KENDALL COUNTY BOARD
COMMITTEE OF THE WHOLE
Thursday, May 15, 2014 at 4:00 PM
COUNTY OFFICE BUILDING
111 W. Fox Street, Yorkville
County Board Rooms 209-210
AGENDA

1. Call to Order and Pledge of Allegiance

2. Roll Call

3. Items of Business

   Electric Aggregation Update – Jeff Wilkins

   From Public Safety Committee:

   - An Ordinance Increasing Fees Charged by the Kendall County Sheriff’s Office for the Taking of Bond

   - An Ordinance Increasing Fees Charged by the Kendall County Sheriff’s Office for the Service of Writs, Civil Process and Execute/Acknowledge Real Estate Deed of Sale

   - Discussion on possible resolution opposing SB3411: CNTY/MUNI-NO TICKET QUOTAS

   From Planning, Building & Zoning Committee:

   - Discussion on possible Medical Marijuana cultivation center in unincorporated Kendall County

4. Review Board Action Items

5. Executive Session

6. Public Comment

7. Questions from the Media

8. Adjournment
Electric Supply Aggregation Steps (Ameren Territory)

1. Residents Voted on Binding Referendum during Primary Election, March 18, 2014. **COMPLETED**

2. If Binding Resolution is approved, the County Board must have at least two public hearings and information meetings for residents. **Scheduled for April 10th and April 15th 2014** **COMPLETED**

3. County Board Approves Plan of Governance and Passes Ordinance. Board also gives Board Chairman authorization to sign with legal approval and lower rate – **April 15th 2014** **COMPLETED**

4. RFP and Rate Negotiation with Suppliers via an energy auction. Multiple Municipalities will be aggregated into one purchasing group. (DePue, Malta, Marseilles, Newark, North Utica, Kendall County – Ameren Territory) **May 7th 2014** **COMPLETED**

5. Rates are Reviewed by the County Board Chair and Staff to ensure lower pricing than Ameren. If lower, Board Chairman signs to hold rate for two days. Legal begins contract review. **COMPLETED**
   a. Expected Ameren Rate Effective June 2014 – 4.3 cents – No Aggregation Program at this time

<table>
<thead>
<tr>
<th>Supplier</th>
<th>1 Year Contract</th>
<th>2 Year Contract</th>
<th>3 Year Contract</th>
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<tbody>
<tr>
<td>Constellation</td>
<td>5.580 cents</td>
<td>5.620 cents</td>
<td>5.750 cents</td>
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<tr>
<td>Homefield Energy</td>
<td>5.296 cents</td>
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Electric Supply Aggregation Steps (ComEd Territory)

1. Residents Voted on Binding Referendum during Primary Election, March 18, 2014. **COMPLETED**

2. If Binding Resolution is approved, the County Board must have at least two public hearings and information meetings for residents. **Scheduled for April 10th and April 15th 2014** **COMPLETED**

3. County Board Approves Plan of Governance and Passes Ordinance. Board also gives Board Chairman authorization to sign with legal approval and lower rate – **April 15th 2014 COMPLETED**

4. RFP and Rate Negotiation with Suppliers via an energy auction. Multiple Municipalities will be aggregated into one purchasing group if timing of contracts allows. **May 6th 2014 COMPLETED**

5. Rates are Reviewed by the County Board Chair and Staff to ensure lower pricing than ComEd. If lower, Board Chairman signs to hold rate for two days. Legal begins contract review. **May 13th 2014 COMPLETED**

6. Board Chairman signs formal agreement (approved by legal) with winning supplier. **May 15th 2014 In Process**

7. Customer receives two opt out notices. One by winning Supplier and one by ComEd. **Late May/June 2014**

8. Customer is billed by ComEd at the new lower rate provided by the Supplier chosen. **Beginning with August 2014 bill.**
<table>
<thead>
<tr>
<th>Supplier</th>
<th>3 year Price</th>
<th>Rate Guarantee vs. ComEd</th>
<th>Aggregation Experience in Illinois</th>
<th>Early Cancellation Fee</th>
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<tbody>
<tr>
<td>First Energy</td>
<td>7.30 cents*</td>
<td>Yes</td>
<td>170</td>
<td>None</td>
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<tr>
<td>Constellation</td>
<td>7.46 cents</td>
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<td>Verde Energy</td>
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<tr>
<td>Mid American</td>
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<td>1</td>
<td>None</td>
</tr>
</tbody>
</table>

