

ORDINANCE NO. 10-15

ORDINANCE AMENDING AN ORDINANCE ADOPTED ON MARCH 16, 2010 PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$10,000,000 GENERAL OBLIGATION REFUNDING BONDS (ALTERNATE REVENUE SOURCE), SERIES 2010, OF THE COUNTY OF KENDALL, ILLINOIS

WHEREAS, on March 16, 2010, the County Board (the "Board") of the County of Kendall, Illinois (the "County") adopted an ordinance entitled: "Ordinance Providing for the Issuance of Not to Exceed \$10,000,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2010, of The County of Kendall, Illinois" (the "Original Ordinance"), which authorized the issuance by delegated sale of not exceeding \$10,000,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2010, of the County (the "Series 2010 Bonds") for the purpose of refunding some or all of the \$11,305,000 outstanding maturity amount of Capital Appreciation Bonds maturing in the years 2010 to 2022, both inclusive (the "Prior Capital Appreciation Bonds") constituting a portion of the General Obligation Bonds (Alternate Revenue Source), Series 2002A, of The County of Kendall, Illinois (the "County") maturing in the years 2013 to 2022, both inclusive (the "Prior Bonds"); and

WHEREAS, the Original Ordinance provided for the redemption of the Prior Capital Appreciation Bonds on December 1, 2012 at a redemption premium of 103% of the maturity amount thereof; and

WHEREAS, the outstanding Prior Bonds also include Current Interest Bonds maturing in the year 2013 in the principal amount of \$700,000 (the "Prior Current Interest Bonds") which are redeemable on December 1, 2012 at a price of 103% of the principal amount thereof; and

WHEREAS, the Series 2010 Bonds have not yet been sold or issued; and

WHEREAS, market conditions now make it desirable to refund not only the Prior Capital Appreciation Bonds but also fifty thousand dollars (\$50,000) principal amount of the Prior Current Interest Bonds (the "Refunded Prior Current Interest Bonds," and together with the Prior Capital Appreciation Bonds, the "Refunded Bonds"); and

WHEREAS, the refunding of the Refunded Bonds can be accomplished under current market conditions without changing the parameters set forth in the Original Ordinance for the delegated sale of the Series 2010 Bonds except as set forth below:

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL, ILLINOIS, AS FOLLOWS:

Section 1. Amendments of the Original Ordinance.

(A) Section 1 of the Original Ordinance shall be amended to read as follows:

"Section 1. Authority and Purpose. This ordinance is adopted pursuant to the Counties Code, 55 Illinois Compiled Statutes 5, and the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350, for the purpose of refunding (i) some or all of the \$11,305,000 outstanding maturity amount of Capital Appreciation Bonds maturing in the years 2010 to 2022, both inclusive (the "Prior Capital Appreciation Bonds") and (ii) up to \$100,000 principal amount of the \$700,000 outstanding Current Interest Bonds maturing in the year 2013 (the "Prior Current Interest Bonds", and together with the Prior Capital Appreciation Bonds, the "Refunded Bonds"). The Refunded Bonds constitute a portion of the \$12,005,000 currently outstanding General Obligation Bonds (Alternate Revenue Source), Series 2002A (the "Prior Bonds"), of The County of Kendall, Illinois (the "County")."

(B) Section 2(B) of the Original Ordinance shall be amended to read as follows:

“(B) The County hereby determines to refund the Refunded Bonds and elects to redeem the Refunded Bonds on December 1, 2012 (the “Redemption Date”) at the redemption price of (i) 103% of the Compounded Accreted Value of each Prior Capital Appreciation Bond and (ii) 103% of the principal amount of each Prior Current Interest Bond.”

(C) The second full paragraph of the Bond Form described in Section 11 of the Original Ordinance shall be amended to read as follows:

This bond is one of a series of bonds issued in the aggregate original principal amount of \$_____, which are authorized and issued under and pursuant to the Local Government Debt Reform Act and under and in accordance with an ordinance adopted by the County Board of the County on March 16, 2010 and entitled: “Ordinance Providing for the Issuance of Not to Exceed \$10,000,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2010, of The County of Kendall, Illinois”, as amended by an ordinance adopted by the County Board on June 15, 2010 and entitled “Ordinance Amending An Ordinance Adopted on March 16, 2010 Providing for the Issuance of Not to Exceed \$10,000,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2010, of The County of Kendall, Illinois (the “Bond Ordinance”).

