KENDALL COUNTY BOARD AGENDA
ADJOURNED SEPTEMBER MEETING

Kendall County Office Building, Rooms 209 & 210
Tuesday, September 4, 2012 at 6:00 p.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. Correspondence and Communications
7. Citizens to Be Heard
8. New Business
   A. Ethics Commission Ordinance
9. Old Business
   A. Approve Intergovernmental Agreement between County of Kendall and Village of Oswego for Transportation Services
   B. Approve Second Agreement to Modify Contract between Kendall County and Voluntary Action Center
10. Standing Committee Reports
    A. Planning, Building and Zoning
       1. Map amendment for 3.0 acres of a 16.2 parcel – rezone from R-1 to A-1 at 7400 E Highpoint Road
       2. Millbrook Intergovernmental Agreement
    B. Public Safety
    C. Economic Development
    D. Finance Committee
       1. Approval of Claims
    E. Judicial/Legislative
    F. Labor & Grievance
    G. Standing Committee Minutes Approval
11. Special Committee Reports
    A. River Valley Workforce Investment
12. Chairman’s Report
13. Executive Session
14. Other Business
15. Citizens to be Heard
16. Questions from the Press
17. Adjournment
The Kendall County Board Meeting was held at the Kendall County Office Building, Room 209, in the City of Yorkville on Tuesday, July 3, 2012 at 6:00 p.m. The Clerk called the roll. Members present: Chairman John Purcell, Bob Davidson, Jessie Hafenrichter, Dan Koukol, Nancy Martin, Suzanne Petrella, John Shaw, and Jeff Wehrli.

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

**THE MINUTES**

Member Martin moved to approve the submitted minutes from the Adjourned County Board Meetings of 7/3/12. Member Hafenrichter seconded the motion. Chairman Purcell asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

**THE AGENDA**

Chairman Purcell stated that there is a need for executive session. Member Martin moved to approve the agenda. Member Wehrli seconded the motion. Chairman Purcell asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

**CITIZENS TO BE HEARD**

Todd Milliron, 61 Cotswold, Yorkville passed out a letter from the Illinois Department of Labor. Mr. Milliron stated that there is a 20% penalty for a highway construction job. Mr. Milliron also passed out voucher copies for a conference trip for the Coroner’s office.

**NEW BUSINESS**

**HIDTA Contract**

State’s Attorney, Eric Weis reminded the Board of the security issue with the Federal Government, the Sheriff is the fiduciary for the HIDTA group. The County does not incur any costs with the contract the money is reimbursed through the Federal Government.

Member Martin made a motion to authorize the Sheriff to sign the HIDTA Contract. Member Koukol seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

**OLD BUSINESS**

**Kencom Lease**

Member Martin made a motion to approve the Kencom lease. Member Hafenrichter seconded the motion.

State’s Attorney, Eric Weis stated that the lease covers the physical space inside the Public Safety Center for the use of Kencom. Any others issues regarding Kencom is governed in the Intergovernmental Agreement. The lease is for 10 years with two 5 year additional options that may be exercised if Kencom so chooses. Members discussed legal representation and access to the area by the Sheriff’s department.

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

**Lottery for Terms of County Board Members**

County Clerk, Debbie Gillette conducted the lottery for the terms of the County Board Members. District 1 was represented by ball #1 and District 2 was represented by ball #2. The first ball selected by Member Martin was ball #2, District 2 members will receive term A which is (3) 4 year terms and (2) 2 year terms. District 1 members will receive term B which is (3) 2 year terms and (2) 4 year terms.

**Intergovernmental Agreement between County and Village of Oswego for Transportation Services**

Hold until next meeting.
2nd Agreement to Modify Contract between the County and the Voluntary Action Center

Hold until next meeting.

STANDING COMMITTEE REPORTS

Public Safety

Member Shaw reviewed the 7/23/12 minutes in the packet.

Administration

METRA Resolution

Member Hafenrichter moved to approve the Resolution supporting the extension of METRA Service to Oswego & Kendall County. Member Martin seconded the motion. Chairman Purcell asked for a voice vote on the motion. All members present voting aye except Davidson. Motion carried.

COUNTY OF KENDALL
RESOLUTION 2012-34
RESOLUTION SUPPORTING THE EXTENSION OF
METRA SERVICE TO OSWEGO AND KENDALL COUNTY

WHEREAS, Kendall County recognizes the importance of providing public transportation options to area residents and has been working with Metra since 2000 to establish service to Kendall County; and

WHEREAS, Metra has begun the strategic planning process and is seeking input and dialogue from major stakeholders, riders, the public and elected officials for their help in developing Metra’s first strategic plan in several decades; and

WHEREAS, this strategic plan will be an important document giving focus and direction to use capital dollars in the most efficient and effective way possible consistent with Metra’s mission, vision, and values.

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

Section 1. Kendall County does hereby support Metra in their strategic planning process; encouraging input and participation from riders, the public, major stakeholders and elected officials.

Section 2. Kendall County encourages Metra to continue efforts to evaluate the feasibility of a service extension to Oswego, and incorporate this potential outcome into the adopted strategic plan.

Section 3. Kendall County further encourages Metra to commence efforts to evaluate the feasibility of a service extension to other areas in Kendall County, and incorporate this potential outcome into the adopted strategic plan.

Section 4. This Resolution shall take effect upon its passage and approval as provided by law.

Approved and adopted by the County Board of Kendall County, Illinois, this 7th day of August, 2012.

John Purcell, Chairman
County Board

Attest: Debbie Gillette
County Clerk

Member Hafenrichter reviewed the minutes in the packet from the meeting held on 8/2/12.

Facilities

Public Safety Center Computer Room Fire System Change Order

Member Shaw moved to approve Public Safety Center Computer Room Fire System change order in the amount of $2,305.90. Member Hafenrichter seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.
Public Safety Center Basement A/C Systems Hail Guard Change Order

Member Martin moved to approve Public Safety Center Basement A/C Systems Hail Guard change order in the amount of $1,367.70. Member Wehrli seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Economic Development

Member Koukol reviewed the minutes in the packet from 6/27/12.

