

**KENDALL COUNTY BOARD  
ADJOURNED JUNE MEETING  
July 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, July 19, 2016 at 9:35 a.m. The Clerk called the roll. Members present: Chairman John Shaw, Lynn Cullick, Bob Davidson, Elizabeth Flowers, Judy Gilmour, Dan Koukol, Matthew Prochaska, John Purcell and Jeff Wehrli.

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

**THE MINUTES**

Member Cullick moved to approve the submitted minutes from the Adjourned County Board Meeting of 6/21/16. Member Davidson seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

**THE AGENDA**

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

**SPECIAL RECOGNITION**

David Welter, the new 75<sup>th</sup> District State Representative introduced himself to the board and spoke briefly about what he plans to do in Springfield.

**Chief Deputy Scott Koster Retirement**

Sheriff Baird recognized Chief Deputy Scott Koster for his 27 years of service and shared with the board some memories he had with Mr. Koster throughout the years. Sheriff Baird congratulated him on his retirement. Mr. Koster thanked the board members, Mr. Randall and Sheriff Baird, and those he has worked with over the years along with the citizens of the county.

David Welter, the new 75<sup>th</sup> District State Representative introduced himself to the board and spoke briefly about what he plans to do in Springfield.

**CITIZENS TO BE HEARD**

Amy Cesich from Yorkville thanked Scott Koster and told him what he meant to her personally.

Todd Milliron from Yorkville spoke about an emergency motion filed by the State's Attorney Office with regards to the State's Attorney Appellate Prosecutor representing the Kendall County Coroner. Mr. Milliron is opposed to paying for an Appellate Prosecutor's fees. Mr. Milliron stated that the ethics ordinance states that a violation must be filed within one year of the perceived violation; one year is not long enough. Mr. Milliron mentioned an investigation going on with the State Police regarding eavesdropping.

**EXECUTIVE SESSION**

Member Davidson moved to move the executive session to the end of the meeting. Member Koukol seconded the motion. Chairman Shaw asked for a roll call vote on the motion. Members voting aye include Cullick, Davidson, Gilmour, Koukol, Prochaska, and Wehrli. Members voting nay include Flowers, Purcell and Shaw. **Motion carried 6-3.**

**NEW BUSINESS**

**Memorandum of Understanding – Department Space Needs**

Member Cullick made a motion to approve the Memorandum of Understanding between the Kendall County Technology Department, the County of Kendall & Kendall County Health and Human Services regarding the use of current space of the Health and Human Services building for the Technology Department space needs dated July 19, 2016. Member Davidson seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

**Memorandum of Understanding between the Kendall County Technology Department, the County of Kendall & Kendall County Health & Human Services regarding use of current space of the Health & Human Services Building for Technology Department space needs dated July 19th, 2016**

**IGAM 16-29**

This Memorandum of Understanding (“MOU”), entered into by the Kendall County Technology Department (“Technology”), the County of Kendall (County) & Kendall County Health and Human Services (HHS), (jointly referred to as “Parties”), hereby memorializes the understanding between the Parties regarding the use of space designated for HHS to be used on a temporary basis for the housing of a staff member for Technology. The Parties understand and agree to the following:

1. Under this MOU, Technology will use the space currently designated as room number 228 in the Kendall County Health & Human Services Building, located at 811 West John Street, Yorkville, Illinois for housing a staff member from the technology department. Said use will consist of general office space in relation to activities of the Technology Department. This space will be converted from its present use to office space by the County of Kendall.
2. Under the current lease, IGAM 13-28, between the County of Kendall and the Kendall County Health and Human Services, room number 228 was designated as space for HHS.
3. That the Parties agree that the use of room number 228 is for a temporary time period of one year from August 1, 2016 to July 31, 2017 and will revert back to HHS, pursuant to the lease agreement between the County and HHS, IGAM 13-28 unless agreed to in writing by the Parties.
4. That the Parties agree that the temporary use of the space to the Technology does not alter any terms or conditions of the lease agreement between the County and HHS.
5. That the Parties agree that, based on current needs and space requirements, as well as potential build-out costs, this temporary reallocation of space within the Kendall County Health & Human Services building is beneficial to both the County and HHS.

