

**KENDALL COUNTY BOARD AGENDA
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210
Tuesday November 21, 2017 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. Donna McKay – 19 years on Zoning Board of Appeals, Kendall Township representative
 - B. Approval of Resolution Honoring Veteran's Assistance Commission of Kendall County for 15 years of service to Kendall County Veterans
7. Correspondence and Communications – County Clerk
8. Citizens to Be Heard
9. Executive Session
10. Old Business
11. New Business
 - A. Approval of Letter of Support for United City of Yorkville's current downtown TIF District extension
 - B. Approve Modification to HIDTA Grant releasing additional funds in the amount of \$476,290.00
12. Elected Officials Report and Other Department Reports
 - A. Sheriff
 - B. County Clerk
 - C. Treasurer
 - D. Clerk of the Court
 - E. State's Attorney
 - F. Coroner
 - G. Health Department
 - H. Supervisor of Assessments
13. Standing Committee Reports
 - A. Planning, Building & Zoning
 1. Approval of Petition 17-31 Request from Roger Schmidt and Nancy Heaton to Revoke the Special Use Permit Awarded by Ordinance 2001-26 Allowing the Operation of a Group Home at 1151 Simons Road (Parcel Identification Number 03-26-400-009) in Oswego Township
 2. Approval of Petition 17-32 Request from Carol Christian and Robert Toftoy to Revoke the Special Use Permit Awarded by Ordinance 72-12 Allowing the Operation of a Private Landing Air Strip in the 10000 Block of Walker Road on the North Side of Walker Road on the Properties Identified by Parcel Identification Numbers 05-20-300-004 (Christian Property) and 05-20-300-005 (Toftoy Property) in Kendall Township
 3. Approval of Petition 17-34 Request from Commonwealth Edison to Revoke a Portion of the Special Use Permit Awarded by Ordinance 72-8 Allowing the Operation of a Gravel Mine in Sections 6 and 7 of Bristol Township and Identified by Parcel Identification Numbers 02-06-400-002 and 02-07-200-003
 4. Approval of Petition 17-35 Request from Donald and Colleen Zitt, Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield, and R W and K J Whitfield to Revoke a Portion of the Special Use Permit Awarded by Ordinance 86-12 for a Planned Unit Development at the Northwest Corner of Crimmin Road and Fox River Drive, Including 10123 Fox River Drive, and Identified by Parcel Identification Numbers 04-29-100-005 (Zitt Property), 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 (Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield Property), and 04-20-300-002 (R W and K J Whitfield Property) in Fox Township
 5. Approval of 2017 Kendall County Noxious Weed Annual Report
 6. Approval to Authorize David Jensen Construction to Remove Brush Piles and Overgrowth in the Retention Ponds in the Tanglewood Trails Subdivision in an Amount Not to Exceed \$8,900; Future Invoice(s) to Be Paid from the Tanglewood Trails Settlements Escrow Account (5902-000-0049)
 - B. Law, Justice & Legislation
 - C. Administration/HR
 1. Approval of Worker's Compensation Insurance bid in an amount not to exceed \$171,411
 - D. Highway

1. Intergovernmental Agreement between Kendall County and LaSalle County pertaining to the repair of the Millington Road Bridge over the Fox River.
2. Resolution Appropriating \$1,000,000 from the Transportation Sales Tax Fund to pay Kendall County's share of the cost of repair of the Millington Bridge over the Fox River
3. Jurisdiction and Maintenance Agreement Between Kendall County and LaSalle County pertaining to the Millington Road Bridge
4. Preliminary engineering service agreement with Engineering Enterprises, Inc. in an amount not to exceed \$10,955 to establish a railroad quiet zone on Cannonball Trail at the BNSF crossing in Bristol, IL
5. Approve Long Range Transportation Plan Update

E. Facilities

F. Economic Development

1. Approval of An Ordinance Suspending Implementation of the 2017 Revolving Loan Fund Recapture Strategy Adopted by Ordinance 17-19 and Reinstating the 2006 Kendall County Revolving Loan Fund Recapture Strategy Previously Approved by the Illinois Department of Commerce and Economic Opportunity until June 30, 2018, and placing an agenda item on the June 2018 Economic Development Committee to revisit and review this Ordinance

G. Finance

1. Approve Claims in an amount not to exceed \$2,424,679.68, November Petit Juror Claims in an amount not to exceed \$2,716.83
2. Approve Coroner Claims in an amount not to exceed \$4,125.97
3. Approval of a Highway Department Credit Card for Fran Klaas with a credit limit of \$5,000

H. Animal Control

I. Committee of the Whole

J. Standing Committee Minutes Approval

14. Special Committee Reports

A. VAC

B. Historic Preservation

C. Board of Health

15. Other Business

16. Chairman's Report

Appointments

Judy Gilmour – Northwest Water Planning Area Alliance Executive Board (Alternate) – replacing John Purcell - expires November 2018

Matthew Prochaska – CMAP MPO Policy Committee (Alternate) – replacing Lynn Cullick – expires November 2018

Announcements

17. Citizens to be Heard

18. Questions from the Press

19. Executive Session

20. 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.

**KENDALL COUNTY BOARD
REGULAR SEPTEMBER MEETING
October 17, 2017**

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, October 17, 2017 at 9:43 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Lynn Cullick, Bob Davidson, Judy Gilmour, Audra Hendrix, Matt Kellogg, Matt Prochaska and John Purcell.

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

THE MINUTES

Member Prochaska moved to approve the submitted minutes from the Adjourned County Board Meeting of 9/19/17. Member Davidson seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

THE AGENDA

Member Prochaska moved to approve the agenda. Member Davidson 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		9/1/17-9/30/17	9/1/16-9/30/16	9/1/15-9/30/15
Line Item	Fund	Revenue	Revenue	Revenue
	County Clerk Fees	\$761.00	\$865.00	\$789.00
	County Clerk Fees - Marriage License	\$2,340.00	\$2,160.00	\$1,890.00
	County Clerk Fees - Civil Union	\$30.00	\$0.00	\$0.00
	County Clerk Fees - Misc	\$1,873.00	\$2,286.50	\$1,715.10
	County Clerk Fees - Recording	\$25,779.00	\$30,555.00	\$26,711.00
01010061205	Total County Clerk Fees	\$30,783.00	\$35,866.50	\$31,105.10
01010001185	County Revenue	\$33,856.25	\$33,618.00	\$33,170.50
38010001320	Doc Storage	\$15,242.00	\$17,259.00	\$16,243.00
51010001320	GIS Mapping	\$25,640.00	\$29,012.00	\$27,407.00
37010001320	GIS Recording	\$3,200.00	\$3,620.00	\$3,423.00
01010001135	Interest	\$23.83	\$25.35	\$28.47
01010061210	Recorder's Misc	\$4,700.00	\$7,544.25	\$4,264.25
81010001320	RHSP/Housing Surcharge	\$13,698.00	\$15,570.00	\$14,202.00
37210001575	Tax Certificate Fee	\$320.00		
37210001576	Tax Sale Fees	\$874.00		
37210001577	Postage Fees			
CK # 18313	To KC Treasurer	\$128,337.08	\$142,515.10	\$129,843.32

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 TEN MONTHS ENDED 09/30/2017

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2017 YTD Actual</u>	<u>2017 YTD %</u>	<u>2016 YTD Actual</u>	<u>2016 YTD %</u>
Personal Property Repl. Tax	\$370,000	\$345,889	93.48%	\$304,411	74.89%
State Income Tax	\$2,400,000	\$2,326,581	96.94%	\$2,093,403	79.00%
Local Use Tax	\$625,000	\$473,614	75.78%	\$639,879	136.14%
State Sales Tax	\$480,000	\$447,081	93.14%	\$335,751	61.55%
County Clerk Fees	\$330,000	\$333,453	101.05%	\$298,804	83.46%
Circuit Clerk Fees	\$950,000	\$618,478	65.10%	\$728,369	76.67%
Fines & Foreits/St Atty.	\$430,000	\$272,341	63.34%	\$316,894	66.71%
Building and Zoning	\$62,000	\$76,098	122.74%	\$52,561	88.34%
Interest Income	\$37,500	\$84,508	225.36%	\$34,478	114.93%
Health Insurance - Empl. Ded.	\$1,266,058	\$969,957	76.61%	\$939,574	75.16%
1/4 Cent Sales Tax	\$2,920,000	\$2,411,311	82.58%	\$2,356,529	87.34%
County Real Estate Transf Tax	\$396,420	\$364,693	92.00%	\$307,990	77.69%
Correction Dept. Board & Care	\$875,000	\$980,857	112.10%	\$476,060	62.11%
Sheriff Fees	\$255,000	\$180,062	70.61%	\$212,916	59.98%
TOTALS	\$11,396,978	\$9,884,925	86.73%	\$9,097,619	79.73%
Public Safety Sales Tax	\$5,068,000	\$4,204,273	82.96%	\$4,123,630	85.91%
Transportation Sales Tax	\$4,750,000	\$4,204,273	88.51%	\$4,123,630	91.64%

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

To be on Budget after 10 months the revenue and expense should at 83.33%

State's Attorney

No report.

Coroner

Description	**	Month: September 2017	Fiscal Year-to-Date	September 2016
Total Deaths		13	256	20/234
Natural Deaths		12	224	18
Accidental Deaths				
Overdose	*	1	12	2
Motor Vehicle		0	5	0
Other		0	3	0
Pending		0	3	0
Suicidal Deaths		0	8	2
Homicidal Deaths		0	1	0
Toxicology		1	29	2/25
Autopsies		1	27	2/17
Cremation Authorizations		7	148	12/133

**

Accidental Death(s) (Overdose)

- 09/02/2017 – Aurora – 24yo Female, Loperamide Toxicity

PERSONNEL/OFFICE ACTIVITY:

- Katrina Busa tendered her resignation as a Deputy Coroner.

Supervisor of Assessments

Andy Nicoletti stated that yesterday was the final filing date for appeals for assessments; they have about 200 in the office.

STANDING COMMITTEE REPORTS

Planning, Building and Zoning

Noxious Weed Work Plan

Member Davidson made a motion approve the 2018 comprehensive noxious weed work plan. Member Hendrix seconded the motion.

Senior Planner Matt Asselmeier explained that there are seven things in the plan and that the seven things were taken from State law. Members discussed enforcing the plan.

Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Purcell who voted nay. Motion carried 7-1.

Intergovernmental Agreement with the Village of Millbrook

Member Davidson made a motion approve an Intergovernmental Agreement between the Village of Millbrook and the County of Kendall to administer the county's ordinances for zoning, building code, subdivision control, comprehensive plan and storm water management within the jurisdiction of the Village of Millbrook for a term of one (1) year in the amount of \$1.00 plus associated costs paid by the Village of Millbrook to the County of Kendall. Member Gilmour seconded the motion.

Members discussed auto liability insurance and the collection of fees by the county.

Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Cullick and Purcell. Motion carried 6-2.

A complete copy of IGAM 17-33 is available in the Office of the County Clerk.

Law, Justice & Legislation

Member Prochaska did not have report.

Administration/HR

Resolution Authorizing Execution for Financial Assistance

Member Cullick moved to approve the resolution authorizing the execution for financial assistance from the Regional Transportation Authority under Section 5310 of the Federal Transit Act. Member Gilmour seconded the motion.

Member Hendrix commented on the need for the county to invest in public transportation.

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

A complete copy of Resolution 17-29 is available in the Office of the County Clerk.

Bus Bids

Member Cullick moved to approve the bids for Kendall Area Transit (K.A.T.) Bus #7 for \$2,000 and Bus #2 for \$1,200 into account #5501-000-1421.

The vehicles are inoperable and the members discussed the bidding process.

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

CASA Lease

Member Cullick moved to approve the resolution approving the second amendment to the Kendall County Court Appointed Special Advocate lease agreement. 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 Resolution 17-30 is available in the Office of the County Clerk.

Highway

No report.

Facilities

Project Policy Flowcharts

Member Davidson moved to approve the Kendall County Facilities Management project policy flowcharts. Member Kellogg seconded the motion.

Member Kellogg explained that the charts are for capital items and big projects to let everyone know how to get items into the budget.

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

Economic Development

Member Hendrix spoke about making the bid for the Amazon headquarters.

Finance

CLAIMS

Member Cullick moved to approve the claims submitted in the amount not to exceed \$1,506,511.20 and Grand Juror Claims in an amount not to exceed \$ 538.05. Member Gilmour seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$26,916.75, B&Z \$2,223.17, CO CLK & RC DR \$1,399.48, ELECTION \$2,633.63, ED SRV REG \$5,900.17, SHRFF \$32,630.46, CRRCTNS \$22,509.09, MERIT \$1,810.40, EMA \$1,161.24, CRCT CT CLK \$2,005.82, JURY COMM \$684.58, CRCT CT JDG \$8,330.27, CRNR \$585.60, CMB CRT SRV \$350.86, ST ATTY \$1,916.57, SPRV OF ASSMNT \$34,847.27, TRSR \$164.84, EMPLY HLTH INS \$375.00, PPPOST \$323.16, OFF OF ADM SRV \$744.19, GNRL INS & BNDG \$108.00, CO BRD \$1,803.37, TECH SRV \$23,128.29, CAP IMPRV FND EX \$14,994.65, CO HWY \$29,929.06, CO BRDG \$50,277.50, TRNSPRT SALES TX \$1,081,515.27, HLTH & HMN SRV \$3,741.23, FRST PRSRV \$471.81, ELLIS HS \$1,729.03, ELLIS BRN \$64.31, ELLIS GRNDS \$78.96, ELLIS CMPS \$90.00, ELLIS RDNG LSSNS \$90.00, ELLIS BDAY PRITIES \$90.00, ELLIS PUB PRGMS \$21.63, SNRS CNTR \$301.77, ELLIS WDDNGS \$2,350.76, ELLIS 5K \$4.86, HOOVER \$1,106.73, ENV ED \$1,282.94, ENV ED SCHL \$5.99, ENV ED CMPS \$9.98, ENV ED NTRL BGNNGS \$405.35, ENV ED OTHR PUB PRGMS \$61.39, ENV ED LWS OF NTR \$16.74, NTRL AREA VLNTR \$38.80, GRNDS & NTRL RSRCS \$5,065.82, ANML CNTRL EXPS \$662.19, CO RC DR DOC STRG \$735.00, HIDTA Co Board 10/17/17

\$24,833.89, CMSRY FND \$983.36, CRT SEC FND \$1,157.40, LAW LBRY \$2,854.00, CRCT CT DOC STRG \$4,840.00, CRNR \$500.00, PRBTN SRV EXP FND \$5,387.48, GIS \$263.71, ADMN DBT SRV \$90.21, JAIL EXP BND DBT \$565.21, EMBLY BNFT PRGM \$14.98, PUB SFTY EXP \$90,870.00, SHRFF FTA FND \$1,978.55, VAC \$2,049.75, FP BND PRCD\$ '07 \$3,691.50, CTHS DBT SRV \$360.83

Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Purcell who abstained. Motion carried.

Coroner Claims

Member Cullick moved to approve the coroner claims in the amount not to exceed \$ 1,085.60. Member Hendrix seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Purcell who abstained. Motion carried.

LED Bulbs for Courthouse

Member Cullick moved to approve the purchase of LED bulbs for the Courthouse from line #010-2-100-9101 in the amount of \$10,500.00. Member Kellogg seconded the motion.

Members discussed the life of the bulbs and the cost savings of using the new bulbs.

Member Purcell asked to be recused from the vote.

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

Illinois State Treasurer, Michael Frerichs spoke to the board. Mr. Frerichs said that the counties are his customers and he tries to travel around the state to talk to the counties to see what kind of improvements they can make.

Animal Control

Trailer Lease

Member Cullick made a motion to refer the lease with Acton Mobile back to the committee. Member Davidson seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye except Kellogg and Purcell who voted nay. Motion carried 6-2.

Health & Environment

Member Gilmour did not have a report for the board.

Committee of the Whole

Chairman Gryder stated that the discussion revolved around the insurance and 2018 budget.

STANDING COMMITTEE MINUTES APPROVAL

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

SPECIAL COMMITTEE REPORTS

VAC

Olivia Laschober spoke about the upcoming Portillo's fundraiser on October 26th as well as the events scheduled for Veteran's week beginning on November 6 through November 9, 2017.

Historic Preservation

No report.

Board of Health

They will be having a violence presentation.

Boards & Commission Review Ad Hoc

Member Prochaska stated that they do not have a meeting scheduled at this point in time.

ADJOURNMENT

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

Approved and submitted this 20th day of October, 2017.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

County of Kendall, Illinois
Resolution 2017-_____

WHEREAS, Kendall County is proud to support and seeks to improve the quality of life for those who have served honorably in the United States Armed Forces thereby recognizing the significant contribution they have made to their families, community, and nation; and

WHEREAS, Illinois State Statute as specified in Illinois Compiled Statutes, Chapter 330, Sections 45.01 to 45.11. allows counties to create Veterans Assistance Commissions to serve for the benefit of honorably discharged veterans, dependents, and widows; and

WHEREAS, of the Veterans Assistance Commission of Kendall County (VACKC) is a legally authorized assistance agency as specified in Illinois Compiled Statutes, Chapter 330, Sections 45.01 to 45.11; and

WHEREAS, the VACKC has been helping veterans with everything from shelter and utility assistance to representation before the Department of Veterans Affairs; and

WHEREAS, the VACKC seeks to serve beyond the initial assistance provided by other governmental agencies by serving as the central hub in the county for veterans' assistance, the VACKC has access to a multitude of resources with which services may be coordinated for veterans in need; and

WHEREAS, the VACKC is currently composed of the Superintendent and two full-time county veterans service officers, which are accredited and recertified annually with the Department of Veterans Affairs to represent and advocate on behalf of veterans seeking benefits; and

WHEREAS, the VACKC also employs two part-time drivers who provide veteran transportation to VA medical centers and various other local medical facilities; and

WHEREAS, the VACKC has been able to secure the following benefits for Kendall County Veterans, but are not limited to disability compensation for injuries incurred during service, pension for low-income veterans or widows, education, employment, burial, and VA healthcare; and

WHEREAS, the VACKC was formally organized in December of 2002 and is currently celebrating its 15th anniversary; and

NOW THEREFORE BE IT RESOLVED, by the citizens of Kendall County as represented by the Kendall County Board, that we give our thanks to the Veterans Assistance Commission of Kendall County for their services to the citizens of Kendall County; and

BE IT FURTHER RESOLVED, that the Kendall County Board instructs the County Administrator to prepare a copy of this resolution suitable for framing be presented to the Veterans Assistance Commission of Kendall County.

Signed and approved on this 21st day of November, 2017.

Attest:

Scott R. Gryder, County Board Chair



Debbie Gillette, County Clerk/Recorder

[On Letterhead]
KENDALL COUNTY
111 W Fox St
Yorkville, IL 60560

November 17, 2017

Members of the General Assembly
Springfield, Illinois

Re: United City of Yorkville, Kendall County, Illinois, Downtown Redevelopment Project Area #1 designated June 13, 2006

To Whom it may Concern:

The United City of Yorkville, Kendall County, Illinois has requested our support in connection with the extension of its Downtown Redevelopment Project Area #1 in order to permit the City to continue its program for the redevelopment of the City's historical downtown district.

After a review of the accomplishments to date by the City and the need to enable the City to proceed to complete its approved redevelopment plan for this project area, we support the City's request as we believe an extension of the designation of the City's Downtown Redevelopment Project Area is warranted.

Very truly yours,

KENDALL COUNTY

By: _____
Its Chairman



Kendall County
Office of the Sheriff



INTEROFFICE MEMORANDUM

TO: COUNTY BOARD
FROM: DWIGHT BAIRD, SHERIFF *DBA*
SUBJECT: HIDTA GRANT G17CH0002A MODIFICATION 3
DATE: NOVEMBER 17, 2017
CC:

Attached is modification 3 to HIDTA grant G17CH0002A, releasing additional funds in the amount of \$476,290.00. I am requesting the County Board approve the additional grant monies to be released for allowable HIDTA expenditures. The HIDTA Board would then vote to approve expenditures up to the amount of the award by Kendall County for allowable (HIDTA) expenses with the understanding that those expenditures, in the amount up to the grant award, would be reimbursed to Kendall County by the HIDTA Program. The previous amount approved for this grant was \$1,128,866.00. The total for the grant with modifications is \$1,605,156.00.

If you have any questions please do not hesitate to contact me.

Kendall County Clerk				
Revenue Report		10/1/17-10/31/17	10/1/16-10/31/16	10/1/15-10/31/15
Line Item	Fund			
	County Clerk Fees	\$ 800.50	\$ 823.00	\$ 798.00
	County Clerk Fees - Marriage License	\$ 1,500.00	\$ 1,620.00	\$ 1,110.00
	County Clerk Fees - Civil Union	\$ -	\$ -	\$ -
	County Clerk Fees - Misc	\$ 2,070.50	\$ 2,260.50	\$ 2,504.00
	County Clerk Fees - Recording	\$ 26,987.00	\$ 28,540.00	\$ 27,252.00
01010061205	Total County Clerk Fees	\$ 31,358.00	\$ 33,243.50	\$ 31,664.00
01010001185	County Revenue	\$ 33,679.25	\$ 31,000.75	\$ 60,487.50
38010001320	Doc Storage	\$ 15,938.50	\$ 16,575.00	\$ 16,397.00
51010001320	GIS Mapping	\$ 26,866.00	\$ 27,919.00	\$ 27,659.00
37010001320	GIS Recording	\$ 3,356.00	\$ 3,487.00	\$ 3,455.00
01010001135	Interest	\$ 15.51	\$ 28.52	\$ 34.37
01010061210	Recorder's Misc	\$ 3,342.00	\$ 3,879.75	\$ 4,062.25
81010001320	RHSP/Housing Surcharge	\$ 14,409.00	\$ 14,814.00	\$ 14,364.00
37210001575	Tax Certificate Fee	\$ 480.00		
37210001576	Tax Sale Fees			
37210001577	Postage Fees			
CK # 18324	To KC Treasurer	\$ 129,444.26	\$ 130,947.52	\$ 158,123.12
Death Certificate Surcharge sent from Clerk's office \$796.00 ck # 18322				
Dom Viol Fund sent from Clerk's office \$250.00 ck 18323				

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 ELEVEN MONTHS ENDED 10/31/2017

<u>REVENUES*</u>	Annual Budget	2017 YTD Actual	2017 YTD %	2016 YTD Actual	2016 YTD %
Personal Property Repl. Tax	\$370,000	\$390,305	105.49%	\$365,463	89.91%
State Income Tax	\$2,400,000	\$2,523,933	105.16%	\$2,093,403	79.00%
Local Use Tax	\$625,000	\$574,227	91.88%	\$682,966	145.31%
State Sales Tax	\$480,000	\$500,207	104.21%	\$367,914	67.45%
County Clerk Fees	\$330,000	\$364,236	110.37%	\$334,671	93.48%
Circuit Clerk Fees	\$950,000	\$673,004	70.84%	\$789,700	83.13%
Fines & Foreits/St Atty.	\$430,000	\$296,214	68.89%	\$341,839	71.97%
Building and Zoning	\$62,000	\$85,757	138.32%	\$63,222	106.26%
Interest Income	\$37,500	\$98,735	263.29%	\$39,257	130.86%
Health Insurance - Empl. Ded.	\$1,266,058	\$1,059,786	83.71%	\$1,023,761	81.89%
1/4 Cent Sales Tax	\$2,920,000	\$2,633,672	90.19%	\$2,599,568	96.35%
County Real Estate Transf Tax	\$396,420	\$398,549	100.54%	\$341,608	86.17%
Correction Dept. Board & Care	\$875,000	\$1,077,457	123.14%	\$507,520	66.21%
Sheriff Fees	\$255,000	\$188,935	74.09%	\$237,362	66.86%
TOTALS	\$11,396,978	\$10,865,018	95.33%	\$9,788,256	85.78%
Public Safety Sales Tax	\$5,068,000	\$4,637,224	91.50%	\$4,541,478	94.61%
Transportation Sales Tax	\$4,750,000	\$4,637,224	97.63%	\$4,541,478	100.92%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 11 months the revenue and expense should at 91.63%

EXPENDITURES

All General Fund Offices/Categories

\$27,840,244	\$23,924,313	85.93%	\$23,303,797	82.76%
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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 November 13, 2017 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Bob Davidson at 6:34 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Bob Davidson (Chairman), Judy Gilmour, Scott Gryder (arrived at 6:35 p.m.) and Matt Kellogg (Vice Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Dwain Friehe, Bill Hacker, Allison Hartman, Peter Pasteris and Ryan Leonard

APPROVAL OF AGENDA

Motion by Member Kellogg to amend the agenda by moving the discussion of the banquet facility at 1998 Johnson Road, the outdoor shooting range regulations, and the stormwater issue at 5586 Fields Drive to before Petitions, seconded by Member Cullick. With a voice vote of four ayes, the motion carried.

APPROVAL OF MINUTES

Motion by Member Cullick, seconded by Member Gilmour, to approve the minutes from the October 10, 2017 meeting. With a voice vote of four ayes, the motion carried.

Scott Gryder arrived at this time (6:35 p.m.).

EXPENDITURE REPORT

The Committee reviewed the claims report. Motion by Member Kellogg, seconded by Member Gilmour, to approve the claims report. With a voice vote of five ayes, the motion carried.

PUBLIC COMMENT

None

OLD BUSINESS

Discussion of Banquet Facility at 1998 Johnson Road

Staff provided decibel readings taken the day before an event and while an event occurred. The new sound system did not appear to make a large difference on noise. The readings indicated that the special use permit holder was in compliance with the requirements of the special use permit.

Peter Pasteris, owner, discussed purchasing a governor to set a maximum sound level. Chairman Davidson commended Mr. Pasteris for his efforts. Mr. Pasteris also said that he has pointed the speakers down to the dance floor.

Member Kellogg asked Mr. Pasteris how much money he has invested in the sound system. Mr. Pasteris responded that he has invested One Thousand Eight Hundred Dollars (\$1,800) in the sound system. The governor will cost approximately Two Hundred Dollars (\$200).

Chairman Davidson expressed a desire to check the sound again in the spring. Mr. Pasteris expressed no opposition to this suggestion and was agreeable to allowing Planning, Building and Zoning Department Staff to forward his contact information to other banquet facility owners.

Request from the Kendall County Regional Planning Commission that the Planning, Building and Zoning Committee Amend Petition 17-28 RE: Text Amendment to Outdoor Shooting Range Regulations

Mr. Asselmeier read his memo on the subject. At the October Kendall County Regional Planning Commission meeting, the Commission requested that the Planning, Building and Zoning Department modify the proposed text amendment related to outdoor shooting ranges. The Commission offered the following concerns:

1. The Kendall County Regional Planning Commission would like more background/scientific information to explain the proposed regulations; they would like to see expert opinion on the proposal. Commissioners would like a more specific frame of reference as to how the proposal matches or contradicts the National Rifle Association Standards.
2. The proposed text amendments contradict the National Rifle Association Standards.
3. The size and control requirement of the downrange safety area will make it very difficult for ranges to locate in the unincorporated areas.
4. The requirement that the ranges have restrooms facilities is redundant because the Kendall County Health Department regulations require such facilities.
5. The minimum parcel size is proposed to be forty (40) acres. The requirement that the firing line must be at least one thousand five hundred feet (1,500') from the property lines of adjoining properties means that a parcel would need to be larger than forty (40) acres to meet the firing line distance requirements.
6. The exemption of land owned by the Kendall County Forest Preserve District is unneeded if the Forest Preserve District is meeting State law and not desired if the Forest Preserve District must meet local zoning regulations.
7. The insurance requirements seem excessive.
8. Commissioners would like to see "license" be grouped with easement regarding access to public roads.

The Commission favored the road frontage requirement.

The Commission also offered to have a joint meeting of the Kendall County Regional Planning Commission and Planning, Building and Zoning Committee to resolve these issues.

Member Gryder stated that he had received several questions and comments from the existing gun ranges and how this proposal could impact their operations and prevent future expansions.

Member Kellogg expressed a desire to make c (4), which states “the downrange safety area requirement for handgun, rifle and archery ranges may be waived by the County Board if the firing line is provided with overhead baffling meeting the standards of the National Rifle Association,” more prominent.

Member Gilmour asked if there were regulations governing discharging firearms in the unincorporated areas on private property for non-business purposes. Mr. Asselmeier said only civil penalties would apply.

The range design areas and downrange safety area were stricter than National Rifle Association standards. Mr. Asselmeier will bring the National Rifle Association numbers to a future meeting.

The suggestion was made to invite gun ranges to a future meeting.

The Forest Preserve is exempt from zoning if they are following the Downstate Forest Preserve Act.

The Committee will schedule a special meeting with the gun ranges in January at the December meeting.

Allison Hartman, Chicago, requested that the Committee consult with people and businesses that have set up gun ranges. She stated that David Lombardo offered to provide assistance on preparing the regulations.

CORRESPONDENCE

Correspondence Related to Stormwater Issue in Fields of Farm Colony Unit 4 (5586 Fields Drive)

Mr. Asselmeier read the correspondence and Fran Klaas’ opinion on the matter. Mr. Klaas stated that the County could review the issue, but is not bound to take action.

Ryan Leonard, property owner, provided pictures of the manhole filled with water. He explained that water pumped out of the basement was backing up onto his patio. He believed that two (2) of four (4) properties’ sump pumps drain to the same manhole and the manhole was full. The manhole at the road is not full of water. He believes that the pipe is crushed or blocked; the pipe in question is inside the easement between Mr. Leonard and his neighbor. The pipe is between lots 102 and 103 and the manhole is located at the southeast corner of lot 102.

Staff will contact Oswego Township and the Kendall County Highway Department and ask them to jet out the pipe. The bond for this subdivision has expired.

PETITIONS

Petition 17-31-Roger Schmidt and Nancy Heaton Requested the Revocation of a Special Use Permit Awarded by Ordinance 2001-26 Allowing the Operation of a Group Home at 1151 Simons Road in Oswego Township (Parcel Identification Number 03-26-400-009)

Mr. Asselmeier summarized the request. On October 11, 2017, Roger Schmidt and Nancy Heaton submitted a letter requesting the special use permit for a group home at 1151 Simons Road be revoked. The subject property is zoned A-1 Agricultural. If the special use permit is revoked, the subject property would retain the A-1 Agricultural zoning classification.

Petition 17-32-Carol Christian and Robert Toftoy Requested the Revocation of a Special Use Permit Awarded by Ordinance 72-12 Allowing the Operation of a Private Landing Air Strip in the

10000 Block of Walker Road on the North Side of Walker Road in Kendall Township and Identified by Parcel Identification Numbers 05-20-300-004 and 05-20-300-005

Mr. Asselmeier summarized the request. On September 26, 2017, Carol Christian submitted a request to revoke a special use permit for a private air landing strip on her property in the 10000 Block of Walker Road. In 2016, Ms. Christian sold a portion of her property to Robert Toftoy. On October 17, 2017, Mr. Toftoy submitted a request to revoke the special use permit for the portion of the private landing strip that is on his property. The subject properties are zoned A-1 Agricultural. If the special use permit is revoked, the subject properties would retain the A-1 Agricultural zoning classification.

Petition 17-34-Commonwealth Edison Requested the Revocation of a Special Use Permit Awarded by Ordinance 72-8 Allowing the Operation of a Gravel Mine in Sections 6 and 7 of Bristol Township and Identified by Parcel Identification Numbers 02-06-400-002 and 02-07-200-003

Mr. Asselmeier summarized the request. On October 20, 2017, Nadia Chomko, on behalf of Commonwealth Edison, submitted a request to revoke a special use permit for gravel mining on their property in Sections 6 and 7 of Bristol Township. Staff reached out to adjoining property owners to see if they wanted to keep their special use permit for gravel mining and we are still waiting a response from most of the adjoining property owners. The subject properties are zoned A-1 Agricultural. If the special use permit is revoked, the subject properties would retain the A-1 Agricultural zoning classification.

Petition 17-35-Donald and Colleen Zitt, Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield and R W & K J Whitfield Requested the Revocation of a Special Use Permit Awarded by Ordinance 86-12 Allowing for a Planned Unit Development at the Northwest Corner of Crimmin Road and Fox River Drive, Including 10123 Fox River Drive, Newark, in Fox Township and Identified by Parcel Identification Numbers 04-29-100-005, 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 and 04-20-300-002

Mr. Asselmeier summarized the request. On November 10, 1986, the Kendall County Board approved a special use permit allowing for the placement of a 42 lot residential subdivision near the corner of Crimmin Road and Fox River Drive (Ordinance 86-12). On May 16, 2017, the Kendall County Board approved a partial revocation of a special use permit for a residential subdivision at the corner of Crimmin Road and Fox River Drive (Ordinance 2017-08). At the time of that revocation, Staff stated they would contact other property owners impacted by the original special use permit to see if they want to retain or revoke the special use permit for a residential subdivision. As of November 1, 2017, all of the remaining property owners impacted by the special use awarded by Ordinance 86-12 have requested for the special use permit in question to be revoked because they do not believe that the subdivision originally proposed in 1986 will occur. The subject properties are zoned R-2. If the special use permit is revoked, the subject property would retain the R-2 zoning classification.

Motion by Member Kellogg, seconded by Member Gryder, to recommended approval of the revocation of the special use permits as requested in Petitions 17-31, 17-32, 17-34 and 17-35.

- Ayes (5): Cullick, Davidson, Gilmour, Gryder and Kellogg
- Nays (0): None
- Absent (0): None

The motion passed. This matter will go before the County Board on November 21st.

NEW BUSINESS

Recommendation on 2017 Noxious Weed Annual Report

Mr. Asselmeier summarized the report. Kendall County is required to submit an annual report to the State by December 1st of each year. The Planning, Building and Zoning Department did not receive any noxious weed complaints.

Motion by Member Gryder, seconded by Member Kellogg, to recommended approval of the 2017 Noxious Weed Annual Report.

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

The motion passed. This matter will go before the County Board on November 21st.

Red Hawk Landing Stormwater Issue

Mr. Asselmeier summarized the issue. The property is experience drainage problems because the detention pond shown on the plans was not constructed tree roots plugged the drainage tile. The estimated costs to mitigate the problem was Three Thousand Six Hundred Forty Dollars (\$3,640) plus Eight Thousand Four Hundred Forty Dollars (\$8,440) plus Reimbursable Costs + 10%.

The Committee requested Staff to check with the State's Attorney's Office to determine the extent, if any, of the County's liability.

Review of the 2018 Application Timetables

Mr. Asselmeier presented the timetables for text amendments, map amendments, RPDs, special uses, major amendment to special uses, non-residential PUDs, traditional variances, site plans, preliminary plats, final plats and other plats.

Approval to Authorize David Jensen Construction to Remove Brush Piles and Overgrowth in the Retention Ponds in the Tanglewood Trails Subdivision in an Amount Not to Exceed \$8,900; Future Invoice(s) to Be Paid from the Tanglewood Trails Settlements Escrow Account (5902-000-0049)

Mr. Asselmeier summarized the request. The Kendall County Highway Department received an estimate and scope of work for removing overgrowth and brush in the retention ponds at Tanglewood Trails. The estimated cost for this work is Eight Thousand Nine Hundred Dollars (\$8,900). If this project is approved and if the contractor spends the maximum amount of money quoted for the work, Thirty-Two Thousand Five Hundred Eight-Two Dollars (\$32,582) would remain in the Tanglewood Trails escrow account.

Motion by Member Gilmour, seconded by Member Cullick, to recommended approval of the scope of work and cost as proposed.

Ayes (5): Cullick, Davidson, Gilmour, Gryder and Kellogg
Nays (0): None

Absent (0): None

The motion passed. This matter will go before the County Board on November 21st.

OLD BUSINESS

Request for Guidance RE: Bridge at 13360 McKanna Road, Minooka (Bridge Owned by Mark Antos)(Committee May Refer this Matter to the State's Attorney's Office)

Mr. Asselmeier summarized the situation. Mr. Antos previously stated that late spring or early summer he would move dirt and plant seed. He would like to pour the bridge before it gets too cold. Mr. Asselmeier requested a timeline for completion from Mr. Antos. To date, no timeline has been received. The low water crossing was built in 1998 and is two-three feet (2' - 3') higher than planned which is blocking water.

Motion by Member Gryder, seconded by Member Kellogg, to refer this matter to the State's Attorney's Office. The Committee would like a timeline for completing this project.

Ayes (5): Cullick, Davidson, Gilmour, Gryder and Kellogg

Nays (0): None

Absent (0): None

The motion passed.

Request for Guidance RE: Dumping at 15875 Ridge Road

Mr. Asselmeier read information on the subject. Because the owner disturbed less than one (1) acre of ground, the Kendall County Stormwater Management Ordinance was not applicable. Mr. Chismark indicated that he would be willing to conduct a tributary area review for Two Hundred Dollars (\$200). The consensus of the Committee at the October meeting was that Mr. Chismark should conduct this review and report the findings at the November Planning, Building and Zoning Committee meeting. Upon review Mr. Chismark again concluded that the Stormwater Management Ordinance was not applicable given the amount of area disturbed. Any damage to adjoining properties would be a civil matter.

Request from ZPAC that the Planning, Building and Zoning Committee Amend Petition 17-29 RE: Notification Requirement for Special Use Applications in the A-1 District to a Smaller Notification Distance

Mr. Asselmeier read his memo on the issue and listed the uses he thought warranted a larger notification requirement. The uses that he felt needed larger notification requirements included:

1. Airports and Heliports (Noise, Light and Vibrations)
2. Animal Feed Preparation, Grinding and Mixing (Noise, Smells and Vibrations)
3. Athletic Fields with Lights (Noise and Light)
4. Banquet Halls (Noise)
5. Cemeteries, Including Crematoriums and Mausoleums (Smells and Groundwater Concerns)
6. Child Daycare Facilities (Noise)
7. Communication Uses (Visual)
8. Composting of Landscape Waste and Food (Smells and Visual)
9. Correctional Facilities (Noise, Lights and General Safety)

10. Fertilizer Seed and Sales, Including Bulk Storage and Mixing (Smells and General Safety)
11. Grain Storage When Not Accessory to the Pursuit of Agriculture (Noise and Smells)
12. Kendall County Sheriff's Office Shooting Range (Noise, Lights, Vibrations and General Safety)
13. Kennels (Noise and Smells)
14. Landscaping Business (Noise and Visual)
15. Outdoor Commercial Sporting Activities Including Swimming Facilities and Motocross Sports (Noise, Lights and Vibrations)
16. Outdoor Target Practice and Shooting (Noise, Lights, Vibrations and General Safety)
17. Paintball Facilities (Noise and Light)
18. Performing Arts Centers (Noise and Light)
19. Public or Private Telecommunication Hubs, Filtration Plants, Sewage Treatment Plants, Electric Sub-Stations and Similar Uses (Noise, Smells and Visual)
20. Recreational Camps and Recreation Vehicle Parks (Noise and Lights)
21. Small Poultry and Small Animal Processing Plants (Noise, Smells and Lights)
22. Storage Facilities for Motor Vehicles, Boats, Trailers and Other Recreational Vehicles (Lights and Visual)
23. Telecommunication Stations (Visual)
24. Wind Farm, Commercial (Noise and Visual)

Motion by Member Kellogg, seconded by Member Cullick, to amend Petition 17-29 by reducing the notification requirement to one thousand feet (1,000'). Member Gryder stated that he was not in favor of a large distance requirement, but that one thousand feet (1,000') was better than the previously proposed distance. Member Gilmour stated that one thousand feet (1,000') was better than five hundred feet (500').

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

The motion passed. This matter will go to ZPAC on December 5th.

Discussion of Property Maintenance Regulations

Staff provided an email from Brian Holdiman updating the Committee on the type and location of property maintenance complaints.

Request for Guidance RE: Conditional Use Permits

Mr. Asselmeier read his memo on the subject. The State's Attorney's Office believes that conditional uses should be either permitted or special uses because State law does not give Counties the authority to have conditional uses. The Committee requested Mr. Asselmeier to obtain the number of conditional use permits issued and issue recommendations on which uses should be permitted uses and which uses should be special uses.

Request for Guidance RE: Proposed Ordinance Amending the Code Hearing Unit Regulations (Should These Regulations be Part of the Zoning Ordinance?)

Mr. Asselmeier read his memo on the subject and expressed concerns about placing the Code Hearing Unit Regulations inside the Zoning Ordinance because of unforeseen consequences of the definitions section. The consensus of the Committee was to leave the regulations "as is"

because of the few number of cases sent to the State's Attorney's Office (zero (0) cases sent in last five (5) years) and because defendants can appeal the Hearing Officer's decision to the courts.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

The Historic Preservation Commission will be holding a meeting with other historic preservation groups in the County on February 21st at 7:00 p.m. at the Historic Courthouse. The purpose of the meeting is to discuss the activities of these groups.

REVIEW PERMIT REPORT

The Committee reviewed the permit report.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report. Revenues are higher from this time last year.

CORRESPONDENCE

October 13, 2017 Letter to Roger Smith from Matt Asselmeier RE: Mobile Home at 1072 Tyler Road

Mr. Asselmeier reported that the property is on a frost depth foundation and does not need to go through the renewal process per the special use permit.

Correspondence Related to Churchill Club Stormwater Issue

Mr. Asselmeier read the emails and letter on this matter. The Village of Oswego is leading the investigation of this issue and sent a violation letter to the owner. The Village of Oswego continues to gather water samples. The owner of the horse property was not happy about the stormwater runoff onto his property.

Correspondence Related to Drainage at 01-19-379-003 (South of Frazier Road Near City of Sandwich)

Mr. Asselmeier read the correspondence. According to Greg Chismark, this issue is not a County issue.

PUBLIC COMMENT

None

COMMENTS FROM THE PRESS

None

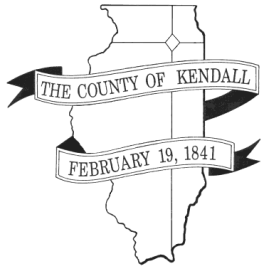
EXECUTIVE SESSION

None

ADJOURNMENT

Member Cullick motioned to adjourn, seconded by Member Gryder. With a voice vote of five ayes, Chairman Davidson adjourned the meeting at 8:15 p.m.

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



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: County Board
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: November 14, 2017
Re: Petition 17-31-Repeal of Special Use at 1151 Simons Road

On October 11, 2017, Roger Schmidt and Nancy Heaton submitted the attached letter requesting the special use permit for a group home at 1151 Simons Road be revoked. A copy of Ordinance 2001-26 which granted them a special use permit for a group home is also attached.

The subject property is zoned A-1 Agricultural. If the special use permit is revoked, the subject property would retain the A-1 Agricultural zoning classification.

At their November 13, 2017 meeting, the Planning, Building and Zoning Committee unanimously recommended forwarding this request to the County Board.

A draft ordinance revoking the special use permit is also attached for your consideration.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Ordinance 2001-26
Draft Revocation Ordinance
Revocation Letter Request

ORDINANCE # 2017-_____

REVOKING A SPECIAL USE for
A GROUP HOME AT 1151 SIMONS ROAD
(PARCEL ID NUMBER 03-26-400-009) IN OSWEGO TOWNSHIP

WHEREAS, Center for Family Services petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a group home on their property located at 1151 Simons Road in Oswego Township, identified by Parcel Identification Number 03-26-400-009; and

WHEREAS, said property is legally described below; and

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, WHICH IS 618 FEET WEST FROM THE SOUTHEAST CORNER OF SAID SOUTH EAST QUARTER, AND RUNNING THENCE NORTH, PERPENDICULAR TO SAID SOUTH LINE, 240 FEET; THENCE WEST, PARALLEL WITH SAID SOUTH LINE 260 FEET; THENCE SOUTH, PERPENDICULAR TO SAID SOUTH LINE, 240 FEET; AND THENCE EAST, ALONG SAID SOUTH LINE, 260 FEET TO THE POINT OF BEGINNING, IN OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS.

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 2001-26 on October 16, 2001; and

WHEREAS, restriction number 1 of the special use permit awarded by Ordinance 2001-26 requires the special use is granted solely to the Center for Family Services (CFS), and shall not be transferrable without review and approval by the County Board; and

WHEREAS, Roger and Nancy Schmidt purchased said property on February 1, 2004; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Roger Schmidt and Nancy Heaton, owners, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit "A" that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 2001-26 be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 2001-26.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

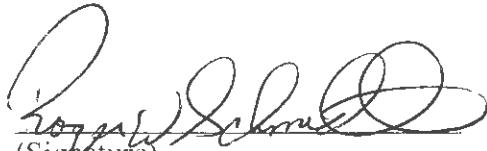
Exhibit A

September 19, 2017
Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139 Fax: 630.553.4179

I, Roger & Nancy Schmidt am the owners at 1151 Simons Road Oswego, IL 60543
(First & Last Name) (Address of property)

On October 16, 2001 the property was granted a special use (2001-26). The special use granted in 2001 was granted for the operation of a Group Home.

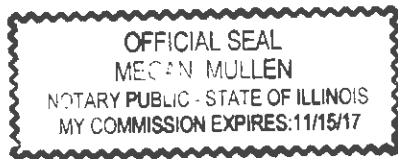
Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.


(Signature)

9-26-17
(Date)

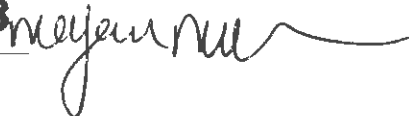
Roger W Schmidt
(Printed Name)

Nancy J Heaton
NANCY-J HEATON



Attest:

Notary Public



05 26 - 400 - 009

ORDINANCE NUMBER 2001- 26

SPECIAL USE ORDINANCE

1151 SIMONS ROAD

Group Home

WHEREAS Center for Family Services filed a petition for a Special Use within the A-1 District, for property located at 1151 Simons Road in Oswego Township; and

WHEREAS said petition is for a Group Home as provided in Section 7.01 D. 26 of the Kendall County Zoning Ordinance; and

WHEREAS said property is zoned A-1 Agricultural District; and

WHEREAS said property to be covered by Special Use ordinance is legally described in Exhibit "A"; and

WHEREAS all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact; and

WHEREAS the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit for a Group Home subject to the site plan, attached as Exhibit "B", with the following conditions:

1. The Special Use is granted solely to the Center for Family Services (CFS), and shall not be transferrable without review and approval by the County Board.
2. The Group Home must continue to be licensed by the Illinois Department of Children and Family Services (DCFS) as a group home pursuant to the Illinois Child Care Act, 225 ILCS 10.
3. CFS will not accept from DCFS any referrals to the Group Home for the purpose of providing "shelter care services" as defined at 89 Ill. Adm. Code, Chapter III, Subchapter e, Part 410, Section 410.20, commonly referred to as "emergency shelter placements".
4. A maximum of ten (10) residents, excluding CFS staff, may occupy the Home.
5. All vehicles must be parked within existing parking areas, with a limit of six (6) vehicles during normal operation. During prearranged events, including, but not limited to, CFS staff meetings, DCFS inspections, open houses, or parent visits, the limit of six (6) will not be enforced, provided that vehicles are parked in a manner that does not impede traffic on Simons Road, or interfere with ingress and egress to and from surrounding properties.
6. A minimum ratio of one (1) CFS staff person to four (4) clients shall be maintained during waking hours. During non-waking hours at least one (1) CFS staff person shall remain awake at all times, another CFS staff person shall be on call able to respond to the home

- within twenty (20) minutes.
7. Any increase in the number of residents or the size of the "footprint" of the structure will require an amended Special Use permit
 8. The Special Use must receive a positive report on traffic impact by the Township Road Commissioner.
 9. The Special Use must receive a positive report on septic suitability by the Kendall County Department of Health and Human Services.
 10. A total of thirty-five (35) feet of right-of-way, as measured from the centerline, shall be dedicated for Simons Road, unless a greater amount is required by Oswego Township. Said dedication shall be recorded no later than sixty (60) days from the date of County Board's approval of the Ordinance granting the Special Use permit.
 11. CFS shall continue to cooperate with the Kendall County Sheriff's Department to minimize the need for visits to the site by officers of the department.
 12. Residents of the Group Home, excluding CFS staff, shall be under twenty (20) years of age, provided that residents who reside in the Home on their twentieth (20th) birthday shall not be required to vacate the Home until a suitable alternative placement, or independent living arrangement, is found.
 13. CFS shall supply the Kendall County Planning, Building and Zoning Department with proof of insurance that covers bodily injury or property damage proximately caused by negligent conduct of CFS employees in the course of operating the Group Home.
 14. Only residents of the same gender may occupy the Group Home at any one time.

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

IN WITNESS OF, this ordinance has been enacted on October 16, 2001.

Attest:


Paul Anderson
Kendall County Clerk

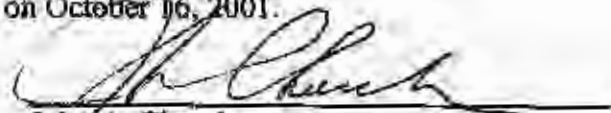

John A. Church
Kendall County Board Chairman

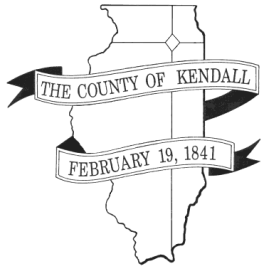
EXHIBIT A

PROPERTY DESCRIPTION FOR 1151 SIMONS ROAD, OSWEGO, ILLINOIS

That part of the South East Quarter of the South East Quarter of Section 26, Township 37 North, Range 8 East of the Third Principal Meridian, Kendall County, Illinois, bounded and described as follows: Beginning at a point on the South line of said South East Quarter, which point is 618 feet West from the South East corner of said South East Quarter, and running thence North, perpendicular to said South line, 240 feet; thence West, parallel with said South Line 260 feet; thence South, perpendicular to said South line, 240 feet; and thence East, along said South line, 260 feet to the point of beginning, in Oswego Township, Kendall County, Illinois.

Permanent Tax No.: 03-26-400-009

622070v1



DEPARTMENT OF PLANNING, BUILDING & ZONING

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MEMORANDUM

To: County Board

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: November 14, 2017

Re: Petition 17-32-Repeal of Special Use in the 10000 Block of Walker Road on the North Side of the Road

On September 26, 2017, Carol Christian submitted a request to revoke a special use permit for a private air landing strip on her property in the 10000 Block of Walker Road.

In 2016, Ms. Christian sold a portion of her property to Robert Toftoy. On October 17, 2017, Mr. Toftoy submitted a request to revoke the special use permit for the portion of the private landing strip that is on his property.

A copy of Ordinance 72-12 which granted them a special use permit for a private air landing strip is attached.

The subject properties are zoned A-1 Agricultural. If the special use permit is revoked, the subject properties would retain the A-1 Agricultural zoning classification.

At their November 13, 2017 meeting, the Planning, Building and Zoning Committee unanimously recommended forwarding this request to the County Board.

A draft ordinance revoking the special use permit is also attached for your consideration.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Draft Revocation Ordinance
Ordinance 72-12

NOW THEREFORE, BE IT ORDAINED by the County Board of Kendall County, Illinois that the following described property be and it is hereby granted a "SPECIAL USE PERMIT UNDER AGRICULTURE" for a private landing air strip and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:

The West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 20,
Township 36 North, Range 7 East of the Third
Principal Meridian, in Kendall Township,
Kendall County, Illinois

BE IT FURTHER ORDAINED THAT the above "Special Use" classification shall be expressly made subject to the following conditions:

1. That the foregoing "Special Use" shall be subject to further review of the Zoning Board of Appeals and the County Board upon notice directed to the owner of the premises herein described and a proper publication as required by law not less than fifteen days prior to date of hearing.
2. That the land must be kept in a husband like manner.
3. That the permit be subject to renewal every 5 years.
4. That in case of abandonment the "Special Use" be revoked.
5. That a copy of the I.A.A. permit be kept on record at the Building and Zoning Office.
6. That the area of the landing strip to be 100 feet wide by 160 rods long.

PASSED: May 9, 1972.

ATTEST: John P. Brady
County Clerk.

James C. Mann
Chairman, County Board
Kendall County, Illinois

ORDINANCE # 2017-_____

REVOKING A SPECIAL USE for
**A PRIVATE LANDING AIR STRIP IN THE 10000 BLOCK OF WALKER ROAD ON
THE NORTH SIDE OF WALKER ROAD (PARCEL ID NUMBERS 05-20-300-004 AND
05-20-300-005) IN KENDALL TOWNSHIP**

WHEREAS, Howard and Blanche Smith petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a private landing air strip on their property located in the 10000 Block of Walker Road on the north side of Walker Road in Kendall Township, now identified by Parcel Identification Numbers 05-20-300-004 and 05-20-300-005; and

WHEREAS, said property is legally described below; and

THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 36 NORTH,
RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN IN KENDALL TOWNSHIP,
KENDALL COUNTY, ILLINOIS.

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 72-12 on May 9, 1972; and

WHEREAS, restriction number 3 of the special use permit awarded by Ordinance 72-12 requires the special use be subject to renewal every 5 years; and

WHEREAS, restriction number 4 of the special use permit awarded by Ordinance 72-12 stated the special use be revoked in case of abandonment; and

WHEREAS, Carol Christian purchased said property on August 1, 2010; and

WHEREAS, Carol Christian divided said property in 2016; and

WHEREAS, Carol Christian retained ownership of the portion of the property identified by Parcel Identification Number 05-20-300-004; and

WHEREAS, Robert Toftoy purchased the remaining portion of the property from Carol Christian on December 1, 2016; and

WHEREAS, Robert Toftoy's portion of the property is identified by Parcel Identification Number 05-20-300-005; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Carol Christian and Robert Toftoy, owners, no longer desire the special use permit and have stated in a letter as provided in attached Exhibits "A" and "B" that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 72-12 be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 72-12.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

Matt Asselmeier

From: duane christian [duanesmassey@att.net]
Sent: Tuesday, September 26, 2017 8:23 PM
To: Matt Asselmeier
Subject: Re: Ordinance # 1972 - 12 / 10729 Walker Road / 05-20-300-001

The above referenced special use permit does not need to be renewed. It is no longer in use.

Thank you.

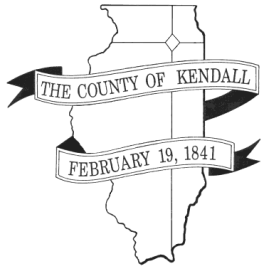
Carol Christian.

Exhibit B

Matt Asselmeier

From: Robert Toftoy [toftoyfarms@newarknet.net]
Sent: Tuesday, October 17, 2017 8:08 AM
To: Matt Asselmeier
Subject: ordinance#1972-12/05-20-300-005

I have plowed the airstrip up. before I bought that farm I checked with the morris airport to see if this airstrip had been registered with any governing body and it had not been. I do not want the special use permit any longer you may cancel it at any time. Robert toftoy owner. any questions call me at 815-228-3933



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: County Board

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: November 14, 2017

Re: Petition 17-34-Partial Repeal of Special Use in Sections 6 and 7 of Bristol Township for Gravel Mining

On October 20, 2017, Nadia Chomko, on behalf of Commonwealth Edison, submitted a request to revoke a special use permit for gravel mining on their property in Sections 6 and 7 of Bristol Township.

A copy of Ordinance 72-8 which granted them a special use permit is attached.

Staff reached out to adjoining property owners to see if they wanted to keep their special use permit for gravel mining and we are still waiting a response from most of the adjoining property owners

The subject properties are zoned A-1 Agricultural. If the special use permit is revoked, the subject properties would retain the A-1 Agricultural zoning classification.

At their November 13, 2017 meeting, the Planning, Building and Zoning Committee unanimously recommended forwarding this request to the County Board.

A draft ordinance revoking the special use permit is also attached for your consideration.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Draft Revocation Ordinance

Ordinance 72-8

ORDINANCE # 2017-_____

REVOKING A SPECIAL USE for
**A GRAVEL MINING OPERATION ON PROPERTY OWNED BY COMMONWEALTH
EDISON IN SECTIONS 6 AND 7 OF BRISTOL TOWNSHIP
(PARCEL ID NUMBERS 02-06-400-002 AND 02-07-200-003)**

WHEREAS, the Old Second National Bank of Aurora, as Trustee under trust No. 1582, Paul Schultz, August F. Schultz and Mildred Hanks, and Feltes Gravel Co. and Feltes Land, Inc. petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the operation of a gravel mining operation in Sections 6 and 7 of Bristol Township, now identified by Parcel Identification Numbers 02-06-400-002 and 02-07-200-003; and

WHEREAS, said property is legally described in attached documents Exhibit “B” and Exhibit “C”; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 72-8 on April 11, 1972; and

WHEREAS, restriction number 4 of the special use permit awarded by Ordinance 72-8 requires the special use be subject to annual inspection and renewal; and

WHEREAS, Commonwealth Edison acquired the property in September 1975; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Commonwealth Edison, owner, no longer desire the special use permit and have stated in a letter as provided in attached Exhibit “A” that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 72-8 for the subject properties be revoked as of the date of this Ordinance; and

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit granted under Ordinance 72-8 for the subject properties.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

Matt Asselmeier

From: Chomko, Nadia K:(ComEd) [Nadia.Chomko@exeloncorp.com]
Sent: Friday, October 20, 2017 4:09 PM
To: Matt Asselmeier
Subject: Ordinance #1972-08/02-06-400-002 and 02-07-200-003

Matthew,

Per our conversation earlier today, please be advised that ComEd does not wish to renew the special use permit on the above parcels.

Thank you for contacting us regarding this matter.

Regards,

Nadia Chomko

ComEd Real Estate & Facilities

Nadia.Chomko@ComEd.com

Three Lincoln Centre, 4th Floor

Oakbrook Terrace, IL 60181

voice/630-576-6303

fax/630-437-2223



powering lives

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Exhibit B

202736

LEGAL DESCRIPTION

That part of the East half of Section 6, Township 37 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of said Section 6; thence North along the east line of said Section 6, a distance of 3407.85 feet (5.35 chains-Deed) to the South line of property conveyed to Susan Schmidt by Warranty Deed recorded December 18, 1929 in Book 80, pages 334 and 335; thence West along the South line of property conveyed to Susan Schmidt a distance of 812.68 feet for a point of beginning; thence continuing West along said South line of Susan Schmidt's property, a distance of 740.06 feet to the East line of property conveyed to Earl P. and Emma V. Konicek by Warranty Deed dated December 4, 1961 recorded as Document No. 136414; thence South along the East line of property conveyed to Earl P. Konicek and wife, 1240.82 feet (18.80 chains - Deed) to the center line of Galena Road; thence continuing South along the prolongation of the last described course a distance of 919.13 feet to an angle point which is 1312.43 feet perpendicularly distant North of the South line of said Section 6; thence Southwesterly along a line forming an angle of 26° 45' 38" to the right with a prolongation of the last described course a distance of 1382.06 feet to an angle point which is 99.70 feet perpendicularly distant North of said South line of Section 6; thence South along a line forming an angle of 26° 56' 20" to the left with the prolongation of the last described course a distance of 99.74 feet to a point on the South line of said Section 6, which is 2200.6 feet West of the Southeast corner of said Section 6; thence East along the South line of said Section 6 a distance of 791.83 feet; thence Northeasterly along a line forming an angle of 61° 20' 23" to the left with the South line of said Section 6 a distance of 1267.33 feet to an angle point which is 1112.06 feet perpendicularly distant North of said South line of Section 6; thence North along a straight line forming an angle of 26° 45' 38" to the left with the prolongation of the last described course a distance of 2329.35 feet to the point of beginning; all in Kendall County, Illinois.

10 01 110 20



CHICAGO TITLE INSURANCE COMPANY
 Kendall County Office
 272 Duane St.
 Yorkville, Ill.

Exhibit C

LEGAL DESCRIPTION

That part of the West half of the Northeast quarter of Section 7, Township 37 North, Range 7 East of the Third Principal Meridian, bounded and described as follows: Beginning at a point on the South line of said West half of the Northeast quarter of Section 7 which is 907.91 feet West of the Southeast corner thereof; thence North-easterly along a line 195.36 feet to an angle point; which is 377.17 feet perpendicularly distant West of the East line of said West half of the Northeast quarter and 192.04 feet perpendicularly distant North of the South line of said West half of the Northeast quarter; thence North along a line 2458.72 feet to a point on the North line of said West half of the Northeast quarter of Section 7, which point is 277.51 feet West of the Northeast corner thereof; thence East along the North line of said West half of the Northeast quarter 377.51 feet to said Northeast corner; thence South along the East line of said West half of the Northeast quarter 2632.55 feet to the Southeast corner of said West half of the Northeast quarter; thence West along the South line of said West half of the Northeast quarter 907.91 feet to the point of beginning; (except therefrom that part described as follows: Commencing at the Southeast corner of the West Half of the Northeast Quarter of said Section 7, thence West on the South line of West Half of the Northeast Quarter of said Section 7 a distance of 155.13 feet to a point on the South line of the West Half of the Northeast Quarter of said Section 7; thence Northeasterly along a line 115.21 feet to an angle point which is 113.25 feet perpendicularly distant North of the South line of said West Half of the Northeast Quarter and 137.17 feet perpendicularly distant West of the East line of said West Half of the Northeast Quarter; thence North along a line 2439.25 feet to an angle point which is 137.17 feet perpendicularly distant West of the East line of said West Half of the Northeast Quarter and 99.70 feet perpendicularly distant South of the North line of said West Half of the Northeast Quarter; thence Northeasterly along a line 113.62 feet to a point on the North line of said West Half of the Northeast Quarter of Section 7, which point is 85.68 feet West of the Northeast corner of said West Half of the Northeast Quarter; thence East along the North line of said West Half of the Northeast Quarter 85.68 feet to said Northeast corner; thence South along the East line of said West Half of the Northeast Quarter of Section 7, 2632.55 feet to the point of beginning), all in Kendall County, Illinois.

P.C.S.

92-07-200-003



CHICAGO TITLE & TRUST CO. 15
Kendall County Building
230 State Street
Yorkville, Ill. 62458

75-4413

2 pages

ORDINANCE

72-8

COM 7

Pl 02-06-400-002
02-06-400-002
02-06-400-006
Pl 02-07-200-003
Pl 02-07-200-006

AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED

WHEREAS, The old Second National Bank of Aurora, as Trustee under trust No. 1582, Paul Schultz, August F. Schultz and Mildred Hanks, and Faltas Gravel Co. and Faltas Land, Inc.

02-07-200-01
Pl 0207-200-008
Pl currently M-2

did petition the Zoning Board of Appeals of Kendall County for a public hearing in the manner required by law and the ordinances of Kendall County, Illinois for a proposed amendment to the Kendall County Zoning Ordinance adopted May 10, 1960,

02-08-100-001
Pl. currently M-2
02-08-100-005
02-08-100-006
*Pl 02-07-200-013

and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed amendment on the 21st day of March, A.D. 1972, on the site described in the petition and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the Board of Supervisors of Kendall County, Illinois that the petition be granted and the zoning maps and ordinance be amended in the manner required by law; and

02-08-100-003
lupdate 98-3
134

WHEREAS, Supervisor Ernest Zeiter did move that the findings of the Zoning Board of Appeals be accepted and that the property described in said petition be granted a change in classification from "R" Agriculture to "M-3" for asphalt and redi-mix plant and a "Special Use" under agriculture for gravel mining operation and upon second by James Mann, roll call was taken as follows:

The following voted Aye: Keith Nichols; Harold Christian; Howard Shoger; James Mann; Charles Sleszer; Ernest Zeiter; Charles Whitfield; John Stewart; Robert Kacker; Russell Madan.

The following voted Naye: None

Excused: Myron Wormley

207

02-08-100-003
Pl 134
multiple young?

see attached maps

NOWHEREFORE, BE IT ORDAINED by the Board of Supervisors of Kendall County, Illinois that the following described property be and it is hereby rezoned from "A" Agriculture to "M-3" for asphalt and redi-mix plant and a "Special Use" under agriculture for gravel mining operation and that the County Clerk be and she is hereby ordered and directed to change the zoning map, to show the change in zoning classification:

PARCEL I

The East half of the Northeast quarter of Section 7 and the Northwest quarter of Section 8, Township 17 North, Range 7 East of the Third Principal Meridian, all in Bristol Township, Kendall County, Illinois. Containing 240 plus acres.

PARCEL II

That part of the West half of the Northeast quarter of Section 7, Township 17 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of said West half for a point of beginning; thence South along the East line of said West half, 724.00 feet; thence West along a line which forms an angle of 89° 36' 21" measured from North to West with the last described line, 874.63 feet; thence North along a line which forms an angle of 90° 35' 33" measured from East to North with the last described line, 709.73 feet to a point in the North line of said West Half; thence East along said North line, 877.11 feet to the point of beginning, all in Bristol Township, Kendall County, Illinois. Containing 14.41 acres.

PARCEL III

That part of the Southeast quarter of Section 6, Township 17 North, Range 7 East of the Third Principal Meridian, described as follows: Commencing at the Southwest corner of said Southeast quarter, thence East along the South line of said Southeast quarter,

442.89 feet for a point of beginning; thence North along a line which forms an angle of 89° 39' 33" measured from East to North with the easterly extension of the last described line, 1027.0 feet; thence East along a line which forms an angle of 89° 39' 48" measured from South to East with the last described line, 1730.00 feet; thence South along a line which forms an angle of 90° 29' 42" measured from West to South with the last described line, 1006.52 feet to a point in the South line of said Southeast quarter; thence West along the South line of said Southeast quarter, 1732.11 feet to the point of beginning, all in Bristol Township, Kendall County, Illinois. Containing 40.40 acres.

BE IT FURTHER ORDAINED that the above "Special Use" classification shall be expressly made subject to the following conditions:

1. That the foregoing "Special Use" shall be subject to further review of the zoning Board of Appeals and the Board of Supervisors upon notice directed to the owner of the premises herein described and a proper publication as required by law not less than fifteen days prior to date of hearing.
2. That a green belt must be maintained on the west side of the West Branch of the Rob Roy Creek of a minimum of 100 feet.
3. That the petitioner cooperate with the Bristol Township Road Commissioner on the south end of the site.
4. That the petitioner be subject to an annual inspection and renewal.
5. That a bond of \$50,000 will be required until such time as the State of Illinois makes their rules governing bonding of such areas.

Passed this 11th day of April, 1972.

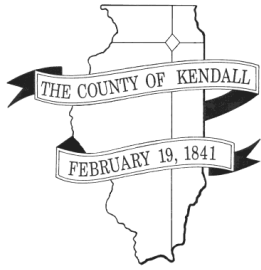
Russell Roden
Chairman County Board of Supervisors
Kendall County, Illinois

ATTEST: Sean P. Brady
County Clerk

05

06





DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: County Board

From: Matthew H. Asselmeier, AICP, Senior Planner

Date: November 14, 2017

Re: Petition 17-35-Repeal of Special Use at 10123 Fox River Drive and Northwest Corner of Crimmin Road and Fox River Drive

On November 10, 1986, the Kendall County Board approved a special use permit allowing for the placement of a 42 lot residential subdivision near the corner of Crimmin Road and Fox River Drive (Ordinance 86-12). A copy of Ordinance 86-12 which granted them a special use permit is attached.

On May 16, 2017, the Kendall County Board approved a partial revocation of a special use permit for a residential subdivision at the corner of Crimmin Road and Fox River Drive (Ordinance 2017-08).

At the time of that revocation, Staff stated they would contact other property owners impacted by the original special use permit to see if they want to retain or revoke the special use permit for a residential subdivision.

As of November 1, 2017, all of the remaining property owners impacted by the special use awarded by Ordinance 86-12 have requested for the special use permit in question to be revoked because they do not believe that the subdivision originally proposed in 1986 will occur.

The subject properties are zoned R-2. If the special use permit is revoked, the subject property would retain the R-2 zoning classification.

At their November 13, 2017 meeting, the Planning, Building and Zoning Committee unanimously recommended forwarding this request to the County Board.

A draft ordinance revoking the special use permit is also attached for your consideration.

If you have any questions, please let me know.

Thanks,

MHA

Enc: Draft Revocation Ordinance
Aerial
Ordinance 86-12

ORDINANCE # 2017-_____

REVOKING A SPECIAL USE for
**PROPERTY LOCATED AT THE NORTHWEST CORNER OF CRIMMIN ROAD AND
FOX RIVER DRIVE INCLUDING 10123 FOX RIVER DRIVE, NEWARK
AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS
04-29-100-005, 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 AND
04-20-300-002 IN FOX TOWNSHIP**

WHEREAS, Gene Whitfield petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a special use permit for the development of a planned unit development at the northwest corner of Fox River Drive and Crimmin Road, in Fox Township; and

WHEREAS, said property is legally described as follows:

That part of the Southeast Quarter of Section 19, part of the Southwest Quarter of Section 20, part of the Northwest Quarter of Section 29 and part of the Northeast Quarter of Section 30, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of said section 20; thence North 89° 15'14" west along the south line of said Section 20, 891.0 feet; thence north 0°30'12" East, 25.74 feet; thence North 79°32'34" West, 850.64 feet; thence North 25°42'41" East, 26.64 feet; thence North 81°50'28" West, 4,764.34 feet for a point of beginning; thence South 18°47'55" West, 944.76 feet to the south line of Lot 1 of said Section 30 as shown in Plat Book 3, page 20; thence South 82°19'24" East along said south line, 182.16 feet; thence South 30°13'28" West parallel with the Burlington Northern, Inc. Railroad Company right of way through said Section 30, 368.28 feet; thence South 29°43'28" West, 935.33 feet to the northerly line of Comb's Subdivision; thence South 82°04'11" East along said northerly line and said northerly line extended, to the center line of Crimmin Road; thence northerly along said center line; to a line drawn South 81°50'28" East from the point of beginning; thence North 81°50'28" West to the point of beginning in Fox Township, Kendall County, Illinois.

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 86-12 on November 10, 1986; and

WHEREAS, the properties identified by Parcel ID Numbers 04-29-100-005, 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 and 04-20-300-002 are located within the development awarded a special use permit by Ordinance 86-12; and

WHEREAS, the Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield have owned the properties identified by parcel identification numbers 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 since at least 2005; and

WHEREAS, R W and K J Whitfield have owned the property identified by parcel identification number 04-20-300-002 since at least 2005; and

WHEREAS, Donald and Colleen Zitt purchased the property identified by parcel identification number 04-29-100-005 from the Gene Revocable Living Trust 1 Whitfield and Joanne Whitfield on or about September 14, 2016; and

WHEREAS, Section 13.08.F of the Kendall County Zoning Ordinance allows a special use permit holder to request revocation of said special use by written request to the County Board; and

WHEREAS, pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, no public hearing is required for an owner-initiated revocation; and

WHEREAS, Donald and Colleen Zitt, owners, Joanne Whitfield, owner, and Richard Whitfield, representing R W & K J Whitfield have stated in letters as provided in attached Exhibits “A” “B” and “C” that they voluntarily requests that Kendall County revoke the special use permit on the above-referenced property and waived their right to a public hearing for the revocation; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the special use permit granted under Ordinance 86-12 as applied to the properties identified by Parcel ID Numbers 04-29-100-005, 04-19-400-009, 04-30-200-002, 04-20-300-003, 04-29-200-001 and 04-20-300-002, including the property also known as 10123 Fox River Drive, Newark, be revoked as of the date of this Ordinance.

BE IT FURTHER ORDAINED, that the Zoning Administrator and other appropriate County officials are hereby authorized and directed to update the Official Zoning Map of Kendall County to reflect the revocation of the special use permit on the subject property granted under Ordinance 86-12.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 21st day of November, 2017.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

October 26, 2017

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139 Fax: 630.553.4179

I, Donald Zitt, am the owner at 10123 Fox River Drive, Newark.

On November 10, 1986, the property was granted a special use (Ordinance 86-12). The special use granted in 1986 was granted for the creation of a residential subdivision with various lot sizes.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

Colleen Zitt
(Signature)

10/30/2017
(Date)

Colleen Zitt
(Printed Name)

Attest: Pamela A Herber
Notary Public

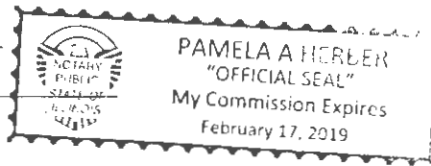


Exhibit B

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139

I, Joanne E. Whitfield the owner of properties near the Intersection of Fox River Drive and Crimmin Road identified by Parcel Identification Numbers 04-19-400-009 and 04-30-200-002.

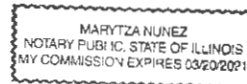
On November 10, 1986, these properties were granted a special use (Ordinance 86-12). The special use granted in 1986 was granted to allow for the development of a forty-two (42) lot residential subdivision with lot sizes ranging from one (1) acre to twenty-four point one (24.1) acres.

Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

Joanne E. Whitfield
(Signature)

11-1-17
(Date)

Joanne E. Whitfield
(Printed Name)



Attest: Marytza Nunez
Notary Public

Exhibit C

Kendall County
Planning, Building and Zoning
Attn: Matthew H. Asselmeier
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630-553-4139

I, Richard W. Whitfield the owner of property near the Intersection of Fox River Drive and Crimmin Road identified by Parcel Identification Number 04-20-300-002.

On November 10, 1986, the property was granted a special use (Ordinance 86-12). The special use granted in 1986 was granted to allow for the development of a forty-two (42) lot residential subdivision with lot sizes ranging from one (1) acre to twenty-four point one (24.1) acres.

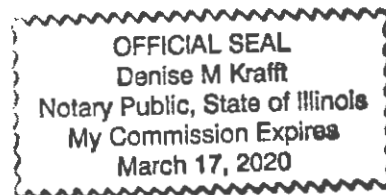
Pursuant to Section 13.08.F of the Kendall County Zoning Ordinance, I hereby voluntarily request that Kendall County revoke my special use on the above-referenced property. By signing below, I acknowledge that no public hearing shall be conducted for revocation of the special use. I understand that the requested revocation shall not become effective unless and until approved by a majority vote of the Kendall County Board. By signing below, I hereby waive my right to a public hearing and formally request the above-referenced special use be removed from my property.

Richard W. Whitfield
(Signature)

11-1-17
(Date)

Richard W. Whitfield
(Printed Name)

Attest: Denise M Kraft
Notary Public



04-19-400-009+010 Pt 04-29-100-003 Pt 04-29-200-0x
04-20-300-002 Pt 04-29-200-001
04-30 200-003
04-30 200-002
ORDINANCE
AMENDING KENDALL COUNTY ZONING ORDINANCE AS AMENDED 96.08

R-2 SU
PUD

WHEREAS, Gene Whitfield did petition the Zoning Board of Appeals of Kendall County, Illinois for a public hearing in the manner required by law and ordinances of Kendall County, Illinois, for a proposed amendment to the Kendall County Zoning Ordinance adopted January 16, 1940; and

WHEREAS, said Zoning Board of Appeals did thereupon publish notice of a hearing on said proposed map amendment to said Zoning Ordinance as provided by the Statutes of the State of Illinois, and did then hold a public hearing on said proposed map amendment on the 29th day of August, 1986 in the Kendall County Board Room and at the conclusion of said hearing said Zoning Board of Appeals voted in favor of recommending to the County Board of Kendall County, Illinois, that the petition be granted and the zoning maps be amended; and

WHEREAS, the appropriate zoning classification for the residential use requested by petitioner is R2 Residential; and

WHEREAS, as a result of the unique environmental conditions of the property, strict adherence to the minimum lot size requirements of the R2 Residential district would deprive the petitioner of a reasonable use of the land; and

WHEREAS, the petitioner has submitted a plat describing and depicting the size and location of 42 lots in the land described in the petition; and

WHEREAS, said lot size vary from 1 acre to 24.1 acres; and


WHEREAS, granting of a special use permit as a planned unit development in accordance with the attached plat is in conformance with the Ordinance and is a reasonable land use of the property described. Said planned unit development authorizing the variance in lot size from the specific minimum is provided by the Ordinance.

Ordinance

NOW, THEREFORE, be it ordained by the County Board of Kendall County that the following described property be and the same is hereby reclassified from Agriculture A1 to residential R2 with the special use for plan use and development in accordance with the attached plat and that the Zoning Administrator be hereby ordered and directed to change the zoning map to show the change in zoning classification, legally described as follows:


See attached Exhibit "A"

PASSED THIS 10th day of November, 1986.



Chairman, County Board of
Kendall County, Illinois

ATTEST:



County Clerk

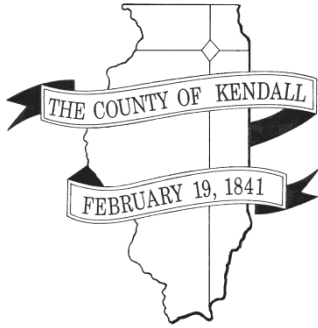
PART OF EXHIBIT "A"

Legal Description for Gene Whitfield:

Tract to be rezoned from A1 to R2SU

That part of the Southeast Quarter of Section 19, part of the Southwest Quarter of Section 20, part of the Northwest Quarter of Section 29 and part of the Northeast Quarter of Section 30, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of said Section 20; thence North $89^{\circ}15'14''$ west along the south line of said Section 20, 891.0 feet; thence North $0^{\circ}30'12''$ East, 25.74 feet; thence North $79^{\circ}32'34''$ West, 850.64 feet; thence North $25^{\circ}42'21''$ East, 26.64 feet; thence North $81^{\circ}50'28''$ West, 4,764.34 feet for a point of beginning; thence South $18^{\circ}47'55''$ West, 944.76 feet to the south line of Lot 1 of said Section 30 as shown in Plat Book 3, page 20; thence South $82^{\circ}19'24''$ East along said south line, 182.16 feet; thence South $30^{\circ}13'28''$ West parallel with the Burlington Northern, Inc. Railroad Company right of way through said Section 30, 368.28 feet; thence South $29^{\circ}43'28''$ West, 935.33 feet to the northerly line of Comb's Subdivision; thence South $82^{\circ}04'11''$ East along said northerly line and said northerly line extended, to the center line of Crimmin Road; thence northerly along said center line* to a line drawn South $81^{\circ}50'28''$ East from the point of beginning; thence North $81^{\circ}50'28''$ West to the point of beginning in Fox Township, Kendall County, Illinois and containing 110.096 acres.

*and along the center line of Fox River Drive,



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: County Board
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: November 14, 2017
Re: Proposed 2017 Noxious Weed Annual Report

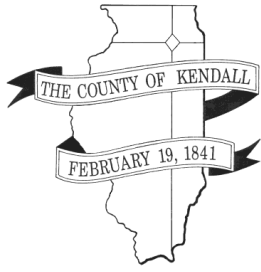
Kendall County is required by Illinois law to submit an annual report of noxious weed complaints within the County. Attached please find the proposed 2017 Kendall County Noxious Weed Annual Report.

At their meeting on November 13th, the Planning, Building and Zoning Committee unanimously recommended forwarding this proposal to the County Board.

If you have any questions, please let me know.

MHA

Enc: Proposed 2017 Kendall County Noxious Weed Annual Report



**KENDALL COUNTY
NOXIOUS WEED ANNUAL REPORT
2017**

As required by the Illinois Noxious Weed Law (505 ILCS 100), the County of Kendall submits the following Annual Report from November 1, 2016 to October 31, 2017.

During the reporting period:

1. Kendall County sent letters to each township and municipality located within Kendall County asking that they report noxious weed cases and investigations to the Kendall County Planning, Building and Zoning Department. A copy of the letter is attached.
2. Kendall County received zero (0) complaints of noxious weeds within the County and investigated zero (0) complaints of noxious weed infestations.
3. Kendall County received (0) requests for assistance in the investigation of noxious weed infestations.
4. Kendall County eradicated zero (0) acres of noxious weeds.
5. Kendall County quarantined zero (0) acres of property.
6. Kendall County received zero (0) requests for advice from persons responsible for controlling and eradicating noxious weeds.
7. Kendall County published zero (0) notices to individuals or the public regarding noxious weeds.
8. Starting in 2018, Kendall County shall publish the General Notice at least one time annually in a newspaper of general circulation within the County.
9. Kendall County prepared and adopted a Comprehensive Work Plan for 2018.
10. Kendall County cooperated, when requested, with Federal, State and local authorities in carrying out the provisions of the Illinois Noxious Weed Law.

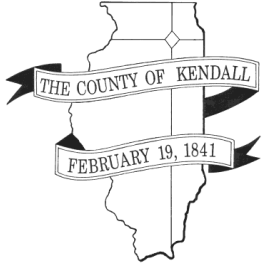
This Noxious Weed Annual Report was approved by the Kendall County Board on November 21, 2017.

Respectively Submitted,

Scott R. Gryder
Kendall County Board Chairman

Date

Enc: August 16, 2017 Letter to Municipalities and Townships



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

August 16, 2017

RE: Illinois Noxious Weed Law

Dear Township Supervisors and Mayors:

The Illinois Department of Agriculture recently informed Kendall County that the County must do more work in relation to the enforcement of the Illinois Noxious Weed Law (505 ILCS 100). In particular, the State requires the County to create and submit prior to December of each year an annual report and create and submit on or before the first day of November of each year a comprehensive work plan for the next calendar.

In order to comply with State law, we request that you inform us of any noxious weed cases that you receive, the location of the complaint and if the complaint was resolved. Please send this information to Matthew Asselmeier, Kendall County Senior Planner, 111 W. Fox Street, Yorkville, IL 60560 or masselmeier@co.kendall.il.us.

We do not request that you undertake any additional work related to the enforcement of the Illinois Noxious Weed Law or that you alter your procedures for process noxious weed complaints except that you inform us of noxious weed complaints.

Kendall County hopes to partner with each township and municipality in order to comply with this law. A list of State of Illinois recognized noxious weeds is included with this letter.

If you have any questions, please contact Mr. Asselmeier at 630-553-4139.

Sincerely,

Scott R. Gryder, Chairman
Kendall County Board

Enc: List of Noxious Weeds

Section 220.60 Noxious Weeds

The following plants within the sovereign territory of the State of Illinois are designated and declared noxious weeds:

- a) Marihuana (*Cannabis sativa* L.);
- b) Giant Ragweed (*Ambrosia trifida* L.) within the corporate limits of cities, villages, and incorporated towns;
- c) Common Ragweed (*Ambrosia artemisiifolia* L.) within the corporate limits of cities, villages, and incorporated towns;
- d) Canada Thistle (*Cirsium arvense*);
- e) Perennial Sowthistle (*Sonchus arvensis*);
- f) Musk Thistle (*Carduus nutans*);
- g) Perennial members of the sorghum genus, including johnsongrass (*Sorghum halepense*), sorghum almum, and other johnsongrass X sorghum crosses with rhizomes; and
- h) Kudzu (*Pueraria labata*).

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)



NOTICE OF NONCOMPLIANCE
505 ILCS 100/1 et seq.

Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice) • Fax 217/524-4882 • 866/287-2999 (TTY/TDD)
Pesticide Misuse Hotline 1-800-641-3934 (voice)

May 5, 2017

Kendall County Board
Scott Gryder
111 W Fox St
Yorkville, IL 60560

Pursuant to 505 ILCS 100/4, the Director of the Illinois Department of Agriculture is issuing this Notice of Noncompliance with regard to certain requirements of the Illinois Noxious Weed Law. Links to the aforementioned statute and associated regulations are shown below. Under their provisions, the governing body of each county is designated as a *Control Authority* and is to do the following:

- 1) establish a coordinated program for control and eradication of noxious weeds within the county;
- 2) conduct an examination of all land under its jurisdiction for compliance with the Act;
- 3) compile data on infested areas and areas eradicated;
- 4) advise persons responsible for controlling and eradicating noxious weeds of the best and most practical methods of noxious weed control and eradication;
- 5) investigate or aid in the investigation and prosecution of violations of the Act;
- 6) publish notices for control and eradication of noxious weeds as set forth in the Act and rules and as prescribed by the Director; and
- 7) cooperate with Federal, State, and local authorities in carrying out the provisions of the Act and its rules.

Control Authorities may employ one or more *weed control superintendents* who must be certified by the Director of the Illinois Department of Agriculture to carry out many of the various activities authorized in the Act including the examination of lands under the *Control Authority's* jurisdiction, the investigation of complaints, the issuance of control notices, the creation and submittal prior to December of each year of an annual report, and the creation and submittal on or before the first day of November of each year of a comprehensive work plan for the next calendar year.

Please take a few minutes and review the statute and associated regulations, the status of your current noxious weed control program, and whether improvements might be made to improve its effectiveness.

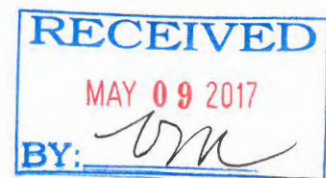
The statute and associate regulations can be found by following the links as indicated:

Statute – <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1693&ChapterID=40>
Rule – <http://ilga.gov/commission/jcar/admincode/008/00800220sections.html>

If you have any questions or comments, please feel free to contact us at the Department of Agriculture at your convenience.

Sincerely,

Warren D. Goetsch, P.E.
Deputy Director and Acting Bureau Chief, Environmental Programs



Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as Public Acts soon after they become law.

For information concerning the relationship between statutes and Public Acts, refer to the Guide.

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

AGRICULTURE
(505 ILCS 100/) Illinois Noxious Weed Law.

(505 ILCS 100/1) (from Ch. 5, par. 951)

Sec. 1. This Act shall be known and may be cited as the Illinois Noxious Weed Law.

(Source: P.A. 77-1037.)

(505 ILCS 100/2) (from Ch. 5, par. 952)

Sec. 2. As used in this Act:

(1) "Person" means any individual, partnership, firm, corporation, company, society, association, the State or any department, agency, or subdivision thereof, or any other entity.

(2) "Control", "controlled" or "controlling" includes being in charge of or being in possession, whether as owner, lessee, renter, or tenant, under statutory authority, or otherwise.

(3) "Director" means the Director of the Department of Agriculture of the State of Illinois, or his or her duly appointed representative.

(4) "Department" means the Department of Agriculture of the State of Illinois.

(5) "Noxious weed" means any plant which is determined by the Director, the Dean of the College of Agricultural, Consumer and Environmental Sciences of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, to be injurious to public health, crops, livestock, land or other property.

(6) "Control Authority" means the governing body of each county, and shall represent all rural areas and cities, villages and townships within the county boundaries.

(7) "Applicable fund" means the fund current at the time the work is performed or the money is received.

(Source: P.A. 99-539, eff. 7-8-16.)

(505 ILCS 100/3) (from Ch. 5, par. 953)

Sec. 3. Every person shall control the spread of and eradicate noxious weeds on lands owned or controlled by him and use such methods for that purpose and at such times as are approved and adopted by the Director of the Department of Agriculture.

(Source: P.A. 77-1037.)

(505 ILCS 100/4) (from Ch. 5, par. 954)

Sec. 4. The duty of enforcing this Act and carrying out its provisions is vested in the Director, and the authorities

designated in this Act acting under the supervision and direction of the Director. If a Control Authority fails to carry out its duties and responsibilities under this Act or fails to follow the Department's rules, the Director shall enforce this Act or rules by sending a Notice of Noncompliance to the Control Authority. The Director, the Dean of the College of Agricultural, Consumer and Environmental Sciences of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, shall determine what weeds are noxious for the purposes of this Act, and shall compile and keep current a list of such noxious weeds, which list shall be published and incorporated in the rules and regulations of the Department. The Director shall, from time to time, adopt and publish methods as official for control and eradication of noxious weeds and make and publish such rules and regulations as in his judgment are necessary to carry out the provisions of this Act.
(Source: P.A. 99-539, eff. 7-8-16.)

(505 ILCS 100/5) (from Ch. 5, par. 955)

Sec. 5. The Director is authorized to investigate the subject of noxious weeds; to require information and reports from any Control Authority as to the presence of noxious weeds and other information relative to noxious weeds and the control and eradication thereof in localities where such Control Authority has jurisdiction; to cooperate with Control Authorities in carrying out other acts administered by him; to cooperate with agencies of Federal and State Governments and persons, in carrying out his duties under this Act, and, with the consent of the Governor, in the conduct of investigations outside this State in the interest of the protection of the agricultural industry of this State from noxious weeds not generally distributed therein; with the consent of the Federal agency involved, to control and eradicate noxious weeds on Federal lands within this State, with or without reimbursement, when deemed by him to be necessary to an effective weed control and eradication program; to advise and confer as to the extent of noxious weed infestations and the methods determined best suited to the control and eradication thereof; to call and attend meetings and conferences dealing with the subject of noxious weeds; to disseminate information and conduct educational campaigns with respect to control and eradication of noxious weeds; to procure materials and equipment and employ personnel necessary to carry out his duties and responsibilities; and to perform such other acts as may be necessary or appropriate to the administration of this Act.

(Source: P.A. 77-1037.)

(505 ILCS 100/7) (from Ch. 5, par. 957)

Sec. 7. Each Control Authority shall carry out the duties and responsibilities vested in it under this Act with respect to land under its jurisdiction in accordance with rules and regulations prescribed by the Department. Such duties shall include the establishment, under the general direction of the Control Authority, of a coordinated program for control and eradication of noxious weeds within the county.

A Control Authority may cooperate with any person in

carrying out its duties and responsibilities under this Act.
(Source: P.A. 77-1037.)

(505 ILCS 100/8) (from Ch. 5, par. 958)

Sec. 8. Each Control Authority may employ one or more Weed Control Superintendents who shall be certified by the Director to be qualified to detect and treat noxious weeds. The same person may be a Weed Control Superintendent for more than one Control Authority. Such employment may be for such tenure, and at such rates of compensation and reimbursement for travel expenses, as the Control Authority may prescribe. Each Weed Control Superintendent may be bonded for such sum as the Control Authority may prescribe.

Each Control Authority shall examine all land under its jurisdiction for the purpose of determining whether the provisions of this Act and the regulations of the Director have been complied with; compile such data on infested areas and areas eradicated and such other reports as the Director or Control Authority may require; consult and advise upon matters pertaining to the best and most practical methods of noxious weed control and eradication, and render assistance and direction for the most effective control and eradication; investigate or aid in the investigation and prosecution of any violation of this Act. Control Authorities may cooperate and assist one another to the extent practicable in the carrying out of a coordinated control and eradication program within their counties.

(Source: P.A. 77-1037.)

(505 ILCS 100/9) (from Ch. 5, par. 959)

Sec. 9. Notices for control and eradication of noxious weeds shall be on a form prescribed by the Director and shall consist of 2 kinds: general notices and individual notices. Failure to publish general weed notices or to serve individual notices as provided in this Section does not relieve any person from the necessity of full compliance with this Act and regulations thereunder. In all cases such published notice is legal and sufficient notice.

General notice shall be published by each Control Authority, or any combination of Control Authorities among counties, in one or more legal newspapers of general circulation throughout the area, or areas, over which the Control Authority, or Control Authorities, have jurisdiction at such times as the Director may direct or the Control Authority may determine.

Whenever any Control Authority finds it necessary to secure more prompt or definite control or eradication of noxious weeds than is accomplished by the general published notice, it shall serve individual notices upon the person owning and the person controlling such land, and give notification of such notice to the record owner of any encumbrance thereon, giving specific instructions and methods when and how certain named weeds are to be controlled or eradicated.

(Source: P.A. 77-1037.)

(505 ILCS 100/10) (from Ch. 5, par. 960)

Sec. 10. Whenever the owner or person in control of the land on which noxious weeds are present has neglected or

failed to control or eradicate them as required in this Act and any notice is given pursuant to Section 9, the Control Authority having jurisdiction shall have proper control and eradication methods used on such land, and shall advise the owner, person in control, and record holder of any encumbrance of the cost incurred in connection with such operation. The cost of any such control or eradication shall be at the expense of the owner. If unpaid for 6 months, or longer, the amount of such expense shall become a lien upon the property. Nothing contained in this Section shall be construed to require satisfaction of the obligation imposed hereby in whole or in part from the sale of the property or to bar the application of any other additional remedy otherwise available. Amounts collected under this Section shall be deposited in the Noxious Weed Control Fund or other appropriate general fund of the Control Authority.
(Source: P.A. 77-1037.)

(505 ILCS 100/11) (from Ch. 5, par. 961)

Sec. 11. When it appears to a Control Authority that upon any tract of land under its jurisdiction there is an infestation of noxious weeds beyond the ability of the owner and the person in control of such land to eradicate, the Control Authority, with the approval of the Director, may quarantine such land and put into immediate operation the necessary means for the eradication of such noxious weeds. The Control Authority shall, prior to the entry upon such land, serve individual notices on the owner and the person in control thereof and the record owner of any encumbrance thereon of such quarantine and entry, and shall also advise such persons of the completion of the eradication operation, and the cost thereof. The expense of such quarantine and eradication shall be borne as follows: 1/2 from the Noxious Weed Control Fund or other appropriate general fund of the Control Authority; and 1/2 from the person owning such land, which may be collected and deposited as provided in Section 10.
(Source: P.A. 77-1037.)

(505 ILCS 100/12) (from Ch. 5, par. 962)

Sec. 12. The cost of controlling and eradicating noxious weeds on all land, including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a State department, agency, commission or board shall be paid by the State department, agency, commission or board in control thereof out of funds appropriated to its use.

The cost of controlling and eradicating noxious weeds on all land including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a Control Authority shall be paid by the Control Authority in control thereof out of the Noxious Weed Control Fund, and until the establishment of such Fund, out of the general funds of such Control Authority. Until the establishment of the Noxious Weed Control Fund by a Control Authority, the cost of controlling and eradicating noxious weeds on all land, including highways, roadways, streets, alleys and rights-of-way, owned or controlled by a township or city or other municipal corporation shall be paid by the township or city or other municipal corporation in control thereof out of the general

funds of such township or city or other municipal corporation. After the establishment of the Noxious Weed Control Fund of the county in which such township or city is located, such cost shall be paid from the Noxious Weed Control Fund of such county.

(Source: P.A. 77-1037.)

(505 ILCS 100/13) (from Ch. 5, par. 963)

Sec. 13. Notwithstanding any other provisions of this Act relating to payment of cost, when determined by a Control Authority to be justified in the interest of an effective weed control program, such Control Authority may control and eradicate noxious weeds on land under its jurisdiction, without cost to the owner or person in control thereof.

(Source: P.A. 77-1037.)

(505 ILCS 100/14) (from Ch. 5, par. 964)

Sec. 14. To prevent the dissemination of noxious weeds through any article, including machinery, equipment, plants, materials and other things, the Director, in consultation with the Dean of the College of Agricultural, Consumer and Environmental Sciences of the University of Illinois and the Director of the Agricultural Experiment Station at the University of Illinois, shall, from time to time, publish a list of noxious weeds which may be disseminated through articles and a list of articles capable of disseminating such weeds, and designate treatment of such articles as, in his opinion, would prevent such dissemination. Until such article is treated in accordance with the applicable regulations, it shall not be moved from such premises except under and in accordance with the written permission of the Control Authority having jurisdiction of the area in which such article is located, and the Control Authority may hold or prevent its movement from such premises. The movement of any such article which has not been so decontaminated, except in accordance with such written permission, may be stopped by the Control Authority having jurisdiction over the place in which such movement is taking place and further movement and disposition shall only be in accordance with such Control Authority's direction.

(Source: P.A. 99-539, eff. 7-8-16.)

(505 ILCS 100/15) (from Ch. 5, par. 965)

Sec. 15. A Noxious Weed Control Fund may be established as provided in Section 16 for each Control Authority, without fiscal year limitation, which shall be available for expenses authorized to be paid from such Fund, including the necessary expenses of the Control Authority in carrying out its duties and responsibilities under this Act. The Weed Control Superintendents within the county shall ascertain each year the approximate amount of land within the county infested with noxious weeds, and the location thereof, and transmit such information to the Director and the Control Authority. On the basis of such information the Control Authority shall make payments from the Noxious Weed Control Fund. If a Noxious Weed Control Fund is not established as provided in Section 16, the expenses authorized to be paid from such Fund shall be paid out of any other appropriate general fund of the Control

Authority.

(Source: P.A. 77-1037.)

(505 ILCS 100/17) (from Ch. 5, par. 967)

Sec. 17. Control Authorities, independently or in combination, may purchase or provide for needed or necessary materials, machinery and equipment, including the cost of operation and depreciation of such machinery and equipment, for the control and eradication of weeds as provided in Sections 10 and 11, whether or not declared noxious on land owned or controlled by them or on other land under their jurisdiction. All funds received from such control and eradication of weeds shall be deposited in the Noxious Weed Control Fund or other appropriate general fund of the Control Authority. Each Control Authority shall keep a record showing the procurement, sale and rental of materials, machinery and equipment, which record shall be open to inspection by citizens of this State. A Control Authority may use any equipment or material procured as provided for in this Section upon lands owned or directly controlled by it, or owned or controlled by a township or city which is not a Control Authority, for the treatment and eradication of weeds which have not been declared noxious.

(Source: P.A. 77-1037.)

(505 ILCS 100/18) (from Ch. 5, par. 968)

Sec. 18. If any person is dissatisfied with the amount of any charge made against him by a Control Authority for control or eradication work, he may, within 5 days after being advised of the amount of the charge, file a protest with the Director. The Director shall hold a hearing thereon and has the power to adjust or affirm such charge.

(Source: P.A. 77-1037.)

(505 ILCS 100/19) (from Ch. 5, par. 969)

Sec. 19. All final administrative decisions of the Director or his representative are subject to judicial review under the Administrative Review Law. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure. The filing for judicial review shall stay the order of the Director or his representative pending disposition of the order on judicial review. The court, upon its own initiative or upon motion by the Director, may in its discretion, when it deems it necessary to protect the interests involved, require the posting of additional bond in an amount it deems advisable, as a prerequisite to judicial review.

(Source: P.A. 82-783.)

(505 ILCS 100/20) (from Ch. 5, par. 970)

Sec. 20. The Director, any Control Authority, Weed Control Superintendent, or anyone authorized thereby, may enter upon all land under their jurisdiction for the purpose of performing their duties and exercising their powers under this Act, including the taking of specimens of weeds or other materials, without the consent of the person owning or controlling such land and without being subject to any action for trespass or damages, if reasonable care is exercised.

(Source: P.A. 77-1037.)

(505 ILCS 100/21) (from Ch. 5, par. 971)

Sec. 21. All individual notices, service of which is provided for in this Act, shall be in writing. Service of such notices shall be in the same manner as service of a summons in a civil action in the circuit court or by certified mail to the last known address to be ascertained, if necessary, from the last tax list.

(Source: P.A. 77-1037.)

(505 ILCS 100/22) (from Ch. 5, par. 972)

Sec. 22. Any person violating any provision of this Act or any regulation issued hereunder is guilty of a petty offense and shall be fined not more than \$100 for the first offense and not more than \$200 for each subsequent offense.

(Source: P.A. 78-255.)

(505 ILCS 100/23) (from Ch. 5, par. 973)

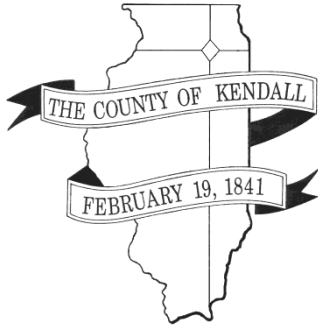
Sec. 23. The Director may participate in any noxious weed control program and, when called upon to do so by any such program, may use any funds available to him for the purposes of this Act in the matching of any federal funds made available to this State.

(Source: P.A. 77-1037.)

(505 ILCS 100/24) (from Ch. 5, par. 974)

Sec. 24. If any Section or provision of this Act is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining Sections or provisions of the Act which can be given effect without the invalid Section or provision, and to this end the Sections and provisions of this Act are declared to be severable.

(Source: P.A. 77-1037.)



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 316

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

MEMORANDUM

To: County Board
From: Matthew H. Asselmeier, AICP, Senior Planner
Date: November 14, 2017
Re: Tanglewood Trails Brush and Overgrowth Removal

The Kendall County Highway Department received the attached estimate and scope of work for removing overgrowth and brush in the retention ponds at Tanglewood Trails. The estimated cost for this work is Eight Thousand Nine Hundred Dollars (\$8,900).

If this project is approved and if the contractor spends the maximum amount of money quoted for the work, Thirty-Two Thousand Five Hundred Eight-Two Dollars (\$32,582) would remain in the Tanglewood Trails escrow account.

At their meeting on November 13th, the Planning, Building and Zoning Committee unanimously recommended forwarding this request to the County Board.

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

MHA

ENC: Project Estimate

David Jensen Construction

7990 Tanglewood Trails Drive

Yorkville, IL 60560

630-608-8471

djensenconstruction@gmail.com

Proposal

Date: 10/04/2017

PROPOSAL SUBMITTED TO:

Doug Westphal

Kendall Township Highway Dept.

doug.kendalltpw@sbcglobal.net

We hereby submit specifications and estimate for:

Work includes:

Tanglewood Trails Subdivision
Retention Pond Brush Removal

Clear over-growth and brush piles in north and south retention ponds

All equipment, fuel and labor costs included

\$ 8,900.00

We hereby propose to furnish labor and materials (*except where specified otherwise) in accordance with the above specifications, for the sum of : \$8,900.00 (eight thousand nine hundred dollars)

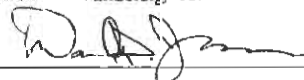
Payments as follows: Balance Due Upon Completion

All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications

involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accident or delays beyond our control.

This proposal is subject to acceptance within 30 days and it is void thereafter at the option of the undersigned.

Authorized Signature: _____



ACCEPTANCE OF PROPOSAL:

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work specified. Payment will be made as outlined above.

Signature: _____

Date: _____

Signature: _____

COUNTY OF KENDALL, ILLINOIS
Law, Justice and Legislation Committee
Monday, November 13, 2017
Meeting Minutes

Call to Order and Pledge Allegiance - Chair Matthew Prochaska called the meeting to order at 3:15p.m. and led the Pledge of Allegiance.

Roll Call: Member Prochaska, Member Giles, Member Hendrix, Member Gilmour, and Member Purcell were present. **With five members present voting aye, a quorum was determined to conduct business.**

Others Present: Public Defender Vicky Chuffo, EMA Director Joe Gillespie, Assistant State's Attorney Anne Knight, Judge Timothy McCann, Commander Mike Peters, Coroner Jacquie Purcell, Facilities Director Jim Smiley, Court Administrator Nicole Swiss

Approval of the Agenda – Member Hendrix made a motion to approve the agenda, second by Member Gilmour. **With five members present in agreement with the amendment, the motion carried.**

Approval of Minutes – Member Hendrix made a motion to approve the September 11, 2017 Law, Justice and Legislation Committee Meeting Minutes, second by Member Gilmour. **With five members present in agreement, the motion carried.**

Public Comment – None

Department Head and Elected Official Reports

- ❖ **Coroner** – Jacquie Purcell reviewed the September and October reports with the committee.
- ❖ **Circuit Clerk** – No report provided
- ❖ **Courthouse** – Judge Timothy McCann reported that he and Ms. Swiss will attend the December 14, 2017 Finance Committee to discuss the Law Library Fund. Judge McCann also reported that security upgrades will begin this week, and will hopefully be complete in early December.
- ❖ **Court Services** – No report provided
- ❖ **EMA** – Director Joe Gillespie reviewed the September and October reports with the committee.
- ❖ **KenCom** – Written report provided
- ❖ **Public Defender** – Vicky Chuffo provided a written report. Ms. Chuffo reported that bond call has been going smoothly.

- ❖ **State’s Attorney** – No report provided
- ❖ **Sheriff’s Report**
 - a. Operations Division – Written report provided. Commander Peters updated the committee on recent arrests and charges for Prostitution in the Oswego area. Discussion on potential ordinances for County municipalities to address this specific topic.
 - b. Corrections Division – Written report provided. Commander Peters reported that Sheriff’s Deputies contacted 20 of the 24 registered sex offenders in Kendall County to remind them about the restrictions of any contact with children, including the distribution of Halloween candy. Commander Peters reported a heavy law enforcement presence on Halloween, and stated that Auxiliary Deputies were also used that evening.
 - c. Records Division – Written report provided

Old Business - None

New Business

- *Approval of Resolution Honoring Veterans Assistance Commission for 15 years of service to Kendall County Veterans* - Member Purcell made a motion to forward this item to the County Board for approval on November 21, 2017, second by Member Gilmour. **With five members present in agreement, the motion carried.**
- *Discussion on Yorkville American Legion “Queen of Hearts” Raffle* – Discussion on the request from the Yorkville American Legion, the current ordinance, the amendment that would be needed to comply with their request, and suggested changes by the committee to the amendment. **There was consensus by the Committee to send the amendment to the State’s Attorney’s Office for Legal Review, and then forward the item to the Committee of the Whole in January 2018.**

Executive Session – Not needed

Public Comment – None

Items for Committee of the Whole - None

Action Items for County Board - *Approval of Resolution Honoring Veterans Assistance Commission for 15 years of service to Kendall County Veterans*

Adjournment – Member Hendrix made a motion to adjourn the meeting, second by Member Giles. **With all in agreement, the meeting adjourned at 4:01p.m.**

Respectfully Submitted, Valarie McClain, Administrative Assistant and Recording Secretary

COUNTY OF KENDALL, ILLINOIS
ADMINISTRATION HUMAN RESOURCES COMMITTEE
Meeting Minutes
Monday, November 6, 2017

CALL TO ORDER - Committee Chair Lynn Cullick called the meeting to order at 5:35p.m.

ROLL CALL

Attendee Name	Status	Arrived	Left Meeting
Judy Gilmour	Here		
Matthew Prochaska	Here		
Lynn Cullick	Here		
Elizabeth Flowers	Present		
John Purcell	Yes		

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

Others Present: Bob Jones, Scott Koeppel, Becki Rudolph

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES – October 18 and November 1, 2017

Motion: Member Gilmour
 Second: Member Flowers
RESULT: Approved with a 5-0 Voice Vote

COMMITTEE BUSINESS

- *Discussion and Approval of Workers Compensation Bid* - Rich Ryan reviewed the most up to date proposed ICRMT Property, Liability, Workers Compensation Limits, Retention, and Deductibles. Mr. Ryan answered questions about some of the differences of services offered between IPRF and ICRMT. Mr. Ryan stated that the IPRF underwriter informed him that they would never attend any of the Board or Committee meetings, that no one was available to attend the meeting this evening to provide additional information or answer questions, that the majority of their offered training is via webinars or online resources, a 90-day opt-out option and that they would offer the County a one-time \$3,400 safety grant as a new customer.

ICRMT Underwriter Todd Grier answered questions and provided additional information to the committee about additional free services offered by ICRMT including training for the County Coroner’s Office, on smoking cessation, weight loss,

stress management, high blood pressure management, ergonomic work stations, first aid, and safety classes (12 training session provided in 2017), a \$10,000 per year safety grant match, access to legal counsel, the underwriter and other key personnel, paid membership to UCCI, a seat on the ICRMT Executive Board, all claims being handled in-house, and a 30-day opt-out option. Mr. Grier informed the committee about new initiatives being offered including a program identifying tough claims and actions to decrease those, pre-evaluation by a nurse of all claims prior to submission, and a new pilot program that recommends employees on workers' compensation a more overall holistic approach to recovery by providing them the opportunity to talk with a social worker, which helps to reduce law suits, keeps the employee connected to the employer, and allows workers to return to work with less time away from work.

Member Prochaska made a motion to recommend to the County Board for approval ICRMT with the \$250,000 deductible, second by Member Flowers.

Roll Call: Member Flowers – aye, Member Prochaska – yes, Member Cullick – yes, Member Gilmour – yes, Member Purcell – yes **With five members present voting aye, the motion carried by a 5-0 voice vote.**

- *Discussion of Request for Qualifications (RFQ) or Bid for Insurance Brokerage and Risk Management Consultant Services* – item tabled to a future meeting
- *Review of Employee Handbook Revisions* - item tabled to a future meeting

DEPARTMENT HEAD AND ELECTED OFFICIAL REPORTS

Treasurer's Office – Chief Deputy Treasurer Bob Jones informed the committee about an issue experienced by one employee and a possible RAPL Clause in the UHC plans that indicates that although a facility might be in the network, that a specialist, doctor, surgeon or procedure might not be in network and would not be covered. Mr. Jones reported that he is in contact with CBIZ who is researching if there is such a clause in the UHC plans, and if there was one in the BCBS plans that the County had previously.

Mr. Jones also reported that the Employee Benefits Fair dates have been confirmed as November 28th and 29th, and that there will be three different events, with one held at the Public Safety Center, one at the Health Department and one at the Historic Courthouse. Mr. Jones will provide information to the employees in the next few weeks.

Administrative Services Office – Scott Koeppel informed the committee that Kendall Area Transit would like to utilize grant funds from a 2014 capital grant, to purchase new computer software. **There was consensus by the committee that KAT should proceed.**

ITEMS FOR COMMITTEE OF THE WHOLE – None

ACTION ITEMS FOR NOVEMBER 7, 2017 COUNTY BOARD AGENDA

- *Approval of ICRMT Workers Compensation Bid with \$250,000 Deductible*

PUBLIC COMMENT – None

EXECUTIVE SESSION – Not needed

MEETING ADJOURNMENT

Motion: Member Prochaska Second: Member Flowers RESULT: Approved with a Unanimous Voice Vote

This meeting was adjourned at 6:52p.m.

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Secretary

COUNTY OF KENDALL, ILLINOIS
ADMINISTRATION HUMAN RESOURCES COMMITTEE
Meeting Minutes
Wednesday, November 15, 2017

CALL TO ORDER - Committee Chair Lynn Cullick called the meeting to order at 6:11p.m.

ROLL CALL

Attendee Name	Status	Arrived	Left Meeting
Judy Gilmour	Here		
Matthew Prochaska	Here		
Lynn Cullick	Here		
Elizabeth Flowers		6:17p.m.	
John Purcell	Here	Returned at 6:56p.m.	6:33p.m.

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

Other County Board Members Present: Bob Davidson, Scott R. Gryder, Audra Hendrix
 Staff Present: Scott Koeppel, Mike Neuenkirchen

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES – November 6, 2017

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

COMMITTEE BUSINESS

- *Approve Contract with CTS Software for purchase and installation of TripMaster software in the amount of \$50,912.00 to be paid from IDOT and Community Foundation for the Fox River Valley grants – Mike Neuenkirchen explained the software, the proposed uses by Kendall Area Transit, and the funding by IDOT and the Foundation for the Fox River Valley grants.*

Member Purcell made a motion to forward the item to the County Board for approval, second by Member Gilmour. **With four members present voting aye, the motion carried.**

- *Discussion and Approval of Workers Compensation Bid* – Member Cullick updated the committee on the process status, the two bidders, and on the legal review by the State’s Attorney’s Office.

Rich Ryan from Wine Sergi again updated the committee on the differences between IPRF and ICRMT services, safety grant and clarified the 90-day opt out provision by IPRF.

Member Flowers made a motion to forward to the County Board for approval of the lowest responsible bid from ICRMT for Workers Compensation Insurance, second by Member Gilmour. **With four members voting aye, the motion carried.**

- *Discussion of Request for Qualifications (RFQ) or Bid for Insurance Brokerage and Risk Management Consultant Services* – Discussion on the dynamics and qualifications required for Insurance Brokerage Firm, and RFQ versus RFB. **There was consensus by the committee to move forward with an RFQ, gathering samples, beginning talks about RFQ’s in December, and going out for bid in February or March 2018 for Health Insurance Brokerage Services.**

Once the Health Care RFQ is completed, the Committee will proceed with an RFQ for the Property, Casualty, Liability and Worker’s Compensation Insurance Brokerage Services.

- *Review of Employee Handbook Revisions* – Item tabled to the December meeting

DEPARTMENT HEAD AND ELECTED OFFICIAL REPORTS

Scott Koeppl reviewed the written reports of the monthly Medical Insurance Report, monthly Benefit Summary Report, monthly Medical Insurances Invoices, Worker’s Compensation total claims, monthly Administration HR Summary Report, and the Illinois Risk Management Trust Claims Analysis

ACTION ITEMS FOR NOVEMBER 21, 2017 COUNTY BOARD AGENDA

Approval of Contract with CTS Software for purchase and installation of TripMaster software in the amount of \$50,912.00 to be paid from IDOT and Community Foundation for the Fox River Valley grants

Approval of the bid from ICRMT for Workers Compensation Insurance

ITEMS FOR THE DECEMBER 14, 2017 COMMITTEE OF THE WHOLE – None

PUBLIC COMMENT – None

EXECUTIVE SESSION – Not needed

MEETING ADJOURNMENT

Motion: Member Prochaska
Second: Member Flowers
RESULT: Approved with a Unanimous Voice Vote

This meeting was adjourned at 7:01p.m.

Respectfully Submitted,

Valarie McClain, Administrative Assistant and Recording Secretary

HIGHWAY COMMITTEE MINUTES

DATE: November 14, 2017
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Scott Gryder, Judy Gilmour, Lynn Cullick and Bob Davidson
STAFF PRESENT: Ginger Gates, Fran Klaas and John Burscheid
ALSO PRESENT: PJ Fitzpatrick, Nathan Holmer, and Bob Mayerle

The committee meeting convened at 4:00 P.M. with roll call of committee members. Matt Kellogg absent. Quorum established.

Motion Davidson; second Cullick to approve agenda as presented. Motion approved unanimously.

Motion Davidson, second Gilmour to approve the Highway Committee meeting minutes from October 10, 2017. Motion approved unanimously.

Attorneys for Kendall County and City of Plano are still working on the wording for the IGA pertaining to the reconstruction of U.S. Route 34 and Eldamain, so this agenda item is not yet ready for action.

Motion Cullick; second Davidson to recommend approval of an intergovernmental agreement between Kendall County and LaSalle County pertaining to the repair of the Millington Road Bridge over the Fox River. Klaas explained that the attorneys for both counties had come to an agreement on the language, with the exception of one paragraph that would have allowed Kendall County to cancel the agreement. LaSalle County would not accept that language, because they need to know that Kendall is committed to paying for its share of the repair costs for the bridge, without the ability to back out of the agreement. Klaas recommended that the Board accept this final form of the agreement, without the cancellation clause. By roll call vote, the Committee unanimously recommended approval of the intergovernmental agreement.

Motion Cullick; second Davidson to approve a resolution appropriating \$1,000,000 of Transportation Sales Tax Funds for the repair of the Millington Road Bridge over the Fox River. By roll call vote, motion to approve the appropriation resolution was approved unanimously.

Motion Cullick; second Davidson to approve a Jurisdiction and Maintenance Agreement between Kendall County and LaSalle County pertaining to the Millington Road Bridge. Motion approved with Davidson voting no.

Klaas provided update on the Public Informational Meeting for the Millington Road Bridge repairs, which was held on 11-13-17. Meeting went well. Residents from Millington were not happy about the closure, but generally understood the complexity of the project, including environmental issues, and the use of federal money. Gilmour reported that Director David Guritz was at the meeting and was able to provide insight on the proposed use of the Freeman Forest Preserve to gain access to the River.

Motion Gryder; second Cullick to approve a preliminary engineering services agreement between Kendall County and Engineering Enterprises, Inc. in an amount not to exceed \$10,955. The proposed work includes an evaluation of the possibility of a quiet zone on Cannonball Trail at the BNSF crossing. Frequency and duration of train horns has gotten significantly worse over the past few years, and Bristol residents are looking for solutions to the problem. Robert Mayerle has lived in Bristol for over 20 years. He spoke to the Committee about how aggravating the issue has become. It has gotten significantly worse during the years he has lived near the tracks. John Burscheid, who used to live near the BNSF tracks, confirmed that train horns are being blown a lot more than they used to be. Gilmour asked about total cost for the project. Klaas stated that the proposal on the table is just for engineering, and there would undoubtedly be additional costs to install some type of barrier median in the middle of the road, but those costs should be small. There might also be some issues with accesses that are in direct proximity to the railroad. Mayerle and the Committee discussed additional ideas about quiet zones and train horns in the general area, including the Kennedy Road and Mill Road crossings. Motion to recommend approval of the agreement to the County Board was approved unanimously.

Klaas provided Committee with an update to the Long Range Transportation Plan. Davidson asked about inclusion of the WIKADUKE Trail. Klaas indicated that there is engineering money, but not construction money in the Plan. Gryder asked whether WIKADUKE could become a project like Eldamain Road, wherein the County would take over jurisdiction of the entire corridor and construct over some time period. Klaas stated that there are many agencies with jurisdiction of the WIKADUKE Trail at the north end of the County. Kendall would have to re-prioritize funding in the long range plan if the County decided to take this initiative.

Davidson also asked about the recent monies the State of Illinois is taking from Kendall County; specifically the 2% administrative fee that is being assessed against the Transportation Sales Tax Funds, as well as the reduction in MFT Funds to pay for transit and road bond debt. The total reductions to the Highway Department amount to about \$250,000 annually. The Committee discussed ways that they might fight the recent reductions, including working with UCCI. Downstate counties are affected in a much more profound way by the MFT reductions. Collar counties, with greater revenues, including the RTA Tax, don't appear to be that concerned. Nathan Holmer discussed the method the State used to reassign bond debt from the general fund to the road fund, which will amount to about \$400 million annually, reducing MFT funds available to the State and local agencies for new capital projects.

PJ Fitzpatrick provided update on the Collins Road Extension project. Prior variances in the project have been eliminated based on feedback from FHWA. He believes that things are pretty much in order, and FHWA authorization could happen pretty soon. Gryder asked about funding through KKKCOM. Klaas stated that PE 1 is not eligible for federal money, and PE 2 can only be funded at 50% federal. Klaas has not submitted the project for funding through KKKCOM yet. Because of a reworking of the way KKKCOM & CMAP are prioritizing funding, there appears to be opportunities coming up for funding of this project.

Davidson asked about Sherrill Road immediately east of Route 47, and whether Grundy County was comfortable with this being a truck route. Klaas reported that IDOT will be moving the Minooka directional signs on Route 47 up to Sherrill Road from Minooka Road at the request of Grundy County. They would prefer Sherrill Road to carry truck traffic as opposed to Minooka Road, which has some 90° turns, and is not in very good condition.

Committee discussed status of Grove Road project north of Sherrill Road and Brisbin Road project south of Sherrill Road. Grundy's Brisbin Road project has taken a big slowdown over the past few years.

Motion Gilmour; second Cullick to forward Highway Department bills for the month of November in the amount of \$173,659.23 to the Finance Committee for approval. Motion approved unanimously.

Meeting adjourned at 4:45 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis C. Klaas". The signature is fluid and cursive, with a long horizontal stroke at the end.

Francis C. Klaas, P.E.
Kendall County Engineer

Action Items

1. Intergovernmental Agreement between Kendall County and LaSalle County pertaining to the repair of the Millington Road Bridge over the Fox River.
2. Resolution Appropriating \$1,000,000 from the Transportation Sales Tax Fund to pay Kendall County's share of the cost of repair of the Millington Bridge over the Fox River
3. Jurisdiction and Maintenance Agreement Between Kendall County and LaSalle County pertaining to the Millington Road Bridge
4. Preliminary engineering service agreement with Engineering Enterprises, Inc. in an amount not to exceed \$10,955 to establish a railroad quiet zone on Cannonball Trail at the BNSF crossing in Bristol, IL
5. Approve Long Range Transportation Plan Update

ORDINANCE NUMBER 2017 - _____

AN ORDINANCE SUSPENDING IMPLEMENTATION OF THE 2017 REVOLVING LOAN FUND RECAPTURE STRATEGY ADOPTED BY ORDINANCE 17-19 AND REINSTATING THE 2006 KENDALL COUNTY REVOLVING LOAN FUND RECAPTURE STRATEGY PREVIOUSLY APPROVED BY THE ILLINOIS DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY

WHEREAS, Kendall County, Illinois (“Kendall County”) maintains a Revolving Loan Fund (“RLF”), which was capitalized by the Illinois Department of Commerce and Economic Opportunity’s (“DCEO”) Community Development Assistance program (“CDAP”), which was, in turn, funded by the U.S. Department of Housing and Urban Development’s (“HUD”) Community Development Block Grant Program, established under the Federal Housing Community Development Act of 1974; and

WHEREAS, Kendall County adopted a RLF Strategy in October of 2006, which complied with DCEO rules and regulations and was approved by DCEO (“2006 RLF Recapture Strategy”); and

WHEREAS, on or about October 11, 2016, the DCEO notified Kendall County (“DCEO Notification”) that HUD recently recommended DCEO review and improve its administration of the RLF program and advised DCEO, per HUD Notice CPD-04-11 issued on October 27, 2004, a RLF capitalized prior to October 1, 1992 no longer holds a federal identity and, thus, may be expended in any manner deemed appropriate by the community; and

WHEREAS, The DCEO Notification further informed Kendall County that Kendall County’s RLF was last capitalized prior to October 1, 1992 and is, therefore, considered dissolved, with no further reporting to DCEO required; and

WHEREAS, the DCEO also notified Kendall County that Kendall County may use the remaining funds in the RLF in whatever manner it deems appropriate; and

WHEREAS, in reliance on this information from DCEO, the Kendall County Board amended the parameters and procedures for the application, distribution, use, and collection of Kendall County’s RLF funds by adopting Ordinance 17-19 on September 19, 2017, which repealed the 2006 RLF Recapture Strategy and adopted the new RLF recapture strategy (2017 RLF Recapture Strategy”); and

WHEREAS, upon further communications, the DCEO has acknowledged that due to oversight by the State of Illinois, the DCEO Notification currently appears to conflict with Illinois Administrative Code 47, Section 110.360 (e), which requires all RLFs “remain subject to the requirements of the approved recapture strategy.” 47 Ill. Admin. Code § 110360(e) (eff. October 30, 2014).; and

WHEREAS, as of the date of adoption of this Ordinance, Kendall County has approximately a \$1,781,573.40 reserve balance in its RLF; and

WHEREAS, the Kendall County Board wishes to continue to loans funds to eligible businesses through its RLF; and

WHEREAS, the Kendall County Board also intends to remain compliant with the existing State regulation, up to and until such regulation is removed or amended by State action.

NOW, THEREFORE, BE IT ORDAINED, by this County Board of Kendall County, Illinois that:

1. The Kendall County Board hereby suspends implementation of the 2017 RLF Recapture Strategy (attached hereto as **Exhibit A** and incorporated herein by reference) and reinstates the 2006 RLF Recapture Strategy, which is attached hereto as **Exhibit B** and incorporated herein by reference.

2. This Ordinance and the 2006 RLF Recapture Strategy shall be in full force and effective immediately upon its adoption, as provided by law.

3. The sections, paragraphs, sentences, clauses and phrases of this Ordinance and the Strategy are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance and/or the Strategy are declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance and the Strategy.

4. This Ordinance and the 2006 Recapture Strategy may be amended or repealed only by a majority vote of the Kendall County Board members present for said vote.

Passed and adopted by the County Board of Kendall County, Illinois this _____ day of November 2017.

AYES - _____

NAYS - _____

ABSTAIN - _____

ATTEST:

Scott R. Gryder, Chairman
Kendall County Board

Debbie Gillette, County Clerk
Kendall County, Illinois

EXHIBIT A

ORDINANCE NUMBER 2017 - 19

AN ORDINANCE AMENDING THE KENDALL COUNTY REVOLVING LOAN FUND RECAPTURE STRATEGY

WHEREAS, Kendall County, Illinois (Kendall County) maintains a Revolving Loan Fund (RLF), which was capitalized by the Illinois Department of Commerce and Economic Opportunity's (DCEO) Community Development Assistance program (CDAP), which was in turn funded by the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant Program established under the Federal Housing Community Development Act of 1974; and

WHEREAS, HUD recently advised DCEO to review and improve its administration of the RLF program and, per HUD Notice CPD-04-11 issued on October 27, 2004, an RLF capitalized prior to October 1, 1992 no longer holds a federal identity and, thus, may be expended in any manner deemed appropriate by the community; and

WHEREAS, Kendall County's RLF was last capitalized prior to October 1, 1992; and

WHEREAS, on or about October 11, 2016, the DCEO notified Kendall County that Kendall County's RLF is considered dissolved and no further reporting to DCEO is required; and

WHEREAS, the DCEO also notified Kendall County that Kendall County may use the remaining funds in the RLF in whatever manner it deems appropriate; and

WHEREAS, as of the date of adoption of this Ordinance, Kendall County has approximately a \$1,781,573.40 reserve balance in its RLF; and

WHEREAS, Kendall County previously adopted a RLF Strategy in October of 2006, which complied with DCEO rules and regulations; and

WHEREAS, the Kendall County Board wants to amend the parameters and procedures for the application, distribution, use, and collection of Kendall County's RLF funds now that Kendall County's RLF is no longer subject to DCEO rules and regulations; and

NOW, THEREFORE, BE IT ORDAINED, by this County Board of Kendall County, Illinois that:

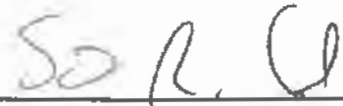
1. The Kendall County Board hereby amends its RLF Strategy (previously approved in October of 2006) and replaces it with the Kendall County Revolving Loan Fund Recapture Strategy ("the Strategy"), which is attached hereto as Exhibit 1 and incorporated herein by reference.

2. This Ordinance and the Strategy shall be in full force and effective immediately upon its adoption as provided by law.

3. The sections, paragraphs, sentences, clauses and phrases of this Ordinance and the Strategy are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance and/or the Strategy are declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance and the Strategy.

4. This Ordinance and the Strategy may be amended or repealed only by a majority vote of the Kendall County Board members present for said vote.


Passed and adopted by the County Board of Kendall County, Illinois this 19 day of September, 2017.



Scott R. Gryder, Chairman
Kendall County Board

AYES - 5
NAYS - 4
ABSTAIN - _____

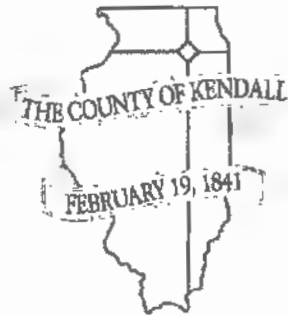
ATTEST:



Debbie Gillette, County Clerk
Kendall County, Illinois

**KENDALL COUNTY ORDINANCE NO. 17-19
EXHIBIT 1**

**COUNTY OF KENDALL
REVOLVING LOAN FUND PROGRAM
RECAPTURE STRATEGY**



**Kendall County
Office of Administrative Services
111 West Fox Street, Room 316
Yorkville, IL 60560
Phone: 630.553.4171
Fax: 630.553.4214
kendalldc@co.kendall.il.us**

Adopted: September 19, 2017

KENDALL COUNTY REVOLVING LOAN FUND RECAPTURE STRATEGY

A. Background

1. Kendall County, Illinois (Kendall County) maintains a Revolving Loan Fund (RLF), which was capitalized by the Illinois Department of Commerce and Economic Opportunity's (DCEO) Community Development Assistance program (CDAP), which was in turn funded by the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant Program established under the Federal Housing Community Development Act of 1974.
2. HUD recently advised the DCEO to review and improve its administration of the RLF program and, per HUD Notice CPD-04-11 issued on October 27, 2004, an RLF capitalized prior to October 1, 1992 no longer holds a federal identity and, thus, may be expended in any manner deemed appropriate by the community.
3. Kendall County's RLF was last capitalized prior to October 1, 1992.
4. On or about October 11, 2016, the DCEO notified Kendall County that Kendall County's RLF is considered dissolved and no further reporting to DCEO is required. Also, the DCEO notified Kendall County that Kendall County may use the remaining funds in the RLF in whatever manner it deems appropriate.
5. Accordingly, the Kendall County Board has adopted this Revolving Loan Fund Recapture Strategy ("the Strategy") to amend and update the parameters and procedures for the continued application, distribution, use, and collection of Kendall County's RLF funds.

B. Revolving Loan Fund Goals and Objectives

Kendall County hereby adopts the following goals and objectives for its RLF and the RLF loans granted by Kendall County pursuant to the Strategy:

1. The RLF and RLF loans should stimulate economic growth in Kendall County by assisting with the retention and growth of the existing industrial and commercial base in Kendall County; by providing needed equity to new start-up businesses in Kendall County; and by providing an incentive for established businesses to relocate to Kendall County.
2. The RLF and RLF loans should assist new or existing Kendall County businesses in creating and retaining jobs.
3. The RLF and RLF loans should increase the Kendall County property and sales tax base.

4. The RLF and RLF loans should provide businesses with the opportunity to expand business activities in Kendall County.
5. The RLF and RLF loans should encourage partnerships local, private, financial institutions, Kendall County, and the business seeking the loan.
6. The RLF and RLF loans should encourage and leverage loans to municipalities to create or expand their own Revolving Loan Funds.
7. The RLF and RLF loans should assist Kendall County in growing the Kendall County Revolving Loan Fund.

C. Procedures for Application and Management of RLF Loans

Kendall County hereby adopts the following procedures for the application and management of RLF loans granted by Kendall County pursuant to the Strategy:

1. Pre-Application Procedures.
 - a. Any business or municipality interested in applying for a Kendall County RLF loan should contact Kendall County's Economic Development staff to begin the pre-application stage for a Kendall County RLF loan.
 - b. Kendall County's Economic Development staff will then provide and assist the potential applicant with completing Kendall County's RLF pre-application questionnaire. A true and correct copy of the Kendall County RLF pre-application questionnaire is attached hereto as **Exhibit A**.
 - c. Upon the applicant's completion of the pre-application, Kendall County's Economic Development staff will promptly present the applicant's pre-application questionnaire to the Kendall County Board's Economic Development Committee ("Committee"). The Committee will review the applicant's pre-application and determine (by a majority vote of the Committee members present) whether to advance the applicant to the RLF application stage, which is set forth in Section C(2) below.
2. Application Procedures.
 - a. Upon approval of the pre-application, Kendall County's Economic Development staff will provide and assist an applicant with completing Kendall County's RLF loan application. A true and correct copy of the Kendall County RLF loan application is attached hereto as **Exhibit B**.
 - b. Upon the applicant's completion of the RLF loan application, Kendall County's Economic Development staff will promptly present the

applicant's RLF loan application to the Committee. The Committee will then review the loan application. The Committee may request additional information, reschedule the vote, and/or vote on whether it is recommending approval or denial of the applicant's RLF loan application. The Committee's recommendation for approval of the applicant's RLF loan application requires a majority vote of the Committee members present for said vote.

- c. If the Committee provides a positive recommendation, the applicant's RLF loan documents (e.g. amortization schedules, commitment agreements, liens, title policies, security recordings, transfer tax declarations, and security releases) will be presented to the Kendall County Board (County Board or Board). The County Board will then review the loan documents. The County Board may request additional information, reschedule the vote, and/or vote on whether to approve or deny the applicant's RLF loan application. Votes required for passage of each type of loan is specified under the section.

3. Post-Loan Approval/Collection Procedures

- a. Kendall County's Economic Development staff shall be responsible for the following duties regarding and relating to Kendall County's approved RLF loans:
 - i. Oversee loan processing by performing tasks including, but not limited to the following:
 - A. Gather all of the necessary terms and information required to complete the loan documents;
 - B. Prepare the loan's amortization schedule;
 - C. Provide all loan terms and amortization schedules to Kendall County's legal counsel who will prepare the loan documents (e.g., commitment agreements, liens, title policies, security recordings, transfer tax declarations, amortization schedules and security releases);
 - D. Coordinate and administer the loan closing and recording of all required loan documents;
 - E. Maintain copies of all executed loan documents; and
 - F. Any other duties reasonably necessary to process Kendall County RLF loans.
 - ii. Monitor repayments and all special conditions placed on the RLF loans;
 - iii. Timely notify the Committee and Kendall County's legal counsel of any and all RLF loan delinquencies;

- iv. Prepare and provide reports and documents, as requested by the County Administrator, Kendall County Board and/or Kendall County's legal counsel regarding or related to Kendall County's RLF loans; and
 - v. Serve as the primary contact between Kendall County and the borrowers regarding or relating to Kendall County's RLF loans.
- b. The Kendall County Treasurer's Office shall assist the Kendall County Economic Development staff with monitoring repayment and overseeing collections for all Kendall County RLF loans.
 - c. Kendall County is prohibited from forgiving any loan granted through the RLF.
 - d. Kendall County shall pursue all legal remedies to collect and recover debts due from delinquent loans. The Kendall County Board shall initiate any legal remedies. Legal remedies may include all remedies set forth in the applicable loan documents as well as any and all other remedies permitted pursuant to federal and state laws, including, but not limited to, efforts to collect and pursue the interests of the RLF through bankruptcy court. The Kendall County State's Attorney's Office and/or legal counsel designated by the Kendall County State's Attorney, shall represent Kendall County in all such collection proceedings.
 - e. Kendall County and its elected offices may obtain reimbursement from the RLF for their reasonable and necessary administrative expenses related to the RLF and RLF loans.
 - i. Permitted administrative expenses may include, but are not limited to salaries, supplies, and utilities.
 - ii. To obtain reimbursement for administrative expenses, the expenses must be documented in writing (e.g., a receipt, bill or invoice) and reimbursement must be pre-approved by a majority vote of Kendall County Board members present for said vote.
 - iii. Not more than ten percent (10%) of the annual revenue to Kendall County's RLF account, or a maximum of \$5,000, whichever is less, may be used for reimbursement of administrative expenses on an annual basis from December 1 through November 30th of the following year.
 - iv. Reimbursements are approved through the annual budget process.

D. Revolving Loan Fund Guidelines

Kendall County hereby adopts the following guidelines for its RLF and the RLF loans granted by Kendall County pursuant to the Strategy:

1. All projects funded, directly or indirectly, with Kendall County RLF monies must be located in Kendall County. No RLF loans shall be approved for projects outside of Kendall County.
2. The Kendall County RLF will provide three different categories of RLF loans: private business RLF loans, municipal RLF loans, and Kendall County inter-fund RLF loans for non-economic development purposes. Only when at least Four Hundred Thousand Dollars (\$400,000) in the total amount of funds available in the RLF shall municipal and inter-fund loans be given, and shall not draw down to less than Four Hundred Thousand Dollars (\$400,000). The guidelines for each category of loan is as follows:
 - a. **Private Business RLF Loans**
 - i. Private Business RLF loans may only be used to assist the existing industrial and commercial base in Kendall County, startup businesses in Kendall County and/or established businesses relocating to Kendall County.
 - ii. Private Business RLF loans will be reviewed and processed on a first come, first serve basis as Kendall County expects to receive more applications for more money than is available in the RLF.
 - iii. Private Business RLF loan applications that demonstrate the greatest potential for meeting the goals and objectives of the RLF Strategy will be given the highest priority.
 - iv. Private Business RLF loan funds may only be used for the following purposes:
 1. Site development/infrastructure extension costs;
 2. Construction of new facility or additions;
 3. Renovation of existing facilities;
 4. Leasehold improvements;
 5. Purchase of new or used machinery or equipment; and/or
 6. Working Capital.
 - v. Projects of a speculative nature are ineligible for Private Business RLF loan funding.
 - vi. Private Business RLF loans shall not exceed \$100,000 per loan.

- vii. Private Business RLF loans shall have a term of at least three (3) years and no more than seven (7) years.
- viii. Private Business RLF loans must have an interest rate between the Federal Prime rate (Prime Rate) and the Prime Rate plus three percent (3%), but may be no less than two percent (2%). The Economic Development Committee shall recommend an interest rate to the Kendall County Board, which shall set the interest rate. The Prime Rate shall be calculated as the Prime rate that exists on the day the loan application is approved by the County Board.
- ix. Full pre-payment is allowed without penalty where only principal and accrued interest to date is due.

b. Municipal RLF loans

- i. Kendall County may award Municipal RLF loans only to applicants who are units of municipal governments (as defined in Article VII, Section 1 of the Illinois Constitution of 1970, as amended), which are located in Kendall County.
- ii. Municipal RLF loans will be reviewed and processed on a first come, first serve basis as Kendall County expects to receive more applications for more money than is available in the RLF.
- iii. Municipal RLF loan applications that demonstrate the greatest potential for meeting the goals and objectives of the RLF Strategy will be given the highest priority.
- iv. Kendall County's Municipal RLF loan funds must be used for economic development purposes within Kendall County. "Economic development purposes" are defined as a project that satisfies one or more of the following goals, as determined by the Economic Development Committee:
 - 1. The project will result in the increase in Equalized Assessed Value for the property located in Kendall County where the project is to be completed;
 - 2. The project creates or retains jobs in Kendall County; and/or
 - 3. The project directly supports another project that accomplishes either (D)(2)(b)(1) or (D)(2)(b)(2) above.

- v. A borrower must place the approved Kendall County Municipal RLF loan funds into their own Municipal Revolving Loan Fund.
- vi. Municipal RLF loans shall have a term of at least three (3) years and no more than seven (7) years.
- vii. Interest rates for Municipal RLF loans must comply with the following guidelines:
 - 1. If the Municipal RLF loan amount is to be used for a project or property located in a non-TIF district, the interest rate must be at least the Bank Loan Prime Rate, unless a lesser rate is approved by a majority vote of the Committee and a majority of the full County Board. The Bank Loan Prime Rate shall be calculated as the Bank Loan Prime Rate that exists on the day the loan application is approved by the County Board.
 - 2. If the Municipal RLF loan amount is to be used for a project or property located (in whole or in part) in a TIF district, the interest rate must be at least the Bank Loan Prime Rate plus one percent (1%).
- viii. A Municipal RLF loan shall not exceed the following amounts:
 - 1. If the Municipal RLF loan is approved by the County Board between the date of adoption and June 30, 2019, the maximum amount of the loan shall not exceed the amount determined by using this formula:

(The municipality's total population size, as determined by the United States Census Bureau's July 1, 2016 population estimate) x (\$20.00)).

Using the above formula, the maximum loan amount available to units of municipalities in Kendall County is as follows:

Kendall County	Total population	Maximum Loan Amount
	124,695	
Oswego	33,955	\$679,100
Yorkville	18,451	\$369,020
Plano	11,282	\$225,640
Montgomery*	10,704	\$214,080
Millbrook	337	\$6,740
Millington*	205	\$4,100

Newark	1,000	\$20,000
Lisbon	278	\$5,560
Plattville	233	\$4,660
Minooka*	791	\$15,820
Plainfield*	1,771	\$35,420
Sandwich*	84	\$1,680
Joliet*	10,095	\$201,900

Those with asterisks in the table above are population estimates based off the total population amounts in the U.S. Census Bureau's July 1, 2016 estimate but include only the portion of said population located in Kendall County, Illinois. The Kendall County GIS and Economic Development calculated these estimates.

2. If the Municipal RLF loan is approved by the County Board after June 30, 2019, the maximum amount of the loan shall not exceed \$750,000 per loan.
- ix. Full pre-payment of Municipal RLF loans is allowed without penalty where only principal and accrued interest to date is due.

c. County Inter-Fund RLF Loans

- i. County Inter-Fund RLF Loans must be used by Kendall County for specific projects funded by Kendall County, which have a defined cost and time frame at the time of loan approval.
- ii. County Inter-Fund RLF Loans shall be for emergency or cash flow purposes when the expense cannot be paid from other Kendall County funds. The Kendall County Board shall make this determination.
 1. An "emergency purpose" is defined as an unforeseen, non-budgeted expense.
 2. A "cash flow purpose" is defined as a budgeted project where the budgeted County fund does not have the cash on hand to complete the project.
- iii. A County Inter-Fund RLF Loan amount shall not exceed \$750,000.

- iv. A maximum combined total of \$750,000 of Kendall County's RLF may be loaned by Kendall County to itself at any time for County Inter-Fund RLF Loans.
- v. County Inter-fund RLF Loans require approval of a majority vote of the full County Board.
- vi. For each approved County Inter-Fund RLF Loan, Kendall County must record a loan document with the Kendall County Clerk's Office. The loan document must be approved by a majority vote of the full County Board at the time the actual loan is approved by the County Board. The loan document must specify the receiving Kendall County fund; the project name; a description of the project and what the Kendall County Inter-Fund RLF loan will be used for; the total loan amount; the term of the loan; and the interest rate.
- vii. Modification of the loan document and the terms of the County's Inter-Fund RLF Loan (e.g., amount, term and/or interest rate) shall require a vote of at least three-quarters (3/4) of the full County Board.
- viii. Kendall County must deposit the County Inter-Fund RLF Loan amounts into the specific Kendall County fund, which Kendall County designated to fund the specific project at issue. Kendall County shall not use the County Inter-Fund RLF loan amounts for any purpose other than for the specific project and purpose identified in Kendall County's loan document.
- ix. County Inter-Fund RLF Loans may not have a term exceeding two (2) years. This is to maintain funds in the RLF for the main purpose of economic development.
- x. Kendall County must begin repayment of its County Inter-Fund RLF loan within twelve (12) months after the County Board approved the loan.
- xi. County Inter-Fund RLF Loans shall have an interest rate at least equal to the Effective Federal Fund Rate at the time the Inter-Fund RLF Loan is approved by the County Board. The County Board may approve an interest rate above the Effective Federal Fund Rate at the time it approves the loan.

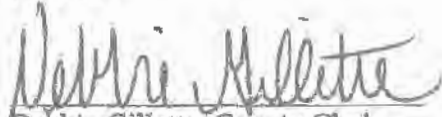
Passed and adopted by the County Board of Kendall County, Illinois this 19 day of August, 2017.



Scott Gryder, Chairman
Kendall County Board

AYES - 5
NAYS - 4
ABSTAIN - _____

ATTEST



Debbie Gillette, County Clerk
Kendall County, Illinois

EXHIBIT B

KENDALL COUNTY ORDINANCE NO. 17-_____

COUNTY OF KENDALL

**REVOLVING FUND PROGRAM
RECAPTURE STRATEGY**



Kendall County
Office of Administrative Services
111 West Fox Street, Room 316
Yorkville, IL 60560
Phone: 630.553.4171
Fax: 630.553.4214
kendalledc@co.kendall.il.us

KENDALL COUNTY RF RECAPTURE STRATEGY

E. Revolving Fund Goals and Objectives

1. Stimulate economic growth in the County of Kendall, Illinois, by assisting with the retention and growth of the existing industrial and commercial base, providing needed equity to new start-up businesses, encouraging the development of minority and female owned businesses and providing an incentive for established businesses to relocate to the County of Kendall.
2. Assist new or existing Kendall County businesses to create and retain jobs.
3. Ensure that jobs are created or retained by business applicants benefit a minimum of 51% low-to-moderate income persons in the area.
4. Increase the County of Kendall property tax and sales base.
5. Provide businesses with the opportunity to expand.
6. Encourage and leverage loans to businesses by area private financial institutions.

B. Revolving Fund Strategy

1. Eligible use of funds
 - a. Site development/infrastructure extension costs.
 - b. Construction of new facility or additions.
 - c. Renovation of existing facilities.
 - d. Leasehold improvements.
 - e. Purchase of new or used machinery or equipment.
 - f. Working Capital
 - g. **For every \$15,000 of revolving funds provided, one full time equivalent (FTE) job should be created or retained, 51% of which must be given to individuals from low-to-moderate income households in the area. (FTE jobs are positions consisting of a minimum of 1,950 hours worked per year).**
 - h. Kendall County participation shall not exceed 30% of available RF funds or \$750,000, whichever is higher, and **shall not exceed 50% of total project financing.**
 - i. Projects of a speculative nature are ineligible for funding.
2. The geographic area served by the fund will be within the boundaries of the County of Kendall.
3. The funds will be targeted to assist existing industrial and commercial base, start up businesses, female and minority owned firms and established businesses that will be relocated to Kendall County, Illinois, on a first come, first serve basis as the County

of Kendall expects to receive more applicants than available funding will cover. Applications that demonstrate the greatest potential for job creation and meeting the goals and objectives of the fund will be given the highest priority.

4. Applications will be generated by:
 - a. Sending RF information to the County's existing businesses.
 - b. Including RF information in the County's marketing package.
 - c. Provide information to municipal economic development commissions and area chamber of commerce associations to be included in their marketing information.
 - d. Staff participation in business related seminars, workshops or meetings held in the County.
 - e. Provide RF information to local chapter of NAACP, Urban League and other organizations representing minority groups and offer to speak at meetings periodically.
 - f. Provide information to area women's associations and service organizations.
 - g. Publicize approved loan projects by sending news releases to area media and holding ribbon cuttings and ground breaking ceremonies to encourage media coverage.
 - h. Area lending institutions will be provided with information about the RF and asked to inform potential borrowers of fund availability.

C. RF Management Plan

1. The County of Kendall shall appoint Kendall County Board members to the Kendall County Economic Development Commission. As needed, the Business Loan Review Committee shall consist of the Kendall County Economic Development Commission, State's Attorney, County Economic Development Director, County Treasurer and an experienced area financial institution lender. The committee shall review all applications to the revolving fund after the County Economic Development Director and a local financial institution lender have packaged the application and it is referred to the Kendall County Economic Development Commission. The Commission will meet with the applicant, meet with the representative of the participating lending institution, visit the site if necessary, negotiate terms, length, and security of loans and ensure compliance with the RF goals and objectives. A recommendation will be prepared for the County Board's review for approval or denial which will include a description of the project, project costs, and source of funds, security required, special conditions, and reasons for approval or denial. All other application information is kept confidential. The County Board will formally approve or deny the application.
2. The RF will be staffed by the County's Economic Development Director, State's Attorney and County Treasurer.
3. The loan documents, including commitment agreements, liens, title policies, security recordings, transfer tax declarations, amortization schedules and security releases, shall be obtained and completed by the State's Attorney. The County Treasurer and

Economic Development Director shall monitor repayments of the loan, job creation and/or retention reports required to be provided semi-annually until commitment is met, monitor other special conditions required by the loan and submit semi-annual reports on the status of the RF to the Department of Commerce and Economic Opportunity.

4. Delinquent Loans: When an RF payment becomes 10 days past due, the fund administrator will place a telephone call to the borrower and request payment. At 30 days past due the County will send a formal letter requesting payment. Should the payment become 45 days past due the matter will be turned over to the State's Attorney to pursue. All legal rights will be exercised by the county to reclaim funds. The County State's Attorney will be consulted during foreclosure and liquidation proceedings if events warrant.

D. Assurances

1. Not more than 10 percent of the annual revenue to the RF will be used for administration of the RF fund. Administrative expenses will be documented via receipts, bills, invoices, etc.
2. Assistance provided from the RF will result in at least 51 percent benefit to low-to-moderate income persons and these benefits will be documented by utilizing Job Training Partnership Act (JTPA) service providers, Illinois Employment and Training Centers, Workforce Investment Boards or the employee certification forms found in the RF handbook.
3. The County of Kendall agrees to report semi-annually on the status of the RF to the Department of Commerce and Economic Opportunity.
4. Any changes to the recapture strategy will be submitted to the Department of Commerce and Economic Opportunity.
5. The grantee shall agree to pursue legal remedy to recover delinquent loans. Legal action shall include that authorized by federal and state law, including, but not limited to, efforts to collect and pursue the interests of the RF through bankruptcy court.
6. A minimum leverage ratio of \$1 non-CDAP funds to \$1 CDAP RF funds must be obtained for each project. RF funds may not comprise more than 50% of the financing for any project.
7. The grantee shall assure that environmental reviews will be completed for each project funded, as well as prevailing wages paid if applicable.

**Kendall County
Special Committee of the Whole Meeting
Minutes
November 8, 2017**

Call to Order at 5:05 PM

Present: Scott Gryder, Lynn Cullick, Bob Davidson, Elizabeth Flowers (5:25pm), Judy Gilmour, Audra Hendrix, Matt Prochaska and John Purcell

Approval of Agenda

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

Executive Session

Member Davidson moved to go into executive session for (1) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. Member Prochaska seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Reconvene

Adjournment

Ms. Hendrix moved to adjourn the Special COW meeting. Ms. Flowers seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

Debbie Gillette
Kendall County Clerk