Finance

CLAIMS

COMBINED CLAIMS: FCLT MGMT $30,640.44, B&Z $4,591.56, ED SRV REG $1,113.68, SHRFF $24,054.85, CRRCTNS $3,646.07, ESDA $2,209.46, CRCT CT CLK $221.09, JURY COMM $2,962.78, CRCT CT JDG $2,857.12, CRNR $609.00, CM&B SRV $150.25, PUB DFNS $2,112.50, ST ATTY $3,372.35, SPR OF ASSMNT $308.52, EMLY HLTH INS $367,875.63, OFF OF ADM SRV $1,397.80, CO BRD $2,619.55, TECH SRV $5,737.44, ECON DEV $8,79, LIABIL INSUR EXPS $2,576.11, CO HWY $243.44, TRNSPRT SALES TX $195,064.50, HLTH & HNM SRV $74,532.15, FRST PRSRV $11,703.43, KEN COM $554.03, ANML CNTRL $1,870.00, CO RCDR DOC STRG $171.90, DRG ABS EXP $183.28, SHRFF $115.15, COMMITTEES $34.83, LAW LIBRY $11,703.43, STRAY ANML $115.15, COMMIS $34.83, LAW LBRY $5,702.88, CRT AUTOM A/ $9,099.43, PRBTN SRV $5,116.45, GIS $29,644.84, TX SAL AUTO $50.00, SHRFF FTA $210.57, VAC $7,313.00, FP BND SERV 2007 $102,329.28

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

Scanner Purchase

Member Hafenrichter moved to approve the scanner purchase for Assessments from Contingency line item at no more than $1,400.00. Member Wehrli seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Judicial/Legislative

Member Koukol reviewed the minutes in the packet from the meeting held on 7/25/12.

Intergovernmental Agreement with Kane County – Multi-Systemic Therapy

State’s Attorney, Eric Weis explained that the contract is for $42,823.00 per year for the period of May 1, 2012 to April 30, 2012.

Member Koukol moved to approve the Multi-Systemic Therapy Intergovernmental Agreement with Kane County. Member Hafenrichter seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Intergovernmental Agreement with Kane County – Diagnostic Center

State’s Attorney, Eric Weis stated that the Diagnostic Center is currently in the 16th Judicial Circuit, Kendall pays a fee for every service that is used from them. The services include sanity, fitness evaluations, and sex offender evaluations. The charge for the services is $350.00 per evaluation.

Member Martin moved to approve the Diagnostic Center Intergovernmental Agreement with Kane County. Member Koukol seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Intergovernmental Agreement with Kane County – Juvenile Detention

State’s Attorney, Eric Weis stated that this agreement provides the space for juvenile detention. The rate is $100.00 per day for up to 7 beds, over 7 beds rate goes to $110.00 per day.

Member Koukol moved to approve the Juvenile Detention Intergovernmental Agreement with Kane County. Member Hafenrichter seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Animal Control

Co Board 8/7/12
Member Martin reviewed the minutes in the packet from the 7/18/12 meeting.

Health & Environment

Member Petrella stated that there was not a quorum but they had a presentation from the Health Department that talked about outreach to high schoolers.

Labor & Grievance

Member Shaw reviewed the minutes in the packet from 7/30/12 meeting.

STANDING COMMITTEE MINUTES APPROVAL

Member Martin moved to approve all of the Standing Committee Minutes and Reports with the correction to the Labor & Grievance minutes. Member Koukol seconded the motion. Chairman Purcell asked for a voice vote on the motion. All members present voting aye. Motion carried.

SPECIAL COMMITTEE REPORTS

River Valley Workforce Investment

Member Petrella stated that they straightening out some challenges they have had.

CHAIRMAN’S REPORT

APPOINTMENT

Dr. Joe Gruber – Board of Health – 3 year term – expires July 2015

Member Martin moved to approve the appointment. Member Koukol seconded the motion. Chairman Purcell asked for a voice vote on the motion. All members present voting aye. Motion carried.

Announcements


Member Petrella stated that UCCI held a conference in Galena.

QUESTIONS FROM THE PRESS

Steve Lord from the Beacon News asked about the terms of the Kencom Lease – quarterly installments of $25,000.00.

Jillian Duchnowski from the Yorkville Patch asked if the Board was aware of the tax revolt and referendum question. Is the county going to reduce the levy by 20%? Chairman Purcell stated that the levy will go down next year.

BREAK

RECONVENE

EXECUTIVE SESSION

Member Martin made a motion to go into Executive Session for the 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 and the purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. Member Davidson seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

ADJOURNMENT

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

Approved and submitted this 30th day of August, 2012.
Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

Co Board 8/7/12
PREAMBLE

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;
NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL, AS FOLLOWS:

ARTICLE 1:
DEFINITIONS

Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3). "Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Collective Bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is
on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

"Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

"Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

"Employee" means a person employed by the County of Kendall, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

"Employer" means the County of Kendall.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

"Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

"Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.
"Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Prohibited political activity" means:

(1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

(2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.

(3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything value intended as a campaign contribution.

(4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
(6) Assisting at the polls on Election day on behalf of any political organization or candidate for elective office or for or against any referendum question.

(7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

(8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

(9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.

(10) Preparing or reviewing responses to candidate questionnaires.

(11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum questions.

(12) Campaigning for any elective office or for or against any referendum question.

(13) Managing or working on a campaign for elective office or for or against any referendum question.

(14) Serving as a delegate, alternate, or proxy to a political party convention.

(15) Participating in any recount or challenge to the outcome of any election.
"Prohibited source" means any person or entity who:

1) is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;

2) does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;

3) conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or

4) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

**ARTICLE 5:**

**PROHIBITED POLITICAL ACTIVITIES**

Section 5-1. Prohibited political activities.

(a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the County of Kendall in connection with any prohibited political activity. However, nothing in this section is intended to prohibit the officer or employee from using County property or resources if such County property and resources are available for similar use by members of the general public.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).
(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.

(e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 10:

GIFT BAN

Section 10-1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.
Section 10-2. Exceptions. Section 10-1 is not applicable to the following:

(1) Opportunities, benefits, and services which are available on the same conditions as for the general public.

(2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.

(3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.

(4) Educational materials and missions.

(5) Travel expenses for a meeting to discuss business related to the officer or employee's official duties.

(6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

(7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the
gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

(8) Food or refreshments not exceeding $75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

(9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity not exceeding $100.00.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than $100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.
Section 10-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c) (3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

ARTICLE 15

ETHICS ADVISOR

Section 15-1. The County Board Chairman, with the advice and consent of the County Board shall designate an Ethics Advisor for the County of Kendall. The duties of the Ethics Advisor may be delegated to an officer or employee of the County of Kendall unless the position has been created as an office by the County of Kendall.