This MOU is effective as of the date it is executed by all parties. Signed and agreed to this 19th day of July, 2016.

Kendall County Chairman,  
John Shaw

Kendall County Technology Director,  
Scott Koeppel

Kendall County Board of Health Chairman,  
Christina Cooper

**ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS**

**Sheriff**

Sheriff Baird stated that they will be looking for a replacement on the Merit Commission.

**County Clerk**

| Revenue Report |                                      | 6/1/16-6/30/16 | 6/1/15-6/30/15 | 6/1/14-6/30/14 |
|----------------|--------------------------------------|----------------|----------------|----------------|
| Line Item      | Fund                                 | Revenue        | Revenue        | Revenue        |
|                | County Clerk Fees                    | \$864.50       | \$840.00       | \$714.50       |
|                | County Clerk Fees - Marriage License | \$1,830.00     | \$1,770.00     | \$2,040.00     |
|                | County Clerk Fees - Civil Union      | \$30.00        | \$0.00         | \$0.00         |
|                | County Clerk Fees - Misc             | \$2,384.00     | \$2,391.00     | \$1,695.00     |
|                | County Clerk Fees - Recording        | \$29,626.00    | \$28,350.00    | \$25,236.00    |
| 01010061205    | Total County Clerk Fees              | \$34,734.50    | \$33,351.00    | \$29,685.50    |
| 01010001185    | County Revenue                       | \$33,885.00    | \$26,115.00    | \$31,802.25    |
| 38010001320    | Doc Storage                          | \$17,442.50    | \$17,294.00    | \$15,541.50    |
| 51010001320    | GIS Mapping                          | \$29,367.00    | \$29,241.00    | \$26,354.00    |
| 37010001320    | GIS Recording                        | \$3,667.00     | \$3,655.00     | \$3,294.00     |
| 01010001135    | Interest                             | \$29.09        | \$43.74        | \$22.57        |
| 01010061210    | Recorder's Misc                      | \$7,169.50     | \$7,901.45     | \$4,231.50     |
| 81010001320    | RHSP/Housing Surcharge               | \$15,561.00    | \$15,120.00    | \$12,861.00    |
| CK # 18059     | To KC Treasurer                      | \$141,855.59   | \$132,721.19   | \$123,792.32   |

**Days and Hours of Operation**

Member Cullick made a motion to approve the resolution to change the days and hours of operation for the County Clerk’s Office and the hours of operation for the County Recorder’s Office for General Primary, General, Consolidated, and Special Elections effective November 8, 2016. Member Prochaska seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

**COUNTY OF KENDALL, ILLINOIS  
RESOLUTION 2016-23**

**RESOLUTION TO CHANGE THE DAYS AND HOURS OF OPERATION FOR THE COUNTY CLERK’S OFFICE & THE HOURS OF OPERATION FOR THE COUNTY RECORDER’S OFFICE FOR GENERAL PRIMARY, GENERAL, CONSOLIDATED, AND SPECIAL ELECTIONS, EFFECTIVE NOVEMBER 8, 2016**

WHEREAS, the County Board of Kendall County (“County Board”) may change the days and hours of operations for the Office of the County Clerk of Kendall County (“County Clerk’s Office”) pursuant to 55 ILCS 5/3-2007 and may change the hours of operations for the Office of the County Recorder of Kendall County (“County Recorder’s Office”) pursuant to 55 ILCS 5/3-2016.

WHEREAS, such action by the County Board shall be done by resolution passed at a regular meeting pursuant to 55 ILCS 5/3-2007 and 55 ILCS 5/3-2016.

WHEREAS, the County Clerk’s Office is an Election Authority pursuant to 10 ILCS 5/1-3, and, therefore, must remain open for election purposes on election days, pursuant to 55 ILCS 5/3-2007 and 10 ILCS 5/4-50.

WHEREAS, the County Clerk of Kendall County also serves as the County Recorder of Kendall County.

WHEREAS, the date of the 2016 General Election is November 8, 2016, as defined by the Election Code 10 ILCS 5/1-3.

