Ordinance Impacting Its Powers and Duties
2. Changes to the Land Resource Management Plan
3. Amendments to the Kendall County Subdivision Control Ordinance
4. Preliminary Plat Approval
5. Final Plat Approval
6. RPD Related Plat Approvals
7. Requests by the County Board and/or Planning, Building and Zoning Committee for Research on Planning, Zoning, and Development Related Topics

The Committee of the Whole discussed this proposal at their meeting on December 14th and no one objected to the proposal.

The Planning, Building and Zoning Committee reviewed this matter at their meeting on January 8th and unanimously recommended approval of initiating the text amendment as proposed.

ZPAC reviewed this proposal on February 6th and unanimously recommended approval.

Chairman Davidson stated the importance of having the Kendall County Regional Planning Commission reviewing petitions and resolving conflicts prior to matters going to the County Board. He likes the procedures currently in place.

Member Gryder asked if the proposal had changed from the original version. Mr. Asselmeier stated that the current proposal was the same as recommended by the Committees and Commissions Ad-Hoc Committee. The hearing before the Zoning Board of Appeals and the County Board meeting are the only two (2) County controlled meetings required by law.

Member Kellogg expressed a desire for increased communication and including comments from the Commission in the minutes.

Larry Nelson, member of the Kendall County Regional Planning Commission, stated that the Planning, Building and Zoning Committee historically told the Regional Planning Commission what the Committee would like researched. The Commission would then do the research and forward a draft proposal to the Planning, Building and Zoning Committee. He presented an email on the historical role of the Kendall County Regional Planning Commission as part of the adoption process. He suggested that the Committee give the Kendall County Regional Planning Commission bullet points on ideas that the Committee would like incorporated in ordinances.

Member Gilmour provided a history of the reasons why the Ad-Hoc Committee made its recommendation. She likes to read the opinions of the Planning Commission.

Motion by Member Cullick, seconded by Member Gryder, to layover this proposal to the September Planning, Building and Zoning Committee meeting. With a voice vote of five (5) ayes, the motion carried.

Approval of Amendments to Petition 17-28 Pertaining to Outdoor Target Practice and Shooting Zoning Regulations

Mr. Asselmeier distributed the email and redlined version of the proposal from the State's Attorney's Office to the Committee and noted that the document was considered attorney-client privilege. The Committee previously received this information at the April meeting.

The reference to "commercial" in sub-section d will be replaced with "public."

The berm height mentioned in sub-section d will increase ten feet (10') for every thirty feet (30') over the minimum of twenty feet (20').

In sub-section g, the qualified person shall be knowledgeable and approved by the ownership of the range.

In sub-section j, the range proper shall be gated and fenced.

The consensus of the Committee was to get clarification from David Lombardo on the difference between "safety area" and "downrange safety area". This matter will go before the Committee again in June.

Approval of a Resolution to Release All Claims on a Bank Account Owned by Whitetail Ridge Golf Club, LLC at First National Bank in the Amount of \$3,000.00 Pursuant to Condition 18 of Ordinance 2016-11 (Granting a Special Use Permit at 9111 Ashley Road in Kendall Township to Operate a Banquet Hall)

Mr. Asselmeier summarized the request. Whitetail Ridge Golf Club, LLC established a bank account at First National Bank in the amount of Three Thousand Dollars (\$3,000) as required by Ordinance 2016-11. The owner of 9092 Ashley Road has not submitted a request for an appraisal or proof that an appraisal occurred. Whitetail Ridge Golf Club, LLC has completed the requirement of the applicable restriction imposed by Ordinance 2016-11 and the County's claims could be withdrawn. At the March meeting, the Committee gave the owners of 9092 Ashley Road an additional month to consider whether or not an appraisal would be pursued.

On January 25, 2018, the Planning, Building and Zoning Department sent a letter to the owner of 9092 Ashley Road requesting an update on the status of the appraisal. The owner of 9092 Ashley Road was also informed that the bank account could be liquidated after February 28th. As of the close of business on February 28th, the Kendall County Planning, Building and Zoning Department had not received an update from the owner of 9092 Ashley Road regarding the status of the appraisal. At the April Planning, Building and Zoning Committee meeting, the Committee requested that owners of 9092 Ashley Road be sent a registered letter informing them that the Committee will take action at the May meeting. The owners of 9092 Ashley Road received the letter on April 13, 2018. A copy of the letter from Whitetail Ridge's attorney requesting the funds was included in the packet.

Motion by Member Kellogg, seconded by Member Gryder, to recommend to the County Board approval of releasing all claims on the subject bank account.

Yeas (5): Cullick, Davidson, Gilmour, Gryder, and Kellogg
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried. This matter will go to the County Board on May 15th.

Request from the Kendall County Regional Planning Commission to Amend Petition 18-07 Pertaining to Establishing Procedures for Renewing Special Use Permits

Mr. Asselmeier summarized the request.

At their meetings on April 25, 2018, the Comprehensive Land Plan and Ordinance Committee and Kendall County Regional Planning Commission reviewed Petition 18-07 pertaining to proposed text amendments to Section 13.08 regarding special use permit renewal procedures.

The Committee and Commission suggested the following changes:

The County Board should only initiate amendments and revocations for cause. Accordingly, in paragraph 1, “or if” shall be replaced with “because”. The County Board would only be able to amend or revoke special use permits if a special use permit holder were found guilty through the courts or administrative adjudication.

Paragraph 2 would be deleted in its entirety.

Paragraph 3 would remain unchanged.

In paragraph 4, the first sentence would be changed to read, “This Sub-Section shall apply to any special use permit issued after the date of adoption of this ordinance (insert date) requiring renewal.”

One (1) Commissioner voiced concerns about the previous owner language.

One (1) Commissioner suggested clarifying the language to focus on “on-going” violations; they suggested adding “unabated” to the first paragraph. They also suggested adding revocation to the first paragraph.

The Commission also voiced concerns about whether the County Board had to wait until the term of the special use period ended or if revocation or amendment procedures could occur when immediately when an applicant is found guilty.

Staff does have concerns that the proposed procedure could create a conflict with the existing revocation procedures outlined in the Zoning Ordinance. The majority of the special use permits issued in the last several years had provisions which stated the special use permit could be amended or revoked if the terms of the special use permit were violated.

Based on the above concerns, Staff prepared a revised version of the proposal.

Several Committee members asked the purposes of the renewal if the permit could not be revoked or changed at the time of renewal. Mr. Asselmeier noted that the Kendall County

Regional Planning Commission favored automatic renewal of special use permits unless a violation to the special use permit occurred.

Discussion occurred regarding evaluating the land uses around the special use permit as a reason to revoke or amend special use permits.

Discussion occurred regarding the reasons for amendment or revocation. The cost to the County for investigating violations could be considered as a reason to amend or revoke a special use permit.

Member Gryder suggested that special use permit holders be notified six (6) month notice prior to renewal.

The Committee agreed to keep the requirement regarding previous owners.

The consensus of the Committee was that the County Board could do revocations or amendments at the time of renewal without cause by a simple majority vote and leaving paragraph 2 in the proposal. The six (6) month notification would be added to paragraph 2.

For special use permits without renewal, if any previous owner is found guilty, the special use permit could be revoked or amended.

Discussion occurred regarding requiring future special use permits to be renewed.