ARTICLE 20

ETHICS COMMISSION

Section 20-1. There is hereby created a commission to be known as the Ethics Commission of County of Kendall. The Commission shall be comprised of three five members appointed by the County Board Chairman with the advice and consent of the County Board. No person shall be appointed as a member of the Commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer of County of Kendall. No more than two three members of the Commission shall belong to the same political party at the time such appointments are made. Party affiliation shall be determined by affidavit of the person appointed.

Section 20-2. At the first meeting of the Commission, the initial appointees shall draw lots to determine their initial terms. Two commissioners shall serve 2-year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to 2-year terms. Commissioners may be reappointed to serve subsequent terms. At the first
meeting of the Commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any 2 commissioners. A quorum shall consist of two commissioners, and official action by the commission shall require the affirmative vote of two members.

Section 20-2. When the County Board Chairman, with the advice and consent of the County Board, makes the initial appointments, he or she shall designate three appointments for a term of three years and two appointments for a term of two years. One appointment from each political party shall be for an original two year term. After the initial appointments, terms shall be for a period of two years. The Chairman, with the advice and consent of the County Board will designate one member as the chairperson of the commission.

Section 20-3. The County Board Chairman, with the advice and consent of the County Board, may remove a commissioner in case of incompetency, neglect of duty or malfeasance in office after service on the commissioner by certified mail, return receipt requested, of a copy of the written charges against the commissioner and after providing an opportunity to be heard in person or by counsel upon not less than 10 days' notice.

All vacancies shall be filled in the same manner as original appointments and shall serve the remainder of the original term.

Section 20-4. The Commission shall have the following powers and duties:

(1) To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.

(2) Upon receipt of a signed, notarized, and written complaint, filed with the Kendall County Clerk, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with Section 25-1(c) of this Ordinance and refer violations of Article 5 or Article 10 of this Ordinance to the appropriate attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this
Ordinance and not upon its own prerogative.

(3) To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Ordinance.

(4) To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the County of Kendall to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.

(5) The powers and duties of the Commission are limited to matters clearly within the purview of this Ordinance.

Section 20-5. (a) Complaints alleging a violation of this Ordinance shall be filed with the Ethics Commission.

(b) Within 3-5 business days after the receipt of a signed, notarized, and written complaint, filed with the Kendall County Clerk, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within 3-5 business days after receipt by the commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed. Additional notice may be sent by e-mail in addition to certified mail. The Kendall County Clerk shall be responsible for sending the required notifications as set forth in this Ordinance and shall be responsible for keeping the official minutes of any meetings or hearings of the Ethics Commission.

(c) Upon not less than 48 hours' public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this Ordinance, to determine whether there is probable cause,
based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. The Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within 7 to 21 business days after receiving the complaint.

If the complaint is deemed sufficient to allege a violation of Article 10 of this Ordinance and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within 4 weeks after the complaint's receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the corporate authorities to prosecute such actions and request that the complaint be adjudicated judicially. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

If the complaint is deemed sufficient to allege a violation of Article 5 of this Ordinance, then the Commission shall notify in writing the Kendall County State's Attorney designated by the corporate authorities to prosecute such actions to request prosecution of such action and shall transmit to the State’s Attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

In the event that the Kendall County State’s Attorney serves as the Ethics Advisor and has provided guidance to the respondent regarding the allegations contained in the complaint, the State’s Attorney may request the Circuit Court of Kendall County to appoint a Special Prosecutor to prosecute the complaint if there is a potential legal conflict of interest.

(d) On the scheduled date and upon at least 48 hours' public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.
(e) Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either (i) dismiss the complaint or (ii) issue a recommendation for discipline to the alleged violator and to the County Board Chairman, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline, and any fine imposed shall be a matter of public information.

(f) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within 7 business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within 7 days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the County Board Chairman or impose a fine upon the violator, or both.

(g) If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under subsection (e) within 7 days after the complaint is filed, and during the 7 days preceding that election, the Commission shall render such decision before the date of that election, if possible.

(h) The Commission may fine any person who intentionally violates any provision of Article 10 of this Ordinance in an amount of not less than $1,001 and not more than $5,000. The Commission may fine any person who knowingly files a frivolous complaint alleging a violation of this Ordinance in an amount of not less than $1,001 and not more than $5,000. The Commission may recommend any appropriate discipline up to and including discharge.

(i) A complaint alleging the violation of this Act must be filed within one year after the alleged violation.
ARTICLE 25

PENALTIES

11 Section 25-1. Penalties. (a) A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed $2,500.

(b) A person who intentionally violates any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than $1,001 and not more than $5,000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed $2,500.

(d) A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by the Kendall County State's Attorney by filing in the circuit court an information, or a sworn complaint charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

(e) A violation of Article 10 of this Ordinance may be prosecuted as a quasi-criminal offense by the Kendall County State's Attorney, or, if an Ethics Commission has been created, by the Ethics Commission through the designated administrative procedure.

(f) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge.
SECTION 2: Repeal of original gift ban provisions. Ordinance Number 98-28, adopted on November 17, 1998, is hereby repealed.

SECTION 3: This Ordinance shall be in effect upon its passage, as provided by law.

Dated: This ___ day of ______________, 2012.
ORDINANCE NUMBER 2012-________

MAP AMENDMENT FOR 3.0 ACRES OF A 16.2 ACRE PARCEL
Rezone from R-1 to A-1 at 7400 East Highpoint Road

WHEREAS, Soukthavy Heminthavong, has filed a petition for a Map Amendment from R-1 to A-1, for property located on the East side of Highpoint Road, approximately 0.25 miles south of Route 71, in Section 8 of Kendall Township; and

WHEREAS, said property is identified with the tax identification number 05-08-151-005 and is legally described below; and

THAT PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, WOODLAND ACRES, AS SHOWN BY THE PLAT THEREOF RECORDED SEPTEMBER 23, 1971 AS DOCUMENT 71-3652; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID WOODLAND ACRES, 43.95 FEET FOR THE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WESTERLY LINE AND SAID WESTERLY LINE EXTENDED, 1333.28 FEET TO A POINT WHICH IS 314.70 FEET NORTHERLY OF THE NORTHEWST CORNER OF SAID WOODLAND ACRES; THENCE WESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 72° 58' 39" WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 702.68 FEET TO THE CENTER LINE OF HIGHPOINT ROAD; THENCE SOUTHERLY ALONG SAID CENTER LINE, TO A LINE DRAWN PERPENDICULAR TO SAID WESTERLY LINE FROM THE POINT OF BEGINNING; THENCE EASTERLY ALONG SAID PERPENDICULAR LINE, 536.64 FEET TO THE POINT OF BEGINNING IN KENDALL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

WHEREAS, said property is currently zoned R-1 and improved with an existing single family home per Ordinance 1987-15; and

WHEREAS, the petitioner desires to rezone the 3.0 acre property back to A-1 in order to build a guest home on the parcel; and

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Zoning Board of Appeals on August 27, 2012; and

WHEREAS, the Kendall County Board 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 a zoning map amendment from R-1 to A-1 on the tract of land located and depicted on the Plat of Survey attached as "Exhibit A" hereto and incorporated herein and rescinds Ordinance 1987-15 rezoning the 3.0 acres from A-1 to R-1.

