**Call to Order**
The Committee of the Whole was called to order by Chair John Shaw at 4:10 p.m., who led the group in the Pledge of Allegiance.

**Roll Call**
Members Present: Amy Cesich - here, Lynn Cullick - here, Judy Gilmour - here, Scott Gryder - here, Dan Koukol - present, Matt Prochaska - here, John Purcell - yes, John Shaw - here, Jeff Wehrli - here

Members Absent: Elizabeth Flowers

Other Employees Present: David Berault, Leslie Johnson, Jim Smiley, Eric Weis, Jeff Wilkins

**Items of Business**

- **From Highway Committee**
  Agreement with Huff & Huff, Inc. for professional services to remediate UST issues with IEPA at the Highway Department for a not-to-exceed cost of $42,625 - Member Koukol explained that this issue has been discussed at the Highway Committee extensively. Mr. Koukol stated that years ago underground tanks were removed by a contractor and the filings and records were never found by the IEPA. The IEPA is now requiring the County to take numerous soil borings and install multiple monitoring wells, as well as perform sampling and testing of groundwater at the Highway Department as part of the Corrective Action Plan. Huff & Huff will handle project management, including sampling, testing and coordination with the IEPA.

- **From Admin HR Committee**
  The IMRF Notice to Governing Bodies regarding the 2013 Election of Executive Trustee – Item was removed from the agenda

- **From PBZ Committee**
  Petition 13-17: Maly Processing Plant - Special use for a Small Poultry and Small Animal Processing Plant – Scott Gryder briefed the committee on the special – use request and provided history on the request.

  Angela Zubko provided additional information on the recommended conditions for the petitioners:
1. A maximum of 21,000 units per week
2. Facilities (the unloading area) must be located at least 400’ from any principle structure.
3. No rendering may take place on the site.
4. Live animals may be held on the site for no more than twenty-four (24) hours.
5. All slaughtering/processing permitted only in an enclosed building.
6. The hours of operation are to be 5:30am to 6pm, Monday through Friday except Saturdays in October and November to process turkeys.
7. In no event can poultry produced be sold for retail or wholesale by the processor on the processing site.
8. All applicable Federal, State and County rules and regulations shall apply.
9. Waste, by-products or any decomposable residue which results from the slaughtering of animals must be kept in a sealed container and picked up within 48 hours.
10. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations).
11. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
12. Performance Standards. All activities shall conform to the performance standards set forth in section 10.01.G.
13. Engineering drawings including storm water must be approved before a building permit can be released.
14. Within 5 years, 50’ of the driveway must be a minimum of tar and chipped.
15. Kendall County staff will have access to the log books kept in-house to verify the limits are being maintained with regards to how many animals are processed weekly.
16. A certificate of occupancy will be required and copies of the EPA, IDPH and USDA permits supplied at the time of application for the building permit.
17. On the north side of the parking lot, a 3-4 foot in height berm with landscape to 100% opacity to shield car headlights.

Mr. Gryder explained why the PBZ Committee added the last two requirements.

Kelly Kramer, the attorney representing the petitioner, provided additional information of the petitioner’s compliance with the County’s requirements, the actions taken by the petitioner to comply, and also provided clarification of which governmental entities require what documentation for the processing plant.

The petitioner, Mr. Alan Maly answered questions regarding the proposal, the structure, the water table issue, the acreage for the processing plant, safety issues, potential jobs for County residents, concerns about possible water contamination, the septic system issue, resident concerns about contamination of their wells, the location, and the proper disposal of industrial waste.

Scott Gryder, Chair of the Planning, Building and Zoning Committee asked the State’s Attorney’s office to research whether there is potential liability for the
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County if the petitioner meets all of the conditions in the text amendment passed by the County in September 2013, if the County Board denies the request for the A-1 Special Use permit. Ms. Johnson stated that the SAO will research and provide additional information if possible, at the County Board meeting on November 19, 2013.  

Public Comment  

Mr. Cliff Thrall, 310 Renesoy Drive, Newark, neighbor of the proposed processing plant and a licensed waste-water system professional reported that an average home uses 500 gallons of water per day. Mr. Thrall provided the EPA guidelines for a processing plant, and expressed his concerns for the location of the proposed plant.  

Mrs. Kate Thrall, 310 Renesoy Drive, Newark, neighbor of the proposed processing plant, informed the committee of a petition in disapproval of the proposed processing plant, circulated to and signed by approximately 90 local residents, and expressed her concerns for installing a processing plant at that location. Mrs. Thrall stated that not all of the Village of Newark Trustees is in agreement of the proposed processing plant, since two the trustees signed the petition of disapproval.  