* Winning Supplier – No other Suppliers would Guarantee Rate
** Two Year Contract
Aggregation Facts

- First Energy - Winning Supplier
  - 7.30 cents – 3 year rate – Starting in August 1, 2014
  - ComEd Rate June 2014/2015 – without Purchased Electricity Adjustment (PEA)
    - Summer Rate – 7.646
    - Winter – 7.470
    - Blended – 7.558
- 102,558,525 - Total Annual kWh for unincorporated residents
- 12,166 – Average kWh Per Household
- $31.39 - Savings vs. ComEd 2014 Blended Rate
- $37.47 – Savings vs. ComEd 2014 Blended Rate with current (.005) Purchased Electricity Adjustment
- 8429 – Eligible Households
- $315,834 – Expected Annual Savings Community
- Customers will get two “Opt Out” Notices
- “Opt In” program
  - For customers currently with suppliers
  - For customers that move in after contract signed
- No Cancellation Fee – Customer can go back to ComEd without penalty
- No Additional Monthly Customer Charge
- Billed on ComEd bill
For More Information - Contact

Progressive Energy Group: Chris Childress
Managing Partner
630-800-0173
chris.childress@progressiveenergygroup.com

www.electricsupplyvote.org

Electric Aggregation Hotline: 1-800-856-3404

Citizens Utility Board:

http://www.citizensutilityboard.org/cubsGuidetoMunicipalElectricityAggregation.html

Illinois Commerce Commission (ICC) Plug In Illinois website:

http://www.pluginillinois.org/MunicipalAggregation.aspx
KENDALL COUNTY
Ordinance No. _______

An Ordinance Increasing Fees Charged by the Kendall County Sheriff’s Office for the
Taking of Bond

WHEREAS, the County of Kendall, pursuant to Section 5/4-5001 of Chapter 55 of the Illinois Compiled Statutes, may charge fees for providing services by the Sheriff’s Office of Kendall County, including a fee for the Taking of Bond. Said amount is currently set at $14.00.

WHEREAS, Section 5/4-5001 of Chapter 55 of the Illinois Compiled Statutes allows the County Board of Kendall County and the Sheriff’s of Kendall County to conduct a user fee study of the fees charged by the Sheriff and to allow for an increase of fees if the cost of the services provided by the Sheriff exceeds the statutory fees being charged; and

WHEREAS, the County Board of Kendall County, by resolution or ordinance, may charge an increase fee for the Taking of Bond by the Sheriff of Kendall County if a user fee study indicates that an increase of fees is warranted; and

WHEREAS, the Sheriff of Kendall County, pursuant to Section 5/4-5001 of Chapter 55 of the Illinois Compiled Statutes, retained the services of Fiscal Choice Consulting, an independent national cost accounting firm, to conduct a cost study to determine if the fees currently charged by the Sheriff for the Taking of Bonds, among other services, were sufficient to cover the costs of providing the service; and

WHEREAS, the cost study prepared by Fiscal Choice Consulting documented that the full cost of the services provided by the Sheriff of Kendall County for the fee charged for the Taking of Bond exceeds the current revenue received by the Sheriff of Kendall County for such service and, therefore, the County Board of Kendall County is permitted to increase the current fee for the Taking of Bond to recover the actual cost of the service provided; and

WHEREAS, the cost study by Fiscal Choice Consulting documented that the full cost to the Sheriff of Kendall County for the Taking of Bond is $35.00; and

WHEREAS, the Sheriff of Kendall County has reviewed the cost study by Fiscal Choice Consulting and is recommending that the County Board of Kendall County increase fees for the Taking of Bond to cover the full cost of service provided.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Kendall County that:

1). The above listed recitals are incorporated herein by reference.