IN WITNESS OF, this ordinance has been enacted on September 4, 2012.

Attest:

__________________________________________  ____________________________________
Debbie Gillette                                      John Purcell
Kendall County Clerk                                Kendall County Board Chairman
INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF MILLBROOK
AND THE COUNTY OF KENDALL

THIS AGREEMENT, made this 21st day of August, 2012 by and between the VILLAGE OF
MILLBROOK, a body corporate and politic, and the COUNTY OF KENDALL, a body corporate
and politic, WITNESSETH:

WHEREAS, the Village of Millbrook was incorporated by act of the voters on November 5th,
2002, and

WHEREAS, Article VII, Section 10 of the Illinois Constitution and the Intergovernmental
Cooperation Act (5 ILCS 220/1 et seq.) permits units of local government to obtain or share services
and to jointly contract, combine or transfer any power, privilege, function or authority among
themselves, and

WHEREAS, the Local Land Resource Management Planning Act (50 ILCS 805/6) provides
that a municipality and a County may enter into intergovernmental agreements for joint or
compatible planning, local land resource management administration and zoning ordinance
enforcement, and

WHEREAS, the Village of Millbrook adopted a Comprehensive Plan on January 24th,
2009, and

WHEREAS, all the property located within the described boundaries of the Village of
Millbrook have been heretofore subject to the building and zoning codes of the County of Kendall,
and to the County Flood Plain, Soil Erosion and Stormwater Management Ordinances, and

WHEREAS, the parties desire to continue that relationship,

NOW, THEREFORE, it is hereby agreed as follows:

1) The above recitals are incorporated by reference as if fully set forth herein.

2) That the Village of Millbrook has by ordinance duly adopted the Zoning Ordinance
of the County of Kendall, the Building Code of the County of Kendall, the Comprehensive Plan of
the County of Kendall, the Subdivision Control Ordinance of the County of Kendall, the
Countywide Stormwater Management Ordinances as its own and further agrees that any subsequent
text amendments to said ordinances and plans as may be adopted by Kendall County from time shall
be adopted and incorporated by the Village of Millbrook as its own.

3) That for the consideration of $1 the receipt and sufficiency of which is hereby
acknowledged, the County of Kendall agrees to continue administering the County Ordinances for
the Village of Millbrook as described in Paragraph (2) above and in accordance with the procedures
attached hereto as Exhibit A and incorporated herein by reference all of which have been duly
adopted by the Village of Millbrook, and apply them to all properties located within the municipal
boundaries of the Village of Millbrook.

4) That the Village of Millbrook shall reimburse the County of Kendall for any actual costs
incurred acting on behalf of the Village of Millbrook as provided herein. The Village of Millbrook
will not be required to reimburse the County of Kendall for employee salaries or benefits.

5) The Village of Millbrook shall defend with counsel of the County's own choosing,
indemnify and hold harmless the County of Kendall, it past present and future board members,
elected officials, insurers, employees and agents from and against any and all claims, liabilities,
obligations, losses, penalties, fines damages and expenses and costs relating thereto including but not
limited to attorney’s fees and other legal expenses which the County, its board members, elected
officials, insurers, employees and/or agents may sustain, incur or be required to pay arising in any
manner out of the County’s performance or alleged failure to perform its obligations pursuant to the
Agreement.

6) That the Village of Millbrook shall secure, pay for and maintain throughout the period
during which services are provided under this Agreement, auto liability and general liability
insurance with minimum limits of coverage equal to or greater than those limits maintained by the
Village on the date of the execution of this agreement attached hereto as Ex. B and incorporated
herein by reference. The Village's auto liability and general liability coverage shall be primary
coverage in circumstances of alleged or proved errors or negligence by the County or the County's
employees, arising out of the County’s performance or alleged failure to perform its obligations
pursuant to this Agreement. The Village’s coverage shall name the County of Kendall as an
additional insured, with its members, representatives, officers, agents and employees. A certificate of
insurance evidencing the required coverage and the appropriate additional insurer’s endorsement
shall be furnished to the County upon execution of this Agreement. Such insurance shall be
modifiable or cancelable only upon written notice by registered mail, mailed to the County at least
ninety (90) days in advance of such modification or cancellation. The Village shall furnish a copy of
its insurance policies for examination by the County at any time upon demand of the County.

7) That this Agreement shall be for a term of one (1) year, commencing on the date of
execution hereof, subject to annual renewal by the parties at least 30 days before the anniversary
date each year, said renewal to be in writing.

8) This Agreement may be terminated by either party upon 30 days’ written notice to the
other party.

9) 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.

10) 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.

11) The County of Kendall and the Village of Millbrook 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.

12) 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.

13) Any notice from either party to the other party hereto shall be in writing and shall be deemed served if mailed by prepaid certified mail addressed as follows:

Kendall County Administrator
111 West Fox Street
Yorkville, Illinois 60560

Village of Millbrook
PO Box 51
Millbrook, Illinois 60536

VILLAGE OF MILLBROOK
BY: ____________________________
Village President- Jackie Lemmerhirt
ATTEST: _________________________
Village Clerk

COUNTY OF KENDALL
BY: ____________________________
Chairman of Kendall County Board
ATTEST: _________________________
Kendall County Clerk

-3-
Call to Order
The Economic Development Committee met at 8:30am and was called to order by Dan Koukol, Chairman of the Kendall County Economic Development Committee.