Mr. Asselmeier will rewrite the proposal to reflect the discussion at this Committee. This matter will be discussed at the June Planning, Building and Zoning Committee meeting.

Update on 45 Cheyenne Court-Committee Could Approve Forwarding Violation to Either State's Attorney's Office or Hearing Officer

Mr. Asselmeier provided updated information on 45 Cheyenne Court. He noted that the Committee previously approved sending a letter to the owner and the owner responded to that letter. A neighbor expressed concerns regarding the time taken to complete the project. The owner of the property was not present.

The consensus of the Committee was to explore legal action against the property.

Update on Petition 18-04-Request from the Kendall County Regional Planning Commission to Amend the Future Land Use Map Pertaining to Properties Adjacent to Route 47 in Lisbon Township

Mr. Asselmeier summarized the update. Since January, the Kendall County Regional Planning Commission held a public meeting in Lisbon Township. This meeting occurred on February 9th at the Fire Barn in Plattville. Sixteen (16) residents of Lisbon Township attended the meeting and voiced almost unanimous opposition to the proposed changes.

In subsequent meetings, the Comprehensive Land Plan and Ordinance Committee amended the proposal by replacing the commercial designation at the southeast corner of the intersection of Routes 52 and 47 with a mixed use business designation and incorporated the mixed use business designation on Route 52 west of 47 to correspond to the Village of Lisbon's Comprehensive Plan.

The following land use/zoning matrix should be kept in mind:

Mining=M-3

Mixed Use Business=B-6, M-1, M-2 and M-3

Transportation Corridor= B-3, B-5 and B-6

Commercial= B-1, B-2 and B-3

Rural Settlements=Areas with a maximum 2,000 residents with a combination of residential and support services.

The consensus of the Committee was to reclassify the Prairie Parkway as the Former Prairie Parkway.

REVIEW VIOLATION REPORT

The Committee reviewed the Violation Report.

Member Gryder asked about the citation proposal. Mr. Asselmeier stated that the Planning, Building and Zoning Department is working with the State's Attorney's Office on possible changes to the Inoperable Vehicle Ordinance. Once work on the Inoperable Vehicle Ordinance is complete, updating the Junk and Debris Ordinance will be the next project.

The inspection at 141 Fernwood went well.

REVIEW NON-VIOLATION REPORT

The Committee reviewed the Non-Violation Report.

Member Gryder asked about requiring Comed to close their boxes. Mr. Asselmeier will investigate to see if the County can require the utility to fix their boxes.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

No update.

REVIEW PERMIT REPORT

The Committee reviewed the permit report.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report.

CORRESPONDENCE

Correspondence Related to Churchill Club Stormwater

Mr. Asselmeier read the correspondence and noted that the Village of Oswego was pursuing legal actions against the horse farm owner.

March 30, 2018 Article from Crain's Chicago Business RE: Growth in Kendall County

Mr. Asselmeier summarized the article.

Correspondence Related to 21 Dawn Avenue

Mr. Asselmeier read the correspondence.

National Flood Fight Material Center Industry Day Invitation

Mr. Asselmeier read the invitation

PUBLIC COMMENT

Mr. Asselmeier stated that WBK is working on the annual NPDES Permit. This matter may go to the Committee of the Whole if the report is ready by the agenda posting deadline.

The Antos Bridge case will be on the agenda for the June Committee meeting. Chairman Davidson suggested turning the case over to the Corps of Engineers. The suggestion was made to refer the matter to the Illinois Department of Natural Resources. Mr. Asselmeier will investigate the Illinois Department of Natural Resources' process for permit violations.

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

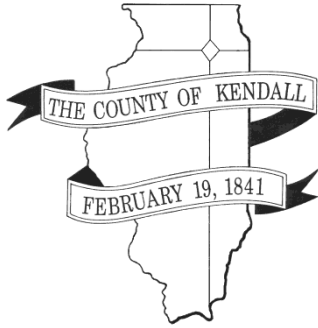
None

ADJOURNMENT

Member Cullick motioned to adjourn, seconded by Member Gryder. With a voice vote of five (5) ayes, Chairman Davidson adjourned the meeting at 8:39 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, Senior Planner

Encs.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: County Board
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: May 3, 2018
Re: Petition 18-05 – Request from Keith and Kathleen Warpinski for Map Amendment on Walker Road Property

Keith and Kathleen Warpinski are requesting a map amendment rezoning the subject property from A-1 to R-1 in order to have the ability to construct a single-family home on their property located approximately zero point three one (0.31) miles east of Route 47 on the north side of Walker Road.

Two (2) houses are located east of the property; one (1) house is located to the south of the property; one (1) house is located west of the property.

Staff recommended approval of the request because the request complied with the future land use map contained in the Land Resource Management Plan.

Petition information was sent to Kendall Township on February 20, 2018. The Kendall Township Planning Commission met on February 7, 2018 and the Township Board met on February 20, 2018. Both bodies recommended denial of the request. No written reason for recommending denial was provided. Kendall Township was notified of the recommendation of the Kendall County Zoning Board of Appeals on April 3, 2018. No formal objection was filed with the County.

Petition information was sent to the United City of Yorkville February 20, 2018. The Yorkville Planning and Zoning Commission met on March 14, 2018 and unanimously recommended approval of the proposal. The Yorkville City Council reviewed this proposal on March 27, 2018 and expressed no objections.

ZPAC met on this proposal on March 6, 2018 and unanimously recommended approval.

The Kendall County Regional Planning Commission reviewed this proposal on March 28, 2018. They asked why the petitioners were pursuing a map amendment instead of an A-1 building permit. The petitioners' attorney responded that the publication and notification requirements were stricter for map amendments. Also, the County Board had a similar petitioner in 2017 and favored the map amendment approach instead of an A-1 building permit. The Kendall County Regional Planning Commission unanimously recommended approval of the proposal.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal on April 2nd. The petitioners' attorney was the only person that testified on the proposal; no one from the public submitted comments or questions at the hearing. The Kendall County Zoning Board of Appeals unanimously recommended approval of the request.

The record of decision from the April 2nd hearing can be found at https://www.co.kendall.il.us/wp-content/uploads/Petition_18-05.pdf.

The Planning, Building and Zoning Committee reviewed this proposal on April 9th. The Committee recommended forwarding the petition to the County Board by a vote of four (4) in favor and one (1) against; Member Kellogg cast the dissenting vote.

A proposed ordinance is attached to this memo for your consideration.

If you have any questions regarding this proposal, please let me know.

Thanks,

MHA

ENC: Proposed Ordinance

ORDINANCE NUMBER 2018-_____

MAP AMENDMENT FOR A 6.57 ACRE +/- PARCEL LOCATED APPROXIMATELY 0.31 MILES EAST OF ROUTE 47 ON THE NORTH SIDE OF WALKER ROAD AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 05-21-400-011 IN KENDALL TOWNSHIP

Rezone from A-1 to R-1

WHEREAS, Section 13.07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 6.57 acres located on the north side of Walker Road approximately 0.31 miles east of Illinois Route 47 (PIN: 05-21-400-011), in Kendall Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, the subject property is currently owned by Keith and Kathleen Warpinski and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about February 13, 2018, Petitioner filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One-Family Residential District in order to construct a single-family home on the property at some point in the future; and

WHEREAS, following due and proper notice by publication in the Kendall County Record not less than fifteen days prior thereto, the Kendall County Zoning Board of Appeals conducted a public hearing on April 2, 2018, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s attorney presented evidence, testimony, and exhibits in support of the requested map amendment and zero members of the public asked questions or testified in favor or testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their findings of fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated April 2, 2018, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested map amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.

2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One-Family Residential District as depicted on the drawing attached as Exhibit C hereto and incorporated herein.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 15th day of May, 2018.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A
Legal Description

Tract 1

Lot 80 in Rivers Edge Landing Unit 2, a Subdivision of Part of Section 8, Township 34 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded September 17, 2004 as Document No R2004172391 in Will County, Illinois

Tract 2

Lot 81 in Rivers Edge Landing Unit 2, a Subdivision of Part of Section 8, Township 34 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded September 17, 2004, as Document No R2004172391 in Will County, Illinois

PIN#s 40-10-06-408-001, 04-10-06-304-033

517 & 521 Rivers Edge Dr
Minooka, IL 60447

PARCEL 1 THE EAST 429 00 FEET OF THE FOLLOWING DESCRIBED PROPERTY THAT PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4 SECTION, THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 SECTION 660 0 FEET FOR THE POINT OF BEGINNING, THENCE CONTINUING WEST ALONG SAID SOUTH LINE 660 0 FEET, THENCE NORTH AT RIGHT ANGLES TO SAID SOUTH LINE, 660 0 FEET, THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4 SECTION 660 0 FEET, THENCE SOUTH 660 0 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS AND CONTAINING 6 5 ACRES

PARCEL 2 THAT PART OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 981 53 FEET FOR THE POINT OF BEGINNING, THENCE EASTERLY ALONG SAID SOUTH LINE, 573 82 FEET, THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST 1/4 534 20 FEET, THENCE EASTERLY PARALLEL WITH SAID SOUTH LINE, WHICH FORMS AN ANGLE OF 90 DEGREES 23 MINUTES 18 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 37 39 FEET, THENCE NORTHERLY PARALLEL WITH SAID EAST LINE 703 0 FEET, THENCE WESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 93 DEGREES 02 MINUTES 23 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 612 81 FEET, TO A LINE DRAWN NORTHERLY, PARALLEL WITH THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SOUTHEAST 1/4 FROM THE POINT OF BEGINNING, THENCE SOUTHERLY ALONG SAID PARALLEL LINE 1273 84 FEET TO THE POINT OF BEGINNING, (EXCEPT THAT PART LYING EASTERLY OF A LINE DRAWN TO THE NORTH 1/2 FROM A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER WHICH IS 744 3 FEET WESTERLY OF THE EAST LINE, AS MEASURED ALONG SAID SOUTH LINE FROM THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER) IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS

PIN# 05-21-400-011, 05-22-300-008, 05-22-300-006

Exhibit B

FINDINGS OF FACT

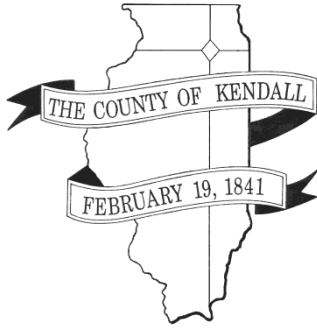
Existing uses of property within the general area of the property in question. The area is a mix of agricultural, farmstead, and rural estate residential uses.

The Zoning classification of property within the general area of the property in question. All of the adjacent properties are zoned A-1. However, six properties in the general area have a residential use.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is too small for most modern agricultural uses. Homes are located on adjoining properties and the subject property lacks an agricultural housing allocation which prevents the construction of a home on the property without a map amendment. The property would be suitable for most single-family residential related uses.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The proposed amendment fits the development of the area. This area will likely continue to become more residential if the United City of Yorkville continues to annex properties in the area. The proposed amendment benefits the petitioner by giving him the opportunity to sell the property for a residential purpose instead of a purely agricultural use.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The proposed amendment is consistent with the Land Resource Management Plan.



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: County Board
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: May 8, 2018
Re: Request to Release Funds from a Bank Account Owned by Whitetail Ridge Golf Club, LLC at First National Bank in the Amount of \$3,000

When the Kendall County Board approved the special use permit for a banquet facility at 9111 Ashley Road in 2016, they included a condition that required Whitetail Ridge Golf Club, LLC to create a bond in the amount of Three Thousand Dollars (\$3,000) to cover the costs of an appraisal of 9092 Ashley Road. The ordinance establishing the special use permit at 9111 Ashley Road (Ordinance 2016-11) required the owner of 9092 Ashley Road to pursue and complete an appraisal of 9092 Ashley Road within one (1) year of the establishment of the special use permit or the money would be returned to Whitetail Ridge Golf Club, LLC. The special use permit was established on July 19, 2016; Whitetail Ridge Golf Club, LLC established the bank account on February 28, 2017.

On January 25, 2018, the Planning, Building and Zoning Department sent a letter to the owner of 9092 Ashley Road requesting an update on the status of the appraisal. The owner of 9092 Ashley Road was also informed that the bank account could be liquidated after February 28th. As of the close of business on February 28th, the Kendall County Planning, Building and Zoning Department had not received an update from the owner of 9092 Ashley Road regarding the status of the appraisal.

At the March Planning, Building and Zoning Committee meeting, one (1) of the owners of 9092 Ashley Road was in attendance and the Committee encouraged her to do the appraisal. At the April Planning, Building and Zoning Committee meeting, the Committee requested that owners of 9092 Ashley Road be sent a registered letter informing them that the Committee will take action at the May meeting. A copy of this letter is included. The owners of 9092 Ashley Road received the letter on April 13, 2018. At their meeting on May 7, 2018, the Planning, Building and Zoning Committee unanimously recommended approval of releasing all claims on the subject bank account.

Accordingly, the Planning, Building and Zoning Department believes that Whitetail Ridge Golf Club, LLC has completed the requirements of condition 18 of Ordinance 2016-11 and the restriction on their bank account at First National Bank could be lifted. A resolution and letter to that effect is attached. Whitetail Ridge Golf Club, LLC's attorney also submitted a letter requesting the release of the funds.

If you have any questions, please let me know.

MHA

ENC: Resolution
Letter Withdrawing Claims
April 11, 2018 Letter to Thomas and Vicki Schnabel
May 1, 2018 Letter from Attorney Dan Kramer

LAW OFFICES
OF

Daniel J. Kramer

1107A SOUTH BRIDGE STREET
YORKVILLE, ILLINOIS 60560
(630) 553-9500
Fax: (630) 553-5764

DANIEL J. KRAMER

**KELLY A. KRAMER
D.J. KRAMER**

May 1, 2018

Matt Asselmeier
Kendall County Planning, Building & Zoning

Via Email: masselmeier@co.kendall.il.us

RE: Walker's Ashley Road Special Use

Dear Mr. Asselmeier:

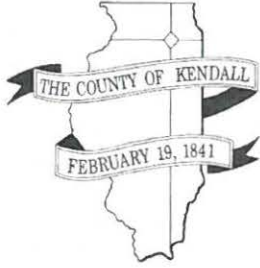
Could you please have the Planning, Building & Zoning Committee release the Bond that had previously been posted by Walker Custom Homes, Inc. for their Wedding Venue on Ashley Road. We have heard nothing further about getting an Appraisal and we believe now that the matter has been extended several times that it is time to release the same. Thank you for the consideration of the Committee and yourself.

Very truly yours,

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK:rg



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

April 11, 2018

Thomas Schnabel, Jr. and Vicki Schnabel
9092 Ashley Road
Yorkville, IL 60560

RE: Bond for Appraisal of 9092 Ashley Road

Dear Thomas Schnabel, Jr. and Vicki Schnabel:

At their meeting on April 9, 2018, the Kendall County Planning, Building and Zoning Committee voted to give you additional time to consider completing an appraisal of your property at 9092 Ashley Road. Though not taking a formal position on the matter, several Committee members stated that they would like you to complete the appraisal as allowed by Ordinance 2016-11.

The Planning, Building and Zoning Committee requests a response from you on or before **May 7, 2018**. The Planning, Building and Zoning Committee will again meet on this topic on May 7th at 6:30 p.m. in the County Board Room on the second floor of 111 W. Fox Street in Yorkville.

If the Planning, Building and Zoning Committee does not hear from you on or before May 7th or if you inform the Committee that you do not want the appraisal conducted, the Committee will recommend to the County Board that a release of all claims on the account holding funds to cover the cost of the appraisal occur.

If you have any questions, please contact me at 630-553-4139 or masselmeier@co.kendall.il.us.

Sincerely,

Matthew H. Asselmeier, AICP
Senior Planner

KENDALL COUNTY
Resolution No. _____

*Resolution to Release All Claims on a Bank Account Owned by
Whitetail Ridge Golf Club, LLC at First National Bank in the Amount of \$3000.00*

WHEREAS, in April 2016, Whitetail Ridge Golf Club, LLC petitioned the Kendall County Board for a special use permit to operate a banquet hall at 9111 Ashley Road in Kendall Township; and

WHEREAS, during the adoption process for the special use permit, the property owner of 9092 Ashley Road expressed concerns that the issuance of the requested special use permit would cause the devaluation of their property at 9092 Ashley Road; and

WHEREAS, on July 19, 2016, the Kendall County Board approved the issuance of a special use permit for the operation of a banquet hall at 9111 Ashley Road by Ordinance 2016-11; and

WHEREAS, Ordinance 2016-11 placed 19 conditions on the special use permit allowing the operation of a banquet hall at 9111 Ashley Road; and

WHEREAS, condition 18 of Ordinance 2016-11 required the petitioner to establish a bond in the amount of \$3,000.00 to ensure the completion of an appraisal of the property located at 9092 Ashley Road; and

WHEREAS, condition 18 of Ordinance 2016-11 stipulated that the property owner at 9092 Ashley Road must request and complete the appraisal of the property at 9092 Ashley Road within 1 year of the approval of the special use ordinance or the bond would be released to the petitioner; and

WHEREAS, on February 28, 2017, the petitioner, Whitetail Ridge Golf Club, LLC, established a bank account at First National Bank in the amount of \$3,000.00 to cover the costs of the appraisal required by condition 18 of Ordinance 2016-11; and

WHEREAS, a requirement was placed on the bank account owned by Whitetail Ridge Golf Club, LLC at First National Bank requiring the approval of Kendall County for the liquidation of the bank account; and

WHEREAS, on January 25, 2018, the Kendall County Planning, Building and Zoning Department contacted the owner of 9092 Ashley Road requesting an update on the appraisal process and notifying the property owner of 9092 Ashley Road of the potential liquidation of the subject bank account per the requirement of condition 18 of Ordinance 2016-11; and

WHEREAS, as of the close of business on February 28, 2018, the owner of 9092 Ashley Road has not provided the Kendall County Planning, Building and Zoning Department with an update of the status of an appraisal at 9092 Ashley Road; and

WHEREAS, as of March 1, 2018, 1 year has passed since Whitetail Ridge Golf Club, LLC established a bank account at First National Bank in the amount of \$3,000.00 to cover the costs of the appraisal required by condition 18 of Ordinance 2016-11; and

WHEREAS, the Planning, Building and Zoning Department has determined that Whitetail Ridge Golf Club, LLC has met the requirements of condition 18 of Ordinance 2016-11 and a release of all Kendall County’s claims on the subject bank account is permissible; and

WHEREAS, the Kendall County Board concurs that Whitetail Ridge Golf Club, LLC has fulfilled the requirements of condition 18 of Ordinance 2016-11 and the Kendall County Board is agreeable to withdrawing all claims on the subject bank account; and

THEREFORE, BE IT RESOLVED, that Kendall County Board hereby authorizes and directs the Kendall County Board Chairman to sign and mail the attached letter releasing all claims on a bank account owned by Whitetail Ridge Golf Club, LLC at First National Bank in the amount of \$3000.00 pursuant to condition 18 of Ordinance 2016-11.

ADOPTED and APPROVED this 15th Day of May, 2018.

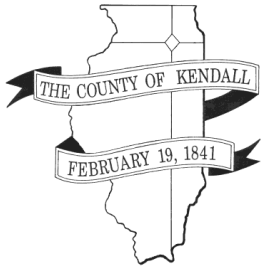
Scott R. Gryder, County Board Chairman

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

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 _____ day of _____, A.D. 2018.

Debbie Gillette, County Clerk and Recorder

(Seal)



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

May 16, 2018

Brent Ekwinski
First National Bank
109 W. Veterans Parkway
Yorkville, IL 60560

RE: Whitetail Ridge Golf Club, LLC Bank Account

Dear Brent Ekwinski:

According to the records of Kendall County, Whitetail Ridge Golf Club, LLC established a bank account at First National Bank on February 28, 2017. The balance of the account was Three Thousand Dollars (\$3,000) and the funds were to be used to finance an appraisal of 9092 Ashley Road per the requirements of Kendall County Ordinance 2016-11. A restriction was placed on this account requiring the approval of the Kendall County Planning, Building and Zoning Department and Whitetail Ridge Golf Club, LLC before the release of funds.

Please let this letter serve as Kendall County's written permission to allow Whitetail Ridge Golf Club, LLC to withdraw any and all funds from this account. Kendall County hereby releases any and all claims that Kendall County may have/had on the subject bank account effective May 15, 2018.

If you have any questions, please contact Matt Asselmeier, Kendall County Senior Planner at 630-553-4139 or masselmeier@co.kendall.il.us.