Section 2. The refunding of the Prior Current Interest Bonds shall not include any interest payable on such Prior Current Interest Bonds. The selection

of the specific Prior Current Interest Bonds to be refunded and the notice to be given to the registered owners of the Prior Current Interest Bonds to be refunded shall be conducted by the bond registrar for the Prior Bonds in accordance with the ordinance authorizing the Prior Bonds.

Section 3. Conformance of the 2010 Escrow Deposit Agreement and Bond Form. The 2010 Escrow Deposit Agreement the form of which was presented to the County Board and is currently on file with the Office of the County Clerk, all as described in Section 15 of the Original Ordinance, shall be modified to incorporate such schedules, redemption provisions and other information applicable to the Prior Current Interest Bonds being refunded as is deemed appropriate by the Chairman to conform the 2010 Escrow Agreement to the provisions of this amendatory ordinance and to include the Prior Current Interest Bonds being refunded in the 2010 Escrow Deposit Agreement as Refunded Bonds.

Section 4. Approval of Offering Documents. The revised form of Preliminary Official Statement of the County with respect to the 2010 Bonds, in substantially the form on file in the office of the County Clerk, with such changes, omissions, insertions and revisions as the Chairman shall deem advisable, the distribution thereof to prospective purchasers and the use thereof in connection with the offering of the 2010 Bonds are authorized and approved. The Chairman may take such actions as may be required so that the Official Statement with respect to the 2010 Bonds will be "deemed final" as of its date for purposes of Securities and Exchange Commission Rule 15c2-12 promulgated under the Securities Exchange Act of 1934. The Chairman is authorized to permit the distribution of the Official Statement with such changes, omissions, insertions and revisions as she shall deem advisable.

Section 5. Other Provisions. All other provisions and parameters of the Original Ordinance, to the extent not inconsistent with this amendatory ordinance, are reaffirmed.

Section 6. Full Authority. The Original Ordinance, as amended by this amendatory ordinance (the "Bond Ordinance") shall constitute full authority for the issuance of the 2010 Bonds and to the extent that the provisions of the Bond Ordinance conflict with the provisions of any other ordinance or resolution of the County, the provisions of the Bond Ordinance shall control.

Section 7. Severability. If any section, paragraph or provision of this amendatory ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this amendatory ordinance.

Section 8. Effective Date. This amendatory ordinance shall become effective upon its adoption.


Adopted this 15th day of June, 2010, by roll call vote as follows:

Ayes: Davidson, Hafenrichter, Martin, Parr,
Petrella, Purcell, Shaw, Vickery, + Wehrli

Nays:

(SEAL)

Attest:



County Clerk

CERTIFICATE

I, Debbie Gillette, County Clerk of The County of Kendall, Illinois, hereby certify that the foregoing ordinance entitled: "Ordinance Amending an Ordinance Adopted on March 16, 2010 Providing for the Issuance of Not to Exceed \$10,000,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2010, of The County of Kendall, Illinois," is a true copy of an original ordinance that was duly adopted by the recorded affirmative votes of a majority of the members of the County Board at a meeting thereof that was duly called and held at 9:00 a.m. on June 15, 2010, at the County Board Room, in the County Office Building, 111 West Fox Street, in Yorkville, Illinois, and at which a quorum was present and acting throughout, and that said copy has been compared by me with the original ordinance recorded in the records of the County and that it is a correct transcript thereof and of the whole of said ordinance, and that said ordinance has not been altered, amended, repealed or revoked, but is in full force and effect.

I further certify that the agenda for said meeting included the ordinance as a matter to be considered at the meeting and that said agenda was posted at least 48 hours in advance of the holding of the meeting in the manner required by the Open Meetings Act, 5 Illinois Compiled Statutes 120.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County, this 15th day of June, 2010.