Roll Call
Members Present: Dan Koukol, Bob Davidson, Jessie Hafenrichter, and John Shaw
Staff Present: County Administrator Jeff Wilkins and Associate Planner John Sterrett
Also Present: Mayor Bob Hausler of Plano

Approval of Agenda
Jessie Hafenrichter made a motion, seconded by Bob Davidson, to approve the agenda.

Approval of Minutes
Bob Davidson made a motion, seconded by Jessie Hafenrichter, to approve the July 27, 2012 meeting minutes.

Old Business
Update of Loans
Mr. Sterrett gave an update on the existing revolving fund loans and the payment status.

AIRE Tradeshow
Mr. Sterrett stated that the AIRE Tradeshow will take place on Wednesday, September 12th in Bloomingdale. The county has registered and the payment was sent out earlier in the week. The local economic development corporations within the county will be accompanying county staff at the tradeshow. The local EDCs and county staff have come up with possible marketing techniques to promote Kendall County during the tradeshow. A technique that county staff and the local EDCs decided upon was to have a drawing for a giveaway. Bob Davidson made a motion, seconded by Jessie Hafenrichter, to authorize an amount of no more than $150 for the purchase of a giveaway.

Illinois Enterprise Zone Legislation
The Committee went over the recent changes to the Illinois Enterprise Zone Act signed by Governor Quinn on August 7th. Mr. Koukol clarified that no location for a potential enterprise zone has been discussed and that no application process has begun. At this point county staff has only researched the contents of the new legislation. Mr. Wilkins and Mr. Sterrett went through the background on the enterprise zone legislation. The Committee discussed the importance of existing infrastructure within a proposed enterprise zone. The Committee stated that if the county does intend to move forward with applying for an area to be designated as an enterprise zone, they will keep the municipalities informed throughout the process.

Small Business Assistance Questionnaire
Mr. Sterrett stated that the Small Business Assistance Questionnaire has been put on the website for individuals to participate in.

Business Retention Visit
Mr. Sterrett stated that the business retention program will be moving forward with conducting the first interview. Mr. Wilkins explained that the EDC director for the community in which a business is located in will also be participating with the business retention visits.
New Business
*United City of Yorkville – Potential Loan*

The County was recently contacted by the United City of Yorkville about the possibility of a potential loan from the County’s Revolving Loan Fund to the City for a project in the downtown area of Yorkville. The project involves burying existing ComEd lines that currently run overhead behind several buildings on the west side of Bridge Street (Illinois Route 47). The City has indicated that the loan amount would be in the range of $200k-$250k. A loan amount of $250,000 would require the creation or retention of at least seventeen (17) jobs as a result of the project, based on the State criteria of one job created/retained for every $15,000 loaned. Prior to the distribution of any funds, an environmental assessment process would need to take place involving a public hearing and could take up to three months to accomplish. The Committee discussed how the loan might be structured if it were to be approved and whether or not the payments would be made annually, semi-annually, quarterly, or monthly. Bob Davidson made a motion, seconded by Jessie Hafenrichter, for the Committee to consider a $250k loan for 3.1% for 8 years. With a voice vote of all ayes the motion carried. The committee stressed that this was only a consideration of a loan application and was neither an approval nor a guarantee of an approval for a loan.

The Committee requested that a representative from the United City of Yorkville attend the September Economic Development Committee meeting to provide more details on the concept of the project as well as the job creation involved and provide an update on the overall downtown project.

*Economic Development Website*

Mr. Sterrett gave a brief update on the website for economic development and stated that he and Gina Hauge from Tech Services have been working to provide more information on the website. The website has now gone live and is more user-friendly.

*Other Business*

*Public Comment*

None

*Adjournment*

With no further business to discuss, Bob Davidson moved to adjourn. The motion was seconded by Jessie Hafenrichter. There being no objection, the Economic Development Committee, at 9:23am, adjourned.

Respectfully Submitted,

*John H. Sterrett*

Associate Planner
KENDALL COUNTY
Finance Committee Meeting
BUDGET HEARINGS
Tuesday, August 28, 2012

COUNTY BUILDING
County Board Room

MINUTES

1. Call to Order – Chair Anne Vickery called the meeting to order at 8:30 a.m.

2. Roll Call: Jessie Hafenrichter, Nancy Martin, Suzanne Petrella, and Bob Davidson (9:02 a.m.)

3. Discussion of current budget – Latreese Caldwell reviewed the current revenue and expenditures as of July 31, 2012:

   Actual $524,000 deficit – last year 1.2 million deficit. Caldwell said we have not received all of the property revenues. Property tax revenues, other taxes, fees and revenues from revenue and intergovernmental transfers have increased.

   **Detail of Revenues** – Total Revenue: $896,545 received above revenue last year

   Main Revenue Increases because of Sheriff’s fees, other fees and services, Corrections board and care; PBZ fees, miscellaneous revenue for Circuit and County Clerk; Salary reimburse from State - $132,000; did not anticipate as much for the State’s Attorney’s Office, Public Defenders Office and the Assessment Office, but received more than expected.

   **Expenditures** - salary lines increased due to raises, health insurance cost increased (10%) and higher enrollment increase in KC; contractual and services (general fund) costs are down compared to last year; utility costs are down $29,000 compared to last year; capital expenditures are down (not including capital improvement budget); and Transfers Out - KenCom transfers out increased $98,047 $740,000 higher than last year

   **Projected Fund Balance:** End of Fiscal Year Revenues: $22.5 million; End of year fiscal Expenditures: $22 million

   Ending Balance: $14,142,000

   Projected Deficit 2013: $1.9 million Actual Deficit 2012: $3 million

4. **Review of Budgets**

   **PBZ** - Angela Zubko said they have maintained most numbers the same.
Requested Increases: Microfilming Reproduction - $3000; Deed Record Search - $2500

Revenues: Projected revenue will increase to $40K; Recording fees will increase; zoning fees will remain the same; special use hearing officers increase

Overall: down 14%

Assessment Office - Andy Nicoletti reported the Farmland Review Board (Hafenrichter, Nicoletti, and ) has decreased slightly from last year; department budget down 0.3% Decreases in publications and commodities. The FY13 assessment budget includes a raise of $7916 for the Assessor (11%) based on merit. Hafenrichter said that Nicoletti has saved the County approximately 66% on cases by doing the work himself instead of outsourcing it. Hafenrichter reminded the committee that the state pays over half of the Assessors salary per year.  Overall: down 0.3%

KC Soil & Water – Megan Andrews distributed their funding update information and reviewed the State Operational Allocation:

65% decrease, state association searching for outside funding – Senate bill 1849 includes them in additional funding; $44 K provided from the State; County Board contribution in FY 12 of $32,000; requesting $32,000 this year as well.

They experienced a decrease in clerical support from full-time to part-time last year; two full-time (Megan and Jenny) covering office responsibilities when needed.

Jenny Wold reviewed the education program which is very active and growing every year. They are currently in every public school in the County and provide agricultural information, resources and education to all students and teachers. They also provide teacher trainings, free publications and resources through their resource lending library to all County teachers. Jenny has conducted 475 classroom presentations to over 11,000 students in Kendall County last year. Committee Chair recommended adding an additional 5K because of the contributions they have made to various County offices: Highway, PBZ, Forest Preserve, Storm Water Planning

Coroner’s Office - Ken Toftoy said the only change would be moving $3000 from Training to be split to $2000 toward per diem for the deputies and $1000 for vehicle maintenance. No other changes to the budget. He did not add any part-time help for this year, and said the person filling in part-time would not be charging the County.

Cell Phones – Toftoy said they had a change in the cell phone package to $89 per month per phone (2 active and one backup phone), for a total of $5000. Toftoy said the package had recently been changed to $89 per phone per month. Vickery
recommended Toftoy correctly list the cell phone budget as $2500 for FY13.

Martin asked about the on-call stipend and how deputies are now paid for on call responses. Jacque Purcell explained that deputies are now paid hourly for any on-call, and that the hourly rate is different for each deputy, instead of the $2.00 per hour per call. The KC State’s Attorney’s office advised that deputies could no longer be paid a set per diem per call to be in compliance with the IRS.

Vickery questioned the FY13 budget request for Autopsies and asked why the budget line was not increased to reflect what the actual trend will be. Martin suggested the line item for Autopsies should be changed to $20,000 for FY13. Petrella suggested an accurate listing in that line item as $22,000 - $25,000. Hafenrichter expressed concern that there might have been other budget line items that were over-budget, and not listed accurately. Toftoy said that revenue taken in for autopsies covers training.

Discussion on the two grants totaling $18,500 and regulations/restrictions of those grants. Toftoy said they plan to use the grant funds for new radios and possibly a new vehicle. Hafenrichter asked for Toftoy to rearrange the budget to make it more accurate and reflect the actual numbers. Toftoy stated that he operates under the state statutes and will work with whatever dollar amount the County budgets.

**Recommendations to Line Items:** reduce Cell Phones to $2500, increase Autopsies by $7500.

**Highway Department** - Fran Klaas stated the combined levy is the same as last year and $10,000 less than two years ago.

Klaas said they have transferred $100,000 into the building fund (fund created for the Highway Department to repay the General Fund), and plan to transfer an additional $100,000 this fiscal year to pay it off faster than originally planned. Hafenrichter asked for explanation of the building fund. Klaas said the general fund loaned the highway department 1.3 million.

Klaas said they are beginning union negotiations for a new contract on September 6, 2012 with the KC State’s Attorney’s office and union representatives.

Vickery asked about the anticipated participation for the salt storage shed. Klaas stated that all municipalities excluding Plano, Yorkville, Lisbon and Oswego are currently paid-off. Davidson said that the salt shed is currently three-fourths full.

Klaas said the Motor Fuel Tax Fund projects this year are Galena Road, Walker Road resurfacing for a total of $2 million. He said they receive monthly allotments, and they do not want to overspend that balance so they don’t have to wait on funding when needed. He said they are also enjoying extra payments through the Illinois Capital which is distributed every year for five years. He
said they receive $303,000 every year. They will have two more years of that additional money.

**Facilities Management** - Jim Smiley said that Facilities is not a revenue generating account, but they do concentrate on obtaining savings for the County.

**Major increase overall would be 4.4%
Proposed savings of utility contracts would give an overall budget increase of 2.7%**

Mr. Smiley contributes the increase in the supply budget to the increased Jail Population (unable to forecast), an increase in additional copy machines and an increase in the amount of copy paper purchased.

Contractual services – added $10,000 for Historical Courthouse maintenance. Rental income is no longer enough to maintain the facility.

Mr. Smiley projects a savings of approximately $70,000 with the proposed electric and natural gas contracts this year.

Capital Items – Ongoing maintenance of the dishwasher in the Public Safety Center. Smiley said he budgeted $20,000 to replace this in FY13. He is also budgeting for preventative roof maintenance, parking lot preventative maintenance, Public Safety Center monolithic shower coating replacement, Public Safety Center indoor recreation and cell stair coatings, build out existing courthouse shell space for Judge’s chambers, remodel two areas at the Public Safety Center, miscellaneous phone additions, and Architectural Cost to design new courtrooms (DD only).

**Administrative Services** – Jeff Wilkins reviewed the forty-eight budgets. Contractual Services - $30,000 for Consolidated Waste Consultant. Staffing – new HR Coordinator starting on September 10, 2012, with a proposed salary of $50,000. Wilkins said John Sterrett is now part of Administrative Services and that his salary will be split between Administrative Services and Economic Development.

County Board Budget – **Remove stipend of $6000** Vickery said that the **per diem line item should be lowered by $15,000** by combining committees and meetings. **Committee recommends lowering the Per Diem line to $82,000.**

Capital expenditures – Facilities $170,000; Sheriff - $110,000 for new vehicles; Technology requesting $479,000 for Sheriff’s office equipment upgrades, Circuit Clerk

Health Insurance Expenditure – General Insurance and Bonding for the County budgeted and paid by Admin Services.
Liability Insurance – Current Tax Revenue at $806,118. Discussion on Highway Department, Health and Human Services, VAC, Forest Preserve and KenCom levy and liability.

Social Services for Senior Levy Grant – budget same as last year. Wilkins asked if this levy should remain the same or be increased. Committee felt it is based on need, and that it should remain the same.

KAT Fund – Wilkins reported we will receive new vehicles at no charge to the County, using toll way credits. We had requested four new vehicles, but have not heard how many we will actually receive.

Public Safety Capital Improvement Fund – Wilkins said we could use these funds to purchase new equipment for the Sheriff’s Department vehicles, and the addition of one new courtroom. Wilkins said this fund would not fund two additional courtrooms.

Capital Improvement Fund primarily funds the County Office Building campus, the KenCom Expansion, repairs on the generator, and other facilities projects.

General Fund Special Reserve Fund – last year no funds added, but funds transferred to the General fund. Wilkins said transferring funds is at the desecration of the Committee.

Courthouse Expansion Construction Fund - $38,600 available.

Historic Courthouse Restoration Fund – not many revenues coming in. Special Construction for Public Safety Center Basement. Wilkins said this should be a 0 expenditure.


3. Other Business

4. Executive Session

5. Adjournment – Martin made a motion to adjourn, second by Hafenrichter. Meeting adjourned at 12:16 p.m.

Respectfully submitted,

Valarie McClain, Administrative Assistant, Administrative Services
1. **Call to Order**: Chair Anne Vickery called the meeting to order at 9:00 a.m.

**Roll Call**: Bob Davidson (9:04 a.m.), Jessie Hafenrichter, Nancy Martin, Suzanne Petrella,

Board Members Present: John Shaw, Dan Koukol (9:55 a.m.)

2. **Review of Budgets**

**Probation Office** – Tina Varney began with Combined Court Services budget. Areas where they project to be under budget:
- Juvenile Detention - *anticipate approximately $57,000 below budget this year*
- Juvenile Residential Placement – anticipate an $80,000 deficit in spending this year.
- Bishop On-Call: Contractual requirement for Probation Officers, high risk domestic violence technology monitoring. Anticipating a decrease in this budget line item

Probation is **requesting a new support staff position with a salary up to $28,000 per year**. This position would assist with data entry allowing Probation Officers to focus on PSI reports. Funds will come from the Circuit Administrative Expense that will be reallocated to the new support staff position, with additional funds coming from the Board.

Probation Services Fund – Requesting these funds to pay GED testing for clients. Currently GED classes are free, but the cost for the GED test is $50 per person.

Also want to add and pay for Substance Abuse Evaluation and Education component for court ordered offenders, and a Parenting Program for parent juvenile delinquent clients.

**Sheriff’s Office** – Scott Koster addressed some of the challenges of their budget including: ongoing union contract requirements, an increase in overtime expenditures for police services, fuel and vehicle maintenance costs, protecting discretionary funds from deficit spending.

Salary – **requesting an increase of $126,540**

Contractual and Commodities: **requesting an increase of $28,000**
Corrections Increases:

- Salary – requesting $111,912 increase
- Contractual and Commodities – requesting an increase of $1,400
- Capital Expenditure Request - requesting a total capital of $110,000 for replacement of four squads at $27,500 each (fully equipped)

2013 Non-General Fund Expenditures: showing a reduction of nearly $70,000 from FY12

2013 Revenue Projections for 2013 – an increase of $269,800 over FY12. Current fiscal year revenue will exceed 2012 estimates by approximately $165,000.

State’s Attorney’s Office – Eric Weis provided an overview of his budget. Weis is requesting a part-time position at a salary of $60,000 to replace ASA now negotiating union contracts for the County.

Weis doesn’t anticipate the need for additional staff up to and including seven judges, or based on the current criminal case level, or the addition of the 23rd Circuit. Weis said all case loads are up approximately 5%.

Treasurer’s Office – Jill Ferko Began with Treasurer’s Budget and said overall she is showing an increase due to her request for a new Chief Deputy Treasurer position at a starting salary of $58,000. Ferko is requesting the new position based on the growth in her office, an additional 113 employees in the County; property tax mailings, property tax collection, and payroll purposes that are now required to produce additional W-2’s, accounting, bookkeeping, and payroll for KenCom as a separate entity.

- requested Increases:
  - $58,000 new Chief Deputy Treasurer position
  - $5,970 for employee job promotion due to employee retirement

Health Department – Dr. John Palmer, President of Board of Health, briefed the group on service expansions, with no staff increase. Dr. Palmer stated he is proud of the work that continues at the HHS.

Dr. Tokars briefed the group on the structure of the organization, new programs in the County and the team effort of HHS on the budget.

Dr. Tokars said that any employee hired in FY12 did not receive an increase, but that all other employees received a 2% increase, which equates to a 1% increase across the board.

Tokars reported a decrease in number of cell phones needed (17 phones), change to Verizon, and eliminated 8 cell phones, added two field phones resulting in a reduction to $6460 for phones.
Projected Increases: Salary $93,384

EMA - Joe Gillespie said that the EMA has now been accredited. A Communication Unit Leader for the State is now on staff (volunteer position) to provide radio programming service to the County at no additional cost.

Gillespie is researching participation in IPAWS – a national alert system (cell phone alert system) that he plans to begin utilizing in the near future, and hope to be IPAWS proficient by the end of the year.

Gillespie asked that all board members become NIMS compliant, 700-800 as soon as possible.

708 Mental Health Board – Jessie Hafenrichter reported that they are keeping the budget the same as FY12. Hafenrichter stated that Education Services Network, Suicide Prevention and CASA did not apply. There is $3000 in reserve should CASA have need in the near future. Hafenrichter said the need for all organizations greatly increased this year.

Kendall Grundy Regional Office of Education – Paul Nordstrom reported their budget down by $6400 from FY12, due to the elimination of an unneeded phone cost.

Illinois is reducing the number of Regional Offices by nine offices in 2013, but Grundy-Kendall ROE will not be affected.

The ROE continues to provide the services of finger-printing, GED testing, and renewal of Teaching Certification for all teachers employed in KC. Nordstrom reminded the committee of the continued need for the ROE within the County, and the many services that they provide to the citizens.

Nordstrom said the ROE is currently working with the Probation Office on GED testing for Probation clients.

Down: -6.9%

3. Other Business

4. Executive Session

5. Adjournment – Motion made by Jessie Hafenrichter, second by Nancy Martin, the meeting adjourned at 12:16p.m.

Respectfully submitted, Valarie McClain, Administrative Assistant, Admin Services
KENDALL COUNTY  
Finance Committee Meeting and  
BUDGET HEARINGS  
August 30, 2012  

COUNTY BUILDING  
County Board Room  

MINUTES  

1. Call to Order – Chair Anne Vickery called the meeting to order at 9:00 a.m.  

2. Roll Call: Jessie Hafenrichter, Nancy Martin, Suzanne Petrella, Bob Davidson  

3. Review and Approval of Claims – Hafenrichter made a motion to present to the Board, second by Petrella. Motion carried.  

4. Action Items for the Board – Claims in the amount of $620,654.75  

5. Review of Budgets  

   Public Defender’s Office – Vicki Chuffo said she has increased her salary line by 1% to be compliant with the statute. The total increase is  

Collection of $18,800 in Public Defender Fees will be deposited into the General Fund/Public Defender Fees line (0101191205)  

   Animal Control – Anna Payton said the beginning balance at FY13 of $424,500 above expectation; expect an ending balance an 837% increase to FY2012  

   - **Increase of $3100** Running at Large fee to State Pet Population Fund for the State  

   - **Increase of $10,000 Building Improvements (Air Conditioning)**  

   - Requested increase of $5000 for Warden; increase of $2,500 for Assistant Warden; increase of $15,496 for other assistants; increase of $1000 for AC Administrator  

   - Contractual  

   Training and Conferences – **an increase of $1000**; Vehicle Expense/Gas – **an increase of $500**  

   University of Illinois Extension Program – Wayne Mundsinger and Sandra Davis presented their budget and said they are asking for the same budget as FY12 although
their services have increased; new 4H program added this year using volunteer students from Aurora University

**Minimal increases in utilities, rent, postage, mileage, printing, office supplies**

**Clerk and Recorder’s Offices** – Debbie Gillette presented her budget.

- **Projected Increases:** $3000 Temporary Help

**Board of Review** – Jessie Hafenrichter reviewed the budget.

- **Projected Increases:** $3000 Personnel (based on 600 hours per year)

**Technology** – Stan Laken provided a summary of his budget.

- **Projected Requests:** $101,000 72 Workstations, 1 Printer, 1 Laptop, 5 LCD Monitors, 2 Cisco 48 Port Switches, 5 VM Host Servers

**Other Department Requests:**
- $199,736 Sheriff’s Department
- $382,636 Judiciary, Animal Control, Technology
- $172,300 Special Projects/Capital Expenditures

**GIS Mapping** -

**Circuit Clerk’s Office** – Becky Morganegg presented her budget.

- **Projected Increases:**
  - Salary – Deputy Clerks $73,568
  - Court Automation $372,000
  - Child Support Collection Salary $10,708

**Judiciary/Legislative** – Judge Tim McCann presented his budget.

- **Projected Increases:**
  - Circuit Court Judge: Statutory Expense $10,000
  - Jury Commission: Petit Juror Per Diem $2,500
  - Law Library: SAO Westlaw Online $93
  - Books/Subscriptions $9,250

3. **Other Business**
4. **Executive Session**
5. **Adjournment** – Motion made by Martin, seconded by Hafenrichter. Meeting adjourned at 12:16 p.m.

Respectfully submitted, Valarie McClain, Administrative Assistant, Admin Services
KENDALL COUNTY
Judicial/Legislative Committee
Meeting Minutes
August 22, 2012
Courthouse
Jury Assembly Room

Call to Order
The Judicial Legislative Committee met at 3:00pm and was called to order by Chair Dan Koukol.

Roll Call
Committee Members Present: Jessie Hafenrichter, Dan Koukol

Committee Members Absent: Bob Davidson, Suzanne Petrella

Also Present: Vicki Chuffo, Nicole Kollins, Commander Robert Leinen, Nancy Martin, Becky Morganegg, Bob Shaw, Eric Weis, Commander Robert Wollwert

Review of Last Month’s Minutes – Hafenrichter made a motion to approve the July 25, 2012 meeting minutes, seconded by Shaw. Minutes approved.

Old Business None

New Business None

Status Reports

Probation – Tina Varney provided monthly juvenile probation report. Varney said her office is currently developing policies for the probation offices of the 23rd District and said they are using the policies currently used for the 16th District Probation Office.

Circuit Clerk – Becky Morganegg reported 2012 foreclosures are a close match to the 2011 numbers. Morganegg said she is working with Technology and Facilities on Video Call Boards, software and hardware installations, and said that Technology has been very helpful in researching, advising and assisting in the purchasing and installation process. She continues to meet with Facilities Management on the progress of the project.

Public Defender – Vicki Chuffo reported on August Felony and DUI cases, and said that there has been an increase in those cases for a second month.

State’s Attorney – Eric Weis informed the committee that he does not anticipate an increase in his staff in regards to the increase of judges in the near future.

Weis reported he will advertise in September for a replacement of the civic position that will be vacated because of Leslie Johnson’s concentration on Union Contract
Negotiations. Weis said he has included the addition of $60,000 in his upcoming budget, and will advertise for a full and/or part-time position to fit the needs of his office.

**Courthouse** – none

**Sheriff’s Office** – Report as submitted.

**Court Security** – Report as submitted.

**Facilities Management** – Koukol asked why the construction fence was placed down on the stairway, Smiley said he called the contractor regarding this issue, and that Facilities Management personnel had lowered the fence to the ground to prevent injury or accident. The Contractor has not responded to his request as yet. Smiley also reported he has addressed the various sidewalk construction issues with the contractor, and that he is in discussions with the contractor and Gilbane regarding removal and replacement of the stairs due to the poor workmanship. Smiley will keep the committee updated.

Hafenrichter, Koukol and Shaw spent time viewing the Courthouse staircase construction issues with Smiley following the meeting.

**Actions Items** - None

**Public Comments** - None

**Executive Session** - None

**Adjournment**
Motion was made to adjourn by Hafenrichter, second by Koukol. There being no objection, the Judicial Legislative Committee at 3:25 pm, adjourned.

The next meeting is scheduled for Wednesday, September 26, 2012 at 3:00 p.m.

Respectfully Submitted,

Valarie A. McClain
Administrative Assistant
Administrative Services
LABOR & GRIEVANCE COMMITTEE MINUTES
August 27, 2012
3:00 P.M.
County Board Room

Meeting was called to order at 3:05pm.
Committee Members present: Nancy Martin, Bob Davidson, Dan Koukol
Other Board members: John Purcell
Staff present: Jeff Wilkins, Leslie Johnson

Items of business: Next meeting is scheduled for Monday, September 24 at 3pm.

Motion made by Martin, second by Davidson, vote 3 – 0 at 3:07pm to enter executive session per 5ILCS 120/2(c)(2) Collective negotiating matters between public body and its employees or their representatives, or deliberation concerning salary schedules for one or more classes of employees and per 5ILCS 120/2 (c)(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.

Committee entered open session at 4:18 pm.

Recommendations to County Board: Discussion at committee of whole or county board

Public comments: none

Questions from media: none

Meeting adjourned 4:18PM.

Respectfully submitted by Jeff Wilkins, County Administrator