Sincerely,

Scott R. Gryder, Chairman
Kendall County Board

County of Kendall
Resolution 18 – _____

RESOLUTION DECLARING SUPPORT FOR SB 2260 – AMENDING THE STATE REVENUE SHARING ACT FOR FUNDS SHARED TO SCHOOL DISTRICTS

WHEREAS, SB 2260 amends the State Revenue Sharing Act providing that, in fiscal year 2018, each school district having Personal Property Tax Replacement Fund receipts totaling 13% or more of its total revenues in fiscal year 2016 shall receive an additional amount equal to 11% of the total amount distributed to the school district from the Personal Property Tax Replacement Fund during fiscal year 2016.; and

WHEREAS, requires the State Board of Education to identify those school districts to the Department of Revenue. Provides that the total amount of additional distributions shall not exceed \$4,353,136; and

WHEREAS, it would be effective immediately;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to pass SB 2260; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, the sponsor and chief co-sponsor of SB 2260, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

County of Kendall
Resolution 18 – _____

RESOLUTION DECLARING OPPOSITION OF SB 2313 – AMENDS THE ANIMAL CONTROL ACT IN RELATION TO ANIMAL CONTROL FUNDS

WHEREAS, SB 2313 amends the Animal Control Act to provide that ten dollars of the differential shall be placed either in a county animal population control fund (rather than or the State's Pet Population Control Fund); and

WHEREAS, it provides that the dog's owner shall pay a \$25 public safety fine to be deposited into the county animal control fund or the county pet population control fund (rather than \$20 of which shall be deposited into the Pet Population Control Fund and \$5 of which shall be retained by the county or municipality); and

WHEREAS, it deletes language providing that an animal control agency shall assist and share information with the Director of Public Health in the collection of public safety fines; and

WHEREAS, it provides that the owner of a biting animal must also remit a \$25 public safety fine to be deposited into the county animal control fund (rather than to the Department of Public Health, for deposit into the Pet Population Control Fund); and

WHEREAS, it provides that if a dog is found to be a vicious dog, the owner shall pay a \$100 public safety fine to be deposited into the county animal control fund (rather than the Pet Population Control Fund); and

WHEREAS, it provides that if a dog is deemed dangerous, a \$50 public safety fine to be deposited into the county animal control fund (rather than the Pet Population Control Fund); and

WHEREAS, it amends the Illinois Public Health and Safety Animal Population Control Act to deletes language providing that the Director of Public Health must make an annual written report relative to the progress of the program to the President of the Senate, the Speaker of the House of Representatives, and the Governor and makes changes to the definitions of "Director" and "Department"; and

WHEREAS, it would increase the financial burden on Kendall County taxpayers while restricting increasing the operational burden on Kendall County animal Control;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to not pass SB2313; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

County of Kendall
Resolution 18 – _____

RESOLUTION DECLARING OPPOSITION OF HB 5284 – PROPERTY TAX SOLAR ENERGY VALUATION

WHEREAS, HB 5284 amends the Property Tax Code to change the definition of "solar energy system" to define "allowance for physical depreciation", "commercial solar energy system", "commercial solar energy system real property cost basis", "ground installation", "trending factor", and "trended real property cost basis"; and

WHEREAS, it provides exemptions for specific commercial solar energy systems property; and

WHEREAS, it provides that the owner of the land the ground installation commercial solar energy system is constructed upon may request a metes and bounds survey description of the area and provides the procedures for such a request; and

WHEREAS, it provides the equation for the fair cash value per acre of a parcel of land where a commercial solar energy system is installed; and

WHEREAS, it provides any real property assessed as farmland in the year prior to valuation shall return to being assessed as farmland in the year after the commercial solar energy system has been removed and the property is returned to farm use; and

WHEREAS, the bill would take control over zoning and assessment from local control;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to not pass HB 5284; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

County of Kendall
Resolution 18 – _____

RESOLUTION DECLARING OPPOSITION OF SB 482– PTELL EXTENSION LIMITATION

WHEREAS, SB 482 Amends the Property Tax Extension Limitation Law in the Property Tax Code to provide that, for levy years 2017 and 2018, the term "taxing district" includes all taxing districts in the State other than the City of Chicago and school districts that were not subject to the Law in the 2016 levy year; and

WHEREAS, it provides that, for levy years 2017 and 2018, except with respect to school districts that were subject to the Law in the 2016 levy year, the extension limitation is 0% or the rate of increase approved by the voters; and

WHEREAS, it provides that, for levy years 2017 and 2018, only special purpose extensions (i) made for the payment of principal and interest on bonds or other evidences of indebtedness issued by the taxing district or (ii) made for contributions to a pension fund are exempt from taxing districts' aggregate extensions; and

WHEREAS, it preempts home rule;

WHEREAS, it makes a technical change in a Section authorizing the Department of Revenue to adopt rules; and

WHEREAS, SB 482 would continue to place additional financial burdens on Kendall County,

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to not pass SB482; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

COUNTY OF KENDALL, ILLINOIS
ADMINISTRATION HUMAN RESOURCES COMMITTEE
Meeting Minutes
Monday, May 7, 2018

CALL TO ORDER - Committee Chair Lynn Cullick called the meeting to order at 5:30p.m.

ROLL CALL

Board Member	Status	Arrived	Left Meeting
Judy Gilmour	here		
Matthew Prochaska	here		
Lynn Cullick	here		
Elizabeth Flowers	present		
John Purcell		5:40p.m.	

With four members present a quorum was established to conduct committee business.

Staff Present: Bob Jones, Matt Kinsey, Scott Koeppel

APPROVAL OF AGENDA

Motion: Member Prochaska
 Second: Member Flowers
RESULT: The agenda was approved by a 4-0 Voice Vote

APPROVAL OF MINUTES – April 18 and April 24, 2018

Motion: Member Prochaska
 Second: Member Flowers
RESULT: Approved with a 4-0 Voice Vote

**DE
PA
RT
ME**

NT HEAD AND ELECTED OFFICIAL REPORTS

Scott Koeppel, County Administration Department – Mr. Koeppel stated that there has been a question about information that is posted on the County website for the GIS Department because it involves information drawn from the Assessment Office. **There was consensus by the committee have Mr. Koeppel invite Mr. Nicoletti and Mr. Clayton to a future Admin HR meeting for further discussion.**

COMMITTEE BUSINESS

- *Approval of one-time Cyber Security Audit from WIPFLI with a cost not to exceed \$2,000.*
 – Mr. Koeppel stated that the cost for the audit was included in this year’s budget. Member Prochaska made a motion to forward to the County Board for approval, second by Member Flowers. **With four members voting aye, the motion carried.**

- *Discussion and Approval of Changing Insurance Start and End Dates* – Discussion on changing the start and end dates of all insurance plans for consistency and efficiency. Member Prochaska made a motion to forward the item to the County Board for approval, second by Member Gilmour. **With Members Prochaska, Flowers, Gilmour and Cullick voting aye, and Member Purcell voting nay, the motion carried by a vote of 4-1.**
- *Discussion and Approval of Administrative Services Department Administrative Assistant Job Description* – Discussion and review of the proposed updated job description. The committee made minor grammatical changes. Member Prochaska made a motion to forward the job description with corrections to the County Board for approval, second by Member Flowers. **With five members voting aye, the motion carried by a vote of 5-0.**
- *Discussion and Approval of Economic Development and Special Project Coordinator Job Description* – Discussion and review of proposed job description. Member Prochaska made a motion to forward the item with corrections to the County Board for approval, second by Member Gilmour. **With five members voting aye, the motion carried by a vote of 5-0.**

ACTION ITEMS FOR MAY 15, 2018 COUNTY BOARD AGENDA

- *Approval of one-time Cyber Security Audit from WIPFLI with a cost not to exceed \$2,000.*
- *Approval of Administrative Services Department Administrative Assistant Job Description*
- *Approval of Economic Development and Special Project Coordinator Job Description*

ITEMS FOR THE MAY 10, 2018 COMMITTEE OF THE WHOLE – None

PUBLIC COMMENT – None

EXECUTIVE SESSION – Not needed

MEETING ADJOURNMENT

Motion: Member Flowers
 Second: Member Prochaska
RESULT: Approved with a Unanimous Voice Vote of 5-0

This meeting was adjourned at 6:34p.m.

Respectfully Submitted,

Valarie McClain
 Administrative Assistant and Recording Secretary

County of Kendall, Illinois
Resolution 18 – _____

RESOLUTION AUTHORIZING APPLICATION FOR PUBLIC TRANSPORTATION FINANCIAL ASSISTANCE UNDER SECTION 5311 OF THE FEDERAL TRANSIT ACT OF 1991, AS AMENDED (49 U.S.C § 5311) FOR STATE FISCAL YEAR 2019

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

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

WHEREAS, the State of Illinois, acting by and through the Illinois Department of Transportation, is authorized by 30 ILCS 740/3-1 et seq. to provide the Section 5311 grant; and

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

WHEREAS, a public hearing was held on May 15, 2018 to obtain public comment on the environmental and economic impacts of the application for public transportation financial assistance.

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

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

Section 2. That an application be made to the Office of Intermodal Project Implementation, Department of Transportation, State of Illinois, for a financial assistance grant under Section 5311 for fiscal year 2019, for the purpose of off-setting a portion of the Public Transportation Program operating expenses and deficits of KENDALL COUNTY.

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

Section 4. That the Kendall County Board Chairman of KENDALL COUNTY is hereby authorized to provide Applicants Certificate of Intent, Restriction on Lobbying Certification, Affirmation of Applicant, and the State’s Attorney is authorized to provide Affirmation of the Applicant’s Attorney for Federal Transit Administration Certifications and Assurances.

Section 5. That the Kendall County Board acknowledges the Acceptance of Special Warranty, and understands as a condition of receipt of funds under 49 U.S.C. § 5311 funds, that 49 U.S.C. § 5333(b) requires fair and equitable arrangements must be made to protect the interests of employees affected by such assistance.

Section 6. That the County Administrator of KENDALL COUNTY is hereby authorized and directed to execute and file on behalf of KENDALL COUNTY such application.

Section 7. That the County Administrator of KENDALL COUNTY is authorized to furnish such additional information as may be required by the Office of Intermodal Project Implementation and the Federal Transit Administration in connection with the aforesaid application for said grant.

Section 8. That the County Administrator of KENDALL COUNTY is hereby authorized to provide such information and to file such documents as may be required to perform the Agreement and to receive the grant for fiscal year 2019.

PRESENTED and ADOPTED by the County Board, this 15th day of May 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

COUNTY OF KENDALL, ILLINOIS
BUDGET & FINANCE COMMITTEE
Meeting Minutes for Thursday, April 26, 2018

Call to Order

Committee Chair John Purcell called the Budget and Finance Committee meeting to order at 4:02p.m.

Roll Call

Attendee	Status	Arrived	Left Meeting
John Purcell		4:05p.m.	
Lynn Cullick	Here		
Bob Davidson	Yes		
Matt Kellogg	EXCUSED		
Matthew Prochaska	Here		

Staff Members Present: Latreese Caldwell, Scott Koeppe

Approval of Agenda – Member Prochaska made a motion to approve the agenda, second by Member Davidson. **With three members present voting aye, the agenda was approved by a vote of 3-0.**

Approval of Claims – Member Prochaska made a motion to forward the Approval of Supplemental Claims in an amount not to exceed \$878,978.33, and Supplemental Coroner Claims in an amount not to exceed \$2,291.83 to the County Board, second by Member Davidson. **With three members present voting aye, the claims were approved by a vote of 3-0.**

Department Head and Elected Official Reports

Latreese Caldwell reported that the single audit was completed for the Circuit Clerk’s Office, and there were two issues:

1. The Circuit Clerk omitted having a management discussion and analysis for their fund, which is a requirement by the Government Accounting Standards Board
2. Finding: That during the testing there were two fees were not being assessed properly according to state statutes, one since 2015, and one since 2012

There was consensus by the committee to ask if the Circuit Clerk has resolved these issues, before any fee changes are made.

Reports from Other Committees

Facilities Management Committee - Member Davidson reported that he was informed that the retention pond behind the Health Department is infested with mosquitoes. Member Davidson suggested that he would need to hire an engineer to help them plan a way to drain the pond so that it can be mowed and address the situation permanently. **There was consensus by the committee to have the Facilities Management proceed with contacting an engineer and formulating a plan of action.**

Member Davidson also asked the Finance Committee for direction on how to proceed with the replacement of the HVAC system at the Public Safety Center, since they have not received a bid within the proposed budget. **There was consensus by the committee to invite Jim Smiley to attend the May 10, 2018 meeting, and to provide the Trane proposal at that meeting for review and discussion.**

Member Davidson also stated that he was approached by Kendall Housing Authority asking for additional office space for their current operation, due to increased files being relocated into their office. Discussion on options for secured file storage, other available office space in the Health Department, and possibly relocating the VACKC offices to another location. **There was consensus to have Facilities Management locate a secure area for file storage in the Health & Human Services Building, and to discuss the issue in the next budget cycle meetings.**

Items of Business

Ms. Caldwell reviewed the County Board Compensation and Benefits statistics including the salary, per diem, mileage, medical benefit and IMRF/ECO for FY2017.

There was consensus by the committee to forward the following to the May 10, 2018 Committee of the Whole meeting for discussion and approval:

Effective December 1, 2018 to November 30, 2020, all compensation, mileage reimbursement and health benefits shall remain status quo as stipulated in Resolution 2012-26, approved by the County Board on May 15, 2012.

Effective December 1, 2020, County Board members elected to a term beginning December 1, 2018 and County Board members elected to a term beginning December 1, 2020, shall be eligible to receive the following compensation, mileage reimbursement, and health and dental insurance benefits in lieu of the compensation and benefits structure previously established in Resolution 2012-26:

- An annual salary of \$17,500 and annual increase of 1.5% as follows:
 - Effective December 1, 2020 \$17,500
 - Effective December 1, 2021 \$17,763
 - Effective December 1, 2022 \$18,029
- Shall not receive per diem compensation for meeting attendance
- Additional annual stipend of \$1,200 for the County Board Chairman to serve as Liquor Control Commissioner
- Mileage reimbursement for meetings outside of the boundaries of Kendall County authorized and approved by a majority vote of the County Board or with the prior written authorization by the County Board Chairman

- Choice of health and dental insurance plans offered by the County to non-union employees with cost of plan premiums to be shared by County and the participating County Board member in the same ratio paid by full time non-union employees of the County
- Shall not receive mileage reimbursement for any travel within the boundaries of Kendall County

Public Comment – None

Questions from the Media – None

Items for the May 1, 2018 County Board Agenda

Approval of Supplemental Claims in an amount not to exceed \$878,978.33, and Supplemental Coroner Claims in an amount not to exceed \$2,291.83

Items for the May 10, 2018 Committee of the Whole Agenda

Discussion and Approval of Resolution to Establish the Compensation, Mileage Reimbursement and Health Benefits for County Board Members Elected to a Term Beginning December 1, 2018 and County Board Members Elected to Terms beginning December 1, 2020

Executive Session – Not needed

Adjournment – Member Davidson made a motion to adjourn the Budget and Finance Committee meeting, second by Member Cullick. **The meeting was adjourned at 5:23p.m. by a 4-0 vote.**

Respectfully submitted,

Valarie McClain
Administrative Assistant & Recording Secretary

COUNTY OF KENDALL, ILLINOIS
BUDGET & FINANCE COMMITTEE
Meeting Minutes for Thursday, May 10, 2018

Call to Order

Committee Member Prochaska called the Budget and Finance Committee meeting to order at 3:00p.m. Member Kellogg nominated Member Prochaska as the Chairman Pro Tem, second by Member Davidson. **With three members voting aye, the motion carried, and Member Prochaska began with the meeting.**

Roll Call

Attendee	Status	Arrived	Left Meeting
John Purcell		3:06p.m.	
Lynn Cullick	EXCUSED		
Bob Davidson	Here		
Matt Kellogg	Here		
Matthew Prochaska	Here		

Staff Members Present: Latreese Caldwell, Bob Jones, Scott Koeppel, Rae Ann Van Gundy

Approval of Agenda – Member Kellogg made a motion to approve the agenda, second by Member Davidson. **With three members present voting aye, the agenda was approved by a vote of 3-0.**

Approval of Claims – Member Kellogg made a motion to forward the Approval of claims in an amount not to exceed \$1,111,455.27, and Coroner Claims in an amount not to exceed \$1,699.26 to the County Board, second by Member Davidson. **With three members present voting aye, the claims were approved by a vote of 3-0.**

Department Head and Elected Official Reports – No reports

Reports from Other Committees

Facilities Management Committee – Member Davidson reported that there was an HVAC leak at the Public Safety Center last week.

Member Davidson also updated the committee on the GRNE Solar Panel proposal which is currently with the United City of Yorkville. He will update the committee on the progress at a future meeting.

Public Comment – None

Questions from the Media – None

Items for the June 14, 2018 Committee of the Whole Agenda - None

Items for the May 15, 2018 County Board Agenda

Approval of claims in an amount not to exceed \$1,111,455.27, and Coroner Claims in an amount not to exceed \$1,699.26

Executive Session – Not needed

Adjournment – Member Prochaska made a motion to adjourn the Budget and Finance Committee meeting, second by Member Kellogg. **The meeting was adjourned at 3:17p.m. by a 4-0 vote**

Respectfully submitted,
Valarie McClain
Administrative Assistant and Recording Secretary

COUNTY OF KENDALL

RESOLUTION 2018-_____

**RESOLUTION ESTABLISHING THE SALARY FOR
THE KENDALL COUNTY SHERIFF**

WHEREAS, 50 ILCS 145/2 requires the salary of elected officers for local governments to be established at least 180 days prior to the start of their term; and

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

NOW, THEREFORE, BE IT RESOLVED that the annual salary for the elected Kendall County Sheriff shall be as follows:

Effective December 1, 2018	\$ 122,408
Effective December 1, 2019	\$ 125,468
Effective December 1, 2020	\$ 128,604
Effective December 1, 2021	\$ 131,820

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit copies of this resolution to the Office of the County Sheriff and the County Administrator.

Approved and adopted by the County Board of Kendall County, Illinois, this _____ day of _____, 2018.

Scott R. Gryder, Chairman
County Board

Attest:

Debbie Gillette
County Clerk

COUNTY OF KENDALL

RESOLUTION 2018-_____

**RESOLUTION ESTABLISHING THE SALARY FOR
THE KENDALL COUNTY CLERK AND RECORDER**

WHEREAS, 50 ILCS 145/2 requires the salary of elected officers for local governments to be established at least 180 days prior to the start of their term; and

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

NOW, THEREFORE, BE IT RESOLVED that the annual salary for the elected Kendall County Clerk and Recorder shall be as follows:

Effective December 1, 2018 \$ 97,974
Effective December 1, 2019 \$ 100,423
Effective December 1, 2020 \$ 102,934
Effective December 1, 2021 \$ 105,507

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit copies of this resolution to the Office of the County Clerk and Recorder and the County Administrator.

Approved and adopted by the County Board of Kendall County, Illinois, this _____ day of _____, 2018.

Scott R. Gryder, Chairman
County Board

Attest:

Debbie Gillette
County Clerk

COUNTY OF KENDALL

RESOLUTION 2018-_____

**RESOLUTION ESTABLISHING THE SALARY FOR
THE KENDALL COUNTY TREASURER AND COLLECTOR**

WHEREAS, 50 ILCS 145/2 requires the salary of elected officers for local governments to be established at least 180 days prior to the start of their term; and

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

NOW, THEREFORE, BE IT RESOLVED that the annual salary for the elected Kendall County Treasurer shall be as follows:

Effective December 1, 2018	\$ 97,974
Effective December 1, 2019	\$ 100,423
Effective December 1, 2020	\$ 102,934
Effective December 1, 2021	\$ 105,507

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit copies of this resolution to the Office of the County Treasurer and the County Administrator.

Approved and adopted by the County Board of Kendall County, Illinois, this _____ day of _____, 2018.

Scott R. Gryder, Chairman
County Board

Attest:

Debbie Gillette
County Clerk

COUNTY OF KENDALL

RESOLUTION 2018-__

**RESOLUTION TO ESTABLISH THE COMPENSATION, MILEAGE REIMBURSEMENT
AND HEALTH BENEFITS FOR COUNTY BOARD MEMBERS ELECTED
TO A TERM BEGINNING DECEMBER 1, 2018 AND COUNTY BOARD MEMBERS
ELECTED TO A TERM BEGINNING DECEMBER 1, 2020**

WHEREAS, 50 ILCS 145/2 requires the salary of elected officers for local governments to be established at least 180 days prior to the start of their term; 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, 55 ILCS 5/2-3008 requires the County Board at the time it reapportions the County to determine whether the salary shall be computed on a per diem basis, on an annual basis or on a combined per diem and annual basis, and shall fix the amount of that salary; 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, 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

NOW, THEREFORE, BE IT RESOLVED that, effective December 1, 2018 to November 30, 2020, all compensation, mileage reimbursement and health benefits 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, 2020, County Board members elected to a term beginning December 1, 2018 and County Board members elected to a term beginning December 1, 2020, shall be eligible to receive the following compensation, mileage reimbursement, and health and dental insurance benefits in lieu of the compensation and benefits structure previously established in Resolution 2012-26:

- Annual salary of \$17,500 and annual increase of 1.5% as follows:
Effective December 1, 2020 \$17,500
Effective December 1, 2021 \$17,763
- Additional monthly stipend of \$350 for the County Board Chairman.
- Mileage reimbursement for meetings outside of the boundaries of Kendall County authorized and approved by a vote of the County Board or with written authorization by County Board Chairman. The mileage reimbursement rate is the same rate set by the Internal Revenue Service for mileage deductions.
- Choice of health and dental insurance plans offered by the County to non-union employees with cost of plan premiums to be shared by County and the participating County Board member in the same ratio paid by full time non-union employees of the County.
- Shall not receive per diem compensation for meeting attendance.
- Shall not receive mileage reimbursement for any meetings inside the boundaries of Kendall County.

BE IT FURTHER RESOLVED that, in the event of any conflict in the language between the Kendall County Board Rules of Order and this Resolution, this Resolution shall prevail.

Approved and adopted by the County Board of Kendall County, Illinois, this 15th day of May 2018.

Board Chairman Signature:

Attest:

Scott R. Gryder, Chairman
County Board

Debbie Gillette
County Clerk and Recorder

COUNTY OF KENDALL, ILLINOIS
SPECIAL COMMITTEE OF THE WHOLE/ADMIN HR MEETING
Tuesday, May 8, 2018

CALL TO ORDER - The meeting was called to order by County Board Vice Chair Committee Chair Lynn Cullick at 5:00p.m.

ROLL CALL

Attendee	Status	Arrived	Left Meeting
Scott Gryder	present		
Lynn Cullick	here		
Bob Davidson		5:30p.m.	
Elizabeth Flowers	absent		
Tony Giles	absent		
Judy Gilmour	here		
Audra Hendrix	here		
Matt Kellogg	yes		
Matthew Prochaska	here		
John Purcell	aye		

Others present: Latreese Caldwell

APPROVAL OF AGENDA – Motion made by Member Hendrix, second by Member Cullick to approve the agenda. **With seven members voting aye, the agenda was approved.**

COMMITTEE BUSINESS

Health Insurance Broker Presentations were made by Jim Pajauskas and Jodi Crable from CBIZ, Michael Mackey and Wendy Williams from Alliant/Mesirow, by Catherine Loney and Jennifer Stuckey from GCG, and by Joe Roberts from First Insurance Group. Following each presentation, the Board members asked questions regarding services available, Areas of Expertise, Administrative Support, Compliance, Wellness and Well Being approaches, and participating vendors and carriers.

PUBLIC COMMENT – None

QUESTIONS FROM THE MEDIA – None

EXECUTIVE SESSION – Not needed

ADJOURNMENT - Member Kellogg made a motion to adjourn the meeting, second by Member Prochaska. With eight members voting aye, the meeting was adjourned at 7:43p.m.

Respectfully Submitted,

Valarie McClain
 Administrative Assistant and Recording Secretary

KENDALL COUNTY ILLINOIS

Economic Development Committee

Meeting Minutes
Monday, April 23, 2018

Call to Order

The meeting was called to order by Chair Audra Hendrix at 9:06 a.m.

Roll Call

Committee Members Present: Chair Audra Hendrix, Lynn Cullick, Judy Gilmore
Committee Members Absent: Matt Kellogg, Scott Gryder, Elizabeth Flowers

As there was no quorum at the time of the meeting being called to order, Chair Audra Hendrix appointed Judy Gilmore to the Committee for the meeting to make quorum.

Elected Officials Present:

Staff Present: Andrez Beltran, Economic Development and Special Projects Coordinator; Scott Koeppel, Kendall County Administrator

Members of the Public:

Approval of Agenda – Member Cullick made the motion to approve the agenda. It was seconded by Member Gilmore. **Approved 3-0.**

Approval of Meeting Minutes – Member Cullick made a motion to approve the meeting minutes from the March 16, 2018 meeting. Seconded by Member Gilmore. **Approved 3-0.**

Committee Business

Discussion and Approval of a Proclamation Welcoming Lions Club International to Kendall County on May 9, 2018

Mr. Beltran stated that Lions Club International are to hold their meeting at Timber Creek Inn and Suites with their President and Vice-Presidents as well as members from two hundred countries. Dr. Deepak Vyas, owner of Timber Creek and a Vice-President, has invited Chairman Gryder and other members of the community to attend.

The Committee agreed it was a wonderful opportunity to showcase Kendall County. Member Cullick made the motion to approve, Member Gilmore seconded. **Approved 3-0.**

Discussion and Approval of a Proclamation Supporting Small Business Week from April 29 to May 5, 2018

Mr. Beltran stated it was National Small Business Week coming up on April 29 through May 5. The Committee asked if there were other events going around. Mr. Beltran stated he did not know of any, but thought it might be Small Business Saturday. He said he would let the Committee know if there was any events. The Committee stated they loved giving their business recognition.

Member Cullick made the motion to approve, Member Gilmore seconded. **Approved 3-0.**

KENDALL COUNTY ILLINOIS

Economic Development Committee

Discussion and Approval of a Resolution Supporting a County Wide Convention and Visitors Bureau

Mr. Beltran stated there is a community member that was looking into creating a Kendall County wide Convention and Visitors Bureau. Currently, there is no Tourism agency in the County – member municipalities must go to either DeKalb CVVB or Aurora Area CVVB. This means that tax dollars that are generated in Kendall County that can be solely used for tourism are going out of the County. With a Kendall CVVB, the money would stay in the County.

Committee members stated their excitement at the idea, and for a community member to champion it. Member Cullick made the motion to approve, Member Gilmore seconded.

Approved 3-0

Discussion, Review, and Recommendation of Economic Development and Special Projects Coordinator Job Description to Admin/HR Committee

Mr. Beltran stated that the Admin/HR Committee wanted the Economic Development Committee's input on the revised Economic Development and Special Projects Coordinator Job Description.

The Committee focused on the social media responsibilities. While they agreed that social media was important, they stated that not only should the Economic Development Committee but also the Admin/HR and Full Board should start crafting a policy on the use of social media. The current social media strategy to link back to the website, as explained by Mr. Beltran, is acceptable in the short term, but a longer term solution is needed. Otherwise, the Committee some minor wording changes made to the description.

Chair Hendrix made the motion to send the recommendations to the Admin/HR Committee, Member Gilmore seconded. **Approved 3-0**

Discussion and Recommendation of ICMA TV

Mr. Beltran stated that ICMA has a program called ICMA TV where they put together videos to highlight a member. The cost is \$22,500 for the video.

The Economic Development Committee stated while a good opportunity, they could not partake this year.

Updates and Reports

Boulder Hill and Boulder Hill Market and Recommendation of Next Steps

Mr. Beltran stated he has begun preliminary analysis on Boulder Hill Market. Looking at the low traffic counts that pass the area, the Market will need a more community focused strategy. In examining the household income, the zoning, and the age of the structures, Mr. Beltran has started to put together an area analysis to start from.

The committee thanked him and asked him to continue researching possible uses and redevelopment strategies for the area.

Revolving Fund Loans

- *Monthly Loan Statements*

KENDALL COUNTY ILLINOIS

Economic Development Committee

All the loan payments were up to date outside of a nine cent shortage that the borrower will make up in the coming month. This excludes the Lucky Dog's loan.

- *JCAR rule Update*

Mr. Beltran stated that the State's Attorney's Office looked to see if the JCAR rule forbidding use of the RLF funds was removed. It was not.

TIF Update – Yorkville

Mr. Beltran stated that Yorkville held the JRB meeting for the downtown TIF #2, and is moving forward with it. They are removing some properties from TIF #1 and putting them into TIF #2.

Oswego reviewing Orchard Road Plan

Mr. Beltran stated that the Village of Oswego is starting to examine the plan for the Orchard Road Corridor. Currently it is split commercial/industrial. He stated that he would keep the Committee informed on the progress of the meetings.

Chicago Amazon Bid Video

Mr. Beltran stated that the City of Chicago put out a video for their Amazon bid. He wanted to inform the Committee as it was well done.

Crain's Article of Kendall County Growth

Mr. Beltran stated that Crain's ran an article detailing the growth in Kendall County. The county is the only Chicago Metro County to have growth this year. The committee agreed it was good press for the County.

Manufacturer Siting

Mr. Beltran stated he has been continuing to work with a manufacturer on siting a new building. He is currently getting utility data for them.

Chairwoman's Report

Public Comment – None

Executive Session - None

Adjournment

At 9:56 a.m., Member Cullick made to adjourn. Member Gilmore seconded. With no objections, the meeting adjourned at 10:57 a.m.

Respectfully Submitted,

Andrez P. Beltran
Economic Development and Special Projects Coordinator