WHEREAS, Public Act 98-1171 was signed into law effective June 1, 2015, requiring Election Authorities to allow Same Day Registration in their offices on Election Day. See 10 ILCS 5/4-50.

WHEREAS, the County Board of Kendall County finds the County Clerk’s Office shall be engaged in the duties of Election Authority on November 8, 2016, and all subsequent regular and special election days, as defined by 10 ILCS 5/1-3, (hereinafter referred to as “General Primary, General, Consolidated, and Special Election Days”).

WHEREAS, the County Board finds that the County Clerk’s Office shall not be able to perform its normal duties of County Clerk while performing election duties on November 8, 2016, and all subsequent General Primary, General, Consolidated, and Special Election Days. Further, as the County Clerk also serves as the County Recorder, the County Recorder’s Office shall be limited in its ability to perform its normal duties of County Recorder on November 8, 2016, and all subsequent General Primary, General, Consolidated, and Special Election Days.

**NOW BE IT RESOLVED BY THE KENDALL COUNTY BOARD:**

That the County Clerk’s Office shall be closed on November 8, 2016, and all subsequent General Primary, General, Consolidated, and Special Election Days, for all purposes other than services pertaining to the election day, as defined by the County Clerk & Recorder. Further, the County Recorder’s Office will only be open from 8:00 a.m. to 11:30 a.m. on November 8, 2016, and all subsequent General Primary, General, Consolidated, and Special Election Days. The County Clerk and Recorder will publish and post notice of the service closure and limited hours at least one week prior to the election, or as soon as practical.

Adopted this 19 day of July 2016

John A. Shaw  
Chairman, Kendall County Board

Attest:  
Debbie Gillette  
Kendall County Clerk & Recorder

**Appointment of Election Judges**

Member Cullick made a motion to approve the resolution to appoint Judges of Election. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

**COUNTY OF KENDALL, ILLINOIS  
RESOLUTION 2016-24**

**RESOLUTION TO APPOINT JUDGES OF ELECTIONS**

WHEREAS, Pursuant to 10 ILCS 5/13-2 the Kendall County Board is responsible for appointing persons to serve as Judges of Election in the various precincts located within Kendall County, Illinois; and

WHEREAS, the Kendall County Clerk has compiled the attached "Kendall County 2016 Election Judges List" (Ex. A), which is hereby incorporated by reference into this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Kendall County that those persons named in the attached Kendall County 2016 Election Judges List (Ex. A) be and are hereby appointed as Judges of Election in their respective precincts to serve in such capacity until successors are appointed and confirmed.

Approved and adopted by the County Board of Kendall County, Illinois, this 19 day of July, 2016.

Board Chairman Signature:  
John A. Shaw, Chairman  
County Board

Attest:  
Debbie Gillette  
County Clerk

**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 SEVEN MONTHS ENDED 06/30/2016

| <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            | \$229,474              | 56.46%            | \$269,749              | 72.91%            |
| State Income Tax              | \$2,650,000          | \$1,560,676            | 58.89%            | \$1,432,467            | 59.94%            |
| Local Use Tax                 | \$470,000            | \$488,409              | 103.92%           | \$315,057              | 70.01%            |
| State Sales Tax               | \$545,492            | \$219,344              | 40.21%            | \$492,787              | 59.73%            |
| County Clerk Fees             | \$358,000            | \$190,865              | 53.31%            | \$196,530              | 54.90%            |
| Circuit Clerk Fees            | \$950,000            | \$522,940              | 55.05%            | \$480,927              | 50.62%            |
| Fines & Foreits/St Atty.      | \$475,000            | \$217,010              | 45.69%            | \$240,918              | 48.18%            |
| Building and Zoning           | \$59,500             | \$36,946               | 62.09%            | \$32,865               | 59.75%            |
| Interest Income               | \$30,000             | \$21,944               | 73.15%            | \$9,503                | 31.68%            |
| Health Insurance - Empl. Ded. | \$1,250,141          | \$635,867              | 50.86%            | \$639,976              | 57.43%            |
| 1/4 Cent Sales Tax            | \$2,698,000          | \$1,615,682            | 59.88%            | \$1,571,334            | 61.02%            |
| County Real Estate Transf Tax | \$396,420            | \$195,471              | 49.31%            | \$193,885              | 77.55%            |

|                                 |                     |                    |               |                    |               |
|---------------------------------|---------------------|--------------------|---------------|--------------------|---------------|
| Correction Dept. Board & Care   | \$766,500           | \$310,240          | 40.47%        | \$463,180          | 51.46%        |
| Sheriff Fees                    | \$355,000           | \$146,396          | 41.24%        | \$195,775          | 34.05%        |
| <b>TOTALS</b>                   | <b>\$11,410,513</b> | <b>\$6,391,263</b> | <b>56.01%</b> | <b>\$6,534,953</b> | <b>57.62%</b> |
| <b>Public Safety Sales Tax</b>  | <b>\$4,800,000</b>  | <b>\$2,824,645</b> | <b>58.85%</b> | <b>\$2,762,223</b> | <b>64.24%</b> |
| <b>Transportation Sales Tax</b> | <b>\$4,500,000</b>  | <b>\$2,824,645</b> | <b>62.77%</b> | <b>\$2,762,223</b> | <b>64.24%</b> |

\*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 7 months the revenue and expense should at 58.33%

**Clerk of the Court**

Circuit Clerk, Robyn Ingemunson did not have a report.

**State's Attorney**

State's Attorney's Office did not have anything to report.

**Coroner**

**Statistics:**

| 2016 Statistics        |     | Stats for Same Period in 2015 |     | Difference |
|------------------------|-----|-------------------------------|-----|------------|
| 2016 Total Deaths..... | 158 | Total Deaths.....             | 153 | 3%         |
| Autopsies to Date..... | 10  | Autopsies....                 | 13  |            |
| Toxicology Samples.    | 16  | Toxicology Samples..          | 17  |            |
| Cremation Permits....  | 88  | Cremation Permits...          | 93  | -5%        |

**Supervisor of Assessments**

Supervisor of Assessments Andy Nicoletti did not have a report.

**BREAK**

**RECONVENE**

**STANDING COMMITTEE REPORTS**

**Planning, Building & Zoning**

**Petition 16-10**

Senior Planner John Sterrett presented the background on the petition, the business operation and the actions that have taken place regarding the petition. Board members asked questions regarding the petition and the conditions attached to the petition.

Member Flowers was excused from the meeting at 10:45am.

Board members heard from Gregg Ingemunson who represents Mr. and Mrs. Schnabel, Dan Kramer who represents Whitetail Ridge LLC and Ron Walker from Whitetail Ridge LLC.

Member Wehrli made a motion to approve Petition 16-10 for a request from Whitetail Ridge LLC for a Special Use in the A-1 Agricultural District to operate a banquet hall at the property located at 9111 Ashley Road in Kendall Township (PIN 05-22-200-002) with 19 conditions and a change to condition #6 to a maximum of 8 full time employees are permitted at the property during a catered event; restriction shall not include catering staff. Member Cullick seconded the motion.

Members listened to concerns from neighbors surrounding the property: Tom Schnabel Jr, Richard Munson, Jessica Gabel-Frieders, Lori Daniels, Vicki Schnabel, Vicki Schnabel, Anne Vickery, Todd Milliron, Susan Munson and Dave Walker.

Board members spoke the noise ordinance, problems at other locations and the traffic on the roads.

Chairman Shaw asked for a roll call vote on the motion. Members voting aye include Cullick, Davidson, Prochaska, Purcell and Wehrl. Members voting nay include Gilmour, Koukol and Shaw. **Motion carried 5-3.**

A complete copy of Ordinance 16-11 is available in the office of the County Clerk.

### **Public Safety**

Member Prochaska stated that they did not have a meeting.

### **Administration/HR**

Member Cullick stated that they will not have a meeting on August 26th.

### **Highway**

#### **Agreement for County Bridge Inspections**

Member Koukol made a motion to approve the Agreement with Willett Hofmann & Associates to perform county bridge inspections for 2016 and 2017 at a cost of \$35,550 to be taken from the County Bridge Fund. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM16-30 is available in the office of the County Clerk.

### **Award Bid**

Member Koukol made a motion to approve the bid from Corrective Asphalt Materials in the amount of \$107,251 to provide crack filling on various county highways using Transportation Sales Tax Funds. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution16-25 is available in the office of the County Clerk.

### **KC-TAP Funds**

Member Koukol made a motion to approve the IGA between Kendall County and the City of Yorkville providing \$50,000 in Transportation Alternative Funds (KC-TAP) for construction of a multi-use path on Kennedy Road. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Gilmour. **Motion carried 7-1.**

A complete copy of IGAM16-31 is available in the office of the County Clerk.

### **Fox Road Bridge**

Member Koukol made a motion to approve preliminary engineering services agreement with HR Green for replacement of Fox Road Bridge at a cost of \$73,356.73, using Transportation Sales Tax Funds. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Davidson. **Motion carried 7-1.**

A complete copy of IGAM16-32 is available in the office of the County Clerk.

### **Facilities**

Member Davidson did not have anything to report.

### **Finance**

#### **CLAIMS**

Member Davidson moved to approve the claims submitted in the amount of \$553,146.71 and Grand Juror claims in the amount of \$2450.00. Member Gryder seconded the motion.

**COMBINED CLAIMS:** FCLT MGMT \$99,441.41, B&Z \$2,301.87, CO CLK & RCDR \$750.00, ELECTION \$380.00, ED SRV REG \$5,900.17, SHRFF \$22,637.05, CRRCTNS \$26,376.57, MERIT \$199.00, EMA \$1,150.40, JURY COMM \$2,462.82, CRCT CT JDG \$11,530.76, CRNR \$2,577.29, CMB CRT SRV \$309.90, PUB DFNDR \$895.56, ST ATTY \$2,530.86, CO TRSR \$629.30, OFF OF ADMN SRV \$70.33, GNRL INS & BNDG \$85.00, CO BRD \$358.35, TECH SRV \$2,069.37, CAP EXPND \$6,719.10, CAP IMPRV FND \$602.00, CO HWY \$37,176.64, CO BRDG \$65,588.55, TRNSPRT SALES TX \$104,537.39, HLTH & HMN SRV \$73,467.29, FRST PRSRV \$1,797.77, ELLIS HS \$3,570.70, ELLIS BRN \$2,042.63, ELLIS RDNG LSSNS \$453.05, ELLIS WDDNGS \$3,165.99, HOOVER \$1,422.31, ENV ED SCHL \$37.00, ENV ED CMPS \$361.35,

ENV ED NTRL BEGINNINGS \$334.74, ENV ED LWS OF NTR \$98.32, GRNDS & NTRL RSRCS \$2,572.69, ANML CNTRL \$100.03, RCDR DOC STRG \$5,500.00, DRG ABS EXP \$2,730.00, HIDTA \$6,708.73, CMSRY FND \$820.11, CRT SEC FND \$61.87, LAW LBRY \$10,576.00, CRT AUTOMA \$2,316.83, PRBTN SRV EXP FND \$1,801.74, GIS \$29,933.11, PUB SFTY EXP \$450.67, SHRFF FTA FND \$2,094.14, VAC \$2,479.60, SHRFF VHCL FND \$2,670.35, FP BND PRCDs '07 \$750.00

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

#### **Labor & Grievance**

They did not have a meeting.

#### **Committee of the Whole**

Minutes are in the packet from the July 14, 2016 meeting.

### **STANDING COMMITTEE MINUTES APPROVAL**

Member Gilmour 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; working on title commitment and insurance policies.

#### **VAC**

Member Wehrli said that they did not meet.

#### **Historic Preservation**

Member Wehrli said that they did not meet.

#### **Board of Health**

Member Wehrli reported that they meet on July 19, 2016.

#### **708 Mental Health Board**

Member Gilmour informed the board that they have one vacancy on the board.

### **CHAIRMAN'S REPORT**

No report.

### **EXECUTIVE SESSION**

Member Davidson made a motion to go into Executive Session for (1) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity, (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, (11) litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. Member Purcell seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### **ADJOURNMENT**

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

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

Respectfully submitted by,  
Debbie Gillette,  
Kendall County Clerk