2). The fee charged by the Sheriff of Kendall County for the Taking of Bond shall be set in the amount of $35.00.
3). This ordinance shall not supersede any other Ordinance enacted by the County
Board of Kendall County which establishes or sets fees to be charged for other
services provided by the Sheriff of Kendall County.

4). All supporting documents shall be public records and subject to public
examination and audit.

5). This ordinance shall become effective immediately upon adoption by the County
Board of Kendall County.

This ORDINANCE is hereby ADOPTED by the County Board of Kendall County, State of
Illinois, on the _____ day of ______, 2014

John Shaw-Kendall County Board Chairperson

I, Debbie Gillette, County Clerk in and said for County, in the State aforesaid, and the 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 ordinance adopted by the Kendall County Board, at its regularly
scheduled meeting in Yorkville, Illinois, on the _____ day of ____________, 2014.

Debbie Gillette-County Clerk
KENDALL COUNTY  
Ordinance No. ________

An Ordinance Increasing Fees Charged by the Kendall County Sheriff’s Office for the Service of Writs, Civil Process and Execute/Acknowledge Real Estate Deed of Sale

WHEREAS, the County Board of Kendall County has previously established, by resolution or ordinance, the fees for Service of Writs, Civil Process and the Execution/Acknowledge Real Estate Deed of Sale in the amounts of $83.00, $53.00 and $4.00 respectively; and

WHEREAS, Section 5/4-5001 of Chapter 55 of the Illinois Compiled Statutes allows the County Board of Kendall County and the Sheriff’s of Kendall County to conduct a user fee study of the fees charged by the Sheriff and to allow for an increase of fees if the cost of the services provided by the Sheriff exceeds the statutory fee; and

WHEREAS, the Sheriff of Kendall County, pursuant to Section 5/4-5001 of Chapter 55 of the Illinois Compiled Statutes, retained the services of Fiscal Choice Consulting, an independent national cost accounting firm, to conduct a cost study to determine if the fees currently charged by the Sheriff for the Service of Writs, Civil Process and the Execution/Acknowledge Real Estate Deed of Sale are sufficient to cover the costs of providing the service; and

WHEREAS, the cost study prepared by Fiscal Choice Consulting documented that the full cost of the services provided by the Sheriff of Kendall County for the Service of Writs, Civil Process and the Execution/Acknowledge Real Estate Deed of Sale exceeds the current revenue received by the Sheriff of Kendall County and, therefore, the County Board of Kendall County is permitted to adjust the current fees for the Service of Writs, Civil Process and the Execution/Acknowledge Real Estate Deed of Sale to recover the actual cost of the services provided; and

WHEREAS, the cost study by Fiscal Choice Consulting documented that the full cost to the Sheriff of Kendall County for the Service of Writs, Civil Process and the Execution/Acknowledge Real Estate Deed of Sale are $105.00, $59.50 and $15.00 respectively; and

WHEREAS, the Sheriff of Kendall County has reviewed the cost study by Fiscal Choice Consulting and is recommending that the County Board of Kendall County increase fees for Service of Writs, Civil Process and the Execution/Acknowledge Real Estate Deed of Sale to cover the full cost of services provided.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Kendall County that:

1). The above listed recitals are incorporated herein by reference.

2). The fee charged by the Sheriff of Kendall County for the Service of Writs shall be
set in the amount of $105.00. For Civil Process, the fee charged by the Sheriff of Kendall County shall be in the amount of $59.50. For the Execute/Acknowledge Real Estate Deed of Sale, the fee charged by the Sheriff of Kendall County shall be in the amount of $15.00.

3). The fee requirements shall not apply to officers, agencies and departments of the State of Illinois, police departments or other law enforcement agencies.

4). This ordinance shall not supersede any other Ordinance enacted by the County Board of Kendall County which establishes or sets fees to be charged for other services provided by the Sheriff of Kendall County including, but not limited to the fee amount previously set for evictions in the amount of $260 per Ordinance No. 07-02.

5). All supporting documents shall be public records and subject to public examination and audit.

6). This ordinance shall become effective immediately upon adoption by the County Board of Kendall County.

This ORDINANCE is hereby ADOPTED by the County Board of Kendall County, State of Illinois, on the _______ day of ________, 2014

John Shaw-Kendall County Board Chairperson

I, Debbie Gillette, County Clerk in and said for County, in the State aforesaid, and the 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 ordinance adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the _____ day of ____________, 2014.

Debbie Gillette-County Clerk
An Overview of Illinois' Medical Marijuana Law

On August 1, 2013, Gov. Pat Quinn signed HB 1, which will create a medical marijuana pilot program for the state of Illinois. Entitled the Compassionate Use of Medical Cannabis Pilot Program Act, the law represents nearly 10 years of hard work on the part of legislators, the Marijuana Policy Project, and hundreds of doctors and patients around the state to bring needed relief to the state's seriously ill patients.

Why is it called a “pilot program?”
The law was created with a “sunset” provision, meaning that if the legislature does not renew the program or create a new law, the program will cease to operate four years from the date it goes into effect.

How do patients qualify for the program?
The law allows physicians to recommend the therapeutic use of medical marijuana to patients who are under the doctors’ care for at least one of the 33 qualifying medical conditions. Qualifying patients who receive a written certification may register with the state Department of Public Health for legal status as a medical marijuana patient.

What medical conditions are included?
The qualifying medical conditions are: cancer; glaucoma; HIV/AIDS; hepatitis C; amyotrophic lateral sclerosis (ALS); Crohn's disease; agitation of Alzheimer's disease; cachexia/wasting syndrome; muscular dystrophy; severe fibromyalgia; rheumatoid arthritis; spinal cord disease; Tarlov cysts; hydromyelia; syringomyelia; spinal cord injury; traumatic brain injury and post-concussion syndrome; multiple sclerosis; Arnold Chiari malformation; spinocerebellar ataxia (SCA); Parkinson’s disease; Tourette's syndrome; myoclonus; dystonia; reflex sympathetic dystrophy (RSD); causalgia; CRPS; neurofibromatosis; chronic inflammatory demyelinating polyneuropathy; Sjogren's syndrome; lupus; interstitial cystitis; myasthenia gravis; hydrocephalus; nail patella syndrome; residual limb pain; or the treatment of these conditions. In addition, the Department of Public Health can approve additional debilitating medical conditions.

What protections do patients have once in the program?
Registered patients may not be arrested or prosecuted or face criminal or other penalties including property forfeiture for engaging in the medical use of marijuana in compliance with the law. There are also protections against patients being discriminated against in medical care — such as organ transplants — and in reference to child custody. In addition, landlords may not refuse to rent to a person solely due to his or her status as a registered patient or caregiver unless housing the applicant violates federal law on the part of the landlord. Landlords may prohibit smoking medical marijuana on their premises. Similarly, schools and employers are prohibited from discriminating based on patient status unless they face restrictions under federal law. Employers may continue to enforce drug-free workplace policies, and they do not have to allow employees to possess marijuana at work or work while they are impaired.

How much medical marijuana can patients possess?
The new law authorizes registered patients to obtain up to 2½ ounces of medical marijuana every two weeks from a dispensary the patient specifies during the application process. Patients may apply for a waiver to use more marijuana if their physicians explain that that amount is insufficient for the patient.

Can patients grow their own medical marijuana?
No. Only state-regulated cultivation centers are authorized to grow marijuana.
Can patients have a caregiver pick up their medicine for them?
Yes. Patients may designate a caregiver who is 21 years of age or older and does not have a disqualifying conviction. The caregiver may obtain marijuana from a dispensary on behalf of a single patient.

Can anyone participate if he or she has a qualifying medical condition?
No. The law does not currently allow people under the age of 18 to qualify as medical marijuana patients. Similarly, people with felony drug convictions or who work in certain professions, including law enforcement personnel, firefighters, and commercial drivers, are not allowed to participate in the program.

How do patients obtain medical marijuana?
All patients are required to name a state-regulated dispensary from which the patient or his or her designated caregiver will obtain medical marijuana. There will be 60 dispensaries around the state.

How much will medical marijuana cost?
Prices will be set by individual medical marijuana dispensaries.

Will medical marijuana be taxed?
Medical marijuana sold from cultivation centers to dispensaries will be subject to a 7% excise tax. Medical marijuana will also be subject to a 1% sales tax.

How will dispensaries operate?
Dispensaries will be licensed by the state and subject to rules created by the Department of Financial and Professional Regulation as well as local zoning laws. All dispensary staff must receive a photo ID from the department after submitting to a background check. We anticipate the department will begin accepting applications for dispensary licenses following the rule-making process in 2014.

How is medical marijuana cultivated for patients?
Dispensaries will obtain medical marijuana from up to 22 cultivation centers, with a limit of one cultivation center for each state police district. Cultivation centers will be subject to a strict set of rules developed by the Department of Agriculture, including labeling and marijuana testing requirements, 24-hour video surveillance, photo IDs for staff, cannabis tracking systems, and inventory control measures. As with dispensaries, we anticipate the department will accept applications after rules are issued mid-2014.

When does the law go into effect?
The law is effective on January 1, 2014, and the departments will have four months to implement rules for the program beginning on that date.

Does the state pilot program recognize patients from other states?
No. Only patients who are registered with the Illinois Department of Public Health will qualify.

Are there restrictions on where a patient can possess or consume medical marijuana?
Patients may not possess or consume marijuana on a school bus, school grounds, or in a correctional facility. Likewise, patients may not possess or consume marijuana in a private residence that is used to provide child care or a day care service, and they may not possess it in a vehicle unless it is secured in a sealed, tamper-evident container that is inaccessible while the vehicle is moving. As with alcohol and prescription drugs, patients may not operate or be in control of a vehicle while impaired. Patients are also prohibited from consuming medical marijuana in a public place, near anyone under the age of 18, or where doing so would violate the Smoke Free Illinois Act.
In Law:
- Only 22 cultivation centers will be permitted in the State of IL (1 per State Police District). Our district is Grundy, Kendall and Will County
- 60 dispensaries will be permitted based on Population (2 permitted in Will and 1 between Kendall and Grundy County)
- ALL cultivation centers have to be grown, harvested, package and prepare for distribution to a dispensing organization in an enclosed, locked facility
- Cultivation centers will have to submit detailed plans to the Department of Agriculture
- They need to implement a security plan reviewed by the State Police Department and including but not limited to: facility access controls, perimeter intrusion detection systems, personnel identification systems, 24 hour surveillance systems to monitor the interior and exterior of the cultivation center and accessed by the Department of Financial and Professional Regulation in real-time.
- Be required to have cannabis-tracking systems and perform weekly inventories
- Be required to abide by department rules, including for labeling, safety, security, and record keeping
- Centers will also have to comply with local zoning laws and must be located at least 2,500 feet from daycare centers/homes, schools and areas zoned for residential use
- A dispensing organization must be 1,000 feet from a school or daycares and cannot be located in a house, apartment, condominium or an area zoned for residential use.
- No unit of local government, including a home rule unit, or school district may regulate registered medical cannabis organizations other than as provided in this Act and may not unreasonably prohibit the cultivation, dispensing, and use of medical cannabis authorized by this Act.

Proposed Rules that are open to a public hearing till June 2, 2014:

Cultivation Centers:
- Can only sell to dispensaries in Illinois
- A single entity shall not be granted more than three cultivation center permits.
- A cultivation center shall not be open to the public.
- A cultivation center may operate its business twenty-four (24) hours a day.
- A cultivation center may deliver to licensed medical cannabis dispensaries on any day and at any time except between the hours of 9:00 p.m. and 7:00 a.m.
- Not be located closer than 1,000 feet to another cultivation center or a medical cannabis dispensary.
- The cultivation center shall provide documentation that it meets all federal, state and local building, zoning and fire codes and that all local ordinances are met.
- Required to operate and maintain in good working order a twenty-four (24) hour, seven (7) days a week, closed-circuit television (CCTV) surveillance system on the premises
- Cultivation Centers may market their products directly to registered dispensaries or physicians through direct mail, brochures or other means directed solely to the dispensaries and not available to the public.
- Must supply for application: