

**KENDALL COUNTY BOARD AGENDA
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210
Tuesday, February 16, 2016 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
7. Correspondence and Communications – County Clerk
8. Citizens to Be Heard
9. Executive Session
10. Old Business
11. New Business
 - A. Approval of Resolution authorizing the Release of All Claims of Bonny Flerlage, et. al., vs. Village of Oswego, et. al., filed in the United States District Court for the Northern District of Illinois, Docket Number 13 CV 6024, for the amount of \$5,000
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 15-17 by Kevin Calder for a Special Use located at 9923 Walker Road in Kendall Township to allow a landscape operation in the A-1 Agricultural District
 2. Approval of Petition 16-01 by Peter and Mary Bielby for a Special Use located at 8573 Fox River Drive in Fox Township to allow a kennel operation in the A-1 Agricultural District and a variance to Section 7.01 D.27 of the Kendall County Zoning Ordinance to permit a kennel structure to be located twenty-five feet from a non-residential zoning district
 3. Approval of a variance to accept fee-in-lieu of site runoff storage under the requirements of Sections 201.6 Depressional Storage and 203 Site Runoff Storage Requirements of Article II of the Kendall County Stormwater Management Ordinance for on-site stormwater detention in the amount of 6.69 acre-ft and depressional storage I the amount of 0.40 acre-ft and to waive the requirements of Section 403.a Hydraulically Equivalent Compensatory Storage (above and below 10 year flood elevation) and Section 403.d Compensatory Storage Adjacent to the Development of Article IV of the Kendall County Stormwater Management Ordinance for floodplain compensatory storage for the Fox Metro Water Reclamation District located at 682 State Route 31 in Oswego Township
 4. Approval of a Proclamation Recognizing the 175th Anniversary of the Creation of Kendall County
 - B. Public Safety
 - C. Administration/HR
 - D. Highway
 1. Approve Resolution appropriating \$120,000 of Motor Fuel Tax Funds to seal coat Grove Road from Sherrill road to US Route 52
 2. Approve Resolution appropriating \$1,400,000 of Motor Fuel Tax Funds to resurface Plainfield road from Grove Road to Ridge Road
 3. Approve Resolution appropriating funds for the payment of the County Engineer's salary of \$109,000 and authorizing IDOT to transfer \$54,500 of Federal Surface transportation Funds in return for an equal amount of State funds

4. Announce recipients of 2016 KC-TAP (Kendall County Transportation Alternatives Program) funds

- a. Kendall County Forest Preserve District in the amount of \$3,000 for shared use path along Route 34 between IL Rte 47 and Orchard Rd
- b. City of Yorkville in the amount of \$35,000 for multi-use path and sidewalks along IL Rte 47 in Yorkville

E. Facilities

- 1. Approve Lightning Protection Contract for the Courthouse with Continental Electric in the amount of \$23,790.00

F. Finance

- 1. Approve Claims in an amount not to exceed \$ 621,610.57 and Grand Juror Claims in an amount not to exceed \$ 750.00

G. Labor and Grievance

H. Committee of the Whole

I. Standing Committee Minutes Approval

14. Special Committee Reports

- A. Public Building Commission
- B. VAC
- C. Historic Preservation
- D. Board of Health
- E. Juvenile Justice Counsel

15. Other Business

16. Chairman's Report

Appointments

Dan Roberts (Reappointment) – Minooka Fire Protection District Trustee, Kendall County Rep – 3 year term – Expires April 2019

Announcements

17. Citizens to be Heard

18. Questions from the Press

19. Adjournment

**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
January 19, 2016**

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, January 19, 2016 at 9:20 a.m. The Clerk called the roll. Members present: Chairman John Shaw, Lynn Cullick, Bob Davidson, Judy Gilmour, Scott Gryder, Dan Koukol, Matthew Prochaska, John Purcell and Jeff Wehrli.

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

THE MINUTES

Member Prochaska moved to approve the submitted minutes from the Adjourned County Board Meetings of 12/15/15 and 12/21/15. Member Gryder seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

THE AGENDA

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

EXECUTIVE SESSION

Member Gilmour made a motion to go into Executive Session for (1) litigation, when an action against, affecting of on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, (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 and (2) collective negotiating matters between the public body and its employees or their representatives, or deliberations, concerning salary schedules for one or more classes of employees. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

RECONVENE

Member Davidson moved to come back into regular session. Member Cullick seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

NEW BUSINESS

Pastor Kent Svendsen was not present.

Member Wehrli moved to table Pastor Svendsen until the end of the meeting in case he shows up. Member Shaw seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Under Sheriff Martin did not have a report.

County Clerk

		12/1/15- 12/31/15	12/1/14-12/31/14
Revenue Report			
Line Item	Fund	Revenue	
County Clerk Fees		\$ 705.00	\$ 682.50
County Clerk Fees - Marriage License		\$ 780.00	\$ 990.00
County Clerk Fees - Civil Union		\$ -	\$ 30.00
County Clerk Fees - Misc		\$ 1,494.47	\$ 1,534.00
County Clerk Fees - Recording		\$ 24,292.00	\$ 23,235.00

01010061205	Total County Clerk Fees	\$ 27,271.47	\$ 26,471.50
01010001185	County Revenue	\$ 32,707.00	\$ 20,427.75
38010001320	Doc Storage	\$ 14,344.00	\$ 14,161.50
51010001320	GIS Mapping	\$ 24,196.00	\$ 23,886.00
37010001320	GIS Recording	\$ 3,022.00	\$ 2,982.00
01010001135	Interest	\$ 48.23	\$ 39.10
01010061210	Recorder's Misc	\$ 3,082.00	\$ 6,174.75
81010001320	RHSP/Housing Surcharge	\$ 12,690.00	\$ 12,285.00
CK # 17939	To KC Treasurer	\$ 117,360.70	\$ 106,427.60

County Clerk, Debbie Gillette stated that the election judge training class will be held on January 28, 2016 with classes at 1:00pm and 6:00pm at the Timber Creek Inn and Suites.

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 ONE MONTH ENDED 12/31/2015

<u>REVENUES*</u>	Annual <u>Budget</u>	2015 YTD <u>Actual</u>	2015 YTD <u>%</u>	2014 YTD <u>Actual</u>	2014 YTD <u>%</u>
Personal Property Repl. Tax	\$406,460	\$16,412	4.04%	\$16,958	4.58%
State Income Tax	\$2,650,000	\$0	0.00%	\$237,825	9.95%
Local Use Tax	\$470,000	\$138,110	29.39%	\$47,550	10.57%
State Sales Tax	\$545,492	\$35,044	6.42%	\$0	0.00%
County Clerk Fees	\$358,000	\$25,021	6.99%	\$24,608	6.87%
Circuit Clerk Fees	\$950,000	\$60,208	6.34%	\$65,837	6.93%
Fines & Foreits/St Atty.	\$475,000	\$27,556	5.80%	\$39,605	7.92%
Building and Zoning	\$59,500	\$0	0.00%	\$4,011	7.29%
Interest Income	\$30,000	\$2,058	6.86%	\$410	1.37%
Health Insurance - Empl. Ded.	\$1,250,141	\$112,909	9.03%	\$85,847	7.70%
1/4 Cent Sales Tax	\$2,698,000	\$234,921	8.71%	\$0	0.00%
County Real Estate Transf Tax	\$396,420	\$22,302	5.63%	\$38,508	15.40%
Correction Dept. Board & Care	\$766,500	\$49,800	6.50%	\$97,800	10.87%

Sheriff Fees	\$355,000	\$20,037	5.64%	\$28,461	4.95%
TOTALS	\$11,410,513	\$744,378	6.52%	\$687,420	6.06%
Public Safety Sales Tax	\$4,800,000	\$402,617	8.39%	\$0	0.00%
Transportation Sales Tax	\$4,300,000	\$402,617	9.36%	\$0	0.00%

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

To be on Budget after 1 months the revenue and expense should at 8.33%

Treasurer, Jill Ferko stated that they are busy with the new payroll year. They auditors should be wrapped up by the end of the week.

Clerk of the Court

Circuit Clerk, Robyn Ingemunson reported that they have made a lot of changes to the website – getting all of the forms online. They have gone web based; attorney’s can sign up to have access to all of the court files.

State’s Attorney

State’s Attorney Eric Weis presented the yearend report and stated that they have taken on additional roles with there being two new elected officials - Sheriff and Circuit Clerk who are making changes in their offices.

STATE’S ATTORNEY 2015 REPORT

The Kendall County State’s Attorney’s Office issued its 2015 year-end report, which reports case statistics, revenue and budget details, as well as comparisons to previous years. The majority of the resources from the State’s Attorney’s Office are dedicated to the prosecution of criminal cases. Eight assistant state’s attorneys and the State’s Attorney handled nearly 121,272 new criminal/traffic files last year including a First Degree Murder. A break down of the cases filed and the dispositions of those cases are detailed below:

Case type	2015	2014	2013
Felony *	404	424	408
Misdemeanor (Excluding DUI)	1079	1114	1059
DUI	249	245	236
Traffic	9,202	10,219	11,590
Juv. Delinquency **	300	241	256
Juv. Abuse & Neglect	11	36	18
Juv. Truancy	16	10	7
Total cases filed ***	11,272	12,289	13,599

* Multiple counts are usually filed as one case number. ** Only includes cases referred to the State’s Attorney’s Office from Court Services. *** Does not include civil cases, child support enforcement cases, ordinance violations, and post-sentence cases (Probations, Supervision, Conditional Discharge, Post-IDOC restitution, Post Conviction Petitions).

Of cases disposed of, convictions resulted in 96% of the cases in 2014 and 97% of the cases in 2015 as of January 7, 2016.

State’s Attorney, Eric Weis informed the board that juvenile delinquency cases have gone up; the age of the juvenile defenders has increased from 17 to 18. The number of interviews at the Child Advocacy Center is highest it has ever been. The Juvenile Justice Council had its first fundraiser. They conducted Open Meetings Act training and presented the findings of the HR audit. They were under budget for the year. Mr. Weis spoke about vehicles used in a crime and what they do with the vehicle once it is forfeited.

Coroner

Statistics:

2016 Statistics		Stats for Same Period in 2015		Difference
2016 Total Deaths.....	33	Total Deaths.....	18	83%
Autopsies to Date.....	3	Autopsies....	0	100%
Toxicology Samples..	4	Toxicology Samples..	0	100%
Cremation Permits....	18	Cremation Permits...	11	64%

- Deputy Coroner Purcell presented for Operation Impact at Oswego High School on December 2.
- Deputy Coroner Purcell provided an orientation for a KCSO new hire deputy on December 29.

STANDING COMMITTEE REPORTS

Planning, Building & Zoning

Expenditure from Tanglewood Trails Escrow Account

Member Gryder made a motion to authorize a \$7,000 expenditure from the Tanglewood trails escrow account for tree removal services by Homer Tree Service. Member Davidson seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Davidson who abstained. **Motion carried.**

Naturalized Detention Management Workshop

Member Gryder made a motion to authorize co-sponsorship for a Naturalized Detention Management Workshop on May 13th at Ellis Forest Preserve with the Conservation Foundation. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

Intergovernmental Agreement with the Village of Plattville

Member Gryder made a motion to approve an Intergovernmental Agreement between the Village of Plattville and County of Kendall to administer the County’s Ordinances for Zoning, Building Code, Subdivision Control, Comprehensive Plan and Stormwater Management within the jurisdiction of the Village of Plattville for a term not to exceed one (1) year in the amount of \$1. Member Prochaska seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

A complete copy of IGAM 16-01 is available in the office of the County Clerk.

Public Safety

Member Prochaska did not have a report.

Administration/HR

AT&T Fiber Internet Contract

Member Cullick made a motion to approve the AT&T Fiber Internet Contract for a 36-month term at a cost of \$749.26 per month, with an initial credit of \$1,778.04. Member Gilmour seconded the motion.

Technology Director, Scott Koepfel explained that the current contract was running out on and the price was going to go up. The speed and price are better with this contract.

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

AT&T Fiber Internet Contract

Member Cullick made a motion to approve the renewal of the AT&T DS1 Contract for a 36-month term at \$443.00 per month. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

A complete copy of IGAM 16-02 is available in the office of the County Clerk.

Highway

Letter for Intersection Improvements

Member Koukol made a motion to approve a letter from John Shaw to John Fortmann requesting intersection improvements at US Route 30 and Orchard Rd. Member Cullick seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

Weight Limits on Certain County Highways

Member Koukol made a motion to approve a resolution restricting weight limits on certain county highways for seasonal purposes. Member Gryder seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

KENDALL COUNTY

Resolution No. 16-01

A Resolution Providing for Spring Road Postings of Certain County Highways

WHEREAS, Kendall County Board has determined that certain county highways under their jurisdiction, by reason of deterioration, rain, snow, or other climate conditions, will be seriously damaged or destroyed unless the permissible weights of vehicles thereon are reduced; and

WHEREAS, authority has been granted to the County Board to limit the gross weight of vehicles on certain county highways by Illinois Statute 625 ILCS 5/15-316.

THEREFORE, BE IT RESOLVED, that Kendall County Board hereby reduces and restricts the gross weight of vehicles operating on the following county highways, or portions thereof, to a maximum of 12 tons gross weight, for a period not exceeding 90 days and until such time that weight limitation signs are removed by Kendall County Highway Department.

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall be in full force and effect upon the erection of weight limitation signs on the following listed roads:

LIST OF POSTED ROADS – 2016

GROVE ROAD from Sherrill Road to U.S. Route 52
PLATTVILLE/CHICAGO RD. from Illinois Route 47 to Grove Road
VAN EMMON ROAD from Yorkville City Limits to Illinois Route 71
WHITEWILLOW ROAD from Illinois Route 47 to Grove Road

This resolution approved by the County Board of Kendall County, State of Illinois.

John A. Shaw – Kendall County Board Chairman

I, Debbie Gillette, County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the 19 day of January, A.D. 2016.

Debbie Gillette – County Clerk

Agreement Former Underground Fuel Storage Tanks

Member Koukol made a motion to approve the Highway Authority Agreement between Kendall County and Illinois Department of Transportation related to former underground fuel storage tanks at the Highway Department. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

A complete copy of IGAM 16-03 is available in the office of the County Clerk.

Preliminary Engineering Agreement – Galena Road Bridge

Member Koukol made a motion to approve a preliminary Engineering Agreement with Hampton, Lenzini, and Renwick for Galena Road Bridge replacement with an upper limit not to exceed \$158,500; said funds to be taken from the County Bridge Fund. Member Gryder seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

A complete copy of IGAM 16-04 is available in the office of the County Clerk.

Preliminary Engineering Agreement – Collins Road Extension

Member Koukol made a motion to approve a preliminary Engineering Agreement with WBK Engineering for Phase 1 engineering on Collins Road extension in an amount not to exceed \$761,326; said funds to be taken from the Transportation Sales Tax Fund. Member Gryder seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting. **Motion carried.**

A complete copy of IGAM 16-05 is available in the office of the County Clerk.

Preliminary Engineering Agreement – Ridge Road and Holt Road Intersection

Member Koukol made a motion to approve a preliminary Engineering Agreement with Hutchison Engineering, Inc for Ridge road and Holt Road intersection improvements in an amount not to exceed \$220,000; said funds to be taken from the Transportation Sales Tax Fund. Member Gryder seconded the motion.

Member discussed safety, drainage issues and traffic signals.

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

A complete copy of IGAM 16-06 is available in the office of the County Clerk.

Facilities

Member Davidson did not have a report.

Finance

CLAIMS

Member Purcell moved to approve the claims submitted in the amount of \$1,186,620.96 and Grand Juror Claims in the amount of \$1,500.00. Member Gryder seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$48,158.64, B&Z \$1,608.05, CO CLK & RCDR \$1,712.24, ELECTION \$142.75, ED SRV REG \$5,900.17, SHRFF \$21,696.38, CRRCTNS \$3,947.87, EMA \$851.49, CRCT CT CLK \$1,571.24., JURY COMM \$1,624.94, CRCT CT JDG \$26,821.16, CRNR \$1,411.84, CMB CRT SRV \$5,502.14, PUB DFNDR \$212.00, ST ATTY \$33,891.91, SPRV OF ASSMNT \$124.98, CO TRSR \$2,175.64, EPLY HLTH INS \$372,304.95, AUD & ACCT \$6,750.00, PPOST \$21,257.39, OFF OF ADMN SRV \$438.62, GNRL IN & BNDG \$398.00, CO BRD \$137.54, TECH SRV \$10,973.25, SOIL & WTR \$32,000.00, PRPTY TX SRV \$4,829.00, CAP EXPEND \$60,228.45, ECON DEV \$1,000.00, CAP IMPRV FND \$63.97, LIBIL INSUR EXP \$2,918.01, CO HWY \$52,150.68, CO BRDG \$116,642.47, TRNSPRT SALES TX \$71,949.98, HLTH & HMN SRV \$115,989.89, FRST PRSRV \$1,663.05, ELLIS HS \$1,798.24, ELLIS BRN \$847.46, ELLIS GRNDS \$757.43, ELLIS WDDNGS \$129.12, ELLIS 5K \$280.86, HOOVER \$833.52, ENV ED NTRL BEGINNINGS \$202.37, ENV ED OTHR PUB PRGMS \$43.52, ENV ED LWS OF NTR \$58.80, GRNDS & NTRL RSRCS \$4,495.78, ANML CNTRL \$1,921.91, RCDR DOC STRG \$5,500.00, HIDTA \$8,348.23, CO CMSRY FND \$28,700.67, CRT SEC FND \$275.99, LAW LBRY \$401.00, PRBTN SRV EXP FND \$1,719.40, GIS \$542.50, CO RSRV FND \$3,156.46, EPLY BNFT PRGM \$1,554.00, PUB SFTY \$95,496.96, SHRFF FTA FND \$415.77, VAC \$1,592.28

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

Senior Levy Agency Funding Application

Member Purcell made a motion to approve the Senior Levy Agency Funding Application. Member Shaw seconded the motion.

Member Purcell stated that the application is the same as last year except on page 1 – presentations may be scheduled by the Finance Committee and on page 2; letter f was added, percent of grants funds allocated to administrative costs and employee benefits.

Chairman Shaw asked for a roll call vote on the motion. All members present voting except Gilmour who voted nay. **Motion carried 8-1.**

Labor & Grievance

The committee did not meet.

BREAK

RECONVENE

Committee of the Whole

Member Gryder reviewed the minutes in the packet from the January 14, 2015 meeting.

STANDING COMMITTEE MINUTES APPROVAL

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

SPECIAL COMMITTEE REPORTS

Public Building Commission

Member Wehrli stated that they did not have a meeting and they are awaiting the audit.

VAC

Member Wehrli reported that they are in the process of getting the board trained on the open meetings act. They talked about the scholarship program and getting money quickly to veterans that needs financial help.

Historic Preservation

Member Wehrli stated that they meet on January 20th.

Board of Health

Member Wehrli reported that they will be discussing the IPlan.

Juvenile Justice Council

Member Gilmour said that there was a hazing and bullying presentation at Newark High School and Oswego High School. There is a new poster for the youth/parent campaign. They are looking for sponsors for the SKY run.

CMAP

Member Gryder reported that at the next meeting they are officially kicking off the next comprehensive regional plan. IDOT has indicated that they have \$1.4 billion to spend.

CHAIRMAN'S REPORT

Chairman Shaw commented on the passing of Judge Kurt Klein; he was instrumental in getting the 23rd district.

ANNOUNCEMENTS

Bill Ashton – Regional Plan Commission – 3 year term –expires January 2019
Tom Casey – Regional Plan Commission – 3 year term –expires January 2019
Larry Nelson – Regional Plan Commission – 3 year term –expires January 2019
Vern Poppen – Regional Plan Commission – 3 year term –expires January 2019
Budd Wormley – Regional Plan Commission – 3 year term –expires January 2019
Dan Koukol – Farmland Protection – 2 year term –expires December 2017
John A Shaw – University of IL Extension Board – 1 year term –expires January 2017
John Purcell – University of IL Extension Board – 1 year term –expires January 2017
Judy Gilmour – University of IL Extension Board – 1 year term –expires January 2017
Nancy Martin – Public Building Commission – 5 year term –expires February 2021

CITIZENS TO BE HEARD

Todd Milliron spoke about the new payroll requirements; he advocates a biometric system and the underground fuel tank removal at the Highway Department.

ADJOURNMENT

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

Approved and submitted this 25th day of January, 2016.

Respectfully submitted by,
Debbie Gillette,
Kendall County Clerk

KENDALL COUNTY BOARD RESOLUTION

Resolution No. _____

WHEREAS, the County of Kendall, Illinois is a duly organized unit of government existing within the State of Illinois;

WHEREAS, The Kendall County Board, after due consideration and upon the advice and recommendation of its insurer hereby resolve as follows:

IT IS HEREBY RESOLVED that the Release of All Claims recommended by the County's insurer in the sum of five thousand dollars (\$5,000.00), regarding the civil rights action filed in the United States District Court for the Northern District of Illinois, Docket Number 13 CV 6024, pursuant to 42 U.S.C. §1983 and §1988, bearing the caption *BONNY FLERLAGE, et. al., v. VILLAGE OF OSWEGO, et. al.*, which brought suit against multiple municipal entities and individuals, including KENDALL COUNTY, ILLINOIS, is approved.

BE IT FURTHER RESOLVED that the Illinois Counties Risk Management Trust ("ICRMT") and Insurance Program Managers Group ("IPMG"), on behalf of the County of Kendall, Illinois, are authorized to secure execution of the Release of All Claims from the plaintiffs in the above referenced matter, which is attached hereto as Release of All Claims.

PASSED by the Kendall County Board this _____ day of February, 2016.

Ayes _____

Nays _____

John A. Shaw, Chairman
Kendall County Board

Attest:

Debbie Gillette, County Clerk

RELEASE OF ALL CLAIMS

Whereas, this Release of all Claims ("Release") is made this _____ day of _____, 2016, by AUSTIN DECOWSKI and BONNY FLERLAGE (collectively referred to as "Plaintiffs"), being adults over the age of eighteen (18) and otherwise competent to execute and enter into this Release, agree to the following terms and conditions:

Whereas, Plaintiffs filed a civil rights action in the United States District Court for the Northern District of Illinois, Docket Number 13 CV 6024 ("Action"), pursuant to 42 U.S.C. §1983 and §1988, which Action bears the caption BONNY FLERLAGE, *et. al.*, v. VILLAGE OF OSWEGO, *et. al.*, which brought suit against multiple municipal entities and individuals, including KENDALL COUNTY, ILLINOIS and Kendall County Deputy Sheriff, DAVID LAWSON.

Whereas, the Plaintiffs, having had the advice of their respective counsel, have determined that it is in their individual and mutual best interests to settle and compromise their claim or claims that could have been brought, on the terms and conditions recited herein this Release, without any admission of fault, liability or wrongdoing on behalf of Kendall County, Illinois ("County"), Kendall County Sheriff's Office, and Kendall County Sheriff's Deputy David Lawson (collectively referred to as "Defendants").

WHEREFORE, in consideration of the following promise to pay monies as set forth in this Release, the Plaintiffs agree as follows:

1. **RELEASE OF ALL CLAIMS:** Plaintiffs, AUSTIN DECOWSKI and BONNY FLERLAGE, agree for the sole consideration of payment of **FIVE THOUSAND DOLLARS AND NO CENTS U.S.D. (\$5,000.00 U.S.D.)**, receipt which will be made within a reasonable time after receipt of this fully executed Release, do hereby release, acquit, and forever discharge Kendall County, Illinois, the Kendall County Sheriff's Office, Kendall County Sheriff's Deputy David Lawson, and any other current and/or former officer, agent, and employee of Kendall County and the Office of the Kendall County Sheriff, and any and all insurers and third party claims administrators, including the Illinois Counties Risk Management Trust ("ICRMT") and Insurance Program Managers Group ("IPMG"), their agents, servants, employees, successors, heirs, officers, directors, and privies (collectively referred to as the "Releasees"), from any and all claims, actions, causes of action, demands, rights, damages, costs, loss of services, expenses and compensation, on account of or in any way growing out of any and all injuries, known or unknown, present or which may be discovered at a future date, which Plaintiffs allege occurred on or about August 24, 2011, and which is more fully described in Plaintiffs' Fifth Amended Complaint filed in the United States District Court for the Northern District of Illinois, 13 CV 6024.

Plaintiffs understand and agree that this settlement is made solely for the purpose of compromising a doubtful and disputed claim, and that this settlement and the payment made pursuant thereto shall not be construed as an admission of liability on the part of Kendall County, Illinois, the Kendall County Sheriff's Office, David Lawson, or any of the Releasees hereinabove referenced, and that the County, the Kendall County Sheriff's Office, and David Lawson, continue to deny any and all liability with respect to Plaintiffs' allegations made in this litigation and intend merely to avoid the cost of further litigation related to this Action.

Plaintiffs fully understand that any injuries allegedly sustained by them on or about August 24, 2011, are or may be permanent and progressive in nature and that recovery therefrom may be uncertain and that there may be unknown or undetermined injuries, losses, medical expenses, and other expenses or damages resulting, and that in executing this Release it is understood and agreed that this Release is a final release and is intended to include all such undetermined or future injuries, losses, medical expenses, and other expenses or damages.

2. **ATTORNEYS' FEES AND COSTS:** The payment herein to be made to Plaintiffs, pursuant to this Release, is in full and final settlement and satisfaction of all claims, expressly including any and all of Plaintiffs' attorneys' fees and costs associated with this litigation. This payment fully satisfies any obligation or lien that Defendants or Releasees have or may have to the law firm of Dentons US LLP, Harold C. Hirschman, R. Cantrell Jones, or any attorney employed by or associated with said law firm, or that may have previously represented Plaintiffs in connection with this Action, for attorneys' fees and costs. Plaintiffs agree that they shall bear their own costs in bringing this Action, including any costs associated with experts and attorneys.

3. **INDEMNITY AND HOLD HARMLESS:** Plaintiffs agree to indemnify and hold harmless Defendants and Releasees from any and all costs, fees, hospital or healthcare liens, subrogation or reimbursement liens associated with any hospital, clinic, or physician for medical care and treatment, bills, expenses, liabilities, and losses, which have been or might be incurred as a result of any past or future medical care and treatment for any claim of injury made by Plaintiffs in this litigation, and that any such bills, liens, or expenses will be fully paid, satisfied and released from the settlement proceeds, or otherwise held in trust, unless and until such time as said liens and/or claims have been fully paid, satisfied or released.

Further, Plaintiffs agree that they shall be solely responsible for, and promise and agree to pay, any income or other taxes, interest or penalties owed with respect to the proceeds made pursuant to this Release, and will indemnify and hold harmless Defendants and Releasees from and against any interest, penalties or taxes as a result of Plaintiffs' failure to report and pay any taxes due on any of the payments.

4. **NO ADMISSION OF LIABILITY:** Plaintiffs understand and agree that the settlement of their claims and all payments made pursuant thereto are made for the sole purpose of settlement and compromise only, to avoid the cost and expense, uncertainty and time associated with further litigation, and without any admission by Kendall County, the Kendall County Sheriff's Office, or David Lawson, as to fault, liability, or wrongdoing, all of which are expressly denied.

Further, this Release is not and shall not be construed as evidence of or an admission by any Defendant or Releasee hereto that any claim or fact alleged by Plaintiffs in this litigation is true or correct. Neither this Release nor any of its terms shall be offered or received in evidence in any other action or proceeding or utilized in any manner whatsoever by Plaintiffs or any third party as an admission or concession of liability or wrongdoing on behalf of any of the Defendants or Releasees.

5. **DISMISSAL:** Plaintiffs agree to the prompt dismissal of KENDALL COUNTY and DAVID LAWSON as parties to this Action, to wit: 13 CV 6024, with prejudice, and to take any and all actions necessary to effect said dismissal, with prejudice, including filing the appropriate Motions with the United States District Court for the Northern District.

6. **CHOICE OF LAW:** Plaintiffs agree that this Release shall be governed by and construed and interpreted according to federal law and the laws of the State of Illinois. In the event of a conflict between federal and Illinois law, then federal law shall control.

7. **ENTIRE AGREEMENT:** Plaintiffs agree that this Release contains all of the terms and conditions to which they have agreed to immediately dismiss Defendants and Releases from the litigation described above.

Plaintiffs, AUSTIN DECOWSKI and BONNY FLERLAGE, by execution of this Release, represent that they have read the entire document before affixing his or her signature thereto, that they had an opportunity to consult their attorneys prior to the execution thereof, that they fully understand the terms and conditions of this Release, including the payment of Plaintiffs' attorneys fees, and are voluntarily and freely executing this Release in consideration for the payment to be made as set forth herein this Release, and that no additional promises, consideration, or payment has been promised to them for executing and signing this Release.

	Dated: _____
AUSTIN DECOWSKI	
	Dated: _____

BONNY FLERLAGE

SUBSCRIBED and SWORN to before me
This _____ day of _____, 2016.

NOTARY PUBLIC

OR

Witnessed by: _____

Address: _____

Date: _____

Kendall County Clerk			
Revenue Report		1/1/16-1/31/16	1/1/15-1/31/15
Line Item	Fund	Revenue	Revenue
	County Clerk Fees	\$ 669.50	\$ 703.50
	County Clerk Fees - Marriage License	\$ 780.00	\$ 450.00
	County Clerk Fees - Civil Union	\$ -	\$ -
	County Clerk Fees - Misc	\$ 1,701.50	\$ 1,251.00
	County Clerk Fees - Recording	\$ 22,862.00	\$ 24,387.00
01010061205	Total County Clerk Fees	\$ 26,013.00	\$ 26,791.50
01010001185	County Revenue	\$ 25,974.25	\$ 28,184.25
38010001320	Doc Storage	\$ 13,686.50	\$ 14,927.50
51010001320	GIS Mapping	\$ 23,079.00	\$ 25,250.00
37010001320	GIS Recording	\$ 2,885.00	\$ 3,156.00
01010001135	Interest	\$ 42.42	\$ 39.01
01010061210	Recorder's Misc	\$ 4,540.25	\$ 3,442.00
81010001320	RHSP/Housing Surcharge	\$ 12,051.00	\$ 12,663.00
CK # 17965	To KC Treasurer	\$ 108,271.42	\$ 114,453.26
Death Certificate Surcharge sent from Clerk's office \$1,028.00 ck # 17960			
Dom Viol Fund sent from Clerk's office \$130.00 ck 17961			

Kendall County Clerk Annual Report for 2015

The Kendall County Clerk & Recorder's Office forwards its 2015 year-end report which summarizes revenues and budget details as well as various functions processed through the Clerk & Recorder's Offices:

Marriage Licenses Issued – 475
Death Certificates Printed – 2867
Assumed Name Certificates Issued – 167
Number of Documents Recorded - 20,524

Civil Union Licenses Issued - 2
Home Births (Birth Certificates Processed) - 4
Notary Certificates Issued – 495

CLERK

- During 2015 the County Clerk's Office posted an additional 6 years of County Ordinances on the County's website, bringing the total number of Ordinances for the past 15 years available on the website
- The Clerk's Office continued to post expenditures online for the 3rd straight year
- Tax Computation Reports for the 4th year
- District Rate Listings for the 6th year in a row
- A link was added to the County Clerk's home page on the website for the Statement of Economic Interest form
- The office processed 750 EIS forms for 2015
- Continual updates are made to the county yearbook throughout the year
- The Clerk participated in the annual tax sale held on November 4, 2015, where 421 tax certificates were issued and are now held in the Clerk's Office
- The Clerk completed 31 FOIA requests during the year
- The office came in under budget for the year

RECORDER

- The County Recorder's Office added the Links for the PTAX203 form as well as the Plat Act Affidavit of Metes & Bounds form to the website
- 20,524 Documents recorded and 37 Plats recorded
- This office was also under budget for the year

ELECTIONS

- As the Election Authority for Kendall County, the office conducted the Consolidated Election held on April 7, 2015; 7,638 votes were cast
- In 2015 17 year olds were able to vote for the first time
- As changes occurred in the law updates were made to the vote by mail application and all other forms that stated absentee had to be modified to say vote by mail
- All of the pamphlets issued by the State Board of Elections were updated
- The Voter Registration Office purged the voter rolls sending out 67,449 new Voter ID cards to the entire county
- Fox precinct was divided into two precincts increasing the number of precincts to 84
- This office was also under budget for the year

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 TWO MONTHS ENDED 01/31/2016

<u>REVENUES*</u>	<u>Annual Budget</u>	<u>2016 YTD Actual</u>	<u>2016 YTD %</u>	<u>2015 YTD Actual</u>	<u>2015 YTD %</u>
Personal Property Repl. Tax	\$406,460	\$69,845	17.18%	\$73,484	19.86%
State Income Tax	\$2,650,000	\$300,649	11.35%	\$516,732	21.70%
Local Use Tax	\$470,000	\$235,436	50.09%	\$92,540	20.56%
State Sales Tax	\$545,492	\$73,247	13.43%	\$174,445	21.14%
County Clerk Fees	\$358,000	\$52,292	14.61%	\$51,080	14.27%
Circuit Clerk Fees	\$950,000	\$141,583	14.90%	\$152,393	16.04%
Fines & Foreits/St Atty.	\$475,000	\$55,485	11.68%	\$76,857	15.37%
Building and Zoning	\$59,500	\$3,942	6.62%	\$5,238	9.52%
Interest Income	\$30,000	\$3,965	13.22%	\$1,776	5.92%
Health Insurance - Empl. Ded.	\$1,250,141	\$199,048	15.92%	\$208,554	18.72%
1/4 Cent Sales Tax	\$2,698,000	\$471,424	17.47%	\$456,054	17.71%
County Real Estate Transf Tax	\$396,420	\$55,009	13.88%	\$58,935	23.57%
Correction Dept. Board & Care	\$766,500	\$90,840	11.85%	\$167,040	18.56%
Sheriff Fees	\$355,000	\$32,941	9.28%	\$53,004	9.22%
TOTALS	\$11,410,513	\$1,785,704	15.65%	\$2,090,132	18.43%
Public Safety Sales Tax	\$4,800,000	\$816,101	17.00%	\$799,468	18.59%
Transportation Sales Tax	\$4,300,000	\$816,101	18.98%	\$799,468	18.59%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 2 months the revenue and expense should at 16.66%

EXPENDITURES

All General Fund Offices/Categories

	\$28,159,719	\$4,805,395	17.06%		\$4,238,653	15.21%
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KENDALL COUNTY CORONER

January 2016 Monthly Report

DATE	CASE NUMBER	TIME	NATURE	POST	TOX	LOCATION
Thursday, January 07, 2016	1601034	3:03 PM	Natural	N	N	Residence
Thursday, January 07, 2016	1601035 *	5:00 PM	Natural	Y	Y	Residence
Friday, January 08, 2016	1601036 *	5:58 AM	Natural	N	N	Residence
Sunday, January 10, 2016	1601037 *	1:20 AM	Natural	N	N	Residence
Tuesday, January 12, 2016	1601038 *	4:23 AM	Natural	N	N	Residence
Tuesday, January 12, 2016	1601039	9:50 AM	Natural	N	N	Residence
Wednesday, January 13, 2016	1601040 *	7:05 AM	Natural	N	N	Residence
Wednesday, January 13, 2016	1601041	11:35 AM	Natural	N	N	Residence
Thursday, January 14, 2016	1601042 *	4:40 AM	Natural	N	N	Nursing Home
Thursday, January 14, 2016	1601043	3:38 PM	Natural	N	N	Nursing Home
Saturday, January 16, 2016	1601044 *	3:57 AM	Natural	N	N	Residence
Sunday, January 17, 2016	1601045 *	3:55 AM	Natural	N	N	Residence
Sunday, January 24, 2016	1601046 *	11:38 AM	Natural	N	N	Residence
Thursday, January 28, 2016	1601047 *	4:45 PM	Natural	N	N	Residence
Thursday, January 28, 2016	1601048 *	7:20 PM	Natural	N	N	Residence
Friday, January 29, 2016	1601049	2:25 PM	Natural	N	N	Assisted Living
Saturday, January 30, 2016	1601050 *	8:50 AM	Pending	Y	Y	Residence
Sunday, January 03, 2016	1601051 *	1:00 PM	Natural	N	N	Residence
Sunday, January 31, 2016	1601052 *	9:05 AM	Natural	N	N	Residence

* Denotes death which occurred outside normal business hours.

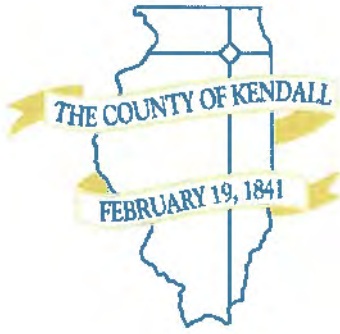
Percentage of calls which occurred outside of normal business hours 74%

Statistics:

FY 2016 Statistics		Stats for Same Period in FY 2015	Difference
2015 Total Deaths.....	52	Total Deaths.....	40 30%
Autopsies to Date.....	5	Autopsies....	2 100%
Toxicology Samples.	6	Toxicology Samples..	2 100%
Cremation Permits....	27	Cremation Permits...	24 13%

Coroner's Office Personnel Update:

* Deputy Coroner Purcell received 30 hours of continuing education credit for the Medicolegal Death Investigation training through State University of New York at Binghamton.



**CHIEF COUNTY ASSESSING OFFICIAL
KENDALL COUNTY
ANDREW P. NICOLETTI**
111 West Fox Street – Rm. 303
Yorkville, Illinois 60560-1498
630-553-4146

February 11, 2016

The following is an **ESTIMATE** of the 2016 EAV. Actual figures are not available at this time.

\$2,882,920,371	2015 FINAL GROSS EAV
- \$ 63,276,453	2015 FARMLAND & FARM BUILDING EAV
\$2,819,643,918	2015 NON-FARM EAV
X 1.0793	2016 EQUALIZATION FACTOR (+7.93%)
\$3,043,241,681	2016 EQUALIZED ADJUSTED GROSS EAV
+ \$ 66,237,791	2015 FARM BUILDINGS AND FARMLAND WITH 2016 INCREASE (approx + 4.68%)
+ \$ 28,454,310	ESTIMATED NEW CONSTRUCTION
- \$ 21,302,730	ESTIMATED BOR REDUCTIONS
\$3,116,641,052	ESTIMATED 2016 EQUALIZED GROSS EAV

$\$3,116,641,052 / \$2,882,920,371 = 1.081$ or an 8.1% **INCREASE** IN EAV FROM 2015 TO 2016.

**ASSESSMENT RATIOS ADJUSTED FOR CHANGES
NON-GROUPED TOWNSHIPS
THROUGH 2015 - BOARD OF REVIEW**

URBAN BY TWP.	2013	2014	2015	3 YEAR AVE.	X FACTOR	= ADJ. AVE.
BIG GROVE	33.55	32.65	32.69	32.96	1.0112	33.33
BRISTOL	32.28	30.29	28.15	30.24	1.1022	33.33
FOX	33.68	32.90	32.55	33.04	1.0088	33.33
KENDALL	32.14	31.20	30.24	31.19	1.0688	33.33
LIS/NASY/SEWARD	34.00	31.18	29.72	31.63	1.0537	33.33
LITTLE ROCK	32.31	27.33	24.86	28.17	1.1832	33.33
OSWEGO	32.96	31.15	30.23	31.45	1.0598	33.33
URBAN WTD.	32.81	30.59	29.24	30.88	1.0793	33.33

11-Feb-16

\\EXCEL\SALES\2015\SA215NG.123

PTAB 215

**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 February 8, 2016*

CALL TO ORDER

The meeting was called to order by Scott Gryder at 6:30 p.m.

ROLL CALL

Committee Members Present: Lynn Cullick, Chairman Scott Gryder, Jeff Wehrli, Judy Gilmour, and Bob Davidson

Committee Members Absent: None

Also present: John Shaw, County Board Chairman; Matt Prochaska, County Board Member; Jeff Wilkins, County Administrator; John Sterrett, Senior Planner; Greg Chismark, WBK Engineering; John Frerich, Walter E. Deuchler Associates, Inc.; Tom Muth, Fox Metro Water Reclamation District; Peter and Mary Bielby, Mary's Pooch Pad; Clemente Garcia, Hardscape Group Landscaping; Jeanette Nicosia of 8700 Wilcox Court; and Irene Weis.

APPROVAL OF AGENDA

Mr. Davidson made a motion, seconded by Mr. Wehrli., to approve the agenda as written. With a voice vote of all ayes, the motion carried.

APPROVAL OF MINUTES

Mr. Davidson made a motion, seconded by Ms. Cullick, to approve the minutes from January 11, 2016. With a voice vote of all ayes, the motion carried.

EXPENDITURE REPORT

Ms. Gilmour made a motion, seconded by Ms. Cullick, to forward the claims to the Finance Committee in the amount of \$1,154.58. With a voice vote of all ayes, the motion carried.

PUBLIC COMMENT

Jerry Banister commented on the proposed discussion for dumpsters in residential zoning districts.

PETITIONS

1. 15-17 Kevin Calder

Request: Special Use to allow a landscaping business in an A-1 Zoning District

Location: 9923 Walker Road in Kendall Township

Mr. Sterrett summarized the zoning request, which is a request for a special use to operate a landscaping business on a 5 acre agriculturally zoned property at 9923 Walker Road in Kendall Township. The business, Hardscape Group Landscaping, Inc., will have six employees with one of the employees living in the house on site. The property has access to a county highway as identified on the County's LRMP, having an all-weather surface, designed to accommodate loads

of at least 73,280lbs. The applicant has indicated that most of the trucks and equipment associated with the landscape operation will be kept outdoors. There is, however, some existing landscaping along the perimeter of the property that provides some screening from the roadway and adjacent properties. Clemente Garcia, owner of Hardscape Group Landscaping, Inc., has indicated that they are going to be adding additional evergreen species to the front of the property to provide further screening. The petitioner has submitted a waste disposal plan to address landscape waste. The waste will be delivered directly to Fox Stone Company. The petition received a favorable recommendation from the Plan Commission and the Special Use Hearing Officer.

The Committee recommended that a date be added to the special use ordinance indicating when the landscaping must be installed. The petitioner was comfortable with November 1, 2016 as the deadline.

Ms. Cullick made a motion, seconded by Jeff Wehrli, to forward the petition onto the County Board with a favorable recommendation with the following conditions:

1. No landscape waste generated off site may be burned at the subject property
2. No retail sales shall be permitted on the property
3. A Change in Occupancy Permit must be secured prior to the conversion of the dwelling unit from a residence to an office structure
4. No more than six (6) employees shall be permitted
5. Additional landscape screening shall be installed along the front of the property no later than November 1, 2016
6. Existing accessory structures on the property shall be used for storage only
7. Signage shall be permitted on the property subject to the sign regulations of the A-1 Agricultural District
8. Landscape waste shall be disposed of off-site at a permitted waste facility.

Mr. Gryder called the roll. The motion carried 5-0.

This petition will be on the February 16, 2016 County Board agenda for action.

2. 16-01 Peter and Mary Bielby

Request: Special Use to allow a kennel in an A-1 Agricultural District

Location: 8573 Fox River Drive, Fox Township

Purpose: To permit a Special Use in the A-1 District to operate a kennel

Mr. Sterrett summarized the zoning request, which is a request for an A-1 Special Use to operate a dog kennel at 8573 Fox River Drive in Fox Township and use an existing 2,900 square foot structure to keep the dogs contained during night time hours and nap time. Mr. Sterrett explained that the Zoning Ordinance permits kennels in the A-1 District as special uses provided that the kennel facility is located at least 250' from all residentially zoned properties and properties identified on the LRMP as residential and at least 150' from all non-residentially zoned properties and properties identified on the LRMP as non-residential. The proposed kennel structure meets those setback requirements with the exception of the property line to the southwest. The kennel structure is only 25' from the property line and therefore the petitioners

sought a variance from the Zoning Board of Appeals. The ZBA approved the variance request with the condition that the approval is contingent on the approval of the special use application. The kennel operation will include overnight boarding and dog daycare. The number dogs will be limited to no more than twelve (12) at a time. All dogs will be kept in the existing 2,900 square foot structure between the hours of 6:00pm and 7:00am. A play area will be provided for the dogs towards the northwestern portion of the property. The petitioner is in the process of obtaining a Kennel Operator's license through the Illinois Department of Agriculture. The petitioner does not have immediate plans for employees other than those currently residing on the property. The petition received a favorable recommendation from the Plan Commission and the Special Use Hearing Officer.

Mr. Bielby submitted to the Committee a sound test indicating the decibel levels at the property line and the street. Ms. Nicosia stated that she had communicated additional questions regarding the operation including fencing, insurance requirements, and leashing of dogs from a car to the building. Mr. Sterrett said that he relayed these questions to the petitioner. Ms. Nicosia stated here questions were answered. The Committee recommended that a date be placed on the ordinance for when an annual inspection needs to take place of February 1st.

Ms. Cullick made a motion, seconded by Mr. Wehri, to forward the petition onto the County Board with a favorable recommendation with the following conditions:

1. No more than twelve (12) dogs associated with the kennel operation shall be kept on the property at any one time.
2. All dog waste shall be kept in a lidded container and shall be removed from the property no less than one (1) time every seven (7) days
3. No exterior lighting associated with the dog kennel operation shall be permitted
4. Fencing shall be maintained on the property to enclose all dogs including a six foot privacy fence to be located in the rear of the proposed kennel structure and will span across the width of the property.
5. Employees shall be limited to individuals residing on the property
6. All dogs shall be kept within the kennel between the hours of 6:00pm and 7:00am daily.
7. A reserved parking sign for ADA compliance shall be installed for one parking space on the asphalt parking area.
8. No signage shall be permitted on the property
9. The special use is granted for Peter and Mary Bielby only and shall not be treated as a covenant running with the land.
10. The special use shall be subject to an annual inspection no later than February 1st by the PBZ Department for compliance with these conditions.

Mr. Gryder called the roll. The motion carried 5-0.

This petition will be on the February 16, 2016 County Board agenda for action.

NEW BUSINESS

Recommendations regarding Intergovernmental Agreement with United City of Yorkville for Reciprocal Building Inspection Services

Mr. Sterrett explained that the County's existing intergovernmental agreement with the United City of Yorkville for reciprocal building inspection services will be expiring in May 2016. Inspectors from both the County and the City would like for the IGA to be renewed. Mr. Sterrett stated that staff will request the Office of the State's Attorney to update the agreement for discussion next month if the Committee would like to authorize such action. There was a consensus from the Committee to renew this agreement and discuss at a future committee meeting.

OLD BUSINESS

Recommend approval of a variance to Article II (Detention and Depressional Storage) of the Kendall County Stormwater Management Ordinance and a variance to Article IV (Floodplain Compensatory Storage) of the Kendall County Stormwater Management Ordinance

Mr. Sterrett provided a brief background on the application for the two stormwater variances being sought by the Fox Metro Water Reclamation District. Mr. Chismark updated the committee on his review of the submitted plans and that there has been coordination with the Village of Oswego for the project. The public hearing will take place in front of the County's Committee of the Whole in February with the County Board taking action at the February 16th meeting.

Dumpsters in Residentially Zoned Districts

Mr. Sterrett reviewed the provisions for a potential text amendment regulating dumpsters in residential districts based on discussion from the last PBZ Committee meeting. The consensus from the committee was to strike any provisions regarding permanent dumpsters in residential areas in an effort to prohibit permanent dumpsters from occurring. Staff will update the provisions and bring back to the Committee for further review and discussion.

Recommend approval of the Kendall County 175th Anniversary Proclamation

The proclamation for the County's 175th anniversary was reviewed. This proclamation was also reviewed and forwarded onto the Committee with a favorable recommendation from the Historic Preservation Commission. Mr. Wehrli made a motion, seconded by Mr. Davidson, to forward the proclamation onto the County Board with a favorable recommendation. With a voice vote of all ayes, the motion carried.

Updated on 2016 Annual Regional Plan Commission

Mr. Sterrett provided Committee with an update of the annual KCRPC meeting. One of the topics discussed was focusing on potential corridors for economic activity. Mr. Gryder explained the comments from other communities including Yorkville, Oswego, Plainfield, and Oswego School District 308.

UPDATE ON HISTORIC PRESERVATION

Mr. Sterrett stated that the Historic Preservation Commission is interested in putting together a marketing plan.

UPDATE ON CMAP LAND USE COMMITTEE MEETING

Mr. Sterrett informed the Committee that an open house is occurring on February 24th from 9:30am to 12:00pm at the CMAP offices for the new CMAP regional plan. All interested parties may attend.

PROJECT STATUS REPORT

The Committee reviewed the project status report.

PERMIT REPORT

The Committee reviewed the permit report.

REVENUE REPORT

The committee reviewed the revenue report.

CORRESPONDENCE - None

EXECUTIVE SESSION - None

PUBLIC COMMENT

Jerry Banister raised concerns regarding the proposed detention area near his property by Fox Metro Water Reclamation District off of Orchard Road.

ADJOURNMENT

Ms. Gilmour made a motion, seconded by Mr. Davidson, to adjourn the meeting. With a voice vote of all ayes, the motion carried. Chairman Gryder adjourned the meeting at 7:44 p.m.

Respectfully Submitted,
John H. Sterrett
Senior Planner

ORDINANCE NUMBER 2016 - _____

GRANTING SPECIAL USE FOR THE PROPERTY AT
9923 WALKER ROAD IN KENDALL TOWNSHIP

WHEREAS, Kevin Calder has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 4.41 acre property located on the north side of Walker Road, 0.5 miles west of State Route 47, commonly known as 9923 Walker Road (PIN# 05-21-300-002), in Kendall Township; and

WHEREAS, said property is currently zoned A-1 Agricultural; and

WHEREAS, said petition is to obtain an A-1 Special Use Permit to operate a landscape business with outdoor storage of vehicles, equipment and bulk materials associated with a landscape business; and

WHEREAS, said property is legally described as:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 379.6 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 51 SECONDS EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE SAID SOUTHWEST QUARTER 573.77 FEET; THENCE SOUTH ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER 379.60 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER SECTION; THENCE SOUTH 89 DEGREES 41 MINUTES 51 SECONDS WEST 573.77 FEET TO THE POINT OF BEGINNING; IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public bearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on February 1, 2016; and

WHEREAS, the findings of fact were approved as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The petitioner has submitted plans, including a landscape waste management plan, indicating that no landscape waste will be brought back to the property and will be disposed of off-site. Landscaping operations are a consistent special use within the Agricultural Zoning District.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The property maintains a substantial distance from residential structures. All equipment and vehicles associated with the landscape business will be kept either within existing buildings or on an existing gravel area screened with landscaping from adjacent properties and the roadway. The petitioner has stated that additional evergreen species will be installed along the front of the property to provide additional screening.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. No new points access roads or points of ingress and egress are

being provided as they are not necessary for the requested use. No new construction is being proposed on the site for the use and will not require additional drainage or stormwater infrastructure.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. The petitioners will be working with the Health Department to ensure all potential septic system upgrades for the existing house will comply with Health Department guidelines. Existing accessory structures will be used for storage only and not for workspace.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This special use is consistent with the LRMP as it somewhat compatible with rural residential development. The residential characteristics of the property are being maintained and any future office use on the property for the special use is anticipated to occur within the residential structure with a change of occupancy.

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Special Use Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns of the property owner as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to operate a landscape business with outdoor storage of vehicles, equipment and bulk materials associated with a landscape business in accordance to the submitted Site Plan included as "Exhibit A" attached hereto and incorporated herein subject to the following conditions:

1. No landscape waste generated off site may be burned at the subject property
2. No retail sales shall be permitted on the property
3. A Change in Occupancy Permit must be secured prior to the conversion of the dwelling unit from a residence to an office structure
4. No more than six (6) employees shall be permitted
5. Additional landscape screening shall be installed along the front of the property no later than November 1, 2016
6. Existing accessory structures on the property shall be used for storage only
7. Signage shall be permitted on the property subject to the sign regulations of the A-1 Agricultural District
8. Landscape waste shall be disposed of off-site at a permitted waste facility.

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 by the Kendall County Board this 16th day of February, 2016.

Attest:

Debbie Gillette
Kendall County Clerk

John A. Shaw
Kendall County Board Chairman

ORDINANCE NUMBER 2016 - _____

**GRANTING SPECIAL USE AND VARIANCE FOR THE PROPERTY AT
8573 FOX RIVER DRIVE IN FOX TOWNSHIP**

WHEREAS, Peter and Mary Bielby, d/b/a Mary's Pooch Pad, have filed a petition for a Special Use and a variance within the A-1 Agricultural Zoning District for a 4.05 acre property located on the northwest side of Fox River Drive, 0.5 mile south of Millbrook Road, commonly known as 8573 Fox River Drive (PIN# 04-16-151-005; 04-16-300-001), in Fox Township; and

WHEREAS, said property is legally described as:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 379.6 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 51 SECONDS EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE SAID SOUTHWEST QUARTER 573.77 FEET; THENCE SOUTH ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SOUTHWEST QUARTER 379.60 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER SECTION; THENCE SOUTH 89 DEGREES 41 MINUTES 51 SECONDS WEST 573.77 FEET TO THE POINT OF BEGINNING; IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

WHEREAS, said property is currently zoned A-1 Agricultural; and

WHEREAS, said petition is to obtain an A-1 Special Use Permit to operate a kennel; and

WHEREAS, section 7.01 D.27 stipulates that kennels must be located at least 250' from residential zoned properties and 150' from non-residential zoned properties; and

WHEREAS, the proposed kennel structure will be located twenty-five (25) feet from a non-residential zoned property; and

WHEREAS, the petitioners have sought relief from this requirement by applying for a variance to the required setback from non-residential zoned properties; and

WHEREAS, the proposed kennel structure meets all other setback requirements; and

WHEREAS, all variance procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Zoning Board of Appeals on November 2, 2015; and

WHEREAS, the findings of fact were approved as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The lot has a narrow width of 265' thus prohibits a new structure from being able to meet the required setback distances to the north and south lot lines.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. The lot size and dimensions of this parcel are not necessarily atypical of other lots zoned as agricultural.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The property was not platted by the petitioner and the existing structure was present on the site when the petitioner purchased the property.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The existing structure, as accessory to the property, does still meet the required setbacks of an agricultural accessory building and should not have a detrimental effect on other properties.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. It does not appear that the existing structure itself currently impairs an adequate supply of light and air to the adjacent property. The proposed variation, along with the change in use of the structure to a dog kennel, will not have any additional impact on the existing structures impairment of the supply of light or air to adjacent property. As part of a special use, the conversion of the structure from storage to a commercial kennel is required to comply with required applicable codes and is subject to a special use approval.

WHEREAS, all special use procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on February 1, 2016; and

WHEREAS, the findings of fact were approved as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The petitioner has submitted plans, including a waste management plan, indicating that measures will be taken to ensure that the use of the kennel operation will not have a negative impact on public health, safety, morals, comfort, or general welfare.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses

and is compatible with the surrounding area and/or the County as a whole. The location of the structure for the proposed kennel and the location of the outdoor play area for the dogs maintain the required distance from nearby residential districts and structures. Fencing will be provided to enclosure dogs in the play area and a substantial amount of existing landscaping and wooded areas provide screening from adjacent properties and the roadway. No lighting associated with the dog kennel operation is proposed and no signage will be constructed.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. No new points access roads or points of ingress and egress are being provided as they are not necessary for the requested use. The petitioners will be working with the Health Department to ensure all potential plumbing upgrades will comply with Health Department guidelines. No new construction is being proposed on the site for the use and will not require additional drainage or stormwater infrastructure. The structure that is proposed to be used for the dog kennel facility has been determined as an agriculturally exempt structure and will not require a building permit. All ADA parking requirements will be provided.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. The petitioners have been granted a variance with respect to the setback distance of the kennel structure to the southwest property line. The Zoning Board of Appeals granted the request on November 2, 2015.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. This special use is consistent with the LRMP indicates this property to maintained as open space and no additional development is occurring on the property with the request. The property will still be used as a residence for the owners/operators of the dog kennel.

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Special Use Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit and variance to operate a kennel within a structure located twenty-five (25) feet from a non-residential zoned property in accordance to the submitted Plat of Survey included as "Exhibit A" attached hereto and incorporated herein subject to the following conditions:

1. No more than twelve (12) dogs associated with the kennel operation shall be kept on the property at any one time.
2. All dog waste shall be kept in a lidded container and shall be removed from the property no less than one (1) time every seven (7) days
3. No exterior lighting associated with the dog kennel operation shall be permitted
4. Six foot fencing shall be maintained around the perimeter of the outdoor play area to enclose all dogs including a six foot privacy fence to be located in the rear of the proposed kennel structure and will span across the width of the property.
5. Employees shall be limited to individuals residing on the property
6. All dogs shall be kept within the kennel between the hours of 6:00pm and 7:00am daily.
7. A reserved parking sign for ADA compliance shall be installed for one parking space on the asphalt parking area.

8. No signage shall be permitted on the property
9. The special use is granted for Peter and Mary Bielby only and shall not be treated as a covenant running with the land.
10. The special use shall be subject to an inspection no later than February 1, 2017 by the PBZ Department for compliance with these conditions.

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 by the Kendall County Board this 16th day of February, 2016.

Attest:

Debbie Gillette
Kendall County Clerk

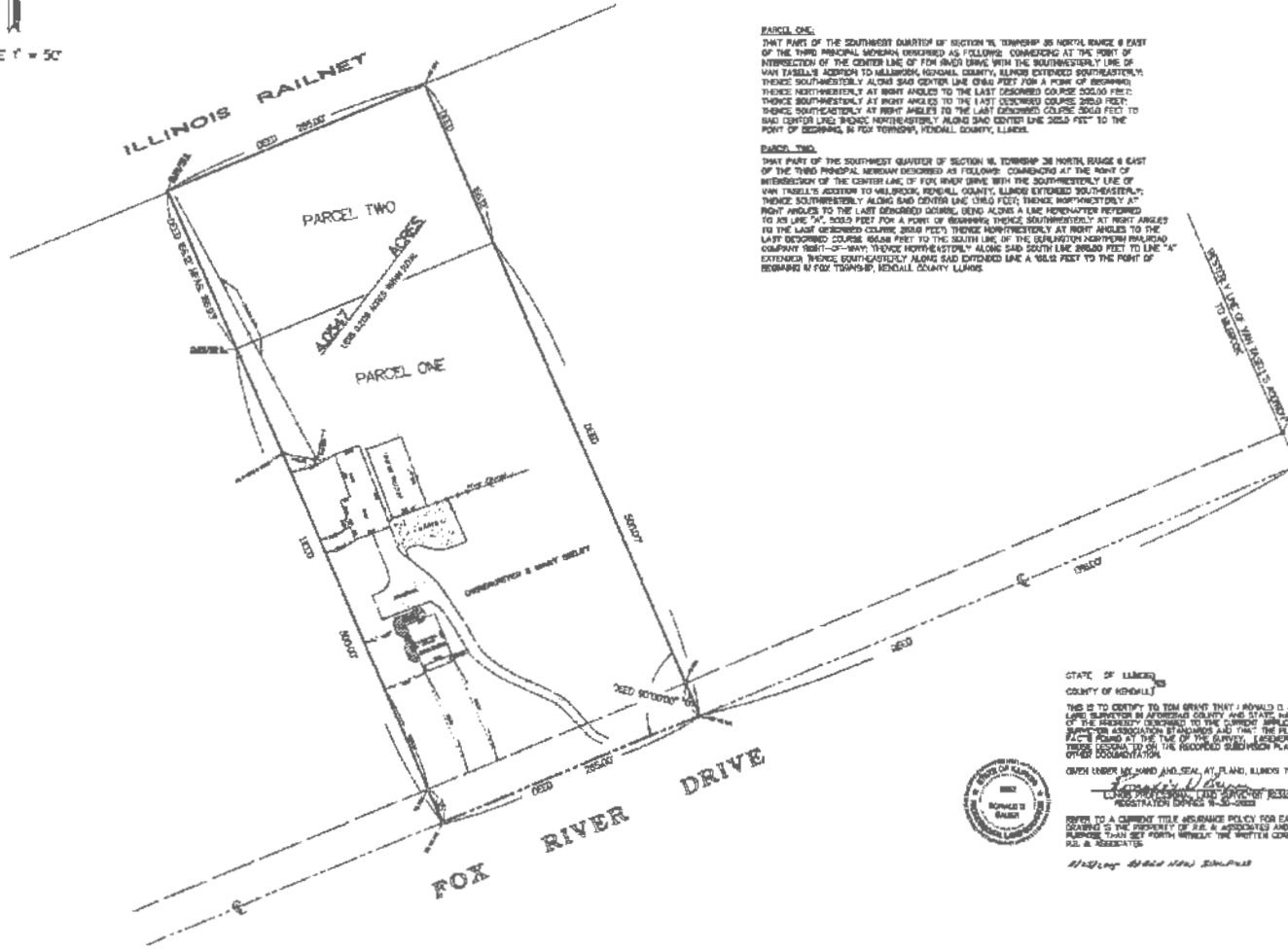
John A. Sbaw
Kendall County Board Chairman

PLAT OF SURVEY

EXHIBIT A



SCALE 1" = 50'



PARCEL ONE:
 THAT PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 35 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF FOX RIVER DRIVE WITH THE SOUTHWESTERLY LINE OF VAN TASSELL'S ADDITION TO MELLISHAM, KENDALL COUNTY, ILLINOIS EXTENDED SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 678.00 FEET FOR A POINT OF BEGINNING; THENCE NORTH-WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 300.00 FEET; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 200.00 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 200.00 FEET TO SAID CENTER LINE; THENCE NORTHWESTERLY ALONG SAID CENTER LINE 200.00 FEET TO THE POINT OF BEGINNING, IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL TWO:
 THAT PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 35 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF FOX RIVER DRIVE WITH THE SOUTHWESTERLY LINE OF VAN TASSELL'S ADDITION TO MELLISHAM, KENDALL COUNTY, ILLINOIS EXTENDED SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID CENTER LINE 318.00 FEET; THENCE NORTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, BEING ALONG A LINE HERETOFORE REFERRED TO AS LINE "A", 500.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 300.00 FEET; THENCE NORTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 160.00 FEET TO THE SOUTH LINE OF THE SUBDIVISION NORTHERN RAILROAD COMPANY WEST-OF-BAY; THENCE NORTHWESTERLY ALONG SAID SOUTH LINE 200.00 FEET TO LINE "A"; THENCE SOUTHWESTERLY ALONG SAID EXTENDED LINE A 160.00 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

STATE OF ILLINOIS
 COUNTY OF KENDALL

THIS IS TO CERTIFY TO TOM GRANT THAT I, RONALD D. BAKER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR IN KENDALL COUNTY, HAS STATE-WIDE COMPLETED A SURVEY OF THE FOREGOING DESCRIBED TO THE CURRENT ILLINOIS SURVEY PROFESSIONAL LAND SURVEYORS ASSOCIATION BY HANDS AND THAT THE PLAT HEREON CORRECTLY REPRESENTS THE FIELD FOUND AT THE TIME OF THE SURVEY. I HEREBY DO EXTENDS SHOWING THE OTHER BEING DEEMED TO BE THE RECORDED SUBDIVISION PLAT OR THERE PROVIDED TO BE BY OTHER DOCUMENTATION.

GIVEN UNDER MY HAND AND SEAL, AT PLANO, ILLINOIS THIS 13TH DAY OF AUGUST, 2001 AD.



Ronald D. Baker
 LICENSED PROFESSIONAL LAND SURVEYOR
 REGISTRATION LICENSE NO. 12-0002

REFER TO A CURRENT TITLE INSURANCE POLICY FOR EASEMENTS NOT PROVIDED. THIS DRAWING IS THE PROPERTY OF R.E.A. ASSOCIATES AND SHALL NOT BE USED FOR ANY OTHER PURPOSE THAN SET FORTH HEREIN. THE WRITERS CONSENT TO ALL APPLICABLE RIGHTS TO R.E.A. ASSOCIATES.

1/12/02 Long 4916d New 5/10/02

R.B. & ASSOCIATES
 4 WEST MAIN STREET
 PLANO, ILLINOIS 60545
 (630) 552-7452

DWG.# 2001-10777-001 C

ORDINANCE NUMBER 2016 - _____

**GRANTING VARIANCES TO THE KEDALL COUNTY
STORMWATER MANAGEMENT ORDINANCE FOR THE PROPERTY AT
682 STATE ROUTE 31, OSWEGO TOWNSHIP
FOR FOX METRO WATE RECLAMATION DISTRICT**

WHEREAS, Fox Metro Water Reclamation District has submitted a stormwater management permit application for the development of a 25.88 acre property located on the west side of State Route 31, approximately 0.75 miles south of U.S. Route 30, commonly known as 682 State Route 31 (PIN# 03-05-353-009; 03-05-353-010; 03-05-353-006; 03-05-353-004; 03-05-353-003; 03-05-353-002), in Oswego Township; and

WHEREAS, said development is for the expansion of the existing waste water treatment facility which expansion is mandated by State and federal water quality requirements related to their discharge and water quality improvements of the Fox River; and

WHEREAS, Fox Metro Water Reclamation District is a unit of local government providing public water and sewer service to residents of Kendall County; and

WHEREAS, no development or proposed work is occurring within the regulatory floodway of the Fox River; and

WHEREAS, Fox Metro Water Reclamation District received special use approval for this expansion on December 20, 2011 through Ordinance 2011-35; and

WHEREAS, said property is legally described as:

PARCEL ONE:

THAT PART OF LOT 3 OF LARSON SUBDIVISION, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID LOT, BEING ON THE CENTERLINE OF STATE ROUTE NO. 31; THENCE SOUTHERLY ALONG SAID CENTERLINE, 46.58 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 82° 36' EAST, PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT, 775.16 FEET TO THE EASTERLY LINE OF SAID LOT; THENCE SOUTH 9° 39' EAST ALONG SAID EASTERLY LINE, 229.17 FEET; THENCE SOUTH 37° 16' EAST, 35.20 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 82° 36' WEST ALONG THE SOUTHERLY LINE OF SAID LOT, 867.3 FEET TO THE CENTERLINE OF SAID STATE ROUTE NO. 31; THENCE NORTHERLY ALONG SAID CENTERLINE, 250.52 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL TWO:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST FRACTIONAL

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County of Kendall

QUARTER OF SECTION 6, TOWNSHIP AND RANGE AFORESAID; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 6, 1363.34 FEET; THENCE SOUTH 82° 36' EAST, 5298.7 FEET TO THE WESTERLY BANK OF FOX RIVER; THENCE NORTH 18° 46' WEST ALONG SAID WESTERLY BANK, 192.5 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 18° 46' WEST ALONG SAID WESTERLY BANK, 44.35 FEET; THENCE NORTH 37° 16' WEST ALONG SAID WESTERLY BANK, 227.8 FEET; THENCE NORTH 82° 36' WEST, 867.3 FEET TO THE CENTERLINE OF THE ORIGINAL ROAD; THENCE SOUTHERLY ALONG SAID CENTERLINE, 200 FEET TO A LINE DRAWN NORTH 82° 36' WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 82° 36' EAST, 1014.21 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS (*AKA LOT 4 OF LARSON SUBDIVISION).

PARCEL THREE:

TRACT ONE:

LOT 5 OF LARSON'S SUBDIVISION, TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

TRACT TWO:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTERLINE OF ILLINOIS STATE ROUTE NUMBER 31; THENCE NORTH 6° 44' EAST ALONG SAID CENTERLINE, 745.75 FEET; THENCE SOUTH 82° 30' EAST, 100 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 82° 30' EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82° 30' EAST FOR THE POINT OF BEGINNING; THENCE NORTH 82° 30' WEST TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL FOUR:

THAT PART OF THE SOUTH HALF OF THE WEST PART OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES EAST OF THE CENTERLINE OF STATE ROUTE NO. 31 AND SOUTH OF A LINE EXTENDING SOUTH 82° 30' EAST FROM A POINT IN THE SAID CENTERLINE OF SAID HIGHWAY THAT IS NORTH 6° 44' EAST, 745.75 FEET FROM THE SOUTH LINE OF SAID SECTION TO THE CENTER THREAD OF THE FOX RIVER (EXCEPT THE RIGHT OF WAY OF THE SAID STATE ROUTE NO. 31 AND A STRIP IN THE NORTHWEST CORNER 67 FEET WIDE AND 325 FEET LONG MEASURED ALONG THE EASTERLY LINE OF SAID HIGHWAY, USED FOR CEMETERY PURPOSES, AND ALSO EXCEPT THAT PART LYING SOUTH OF THE NORTH LINE OF PREMISES CONVEYED TO THE COMMONWEALTH EDISON COMPANY BY WARRANTY DEED RECORDED OCTOBER 9, 1959 AS DOCUMENT 127020 AND ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 5 WITH THE CENTERLINE OF ILLINOIS STATE ROUTE NO. 31; THENCE NORTH 6° 44' EAST ALONG SAID CENTERLINE, 745.75 FEET; THENCE SOUTH 82° 30' EAST 100 FEET FOR THE POINT OF

State of Illinois
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BEGINNING; THENCE SOUTHWESTERLY AT RIGHT ANGLES WITH THE LAST DESCRIBED COURSE, 110 FEET; THENCE SOUTH 82° 30' EAST TO THE CENTER THREAD OF THE FOX RIVER; THENCE NORTHERLY ALONG SAID CENTER THREAD TO A LINE DRAWN SOUTH 82° 30' EAST FROM THE POINT OF BEGINNING; THENCE NORTH 82° 30' WEST TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THEREFROM THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 31 WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTERLINE OF SAID ROAD; THENCE NORTH 6° 03' 17" EAST ALONG SAID CENTERLINE, 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF 87° 43' 10" MEASURED COUNTER CLOCKWISE FROM THE LAST DESCRIBED COURSE, 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 169° 46' 24" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET; THENCE NORTHERLY AT AN ANGLE OF 142° 32' 41" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF 148° 08' 36" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF 106° 13' 20" MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 859.60 FEET, MORE OR LESS, TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER, 302.20 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF COMMONWEALTH EDISON LANDS DESCRIBED IN DOCUMENT NO. 127020 AT THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING), IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

PARCEL FIVE:

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF STATE ROUTE 31, WHICH IS 165.86 FEET NORTH OF THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTH LINE OF SAID SECTION 5 AS MEASURED ALONG THE CENTERLINE OF SAID ROAD; THENCE NORTH 06° 03' 17" EAST ALONG SAID CENTERLINE, 85.00 FEET; THENCE EASTERLY AT AN ANGLE OF 87° 43' 10" MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 99.08 FEET; THENCE NORTHEASTERLY AT AN ANGLE OF 169° 46' 24" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 87.59 FEET; THENCE NORTHERLY AT AN ANGLE OF 142° 32' 41" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 69.19 FEET; THENCE NORTHERLY AT AN ANGLE OF 148° 08' 36" MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 52.57 FEET; THENCE EASTERLY AT AN ANGLE OF 106° 13' 20" MEASURED COUNTER-CLOCKWISE FROM THE LAST DESCRIBED COURSE, 1010.40 FEET, MORE OR LESS, TO THE WEST BANK OF THE FOX RIVER; THENCE SOUTHERLY ALONG THE WEST BANK OF SAID FOX RIVER, 320 FEET MORE OR LESS, TO THE NORTHERLY LINE OF THE COMMONWEALTH EDISON COMPANY LANDS DESCRIBED IN DOCUMENT 127020 AT THE RECORDER'S OFFICE OF KENDALL COUNTY, ILLINOIS; THENCE WESTERLY ALONG SAID NORTHERLY LINE, 1109.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF OSWEGO, KENDALL COUNTY, ILLINOIS.

WHEREAS, Fox Metro Water Reclamation District has submitted a request for a variance to accept fee-in-lieu of site runoff storage under the requirements of Sections 201.6 Depressional Storage and 203 Site Runoff Storage Requirements of Article II of the Kendall County Stormwater Management Ordinance for on-site stormwater detention in the amount of 6.69 acre-ft and depressional storage in the amount of 0.40 acre-ft ; and

WHEREAS, Fox Metro Water Reclamation District is proposing 9.39 ac-ft of floodplain fill at the subject site and is providing 9.39 ac-ft of storage downstream of the subject site at the Orchard Road Pump Station and has submitted a request for a variance to waive the requirements of Sections 403.a Hydraulically Equivalent Compensatory Storage (above and below 10 year flood elevation) and Section 403.d Compensatory Storage Adjacent to the Development of Article IV of the Kendall County Stormwater Management Ordinance for floodplain compensatory storage; and

WHEREAS, all variance procedures required by the Kendall County Stormwater Management Ordinance were followed including a public hearing by the County's Stormwater Management Oversight Committee on February 11, 2016; and

WHEREAS, the County's Oversight Committee has determined the variance requests meet following standards:

The variances will not increase the probability of flood damage or create an additional threat to the public health, safety or welfare.

The variances requested are the minimum relief necessary to accomplish the objectives of the development without compromising the objectives of Section 102 of this Ordinance.

The variances will not result in a reduction of water quality benefits as compared to compliance with ordinance requirements.

The variances are not requested solely for the purpose of reducing site runoff storage requirements.

The variances shall not cause conveyance of stormwater from the project to increase peak discharges beyond design capacity of existing offsite conveyance facilities for any storm event from the 2-year to the 100-year recurrence frequency.

The variances shall seek to preserve valuable environmental and biological resources including but not limited to stands of native trees, existing wetlands and natural floodplain storage.

WHEREAS, the County's Oversight Committee has determined the variance requests identified herein to be acceptable under the following conditions:

1. The Fox Metro Water Reclamation District shall procure all necessary County, State and Federal permits and satisfy all permit conditions to complete the Orchard Road Pump Station floodplain compensatory storage basin.
2. Record surveys of floodplain fill and floodplain excavation shall be submitted for verification of

State of Illinois
County of Kendall

compliance.

3. Hydraulic modelling of the base flood event on the Fox River shall demonstrate and document no significant change (greater than 0.1 feet) to base flood elevation resulting from floodplain fill.

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

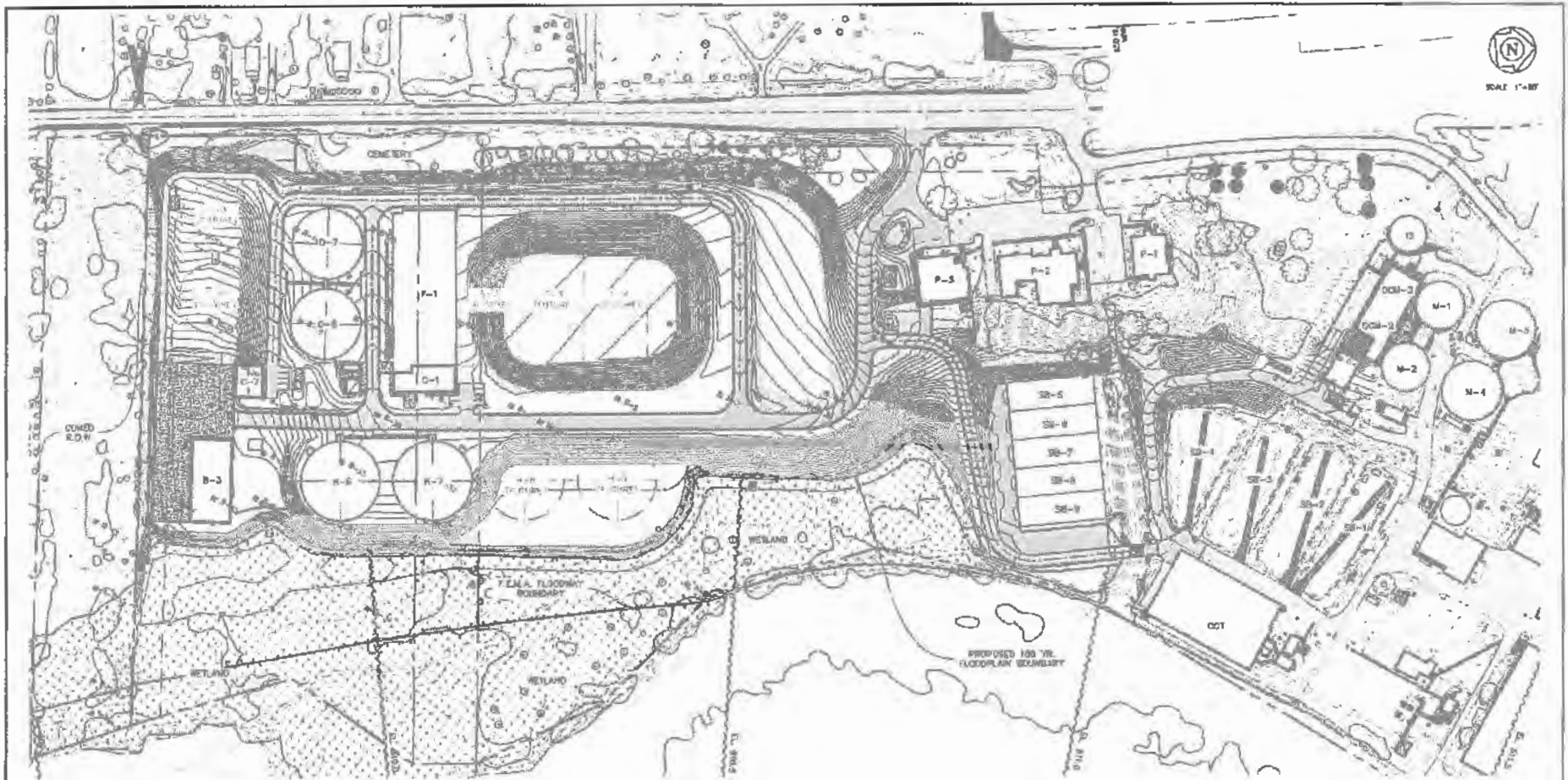
NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval, subject to the conditions noted herein, of a variance to accept fee-in-lieu of site runoff storage under the requirements of Sections 201.6 Depressional Storage and 203 Site Runoff Storage Requirements of Article II of the Kendall County Stormwater Management Ordinance for on-site stormwater detention in the amount of 6.69 acre-ft and depressional storage in the amount of 0.40 acre-ft ; and to waive the requirements of Sections 403.a Hydraulically Equivalent Compensatory Storage (above and below 10 year flood elevation) and Section 403.d Compensatory Storage Adjacent to the Development of Article IV of the Kendall County Stormwater Management Ordinance for floodplain compensatory storage in accordance with the submitted application and the site plans included as "Group Exhibit A" attached hereto and incorporated herein.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 16th day of February, 2016.

Attest:

Debbie Gillette
Kendall County Clerk

John A. Shaw
Kendall County Board Chairman



Group Exhibit "A"
1 of 2

 WALTER E. DEUCHLER ASSOCIATES, INC. <i>Consulting Engineers - Leavenworth, Kansas</i>	REVISIONS	DATE	BY	REVISION	DATE	FOX METRO WATER RECLAMATION DISTRICT SOUTH WASTEWATER TREATMENT FACILITY SITE AND OVERALL GRADING PLAN
		1/11/11	MD	ISSUED	1/11/11	
		AS SHOWN	MD	ISSUED	AS SHOWN	
		7/11-7/17-11	MD	APPROVED	7/11-7/17-11	
		11/11	MD	APPROVED	11/11	

**A PROCLAMATION
RECOGNIZING THE 175TH ANNIVERSARY OF THE CREATION OF KENDALL COUNTY**

Whereas, Kendall County has a long rich history in Illinois dating back to its first settlers in the 19th Century;
and

Whereas, favorable weather conditions in the early 1830's allowed hundreds of settlers to travel west to Illinois;
and

Whereas, by 1838 the communities of Oswego, Newark, Yorkville, Little Rock, Lisbon, and Millington had
been settled; and

Whereas, residents of Oswego, Bristol, and Little Rock townships originally traveled north to Geneva to
conduct legal business at the Kane County Courthouse; and

Whereas, those living in Na Au Say, Kendall, Fox, Big Grove, Lisbon, and Seward townships traveled to
Ottawa to conduct legal business at the LaSalle County Courthouse; and

Whereas, settlers living along the Fox River between Ottawa and Aurora worked together to establish a new
county to call their own; and

Whereas, the original petition circulated in the fall of 1840 asked the Illinois General Assembly to establish a
new county comprised of nine townships; and

Whereas, when the new county was proposed in the Illinois House of Representatives, it included the
boundaries for new townships that would eventually become the townships of Little Rock, Bristol, Oswego,
Fox, Kendall, Na-Au-Say, Big Grove, Lisbon, and Seward; and

Whereas, the name of the newly created county would be Kendall, in honor of Postmaster General Amos
Kendall under President Andrew Jackson; and

Whereas, the legislation creating Kendall County was approved by the Illinois Senate and Illinois House of
Representatives on February 13, 1841; and

Whereas, the legislation was approved on February 19, 1841.

Now Therefore Be It Proclaimed by the Kendall County Board:

That February 19, 2016 marks the 175th anniversary of the creation of Kendall County in the State of Illinois
and the people of Kendall County are encouraged to recognize and celebrate this historic occasion with their
fellow citizens across the County.

Adopted by the Kendall County Board this 16th day of February, 2016

Attest:

Debbie Gillette
County Clerk

John A. Shaw
Chairman

KENDALL COUNTY, ILLINOIS
PUBLIC SAFETY COMMITTEE
County Office Building, Board Rooms 209-210
111 W. Fox Road, Yorkville IL
Monday, February 8, 2016
Meeting Minutes

Call to Order and Pledge Allegiance - Chair Matthew Prochaska called the meeting to order at 5:30p.m. and led the Pledge of Allegiance.

Committee Members Present: Matthew Prochaska – here, John Purcell – yes, Scott Gryder – present, Bob Davidson - yes. **With all members present voting aye, a quorum was determined to conduct business.**

Member Gilmour arrived at 5:33p.m.

Others Present: Sheriff Dwight Baird, Undersheriff Harold Martin, Chief Deputy Scott Koster, EMA Director Joe Gillespie, Jim Smiley

Approval of the Agenda – Member Gryder made a motion to approve the agenda, second by Member Davidson. **With all in agreement, the motion carried.**

Approval of Minutes – Member Davidson made a motion to approve the December 14, 2015 meeting minutes, second by Member Gryder. **With all in agreement, the motion carried.**

Public Comment – None

Ken Com Report – As submitted. Member Purcell reported the January 2016 calls were down, and the Sheriff's calls were down as well. Member Purcell asked if that was due to the weather. Chief Deputy Koster stated that he would concur that the decrease was probably due to the weather, and less need for response to vehicular accidents by deputies.

Coroner's Report – As submitted

EMA Report – Director Gillespie reported:

- Director Gillespie conducted the EMA Business Meeting to discuss upcoming events
- Director Gillespie submitted quarterly grant documentation for the EMA grant. Director Gillespie reported that they are not currently receiving grant funds for the nuclear portion of the EMA grant.
- Director Gillespie informed the committee of the March 3, 2016 *Basic Severe Weather Spotter Class* to be held at Oswego Fire Station One, from 7:00-9:00p.m., and said there is no cost to attend the class.

Siren, STARCOM and WSPY EAS testing continues to be conducted on the first Tuesday morning of each month

Sheriff's Report

- **RECORDS DIVISION** – Undersheriff Martin provided statistics for the month of January:

Sheriff Sales

51 Sales Scheduled 27 Sales Cancelled 24 Sales Conducted

Civil Paperwork

130 Papers Served 0 Replevins 125 Subpoena/FOIA Requests

Warrants

1,802 on file 131 New Warrants Issued
95 Warrants Served 16 Warrants Quashed

Evictions

20 Scheduled 8 Cancelled 12 Conducted

Fees - Total \$13,355.84 received January 2016

\$3,458.50 Civil Process \$9,300.00 Sheriff Sales
\$145.00 Records/Fingerprinting \$452.34 Bond Processing

Human Resources

0 Terminations 2 Resignations (Retirements) 0 New Hires
108 Sworn Personnel 1 New Worker's Comp 1 Squad Damage

- **CORRECTIONS DIVISION** – Undersheriff Martin provided the following statistics for the month of January:

Jail Population

256 New Intake Bookings 246 Inmates Released 118 Average Daily Pop

Food Service/Medical Management

10,215 meals prepared at \$.104per meal Total medical billing \$33,349.70

Inmate Transports - 214 Total Inmate Transports

111 To/From County Courthouse 10 Other County Court Transports
35 Out of County Prisoner Pickups 9 to I.D.O.C.
7 Medical/Dental Transports 1 Court Ordered Medical Transport
11 Federal Transports 30 Juvenile To/From Youth Homes/Courts

Out of County Housing

42 Inmates Housed/Other Jurisdictions \$50,460.00 Invoiced/Other Jurisdictions

Federal Inmates

11 Federal Inmates Housed \$25,200.00 Invoiced for Housing
\$3,102.08 Invoiced for Court Transport \$565.18 Invoiced for Medical Transport

Outstanding FTA Fees \$0.00

Sex Offender/Violent Offenders Against Youth Registrations

12 Sex Offender Registrations
10 Sex Offender Verifications Completed
29 Sex Offender Verifications Attempted
1 Violent Offenders Against Youth Registrations
0 Violent Offenders Address Verification Completed
4 Violent Offenders Address Verification Attempted

- **OPERATIONS DIVISION** – Chief Deputy Koster reported the following statistics for the month of January:

Police Services

563 Calls for Service 320 Police Reports 135 Arrests

Traffic Services

743 Traffic Contacts 318 Traffic Citations Issued
5 DUI Arrests 1 Zero Tolerance

Traffic Crash Investigations - 49 Total Crash Investigations

42 Property Damage 7 Personal Injury Accidents 0 Fatalities

Vehicle Usage

64,274.00 Total Miles Driven \$1,866.78 Vehicle Maintenance Expenditures
\$ 8,105.00 Fuel Expenditures 4,927 Fuel Gallons Purchased

Auxiliary Deputies - 20.5 Total Auxiliary Hours

3 Training/Meeting Hours 12 Ride-A-Long Hours
5.5 Auxiliary Hours

Evidence/Property Room

105 New Items into Property Room 35 Disposal Orders Processed
30 Items Disposed Of 20 DVD/VHS Copy Requests
11 Items Sent to Crime Lab 2 Items Processed by Evidence Custodian

Court Security Division

14,847 Entries 6,848 Items X-Rayed
47 Bond Calls 88 Items of Contraband Refused
30 Arrests made at Courthouse

Investigation/COPS Activities

37 Total Cases Assigned 30 Total Cases Closed
80 Current Open Cases 15 Community Policing Meetings/Presentations

KSCO TRAINING

0 Classes Cancelled due to State Budget Crisis *2015 Training All Divisions: 690 Hours*

Corrections Division – 262.5 Total Hours (Medical Marijuana, Ethics/Cultural Diversity, U.S. Marshals Training, Staff and Command, Training Specialist Course, FTO School, BAO Re-certification, How Law Enforcement Career/Family Life)

Operations Division - 755.5 Total Hours (SLEA, Medical Marijuana, Ethics/Cultural Diversity, First Line Supervisory School, Staff and Command, Coordinating the Community Response, Illinois Liquor Control Commission, Search and Seizure Course, LEADS Certification, States Attorney Key Date Training)

Court Security - 12 Total Hours (U.S. Marshals Training)

Corrections/Operations Combined – 40 Total Hours (SRT)

Records Division - 0 Total Hours

Auxiliary - 6 Total Hours (Medical Marijuana)

Old Business

- *Card Access Project* - Deputy Commander Gillespie reported that he is approximately half way through the rebuilding process of the card access system, and hopes to complete the project by the end of February.

New Business

- *Food Service Management* – Undersheriff Martin reported that current Food Service Manager Trebor is retiring on July 6, 2016. The Sheriff said they have begun researching outside food service options for jail inmates, and one proposal is currently being reviewed by the State’s Attorney’s Office. The Sheriff will continue to update the committee on the process, and prepare a draft RFP for the committee’s review and present for County Board approval, possibly in March.

Executive Session – None needed

Public Comment – None

Action Items for County Board - None

Adjournment – Member Gryder made a motion, second by Member Gilmour to adjourn the Public Safety Committee meeting. **With all in agreement, the meeting adjourned at 6:17p.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant/Recording Secretary

COUNTY OF KENDALL, ILLINOIS
ADMINISTRATION HUMAN RESOURCES COMMITTEE
County Office Building
County Board Rooms 209-210
111 W. Fox Street, Yorkville IL
Meeting Minutes
Thursday, February 4, 2016

CALL TO ORDER

The meeting was called to order by Admin HR Committee Chair Lynn Cullick at 9:06a.m.

ROLL CALL

Committee Members Present: Dan Koukol – here, Lynn Cullick - here, Judy Gilmour – here, John Purcell - yes

Committee Members Absent: John A. Shaw

Others present: Glenn Campos, Scott Koeppel, Jim Pajauskas, Jeff Wilkins

APPROVAL OF AGENDA: Member Cullick made a motion to approve the agenda with moving Executive Session after Monthly Reports, and moving Department Heads & Elected Officials up to the first item in monthly reports, second by Member Gilmour. With all in agreement, the motion carried.

APPROVAL OF MINUTES: Member Gilmour made a motion to approve the January 26, 2016 meeting minutes, second by Member Koukol. With all in agreement, the motion carried.

Amendment: Member Koukol made an amended motion to approve the January 26, 2016 meeting minutes with a correction on page 1 under the Resolution to Change the Length of Time a Journal Copy of Email is kept by Technology and Approval of a form to Request Archived Emails from the Journal Copy as: *There was consensus by the Committee that the document would be reviewed by the State's Attorney's Office and then returned to the committee for further discussion*, second by Member Purcell. With all in agreement, the motion passed.

MONTHLY REPORTS

- a. **Department Heads and Elected** – Scott Koeppel updated the committee on Technology Services work with the County Clerk Elections Office on preparations for the upcoming election. To be in compliance with new regulations, the County Clerk purchased 140 new laptops to allow on-site voter registration. Technology has also purchased Verizon Internet Wi-fi to be used only during election time, and is working with Vo-Tech to get access to the election program on-site, and still get back to Kendall County to update and make changes when citizens register on-site, and to avoid voter fraud or people trying to register at multiple sites.

Mr. Koeppel reported that Vital Records, specifically for marriage licenses in the Clerk's office, are being added to the Dev Net program. Technology is working to implement the

system and get the computer updated and more secure. This will only be used for internal record keeping, and not information available to the public.

Technology is also working with Mutual Ground, who is now in the Courthouse, and working with the State's Attorney's office to give Mutual Ground an internet path so they may access their emails, etc. Mutual Ground is not on the County internet, and will not have access to any county files. Technology is working on phone access for them as well.

Mr. Koeppel reported that Technology is working with the Circuit Clerk to update the Jano server to provide the necessary speed that will allow faster access to the Jano system and information.

Mr. Koeppel reported that Technology is also researching time clock software for several offices that have inquired about a program that will allow tracking of exempt and non-exempt time records.

b. County Administrator

- *Recommend Approval of Inter-Agency Agreement between the Illinois State Police and Kendall County for fingerprint-based Criminal History Record Information* – Jeff Wilkins reviewed the agreement with the committee, and said that our current account with the State Police allows us to get a name check, but this agreement would allow us to get fingerprint information, and will give the county state and FBI criminal history. The process will be done through the Regional Office of Education in Kendall County to get the reports. Mr. Wilkins will forward the agreement to the State's Attorney's Office for review prior to being forwarded to the County Board for approval. Member Koukol made a motion to forward the item to the County Board for approval, second by Member Purcell. **With all in agreement, the motion carried.**

- *Review Health Benefit Enrollment* – Jeff Wilkins reviewed the statistics of the current Health Insurance Plan enrollment. Mr. Purcell suggested the following changes:
 1. Label categories the same in each chart
 2. Include a column for the non-union employee totals next to the union employee totals column

The committee requested that HR provide this report at the first Admin HR meeting every other month.

Mr. Wilkins also reviewed the monthly reports with the committee. Member Purcell asked Mr. Wilkins to provide the comparison chart to the County Board members for the insurance discussion at the February 16, 2016 County Board meeting.

EXECUTIVE SESSION – Motion by Member Cullick to enter into Executive Session for the purpose of collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees 5ILCS 120-2c/2, second by Member Gilmour.

Roll Call: Member Purcell – yes, Member Koukol - yes, Member Gilmour – yes, Member Cullick – yes. **With four members present voting aye, the committee entered into Executive Session at 9:45a.m.**

Member Koukol made a motion to reconvene into Open Session at 10:37a.m., second by Member Purcell. **With four members present voting aye, the meeting was reconvened into Open Session.**

OLD BUSINESS

- *Meeting Time Change* – item not discussed at this meeting
- *Organization Charts Discussion* – Mr. Wilkins presented information from the U.S. Department of Labor Wage and Hour Division, and said that department heads would fall under the Executive Exemption classification.

NEW BUSINESS

- *Employee Handbook* – item not discussed at this meeting

ITEMS FOR COMMITTEE OF THE WHOLE - None

ACTION ITEMS FOR COUNTY BOARD

- *Recommend Approval of Inter-Agency Agreement between the Illinois State Police and Kendall County for fingerprint-based Criminal History Record Information*

PUBLIC COMMENT – None

ADJOURNMENT – Member Koukol moved to adjourn the meeting at 10:48a.m., Member Gilmour seconded the motion. **The motion was unanimously approved by a voice vote.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant/Recording Secretary

HIGHWAY COMMITTEE MINUTES

DATE: February 9, 2016
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Dan Koukol, Scott Gryder, Judy Gilmour and Matt Prochaska
STAFF PRESENT: Fran Klaas, Andy Myers, Ginger Gates and John Burscheid
ALSO PRESENT: P.J. Fitzpatrick and Kelly Farley

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

Motion Gryder; second Prochaska, to approve the agenda as presented. Motion carried unanimously.

Motion Prochaska, second Gryder to approve the Highway Committee meeting minutes from January 12, 2016. Motion carried unanimously.

A resolution appropriating \$120,000 of Motor Fuel Tax Funds to seal coat Grove Road from Sherrill Road to U.S. Route 52 was presented to the Committee. This work is proposed to help hold this road together until a bigger improvement is completed in just a few years. The work contemplated in 2016 will be incorporated into the widening and resurfacing proposed at a later date. Motion Koukol; second Gryder to recommend approval of the resolution to the County Board. Motion carried unanimously.

A resolution appropriating \$1,400,000 of Motor Fuel Tax Funds to resurface Plainfield Road from Grove Road to Ridge Road was presented to the Committee. Gilmour asked if the proposed work included any widening. Klaas indicated that this was just a mill and fill type of project, in that the road will be ground down 2.5 inches and then resurfaced 2.5". Both projects will have a bid opening on April 1, 2016. Koukol asked if we inspected the milling operations in light of what happened on Route 126 at Old Ridge Road. Burscheid indicated that we have inspectors on the job during milling operations and they check depth and slope of the removal. Motion Koukol; second Gryder to recommend approval of the resolution to the County Board. Motion carried unanimously.

A resolution appropriating funds for the payment of the County Engineer's salary of \$109,000 and authorizing IDOT to transfer \$54,500 of Federal Surface Transportation Funds in return for an equal amount of State funds was presented to the Committee. Motion Koukol; second Gilmour to recommend approval of the resolution to the County Board. Motion carried unanimously.

Kendall County received two applications for Transportation Alternatives Program (TAP) funds for 2016. The first was from Kendall County Forest Preserve District in the amount of \$3,000 for shared use path along U.S. Route 34. The second was from City of Yorkville in the amount of \$35,000 for sidewalks and paths along Route 47 through Yorkville. Koukol asked whether applicants can use the funds for anything else. Klaas indicated that the funds are dedicated to specific projects through a very restrictive IGA with each agency and can't be used for anything

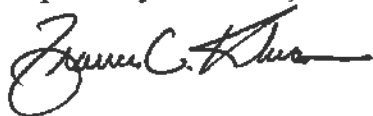
else. Gilmour asked if the sidewalks and paths had been completed on the Yorkville project. Klaas stated that they were finished. Koukol confirmed that the County has been putting \$50,000 each year into the KC-TAP (Kendall County Transportation Alternatives Program). There is currently an unobligated balance of nearly \$100,000 in the fund. The Committee discussed whether less money should be transferred to the fund, if rules should be modified to allow more than \$50,000 per project, or if more than 50% could be allocated to projects. In the end, Committee Chair, Dan Koukol, suggested that the program should remain the way it is now, and the Committee can review it again in a few years. The Committee recommended approval of both of this year's applicants for the KC-TAP funds.

PJ Fitzpatrick gave a brief report on the progress of preliminary engineering by WBK on the Collins Road Extension. Kelly Farley gave a report on the progress of preliminary engineering by CMT on the Little Rock / Galena project. Gryder reported that Village of Plainfield had thanked the County for their work on consolidating the Ridge Road intersections. Prochaska asked about the status of stop signs on Route 126 at Old Ridge Road. No further information has been forthcoming on that project. Prochaska reported that IDOT has agreed to all the County's conditions for using Newark Road as a detour during structure replacements on Route 52. Koukol asked about the Highway Authority Agreement for underground fuel storage tanks. Klaas stated that as soon as the fully-executed HAA is received from IDOT, it will be forwarded to the IEPA. This should close out the entire fuel storage tank remediation.

Motion Prochaska; second Gilmour to forward Highway Department bills for the month of February in the amount of \$251,356.07 to the Finance Committee for approval. Koukol questioned the \$18,000 payment to Na-Au-Say Township. Klaas discussed the Schlapp Road project, which is a joint-bridge project with the township. This is a 50-50-type project for funding. The County approved up to \$160,000 last year for this project. Koukol asked when the check would be cut. Ginger indicated that it would be available on February 16, 2016 in the afternoon. Koukol asked that the check be returned to the Highway Department so that he could deliver it personally to the township. Motion to approve bills carried unanimously.

Meeting adjourned at 4:27P.M.

Respectfully submitted,



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

Action Items

1. Resolution appropriating \$120,000 of Motor Fuel Tax Funds to seal coat Grove Road from Sherrill Road to U.S. Route 52
2. Resolution appropriating \$1,400,000 of Motor Fuel Tax Funds to resurface Plainfield Road from Grove Road to Ridge Road
3. Resolution appropriating funds for the payment of the County Engineer's salary of \$109,000 and authorizing IDOT to transfer \$54,500 of Federal Surface Transportation Funds in return for an equal amount of State funds
4. Announce recipients of 2016 KC-TAP (Kendall County Transportation Alternatives Program) funds.
 - a. Kendall County Forest Preserve District in the amount of \$3,000 for shared use path along Route 34 between Ill. Rte. 47 and Orchard Road.
 - b. City of Yorkville in the amount of \$35,000 for multi-use path and sidewalks along Ill. Rte. 47 in Yorkville.

Facilities Committee Minutes February 1, 2016

CALL TO ORDER

Chairman Davidson called the Facilities Management Committee meeting to be in session; located in the County Office Building County Board Conference Room to order at 3:34 p.m.

- 1) **Roll Call** – Suzette Sanford called roll call for attendance. Present were Chairman Davidson, Vice-Chair Koukol, Member Prochaska, Member Wehrli & Member Gilmour. All committee members were present to form a quorum of the committee. Facilities Management Director Smiley & Technology Director Koeppel were also present.
- 2) **Approval of the November & December meeting minutes** - Member Gilmour made a motion to approve the November & December meeting minutes. Member Prochaska 2nd the motion. All members voted aye via voice vote. Motion approved.
- 3) **Public Comment** - No members of the public were present at the meeting.

OLD BUSINESS/PROJECTS

- 1) **Public Safety Center Elevator Repair Project**
 - Project complete December 23, 2015.
- 2) **Public Safety Center (PSC) NEC 2000 replacement Project**
 - Project complete January 18, 2016.
- 3) **Courthouse (CH) & Public Safety Center Security Improvement Project**
 - The first meeting with “Stakeholders” was held on January 7, 2016.
 - Stakeholders included Sheriff’s office Command staff, Court house Security staff, Presiding Judge McCann, Board member Prochaska, Director Smiley, Director Koeppel and Network Administrator Kollins.
 - Main items covered for both sites were:
 - a) What works well with the current systems?
 - b) What is wrong with the current systems?
 - c) What additional systems improvements are needed?
 - d) How the systems should be managed individually and in a takeover by either site scenario.
 - e) What components might be able to be reused from the old systems?
 - f) What Dewberry’s plan was for the types of systems they will plan to specify for the project.
 - g) A drawing was provided for current installed equipment to review before the next meeting.
 - h) Dewberry is asking for us to go over the drawings and make sure we agree with what they found to be installed currently.
 - i) They are also asking for us to mark up the drawings to reflect and known issues, deficiencies and/or work around that have been on any of the systems.
 - j) The next meeting is scheduled for February 9, 2016.
 - k) Dewberry said they would have their initial 30% design done for that meeting with an initial cost estimate for the project.

Report from Meeting

Chairman Davidson said that he thinks this committee should possibly have Dewberry in to explain the project and the costs before it goes to the whole County Board at COW or a regular County Board meeting. Vice-Chair Koukol asked what kinds of things would be reused. Director Smiley said the following were mentioned: Jail door locks, relay cabinets with new relays, card readers and possibly some of the intercoms. Member Wehrli asked if we were planning to assign prioritization to what gets designed in case we need to look at the costs of the project. Jim said that had not been discussed as of his date, but we he will make sure it is discussed at the next meeting. Member Wehrli said he also thinks it is important that some of the FM committee members understand the “nuts & bolts” of the project to be able to explain it to the full board. Member Prochaska suggested if we have Dewberry in at any meeting, to have it done under executive session.

OLD BUSINESS/PROJECTS CONTINUED

4) Courthouse Mural Project

- The artist asked for complete dimensions of the wall for the proposed mural.
- KCFM measured the wall and took a picture of the area.
- Director Smiley provided copy of the picture with dimensions to Presiding Judge McCann.

Report from Meeting

Chairman Davidson suggested we have the Art League pay to reconfigure the wall instead of FM staff doing the work. Member Wehrli said he would prefer FM staff do the work as it is not that much to do and it will require coordination with the Courthouse Security staff to insure people can access the facility while the work is going on. After much discussion the committee members came to a consensus to have KCFM staff work with Court Security to get the work done by out staff.

NEW BUSINESS/PROJECTS

1) Chairman's Report

- a. Projects Policy
- b. Projects Budget for 2016
 - i. See attached budget detail sheet

Report from meeting

Chairman Davidson would like to create a process for approving projects. Director Smiley is always being asked to do projects and is running into issues in some areas where projects were listed in the 5 year plan that was put together in 2013, but were not technically ever funded. Bob feels even if a project has been listed for 7 or more years, the project needs to be looked at and approved in relation to other projects that may need to be done or are already scheduled. Vice-Chair Koukol feels the department Heads or Elected officials should get funding approved by the Finance Committee and/or County Board, then we should schedule if we have time for it to be done. Director Smiley said he would put together a list of projects that he feels need to be done for the next FM Committee meeting to discuss in March.

2) Olson Property

- Director Smiley was asked to go through a tour of the property by County Administrator Wilkins in late December. Jim toured the building with Mr. Olson and KCFM staff to view the layout and condition of the property. Jim also took note of the door lock types in order to possibly replace the lock sets once Mr. Olson is completely out of the property. Mr. Olson is closing out his business. The company taking over Mr. Olson's business is still removing some property of the former business and is retaining one set of keys per County Administrator Wilkins. Utility accounts for the property have been switched over to Kendall County. Existing keys have been turned over to Facilities as of January 26, 2016.

Report from meeting

Committee members discussed the need to keep this building heated and whether all of the utilities should be shut off. Director Smiley said he thought we should keep the electric on in order to keep some lighting on the exterior of the building at night. Jim thinks this would deter damage being done to the building. Committee members agreed that we shut down everything except for the electric and notify Mr. Olson that he needs to be done removing his belongings by the end of the week.

3) Approve Lightning Protection Contract with Continental Electric in the amount of \$23,790.00 to be forwarded to the County Board & PBC.

- The contract was reviewed by the State's Attorney's office (SAO), then sent to Continental Electric to review proposed SAO changes. Continental approved the changes and signed the contract. The project was approved to be paid for by the Public Building Commission (PBC). However the money for the project has been put in a County line item for 2016 as discussed above. The SAO still recommended that both the PBC and County sign the contract since the PBC has not been closed out as of this date.

Report from meeting

Director Smiley explained this project was originally to be funded by the PBC. This year the funds were budgeted in a line to be done on the County budget. Member Wehrli said the PBC had already approved to go forward with this project and they would pay for it. The expectation was to pay for the project with County funds, then get reimbursed by the PBC to that line number when the PBC is dissolved later this year. Chairman Davidson asked if there was a motion to move this to the County Board for approval. Vice-Chair Koukol motioned to send the contract with Continental Electric in the amount of \$23,790.00 to the next County Board meeting for approval. Member Prochaska 2nd the motion. All members voted aye via a voice a voice vote. Motion approved.

NEW BUSINESS/PROJECTS CONTINUED

4) Generator Load Testing

- Testing was completed the week of December 15, 2016. The load testing was completed successfully with no issues noted for the actual load testing. Several items were noted as being recommended for the generators. Some of the noted repairs can be performed by KCFM staff. Director Smiley will be getting these "recommended" repairs assigned soon.

Report from meeting

Chairman Davidson directed Jim to get a price to replace the generator at the Highway department.

5) Administration Budget Office

- Latreese moved into the new office on January 19, 2016.
- **Project complete.**

6) PSC Garage Bathroom and Wall Project

- Construction started the week of January 25, 2016. Director Smiley hopes to have substantial completion of the space by the next FM Committee meeting in March.

7) County Office Building (COB) Computer Room A/C Replacement

- The existing split system was put in place over ten years ago. The outdoor part of the system was replaced around six years ago and the compressor failed again for the third time on this unit. The existing system was not really rated for winter use and had additional controls installed on it to make it work in the winter. Director Smiley received two quotes to replace the entire system with a unit that is designed to run in winter conditions. The unit was replaced during the week of January 18, 2016. Total cost of the repair is \$6,488.00. This is being paid for from the equipment maintenance line item of the KCFM 2016 budget.
- **Project complete.**

8) COB North East Electronic Door Issues

- We have been experiencing issues with key fobs not being recognized at this door. Director Smiley was able to get this covered under warranty even though the one year warranty had recently expired in December.
- **Project complete.**

9) PSC Phone System Replacement

- Duplication from old business.

10) WSPY County Board Room Video Testing Request

- County Administrator Wilkins asked Director Smiley to contact Doug Nelson at WSPY to test a piece of audio visual recording equipment off the sound system at the County Office Building County Board room. Jim met with Doug & Reporter Jim from WSPY on January 12, 2016 to test.
- The WSPY equipment was not compatible with the audio jack in the room. Doug Nelson said he would get together with his engineer and schedule to come back at another time to test again.
- **Project complete for now.**

11) Health & Human Services Lobby Security Improvements Request

- Dr. Tokars requested a meeting with Director Smiley to go over previously "recommended" lobby security improvements of adding galls to the main counter to increase the height.
- This work was put into the original five year capital improvement program in 2013. But was not funded to be done as of this date.
- Jim explained that he has been given different budgets for projects this year but not for this specific project.
- Jim further explained to get this project funded this year most likely the following would need to happen:
 - a) Have FM Committee approval to forward to the Finance Committee for approval to be paid for from the \$50,000.000 project budget in 2016.
 - b) Possibly also be approved to be done by the KC Board and/or PBC.

ADJOURNMENT

- Chairman Davidson asked if there was a motion to adjourn the meeting. Member Prochaska made a motion to close the meeting at 4:47 p.m. Member Gilmour 2nd the motion. All members voted aye via voice vote. Motion approved. Meeting adjourned by Chairman Davidson at 4:47 p.m.

Submitted by,
Jim Smiley
Facilities Management Director

Kendall County Original Courthouse Lightning Protection Contract



Suite 100
Oak Brook, IL 60521
630.288.0209
630.288.0188
www.cecco.com

October 29, 2015

James Smiley
Kendall County
Facilities Management Director
804 W. John St. Suite B
Yorkville, IL 60560

Re: Original Courthouse Lightning Protection

Dear Jim:

We are pleased to submit our quote in the amount of Twenty Three Thousand Seven Hundred and Ninety Dollars (\$23,790.00) for the original courthouse lightning protection based on our site visit on October 28, 2015.

Scope of Work

- Design, furnish, and install a complete system for the original courthouse building and integrate into the newer building's lightning protection system.

Qualifications:

- All materials will be consistent with the existing manufacturers and UL listed for lightning protection.
- System will be designed to meet the requirements of UL96A (Underwriters Laboratories), LP1175 (Lightning Protection Institute), and NFPA 780 (National Fire Protection Association) standards.
- We will submit shop drawings within 20 days upon receipt of a purchase order, or contract.
- Permit costs are excluded.

Adders:

- Design drawings reviewed and stamped by a Professional Engineer. Add: \$500.00
- UL Certification for the original courthouse lightning protection. Add: \$3,000.00

Thank you for the opportunity to perform this job.

Sincerely,

A handwritten signature in blue ink, which appears to read "Jeff Szurkowski".

Jeff Szurkowski
Project Manager
630-288-0259
jszurkowski@cecco.com

The Parties hereto agree as follows:

1. Payment. Payment shall be made in accordance with the Illinois Local Government Prompt Payment Act, as amended (50 ILCS 505/1 *et seq.*) if not otherwise specified, invoicing shall occur upon project completion.

2. Notice. Any notice required or permitted to be given pursuant to this Agreement shall be duly given if sent by fax, certified mail, or courier service and received, in the case of notice to Kendall County, by Kendall County Facilities Management, Attention: Jim Smiley, 804 John Street, Suite B, Yorkville, Illinois, 60560, fax (630) 553-4125, with copy sent to: Kendall County State's Attorney, 807 John Street, Yorkville, Illinois, 60560, fax (630) 553-4204. And, in the case of Continental Electrical Construction Company, to: Jeff Szurkowski, fax 630-288-0188.
3. Choice of Law and Venue. This Agreement shall be construed in accordance with the law and Constitution of the State of Illinois and if any provision is invalid for any reason such invalidations shall not render invalid other provisions which can be given effect without the invalid provision. The parties agree that the venue for any legal proceedings between them shall be the Circuit Court of Kendall County, Illinois, Twenty-Third Judicial Circuit, State of Illinois.
4. Termination. This Agreement may be terminated by Kendall County upon written notice delivered to Continental Electrical Construction Company at least thirty (30) calendar days prior to the effective date of termination. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.
5. Warranties. All services to be undertaken by Continental Electrical Construction Company shall be carried out by competent and properly trained personnel of Continental Electrical Construction Company to the highest standards and to the satisfaction of Kendall County. All services, materials and components shall conform to relevant manufacturers' and equipment suppliers' specifications, and all materials and spare parts shall be obtained from the original equipment manufacturers or from suppliers approved by them. No warranties implied or explicit may be waived or denied.
6. Force Majeure. Neither party will be responsible to the other for damage, loss, injury, or interruption of work if the damage, loss, injury, or interruption of work is caused solely by conditions that are beyond the reasonable control of the parties, and without the intentional misconduct or negligence, of that party (hereinafter referred to as a "force majeure event"). To the extent not within the control of either party, such force majeure events include: acts of God, acts of any governmental authorities, fire, explosions or other casualties, vandalism, and riots or war. A party claiming a force majeure event ("the claiming party") shall promptly notify the other party in writing, describing the nature and estimated duration of the claiming party's inability to perform due to the force majeure event. The cause of such inability to perform will be remedied by the claiming party with all reasonable dispatch.
7. Assignment. Neither party shall assign, sell, or transfer its interest in this Agreement without the prior written consent of the other.
8. Insurance: Continental Electrical Construction Company will obtain and continue in force, during the term of this Agreement, all insurance as set forth below. Each insurance policy shall not be cancelled or changed without thirty (30) days prior written notice, given by the insurance carrier to Kendall County. (a) Worker's Compensation and Occupational Disease Disability insurance, in compliance with the laws of the jurisdiction where the work is being performed, and (b) Employer's comprehensive general liability insurance for both personal injury and property damage in the

minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate per project, (c) Comprehensive business automobile liability insurance in the minimum amount of \$1,000,000 combined single limit, (d) Minimum umbrella occurrence insurance of \$5,000,000 per occurrence and \$5,000,000 aggregate. Kendall County and Kendall County Public Building Commission shall be named as Additional Insured's on a Primary and Non-Contributory basis with respect to all liability coverage. Further, all liability and workers' compensation policies must include a waiver of subrogation in favor of Kendall County and Kendall County Public Building Commission. The failure to demand such certificate of insurance shall not act as a waiver of Continental Electrical Construction Company's obligation to maintain the insurance required under this Agreement. The insurance required under this Agreement does not represent that coverage and limits will necessarily be adequate to protect Continental Electrical Construction Company, nor be deemed as a limitation on Continental Electrical Construction Company's Liability to Kendall County Kendall County or the Kendall County Building Commission in this Agreement.

9. Indemnification. Continental Electrical Construction Company shall indemnify, hold harmless and defend with counsel of Kendall County's and Kendall County Public Building Commission's own choosing, Kendall County and Kendall County Public Building Commission, their officials, officers, employees, including their past, present, and future board members, elected officials and agents from and against all liability, claims, suits, demands, proceedings and actions, including costs, reasonable fees and expense of defense, arising from, to, loss, damage, injury, death, or loss or damage to property (collectively, the "Claims"), to the extent such Claims result from the performance of this contract by Continental Electrical Construction Company or those Claims are due to any act or omission, neglect, willful acts, errors, omissions or misconduct of Continental Electrical Construction Company in its performance under this Agreement. Nothing contained herein shall be construed as prohibiting Kendall County or Kendall County Public Building Commission, their officials, directors, officers, agents and employees, from defending through the selection and use of their own agents, attorneys and experts, any claims, suits, demands, proceedings and actions brought against them. Pursuant to Illinois law, 55 ILCS 5/3-9005, any attorney representing Kendall County or Kendall County Public Building Commission, under this paragraph, shall be approved by the Kendall County State's Attorney and shall be appointed a Special Assistant State's Attorney. Kendall County's or Kendall County Public Building Commission's participation in its defense shall not remove Continental Electrical Construction Company's duty to indemnify, defend, and hold Kendall County and Kendall County Public Building Commission harmless, as set forth above. Kendall County and Kendall County Public Building Commission do not waive its defenses or immunities under the Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/1 *et seq.*) by reason of indemnification or insurance. Indemnification shall survive the termination of this contract.
10. Background Checks/Security. Continental Electrical Construction Company shall exercise general and overall control of its officers, employees and/or agents. Continental Electrical Construction Company agrees that no one shall be assigned to perform work at Kendall County's facilities on behalf of Continental Electrical Construction Company, unless Continental Electrical Construction Company has completed a criminal background investigation

for each individual to be performing work at the site. In the event that the individual's criminal background investigation reveals that the individual has a conviction record that has not been sealed, expunged or impounded under Section 5.2 of the Criminal Identification Act, Continental Electrical Construction Company agrees that the individual shall not be assigned to perform work on or at Kendall County's facilities absent prior written consent from Kendall County, and, if the work is being performed at the Kendall County Public Safety Center or Kendall County Courthouse, Kendall County and the Kendall County Sheriff, at any time, for any reason and in Kendall County's or the Kendall County Sheriff's sole discretion, may require Continental Electrical Construction Company to remove any individual from performing any further work under this Agreement.

11. Independent Contractor Relationship. It is understood and agreed that Continental Electrical Construction Company is an independent contractor and is not an employee of, partner of, agent of, or in a joint venture with Kendall County or the Kendall County Public Building Commission. Continental Electrical Construction Company understands and agrees that Continental Electrical Construction Company is solely responsible for paying all wages, benefits and any other compensation due and owing to Continental Electrical Construction Company's officers, employees, and agents for the performance of services set forth in the Agreement. Continental Electrical Construction Company further understands and agrees that Continental Electrical Construction Company is solely responsible for making all required payroll deductions and other tax and wage withholdings pursuant to state and federal law for Continental Electrical Construction Company's officers, employees and/or agents who perform services as set forth in the Agreement. Continental Electrical Construction Company also acknowledges its obligation to obtain appropriate insurance coverage for the benefit of Continental Electrical Construction Company, its officers, employees and agents and agrees that Kendall County and the Kendall County Public Building Commission are not responsible for providing any insurance coverage for the benefit of Continental Electrical Construction Company, Continental Electrical Construction Company's officers, employees and agents. Continental Electrical Construction Company hereby agrees to defend with counsel of Kendall County's own choosing, indemnify and waive right to recover alleged damages, penalties, interest, fees (including attorneys' fees), and/or costs from Kendall County, its board members, officials, employees, insurers, and agents for alleged injuries that Continental Electrical Construction Company, its officers, employees and/or agents may sustain while performing services under the Agreement.
12. Non-Discrimination. Continental Electrical Construction Company, its officers, employees, and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations.
13. Certification. Continental Electrical Construction Company certifies that Continental Electrical Construction Company, its parent companies, subsidiaries, and affiliates are not barred from entering into this Agreement as a result of a violation of either 720 ILCS 5/33E-3 or 5/33E-4 (bid rigging

or bid rotating) or as a result of a violation of 820 ILCS 130/1 *et seq.* (the Illinois Prevailing Wage Act).

14. Conflict of Interest: Both parties affirm no Kendall County officer or elected official has a direct or indirect pecuniary interest in Continental Electrical Construction Company or this Agreement, or, if any Kendall County officer or elected official does have a direct or indirect pecuniary interest in Continental Electrical Construction Company or this Agreement, that interest, and the procedure followed to effectuate this Agreement has and will comply with 50 ILCS 105/3.
15. Prevailing Wage. To the extent that this Agreement calls for the construction, demolition, maintenance and/or repair of a "public work" as defined by the Illinois Prevailing Wage Act, 820 ILCS 130/01 *et seq.* ("the Act"), such work shall be covered under the Act. The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing covered work on public works projects no less than the "prevailing rate of wages" (hourly cash wages plus fringe benefits) in the county where the work is performed. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor's website at: <http://www.illinois.gov/idol/Laws-Rules/CONMED/Pages/Rates.aspx> The Department revises the prevailing wage rates and the contractor/subcontractor has an obligation to check the Department's web site for revisions to prevailing wage rates. All contractors and subcontractors rendering services under this Agreement must comply with all requirements of the Act, including, but not limited to, all wage, notice and record-keeping duties.
16. Drug Free Workplace. Continental Electrical Construction Company and its consultants, employees, contractors, subcontractors, and agents agree to comply with all provisions of the Substance Abuse Prevention on Public Works Act, 820 ILCS 265/1 *et seq.* and the Illinois Drug Free Workplace Act, 30 ILCS 580/1 *et seq.*
17. Employment of Illinois Workers on Public Works Act. If at the time the Agreement is executed, or if during the term of the Agreement, there is a period of excessive unemployment in Illinois as defined in the Employment of Illinois Workers on Public Works Act, 30 ILCS 570/0.01 *et seq.*, (hereinafter referred to as "the Act"), Continental Electrical Construction Company, its consultants, contractors, subcontractors and agents agree to employ Illinois laborers on this project in accordance with the Act. Continental Electrical Construction Company understands that the Act defines (a) "period of excessive unemployment" as "any month following two consecutive calendar months during which the level of unemployment in the State of Illinois has exceeded 5%, as measured by the United States Bureau of Labor Statistics in its monthly publication of employment and unemployment figures", and (b) "Illinois laborer" as "any person who has resided in Illinois for at least thirty (30) days and intends to become or remain an Illinois resident." See 30 ILCS 570/1. Continental Electrical Construction Company understands and agrees that its failure to comply with this provision of the Agreement may result in immediate termination of the Agreement.
18. Remedies. In any action with respect to this Agreement, the parties are free to pursue any legal remedies at law or in equity. If Kendall County or Kendall County Public Building Commission is required to take legal action to enforce performance of any of the terms, provisions, covenants and

conditions of this Agreement, and by reason thereof, Kendall County or Kendall County Public Building Commission is required to use the services of an attorney, then Kendall County and Kendall County Public Building Commission shall be entitled to reasonable attorneys' fees, court costs, expenses and expert witness fees incurred by Kendall County or Kendall County Public Building Commission pertaining thereto and in enforcement of any remedy, including costs and fees relating to any appeal.

19. Non-Appropriation. In the event Kendall County is in default under the Agreement because funds are not appropriated for a fiscal period subsequent to the one in which the Agreement was entered into which are sufficient to satisfy all or part of the County's obligations under this Agreement during said fiscal period, the County agrees to provide prompt written notice of said occurrence to Continental Electrical Construction. In the event of a default due to non-appropriation of funds, both parties have the right to terminate the Agreement upon providing thirty (30) days written notice to the other parties. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.
20. Compliance with State and Federal Laws. Continental Electrical Construction Company agrees to comply with all applicable federal, state and local laws and regulatory requirements and to secure such licenses as may be required for its employees and to conduct business in the state, municipality, county and location. Such obligation includes, but is not limited to, environmental laws, civil rights laws, prevailing wage and labor laws.
21. Waiver. The parties' waiver of any term, condition, or covenant or breach of any term, condition, or covenant, shall not constitute a waiver of any other term, condition, or covenant, or the breach thereof.
22. Waiver of Lien. Continental Electrical Construction Company hereby waives any claim of lien against subject premises on behalf of it, its officers, insurers, employees, agents, suppliers and/or sub-contractors employed by this Agreement.
23. Entire Agreement. This Agreement represents the entire Agreement between the parties and there are no other promises or conditions in any other Agreement whether oral or written. This Agreement supersedes any prior written or oral agreements between the parties and may not be modified except in writing acknowledged by both parties.
24. Notification of Public & Private Utilities: If necessary to perform the subject work, Continental Electrical Construction shall notify J.U.L.I.E. for public utility locations at least 48 hours prior to commencement of construction so that they may locate and stake out such buried services.
25. Protection of Work and Clean-Up: Continental Electrical Construction shall be responsible for the protection of all work until its completion and final acceptance, and shall at Continental Electrical Construction's own expense replace damaged or lost materials or repair damaged parts of the work, and Continental Electrical Construction shall be liable therefore. Continental Electrical Construction shall remove from the vicinity of the work upon its completion all surplus material or equipment belonging to Continental Electrical Construction or used under their direction during construction. Continental Electrical Construction shall remove all surplus materials,

excavation, concrete and debris of all kinds from the project site, streets or portions of buildings or property at or adjacent to the site of the work.

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

27. Authority to Execute Agreement. The parties each hereby warrant and represent that their respective signatures set forth below have been and are on the date of this Agreement duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.

28. Services. Continental Electrical Construction Company agrees to provide all services as selected below.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers on the date this Agreement is signed by both parties, below.

Options

1) Add Lightning Protection to Original Section of Courthouse \$23,790.00

Approved to proceed

2) Design drawings reviewed and stamped by a Professional Engineer \$500.00

Approved to proceed

3) UL Certification for the original Courthouse Lightning Protection \$3,000.00

Approved to proceed

Kendall County, Illinois

Continental Electric Company

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Kendall County Public Building Commission

By: _____

Print Name: _____

Title: _____

Date: _____