Mr. Ken Ahnert, 315 Conrad Court, Newark, expressed his concerns about the increased traffic, decreased property values, and safety for residents, if the County approves the processing plant.  

Mr. Jim Sperlakis, 507 Renesoy Drive, Newark, neighbor of the proposed processing plant, expressed his concerns that he was not notified earlier about the proposed plant, the disposal of the gray residual water, and the possible contamination of water, the type of septic system being installed, the smell of a processing plant, and the effect the plant would have on his property value.  

Mr. Peter Renz, 504 Renesoy Drive, Newark, expressed his concerns about the lack of water for the community because of and the amount of water the plant will use, the smell of the processing plant, and the inappropriate use of the property in that location.  

The Committee took a break at 5:27 p.m. The meeting reconvened at 5:34 p.m.  

Petition 13-29: Historic Preservation Ordinance Amendment – Item was removed from the agenda until additional information is available  

➢ From the County Board Chairman  

Transparency Ad-hoc Committee – Board Chairman John Shaw stated he is forming this committee because of the ongoing investigation by the Sheriff’s Office at the request of the Grand Jury regarding the supposed or perceived violation of per diems by eleven members of the current and past Board members. Mr. Shaw said that he is changing the name to the Per Diem Ad-hoc Committee. Mr. Shaw appointed Amy Cesich as the Committee Chair, Lynn Cullick as the Vice Chair,
and other committee members appointed are Matt Prochaska, Scott Gryder and Judy Gilmour.

Amy Cesich stated there is no way to know when the investigation will end, or what issues will surface. Ms. Cesich said that taking a pro-active role to avoid similar issues in the future will be beneficial to the current and future County Board members and the County. Ms. Cesich is recommending that this committee to be a voluntary committee so that there is not any additional cost to the citizens.

Ms. Cesich stated there needs to be a standard form used by everyone, additional procedures and policies to guide Board members, and the need to address and budget for outside or other meetings or events that Board members attend.

Mr. Prochaska stated that he would like to ensure that the goals and purpose of the committee are provided in writing.

Ms. Cesich stated that Jill Ferko will be available to meet with the committee as needed, and Jeff Wilkins will attend each committee meeting.

*Lease agreement between Kendall County and Kendall County Board of Health for space at 811 West John Street* – Eric Weis stated the Jeff Wehrli has been working with the Department of Health and Human Services, and the other three occupants regarding the leasing of the County owned facility at 811 West John Street, Yorkville, IL. Mr. Weis reported that they are working toward a 19-year lease with the space configuration with the lease amount of $145,814 per year, paid quarterly. Mr. Weis, Dr. Tokars and Jim Smiley toured the facility to determine each space, and its usage. Mr. Weis said this will solidify the lease with the County, and the space allotted to each building occupant.

Mr. Weis said that there has been discussion on the lease amounts paid by KCEDC, Easter Seals and CASA.

Mr. Weis stated that if one of the other three occupants vacated the facility, that the vacated space would return to the Department of Health & Human Services.

Mr. Weis’ office is in the process of developing lease agreements with CASA and Easter Seals.

**Old Business** – None

**Review Draft Board Agenda** – Matt Prochaska asked that Public Safety be added to the Standing Committee report section on the November 19, 2013 County Board meeting.

Jeff Wilkins asked that we add under Compensation Coverage “*amount not to exceed $851,000*”

**Action Items for the County Board**
- Agreement with Huff & Huff, Inc. for professional services to remediate UST issues with IEPA at the Highway Department for a not-to-exceed cost of $42,625

- Petition 13-17: Maly Processing Plant- Special use for a Small Poultry and Small Animal Processing Plant

- Lease agreement between Kendall County and Kendall County Board of Health for space at 811 West John Street in the amount of $145,814 per year for 19 years, to begin on December 1, 2013.

- Resolution to add the Electric Aggregation issue on the March 2014 ballot

Questions from the Media – Ryan Morton, WSPY Radio, asked which Board members are still using the older half sheet per diem form. Member Wehrli is the only member still using the older form.

Matt Schury, Kendall County Record, asked which County Board members have already been interviewed by the Sherrif’s office regarding the Per Diem investigation. Member Wehrli stated that he has been interviewed.

Executive Session – None needed

Adjournment - Member Prochaska moved to adjourn the Committee of the Whole meeting and the motion was seconded by Member Koukol. There being no objection, the Committee of the Whole, at 6:16p.m. adjourned.

Respectfully submitted,

Valarie A. McClain
Administrative Assistant