County Clerk

(SEAL)

CERTIFICATION OF MINUTES

I, Debbie Gillette, County Clerk of The County of Kendall, Illinois, hereby certify that annexed hereto is a copy of the minutes of a meeting of the County Board of The County of Kendall, Illinois, duly called and held on June 15, 2010, and at which a quorum was present and acting throughout.

I further certify that I have compared said copy with the original minutes of said meeting as recorded in the minute book of said County Board and that said copy is a true and correct copy of the whole of said original minutes.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the seal of said County to be affixed, this 20th day of July, 2010.



County Clerk

(SEAL)



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, June 15, 2010 at 9:06 a.m. The Clerk called the roll. Members present: Chairman Anne Vickery, Bob Davidson, Elizabeth Flowers (excused at 10:06), Jessie Hafenrichter, Nancy Martin, Pam Parr, Suzanne Petrella, John Purcell, John Shaw, and Jeff Wehri (arrived at 9:13 a.m.).

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

MINUTES

Member Flowers moved to approve the submitted minutes from the Adjourned County Board Meeting of May 18, 2010. Member Parr seconded the motion. Chairman Vickery 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 Martin seconded the motion. Chairman Vickery asked for a voice vote on the motion. All members present voting aye. Motion carried.

SPECIAL RECOGNITION

Bryan Harl, a Kendall County Sheriff's Office Deputy, was awarded Officer of the Year by the Oswegoland and Yorkville Optimist Club and the Kendall County Association of Chiefs of Police.

Rob Leinen, Sheriff's Office Court Security Staff Sergeant, received the Correctional Officer of the Year for 2009. A proclamation was made to observe June 18, 2010 as Rob Leinen Day.

Proclamation for Newark's 175th Birthday

**Kendall County
Proclamation**

WHEREAS, the Village of Newark is observing its 175th Birthday to be known as the 175th Birthday Event and;

WHEREAS, festivities will kick off with a Birthday Celebration on June 27, 2010 and will continue with events through July 5th and;

WHEREAS, it is appropriate for the community to remember and recognize its history, long-time and new residents, and their many accomplishments and;

WHEREAS, Newark residents including descendants of founding families settling in 1835 and those recently moving to Newark have made the village their home to enjoy, and raise families and

WHEREAS, its settlement served to provide transportation, sustenance, and economic development to the community, and today its residents still treasure this location for its beauty and rich natural resources that enhance the community; and

WHEREAS, 175 years have seen growth in community assets and services such as parks, schools, spirit and involvement, there remains recognition of the importance of the historical connections that shape the community;

NOW, THEREFORE, BE IT RESOLVED, that the Kendall County Board congratulates and recognizes the Village of Newark, its residents and its leaders upon their 175th birthday and also thank the Village of Newark 2010 Birthday Committee and volunteers for their work to celebrate this historic milestone.

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

Anne Vickery – 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 _____ Day of _____, A.D. 2010.

Debbie Gillette – County Clerk

CITIZENS TO BE HEARD

Todd Milliron, 61 Cotswold Dr, Yorkville stated that he saw on the agenda the revising of the citizen’s comments; he encouraged the Board to open it up and not to restrict it. Mr. Milliron said that the people deserve the right to be heard.

Steve Warner, 171 N Oak St, Hinckley, spoke in reference to Brighton Oaks Subdivision. Mr. Warner asked that the Board please rethink the letter of credit that was pulled.

Jim Birch, 17 Highview Dr, Yorkville said that he would like to have the public comment part of the meeting opened up.

Robyn Sutcliff, 412 Park St, Yorkville stated that elected officials are elected to represent the people, the voice of the people needs to be heard, public comment should be welcomed and respected.

Chrisi Vineyard, 39 Settlers Ln, Oswego stated that under the Citizens to be Heard it is difficult for some to sign up on Thursday to get on the Agenda to have the full 5 minutes. Ms. Vineyard said that the citizens have the right to be heard especially by those officials whom they had the right to elect, elected officials work for the people – need to hear what the people have to say.

Gayle Johnson, 303 Lombardi, Oswego said to the Board that she did not know if the Board realized how difficult it is for people to get up and speak in front of them. Ms. Johnson hears people running for election say they want to listen to the voters, she urges the Board not to restrict their freedom.

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Sheriff Randall thanked the Board for recognizing two of his officers and stated that it is important to recognize all of the county employees that make the county government work. Sheriff’s office submitted their 6 month report. A COPS Grant was submitted for three additional employees. The fire alarm at the courthouse went off due to water in the fire detector and there was a glitch in the electronic card reader.

County Clerk

**Kendall County
Clerk**

Revenue Report

**5/1/2010-
5/31/2010**

Line Item	Fund	Revenue
	County Clerk Fees	\$ 785.00
	County Clerk Fees - Marriage License	\$ 900.00
	County Clerk Fees - Misc	\$ 5,218.91
	County Clerk Fees - Recording	\$ 26,302.00
01010061205	Total County Clerk Fees	\$ 33,205.91

01010001185	County Revenue	\$	23,240.50
38010001320	Doc Storage	\$	16,252.00
01010071205	Election	\$	-
51010001320	GIS Mapping	\$	27,384.00
37010001320	GIS Recording	\$	3,433.00
01010001135	Interest	\$	176.51
01010001170	Raffle License		
01010061210	Recorder's Misc	\$	4,353.25
81010001320	RHSP/Housing Surcharge	\$	14,130.00
01010001160	St Comp - Elec Judge		
CK # 16520	To KC Treasurer	\$	122,175.17

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 SIX MONTHS ENDED 05/31/2010

<u>REVENUES*</u>	Annual <u>Budget</u>	2010 YTD <u>Actual</u>	2010 YTD <u>%</u>	2009 YTD <u>Actual</u>	2009 YTD <u>%</u>
Personal Property Repl. Tax	\$355,000	\$187,375	52.78%	\$226,121	51.98%
State Income Tax	\$1,700,000	\$482,601	28.39%	\$924,982	44.05%
Local Use Tax	\$340,000	\$126,430	37.19%	\$191,758	63.50%
State Sales Tax	\$1,250,000	\$406,101	32.49%	\$649,180	56.45%
County Clerk Fees	\$410,000	\$205,201	50.05%	\$272,781	56.76%
Circuit Clerk Fees	\$1,200,000	\$705,742	58.81%	\$644,194	58.56%
Fines & Foreits/St Atty.	\$550,000	\$291,634	53.02%	\$272,915	45.87%
Building and Zoning	\$30,000	\$21,169	70.56%	\$24,101	26.78%
Interest Income	\$250,000	\$44,761	17.90%	\$126,640	36.18%
Health Insurance - Empl. Ded.	\$828,989	\$402,010	48.49%	\$370,988	52.70%
1/4 Cent Sales Tax	\$2,150,000	\$1,098,269	51.08%	\$1,078,327	43.13%

County Real Estate Transf Tax	\$200,000	\$109,461	54.73%	\$153,350	47.18%
Correction Dept. Board & Care	\$438,000	\$134,520	30.71%	\$574,740	88.42%
Sheriff Fees	\$475,000	\$349,480	73.57%	\$281,260	75.00%
TOTALS	\$10,176,989	\$4,564,754	44.85%	\$5,791,337	51.91%

Treasurer, Jill Ferko submitted the six month report to the Clerk's office. Ms. Ferko also reported that more money has been received from the State and they made a disbursement the first week of June.

Coroner

2010 Statistics

Stats for Same Period in 2009

2010 Total Deaths.....	109	Total Deaths.....	118
Autopsies to Date.....	11	Autopsies	12
Toxicology Samples..	12	Toxicology Samples..	19
Cremation Permits....	37	Cremation Permits...	47

- Coroner Toftoy attended the IACO Spring Conference in Springfield, IL.
- Coroner Toftoy presented for the Oswego High School Prom Crash re-enactment on May 6th, 2010.
- Coroner Toftoy presented at the Yorkville City Hall town meeting on May 15th, 2010.
- Coroner Toftoy presented for Operation Impact at Oswego High School on May 21st, 2010.

**KENDALL COUNTY
CORONER
SEMI-ANNUAL
REPORT
FY 2010**

FY 2010		FY 2009	
TOTAL DEATHS.....	109	TOTAL DEATHS	118
NATURAL.....	100	NATURAL	105
ACCIDENT.....	6	ACCIDENT	6
VEHICLE	0	Vehicle	2
DRUGS/ALCOHOL	5	Drugs/Alcohol	4
OTHER	1	Other	1
SUICIDE.....	2	SUICIDE	8
HOMICIDE.....	1	HOMICIDE	0
UNDETERMINED.....	0	UNDETERMINED	1
TOTAL AUTOPSIES.....11		TOTAL AUTOPSIES	12
TOTAL TOXICOLOGY.....12		TOXICOLOGY	19
CREMATION PERMITS.....37		CREMATIONS	47
		INQUESTS	7
CORONER'S INQUESTS.....9		PRESENTATIONS	12
		REVENUE	\$301

TRAINING/CONFERENCES
ATTENDED BY CORONER.....1

TRAINING/CONFERENCES
ATTENDED BY STAFF.....0

CORONER PRESENTATIONS..16

GENERAL FUND REVENUE
GENERATED BY THE CORONER'S
OFFICE.....\$643.00

Health Department

Member Wehrli stated that the Health Department is beginning to work on their budget.

Supervisor of Assessments

Andy Nicoletti reported that Cirrone Computer Consultants have been authorized to complete the interface project for the three townships that have the PAMS program.

Workforce Development

Chris Mehochko from ROE spoke about the Workforce Investment Act (WIA) Grant. WIA is designed to provide assistance in employment and academic success through skill-building activities, connection to the workplace, and ongoing workplace mentoring and support. There is a summer program as well as a year round program; the summer program has been fully funded.

STANDING COMMITTEE REPORTS

Planning, Building & Zoning

Member Martin made a motion to approve 10-03 Amendment to Special Use Harvest Baptist Church. Member Purcell seconded the motion. Chairman Vickery asked for a roll call vote on the motion. All members present voting aye except Wehrli who abstained. Motion carried.

State of Illinois
County of Kendall

Petition #10-03

**ORDINANCE NUMBER 10 -13
GRANTING AN AMENDMENT TO ORD. 96-01 & 92-07 AND GRANT
A SPECIAL USE AT
5315 DOUGLAS ROAD
HARVEST BAPTIST CHURCH**

WHEREAS, Harvest Baptist Church has filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 30.9 acre property located at 5315 Douglas Road on the northwest corner of Plainfield Road and Douglas Road, (PIN#'s 03-34-100-007 and 03-34-100-023), in Oswego Township; and

WHEREAS, said petition is to amend their existing special use permit to expand their special use to the newly acquired 18 acres of property to the northwest and expand their church and parking lot; and

WHEREAS, the Zoning Board of Appeals previously granted variances per Case number 98-35 for the buildings to reduce the 100' front yard setback from the edge of the R.O.W. to 75 feet from Plainfield Road and 85 feet from Douglas road with a portico 60 feet from Douglas Road. ; and

WHEREAS, said property was zoned A-1 Special Use for a church per Ordinances 92-07; and

WHEREAS, said special use was amended per Ordinance 96-01 to allow for an illuminated church sign; and
WHEREAS, said property is legally described as:

Legal Description for pin numbers 03-34-100-007 & 03-34-100-023

Parcel 1:

That part of the northwest quarter of section 34, township 37 north, range 8 east of the third principal meridian, described as follows: beginning at the point of intersection of the east line of said northwest quarter with the centerline of Plainfield Road; thence northwesterly, along said centerline, being along a curve to the right, having a radius of 12, 277.70 feet for 317.23 feet to a point of tangency (chord 317.22 feet, bearing north 62°07'18" west); thence north 61°22'53" west, along said centerline, 627.77 feet; thence north 28°37'07" east, at right angles to the last described course, 364.68 feet; thence north 62°01' 23" east, 468.03 feet; thence north 89°41'19" east, 238.10 feet to said east line; thence south 00°18'41" east, along said east line, 990.00 feet to the point of beginning, containing 12.00 acres in Oswego Township, Kendall County, Illinois.

Parcel 2:

That part of the northwest quarter of section 34, township 37 north, range 8 east of the third principal, described as follows: beginning at the intersection of the centerline of Plainfield Road with the east line of said northwest quarter; thence north 0°18'41" west along said east line 1479.78 feet for a point of beginning; thence north 89°45'59" west 956.65 feet; thence south 26°22'25" west 811.68 feet to the centerline of said Plainfield Road; thence southeasterly along said centerline curving to the left having a radius of 2232.49 feet for a distance of 386.57 feet; thence south 61°22'53" east 196.06 feet; thence north 28°37'07" east 364.67 feet; thence north 62°01'23" east 468.03 feet; thence north 89°41'19" east 238.10 feet to the east line of said northwest quarter of section 34; thence north along said east line 489.78 feet to the point of beginning, in Oswego township, Kendall County, Illinois.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Special Use Hearing Officer on May 25, 2010; and

WHEREAS, the Kendall County Board has considered the findings and recommendation of the 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 repeals Kendall County Ordinance #92-07 in its entirety and grants approval of a special use zoning permit to amend their existing special use permit to expand their special use to the newly acquired 18 acres of property and expand their church and parking lot as indicated on the submitted Site Plan included as "Exhibit A" attached hereto and incorporated herein, and the elevations attached hereto and made a part hereof as Exhibit "B" subject to the following conditions:

1. The necessary permits shall be obtained for the proposed signs prior to installation.
2. A Site Development Permit must be filed to make sure construction is performed correctly.
3. When Plainfield Road is widened the church agrees to eliminate the approximate 54 parking stalls located in the future ROW.

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

IN WITNESS OF, this ordinance has been enacted on June 15, 2010.

Attest:

Kendall County Clerk
Debbie Gillette

Anne Vickery
Kendall County Board Chairman

Member Martin made a motion to approve 10-07 Ag Allocation recording – text amendment. Member Wehrli seconded the motion.

Discussion revolved around changing the 40 acre rule along with the recording of the allocations.

Member Purcell made a motion to table the motion to approve 10-07 Ag Allocation. Member Hafenrichter seconded the motion. Chairman Vickery asked for a roll call vote on the motion. Members voting aye include: Davidson, Hafenrichter, Petrella, Purcell and Shaw. Members voting nay include: Flowers, Martin, Parr, Vickery and Wehrli. Motion tied 5-5.

Chairman Vickery asked for a roll call vote on the original motion. Members voting aye: Flowers, Martin, Parr, Vickery and Wehrli. Members voting nay: Davidson, Hafenrichter, Petrella, Purcell and Shaw. Motion fails 5-5.

Member Martin made a motion to approve 10-08 Jose Luis Chavez – Special Use Revocation. Member Purcell seconded the motion.

Brian LaBardi from the State's Attorney's Office clarified for the Board that in the ordinances there is currently not a provision allowing the Board to remove a special use, but the Board's ability to remove it based on the two year nonuse does exist. Mr. LaBardi stated that this is one of the uses that was clearly intended for the original user, this use would have been terminated when the property was sold therefore the Board may not take action to revoke at this point.

Jerry Dudgeon explained that if a special use is not utilized for a consecutive period of 24 months revocation can be considered but not before giving notice to the property owner and not without the property owner having the ability to come in and plead their case to the Board to leave it in place. Revocation is not something that is automatic. What is not written into the ordinance is that if a property owner comes in and purchases a property with an existing special use it doesn't allow for them to come in and request for the Board to revoke the special use even though they are the property owner, they would have to wait the 2 years period.

Member Shaw called the question.

Chairman Vickery asked for a roll call vote on the motion. All members present voting aye except Wehrli. Motion carried 9-1.

ORDINANCE NUMBER 10-14
REVOKING A SPECIAL USE for a
DOG KENNEL and DOG BREEDING BUSINESS

WHEREAS, Ms. Rose Hallstrom, with permission of the current owner at the time, Bernard Smith, petitioned Kendall County in the manner required by law and the ordinance of Kendall County, Illinois for obtaining a Special Use for a dog kennel and dog breeding business for a 5.0 acre property located on the north side of Caton Farm Road, approximately 2000' east of Immanuel Road, commonly known as 10037 Caton Farm Road (PIN #05-29-400-006; -007), in Kendall Township; and

WHEREAS, said property is legally described as:

THE EAST 563.0 FEET OF THE SOUTH 386.86 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER (AS MEASURED ALONG THE SOUTH AND EAST LINE THEREOF) OF SECTION 29, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS, CONTAINING 5.0 ACRES, MORE OR LESS; and

WHEREAS, the County Board of Kendall County, Illinois did grant the petitioner said request as Ordinance 2001-02 on March 20, 2001; and

WHEREAS, said property was sold to Mr. Jose Luis Chavez in August of 2008; and

WHEREAS, Mr. Chavez does not operate, and does not intend to operate, a dog kennel or dog breeding business; and

WHEREAS, Section 13.07.F of the Kendall County Zoning Ordinance provides for revocation of a Special Use Permit if the special use is discontinued for at least two (2) years; and

WHEREAS, said dog kennel and dog breeding business has been inactive since May of 2008; and

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Kendall County, Illinois that the Special Use Permit granted under Ordinance 2001-02 be revoked in accordance with Section 13.07.F of the Kendall County Zoning Ordinance.

IN WITNESS OF, this ordinance has been enacted on June 15, 2010.

Attest:

Debbie Gillette

Anne Vickery

Public Safety

Member Shaw reported that wireless call for the month of May were 73% of all calls received, not able to track all calls. Mobile command was deployed to Grundy County for a visit from Governor Quinn and to Abraham Lincoln Cemetery for President Obama's visit. A \$1,000.00 donation was made by a Plano citizen given to the auxiliary EMA for the purchase of new uniforms.

RECESS

Member Martin made a motion to recess. Member Parr seconded the motion. Chairman Vickery asked for a voice vote on the motion. All members present voting aye. Motion carried.

RECONVENE

Chairman Vickery called the meeting back into order.

Administration – Human Resources & Revenue

Member Hafenrichter informed the Board that the PIN conversion fee for township assessors will be paid out of the GIS Funds.

Member Hafenrichter made a motion to move the Employee Open Enrollment for insurance to the month of December for enrollment to begin on January 1st. Member Petrella seconded the motion. Chairman Vickery asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Member Hafenrichter made a motion to table the amendment to Board Rules of Order. Member Petrella seconded the motion. Chairman Vickery asked for a voice vote on the motion. All members present voting aye. Motion carried.

Highway

Member Davidson made a motion to accept and award the bid to Geneva Construction for the Plainfield Road widening and resurfacing. Member Petrella seconded the motion. Chairman Vickery asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Member Davidson made a motion to approve the bid from Aurora Blacktop in the amount of \$40,235 for the paving of the salt shed at the Highway Department. Member Wehrli seconded the motion. Chairman Vickery asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Member Davidson made a motion to approve the bid from S & K Trucking for Johnson Road improvements. Member Wehrli seconded the motion. Chairman Vickery asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Member Davidson made a motion to instruct the Chairman to present a letter to IDOT asking for consideration of a turn lane on Route 71 for the Fairgrounds. Member Martin seconded the motion. Chairman Vickery asked for a voice vote on the motion. All members present voting aye. Motion carried.

Facilities Management

Member Wehrli reported the phone cabinet in Health & Human Services needs to be upgraded. Jim Smiley is looking into switching from Nextel to Verizon for cell phone services. Additional carpet is needed in the Courthouse for an office in Probation. Jim Smiley discussed the fire alarm that went off at the Courthouse.

Finance**CLAIMS**

Member Purcell moved to approve the claims submitted in the amount of \$2,229,291.57. Member Martin seconded the motion.

COMBINED CLAIMS: FCLT MGMT \$50,525.41, B&Z \$6,375.77, CO CLK & RCDR \$1,604.06, ED SRV REG \$6,427.88, SHRFF \$6,660.65, CRRCTNS \$11,952.01, ESDA \$45.75, CRCT CT CLK \$1,942.07, JURY COMM \$218.00, CRCT CT JDG \$5,308.59, CRNR \$1,222.70, CMB CRT SRV \$17,341.74, PUB DFNDR \$4,893.60, ST ATTY \$2,672.41, BRD OF RVW \$6,015.99, SPRV OF ASSMNT \$63.46, TRSR \$484.54, EMPLY HLTH INS \$31,269.96, OFF OF ADM SRV \$6,566.20, GNRL INS & BNDG \$45.00, TECH SRV \$58,635.82, KENCOM \$962.34, CAP EXPEND \$5,076.93, TB EXPND FND \$417.00, LIABIL INSUR EXPS \$27,641.00, CO HWY \$24,961.50, CO

BRDG \$1,085.00, TRANSPRT SALES TX \$232,936.89, HLTH & HMN SRV \$181,531.10, BLD FUND \$198,478.31, FRST PRSRV \$5,175.43, FP BND PROC 2009 \$539.00, FP DEBT SRV 2009, \$4,360.00, FP DBT SRV \$75,027.50, ANML CNTRL \$779.51, CO RCDR DOC STRG \$8,040.32, DRG ABS EXP \$2,228.94, CRT SEC FND \$732.39, LAW LBRY \$886.22, CRT CT DOC STRG \$2,004.00, PRBTN SRV \$10,634.10, GIS \$16,035.00, TRANS FUND EXP \$32,608.75, CRTHSE REVOV \$455.00, VAC \$3,764.08, FP BND PROC 2007 \$1,945.30, FP DEBT SERV 2007 \$1,143,687.50, CRTHSE DBT SRV \$27,026.85

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

Member Purcell moved to approve the Amendment to Refinance 2002 Series A Bonds. Member Hafenrichter seconded the motion. Chairman Vickery asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Judicial/Legislative

Member Petrella informed the Board that the next meeting is on 6/23/10.

Animal Control

Member Vickery stated that there was an incident where a dog was put down before the limit on the days when it should have been kept was up. The settlement is for \$1,500.00.

Member Martin made a motion to approve the Clymer Settlement. Member Hafenrichter seconded the motion. Chairman Vickery asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Health and Environmental

Member Shaw reported that a \$24,000 child obesity grant has been applied for and received.

Committee of the Whole

Member Martin requested the Committee of the Whole minutes from 6/10/10 a correction be made for the insurance renewal date from August to December.

STANDING COMMITTEE MINUTES APPROVAL

Member Martin moved to approve all of the Standing Committee Minutes and Reports as submitted. Member Hafenrichter seconded the motion. Chairman Vickery asked for a voice vote on the motion. All members present voting aye. Motion carried.

SPECIAL COMMITTEE AND OTHER LIAISON REPORTS

Public Building Commission

Member Wehrli reported that they did not meet. They will be meeting with Rush Copley regarding the storm water drainage.

VAC

Member Martin reported that they approved a tentative budget and discussed the procedure for uses of the VAC vehicle.

County Stormwater Committee

Member Wehrli informed the Board that the technical committee will meet next week.

UCCI

Member Petrella stated that they don't meet in June.

Historical Preservation Commission

Member Wehrli reported that they will meet on 6/16/10.

OTHER BUSINESS

Leslie Johnson from the State's Attorney's Office informed the Board on the specifics of the Earthmover Credit vs. Niles Settlement. A wage garnishment order was issued for an employee; there was a delay in entering the wage garnishment. The settlement is in the amount of \$230.69 and it will come out of the Treasurer's budget.

Member Hafenrichter made a motion to approve the settlement. Member Martin seconded the motion. Vice Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

CHAIRMAN'S REPORT

APPOINTMENTS

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Board of Health

Rev. Phil Sheets – 3 year term – Expires July 2013

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Board of Health

Christina Cooper – 3 year term – Expires July 2013

Member Wehrli made a motion to approve the appointments. Member Parr seconded the motion. Vice Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

CITIZENS TO BE HEARD

Chrisi Vineyard, 39 Settlers Ln, Oswego had a suggestion to move the meetings to nights only and have all meetings videotaped. CMAP is going to 2040 suggested everyone attend these meetings.

Sheriff Randall stated that a new law will go into effect on September 15, 2010 that will increase the bond payment amounts.

QUESTIONS FROM THE PRESS

Matt Schury from the Kendall County Record asked for more information about the owner of the dog and the age and kind of dog that had been put down by Animal Control. Mr. Schury also asked about the policy and circumstances surrounding the incident at Animal Control.

Press also had questions about why the board rules of order amendment had been tabled.

ADJOURNMENT

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

Approved and submitted this 28th day of June, 2010.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk