The Kendall County Board Meeting was held at the Kendall County Office Building, Room 209, in the City of Yorkville on Tuesday, February 19, 2013 at 9:00 a.m. The Clerk called the roll. Members present: Chairman John Shaw, Amy Cesish, Lynn Cullick, Elizabeth Flowers, Judy Gilmour, Scott Gryder, Dan Koukol, Matthew Prochaska, John Purcell, and Jeff Wehrli.

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

THE MINUTES

Member Flowers moved to approve the submitted minutes from the Adjourned County Board Meeting of 1/15/13. Member Gryder seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. Motion carried.

THE AGENDA

Member Purcell asked if the item under Finance—the approval of the coroner’s vehicle could be moved to the coroner’s report. Member Wehrli moved to approve the amended agenda. Member Koukol seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. Motion carried.

OLD BUSINESS

Fields of Farm Colony

Member Purcell moved to approve the amended engineering services agreement for Wills, Burke, and Kelsey. Member Koukol seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Sheriff Randall spoke about the unfortunate incident that happened in the courthouse parking lot and that suicides are on the rise, please listen to those in need.

County Clerk

County Clerk, Debbie Gillette informed the board of the upcoming election and that county ordinances are now available online at the County Clerk’s webpage.

Revenue Report 1/1/13-1/31/13

<table>
<thead>
<tr>
<th>Line Item</th>
<th>Fund</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Clerk Fees</td>
<td>$</td>
<td>1,232.00</td>
</tr>
<tr>
<td>County Clerk Fees - Marriage License</td>
<td>$</td>
<td>510.00</td>
</tr>
<tr>
<td>County Clerk Fees - Civil Union</td>
<td>$</td>
<td>-</td>
</tr>
<tr>
<td>County Clerk Fees - Misc</td>
<td>$</td>
<td>3,122.75</td>
</tr>
<tr>
<td>County Clerk Fees - Recording</td>
<td>$</td>
<td>40,505.00</td>
</tr>
</tbody>
</table>
**Treasurer**

County Treasurer, Jill Ferko stated that the state income tax has been paid to the county on time this year.

Office of Jill Ferko  
Kendall County Treasurer & Collector  
111 W. Fox Street Yorkville, IL 60560

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**Kendall County General Fund**

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES  
FOR TWO MONTHS ENDED 01/31/2013

<table>
<thead>
<tr>
<th>REVENUES*</th>
<th>Annual Budget</th>
<th>2013 YTD</th>
<th>2013 YTD %</th>
<th>2012 YTD Actual</th>
<th>2012 YTD %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Property Repl. Tax</td>
<td>$315,000</td>
<td>$71,125</td>
<td>22.58%</td>
<td>$62,216</td>
<td>19.75%</td>
</tr>
<tr>
<td>State Income Tax</td>
<td>$1,950,000</td>
<td>$340,915</td>
<td>17.48%</td>
<td>$133,411</td>
<td>7.41%</td>
</tr>
<tr>
<td>Local Use Tax</td>
<td>$340,000</td>
<td>$65,583</td>
<td>19.29%</td>
<td>$53,140</td>
<td>15.63%</td>
</tr>
<tr>
<td>State Sales Tax</td>
<td>$947,000</td>
<td>$148,401</td>
<td>15.67%</td>
<td>$168,547</td>
<td>17.38%</td>
</tr>
<tr>
<td>County Clerk Fees</td>
<td>$400,000</td>
<td>$79,620</td>
<td>19.91%</td>
<td>$68,191</td>
<td>17.94%</td>
</tr>
<tr>
<td>Circuit Clerk Fees</td>
<td>$1,200,000</td>
<td>$191,408</td>
<td>15.95%</td>
<td>$188,200</td>
<td>14.48%</td>
</tr>
<tr>
<td>Fines &amp; Foreits/St Atty.</td>
<td>$550,000</td>
<td>$100,261</td>
<td>18.23%</td>
<td>$78,027</td>
<td>13.93%</td>
</tr>
<tr>
<td>Building and Zoning</td>
<td>$40,000</td>
<td>$1,301</td>
<td>3.25%</td>
<td>$2,138</td>
<td>6.11%</td>
</tr>
<tr>
<td>Interest Income</td>
<td>$35,000</td>
<td>$2,996</td>
<td>8.56%</td>
<td>$5,229</td>
<td>10.46%</td>
</tr>
<tr>
<td>Health Insurance - Empl. Ded.</td>
<td>$1,100,464</td>
<td>$171,149</td>
<td>15.55%</td>
<td>$159,351</td>
<td>16.23%</td>
</tr>
</tbody>
</table>
1/4 Cent Sales Tax $2,400,000  $404,974  16.87%  $394,973  16.46%
County Real Estate Transf Tax $190,000  $65,308  34.37%  $36,770  21.63%
Correction Dept. Board & Care $805,000  $194,020  24.10%  $157,323  20.98%
Sheriff Fees $702,000  $134,788  19.20%  $129,759  28.84%

TOTALS $10,974,464  $1,971,850  17.97%  $1,637,275  15.59%

Public Safety Sales Tax $4,200,000  $717,370  17.08%  $706,196  17.65%
Transportation Sales Tax $4,200,000  $717,370  17.08%  $706,196  17.65%

*Includes major revenue line items excluding real estate taxes which are to be collected later.

To be on Budget after 2 months the revenue and expense should at 16.66%

EXPENDITURES

All General Fund Offices/Categories

$26,336,375  $4,522,991  17.17%  $3,850,704  15.05%

State’s Attorney

State’s Attorney, Eric Weis stated that the anti harassment training has been completed. The State’s Attorney’s office has discussed an incident that happened in Texas where a prosecutor was killed.

Coroner

Coroner, Ken Toftoy stated that the report is in the packet. The Sheriff’s office was commented on their handling the suicide in the parking lot. Coroner Toftoy presented new vehicle quotes.

Statistics: December FY 2013

<table>
<thead>
<tr>
<th></th>
<th>2013 Statistics</th>
<th>Stats for Same Period in 2012</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Deaths…...</td>
<td>64</td>
<td>54</td>
<td>19%</td>
</tr>
<tr>
<td>Autopsies to Date……...</td>
<td>6</td>
<td>4</td>
<td>50%</td>
</tr>
<tr>
<td>Toxicology Samples..</td>
<td>3</td>
<td>4</td>
<td>-25%</td>
</tr>
<tr>
<td>Cremation Permits….</td>
<td>29</td>
<td>24</td>
<td>21%</td>
</tr>
</tbody>
</table>

Member Purcell moved to approve the new vehicle purchase out of the general fund contingency in the amount of $37,828.00. Member Wehrli seconded the motion.

Member Purcell moved to table the vote on the new vehicle purchase. Member Wehrli seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. Motion carried.

Health Department

Amaal Tokars commented on suicide; the presenting problems that are seen most often with suicides are relational loss, depression and financial duress.
Supervisor of Assessments

Supervisor of Assessments, Andy Nicoletti stated that they are almost ready to roll to the County Clerk – one township needs to be balanced first. The Illinois Department of Revenue is down to five employees that handle equalization. Equalization factors range from 1.0% to -12%, county as a whole -5.7%. Sales have continued to go down showing that the properties are slightly over assessed on the three year average.

STANDING COMMITTEE REPORTS

Planning, Building & Zoning

Zoning Ordinance amendment – shooting range

Member Wehrli made a motion to approve petition 13-01 amendment to Zoning Ordinance to allow a Kendall County Government Agency and other law enforcement shooting range. Member Gryder seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Shaw who voted present. Motion carried.

State of Illinois
County of Kendall

ORDINANCE # 2013-01
AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE
TO ALLOW A KENDALL COUNTY GOVERNMENT AGENCY AND OTHER LAW ENFORCEMENT SHOOTING RANGE

WHEREAS, Kendall County regulates development under authority of its Zoning Ordinance and related ordinances; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections 10.02.C & 10.03.B “M-2 Heavy Industrial District- Special Uses & M-3 Aggregate Materials Extraction, Processing and Site Reclamation-Special Uses” of the Kendall County Zoning Ordinance as provided:

Kendall County Government Agency and other law enforcement shooting range with conditions to be set and approved by the County Board.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 19th day of February, 2013.

Attest:
Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
John Shaw

Map amendment – shooting range

Member Gryder made a motion to approve petition 13-02 map amendment from M-2 to M-3 for property located ½ mile west of the intersection of Rt 47 and Joliet Rd and also granting special use for the Kendall County Sheriff’s Office to operate a shooting range at same property. Member Flowers seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye except Shaw who voted present. Motion carried.

State of Illinois
County of Kendall

ORDINANCE NUMBER 2013 - 02
GRANTING A MAP AMENDMENT & SPECIAL USE FOR
THE KENDALL COUNTY SHERIFF’S OFFICE
Rezone from M-2 to M-3 Special Use
WHEREAS, the Kendall County Sheriff’s Office has filed a petition for a Map Amendment from M-2 to M-3 and a Special Use for a ‘Kendall County Government Agency and other law enforcement shooting range with conditions to be set and approved by the County Board’ within the M-3- Aggregate Materials Extraction, Processing and Site Reclamation. The property is located on the southwest corner of Joliet Road and Quarry Road (PIN #08-28-300-002) in Lisbon Township, and;

WHEREAS, said petition is to allow the operation of a Kendall County Government Agency and other law enforcement shooting range; and

WHEREAS, petition #13-01 was approved the same day as a text amendment to allow such a use as a special use in the M-2 and M-3 Manufacturing districts; and

WHEREAS, said property was zoned M-3 Heavy Industrial District as Ordinance 1963-01 and is currently zoned M-2-Heavy Industrial District since the 1974 Countywide zoning change and currently vacant farm land; and

WHEREAS, the petitioner desires to rezone a 17.0 acre property to M-3 in order to acquire a special use permit for a shooting range and mine the property in the future; and

WHEREAS, the petitioner has indicated the shooting range will take place on about 6 acres on the north side of the property; and

WHEREAS, said property is legally described as:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW ¼) OF SECTION TWENTY-EIGHT (28) AND THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWENTY-NINE (29), ALL IN TOWNSHIP THIRTY-FIVE (35) NORTH, RANGE SEVEN (7) EAST OF THE THIRD PRINCIPAL MERIDIAN, COUNTY OF KENDALL, AND STATE OF ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 35 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE SOUTH 89º50'28" EAST ALONG THE SOUTH LINE OF SAID SECTION 28 FOR A DISTANCE OF 363.66 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00º50'30" EAST FOR A DISTANCE OF 825.00 FEET; THENCE NORTH 89º51'06" WEST FOR A DISTANCE OF 363.66 FEET TO A POINT WHICH FALLS ON THE WEST LINE OF SAID SECTION 28; THENCE SOUTH 89º51'54" WEST FOR A DISTANCE OF 373.56 FEET; THENCE NORTH 00º50'30" EAST FOR A DISTANCE OF 1791.21 FEET TO A POINT WHICH FALLS ON THE CENTER LINE OF JOliET ROAD; THENCE NORTH 89º46'02" EAST ALONG SAID CENTER LINE FOR A DISTANCE OF 373.56 FEET TO A POINT WHICH FALLS ON THE WEST LINE OF SAID SECTION 28; THENCE SOUTH 89º56'09" EAST CONTINUING ALONG SAID CENTER LINE FOR A DISTANCE OF 363.66 FEET; THENCE 00º50'30" EAST FOR A DISTANCE OF 4054 FEET TO A POINT WHICH FALLS ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89º41'46" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 2220.34 FEET; THENCE SOUTH 00º51'18" WEST FOR A DISTANCE OF 2372.73 FEET; THENCE NORTH 89º50'28" WEST FOR A DISTANCE OF 136.00 FEET; THENCE SOUTH 00º51'18" WEST FOR A DISTANCE OF 280.00 FEET TO A POINT WHICH FALLS ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89º50'28" WEST ALONG SAID SOUTH LINE A DISTANCE OF 2083.78 FEET TO THE POINT OF BEGINNING.


EXCEPT THAT PART LYING IN SECTION 28, TOWNSHIP 35, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, COUNTY OF KENDALL, ILLINOIS.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.07.F of the Zoning Ordinance, and recommendation for approval by the Zoning Board of Appeals on January 28, 2013; and
WHEREAS, the findings of fact were approved as follows:

_Existing uses of property within the general area of the property in question. The property to the east and west of this property is already being mined and someday this property will be mined as well._

_The Zoning classification of property within the general area of the property in question. The property to the north and south are shown on the LRMP as potential mining and to the east and west is already zoned for mining so the M-3 zoning is consistent with the area._

_The suitability of the property in question for the uses permitted under the existing zoning classification. The property is currently zoned M-2 which was the zoning for mining back in the 70's. The land suitability is good for mining just the M-2 district is no longer the district for mining, the M-3 Zoning District is intended for mining._

_The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. This mine has been in existence since the late 1800’s and the trends of development in the area are potential mining districts or are already mines._

_This land fits more with the purpose and objectives in the M-3 District which is to establish regulations and standards for surface mining operations and to provide for conservation and reclamation of lands affected by surface mining in order to restore them to optimum future productive use. Aggregate materials extraction, processing and site reclamation shall be determined and permitted in compliance with standards as set forth herein. The M-2 intent no longer fits the future use of this property which ultimately is to be mined._

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on January 28, 2013; and

WHEREAS, the findings of fact were approved as follows:

_That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. An outdoor shooting range should not be any more dangerous than weekly mine blastings and eventually this property will also be mined._

_That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. An outdoor shooting range noises will be consistent with the noises of a mine. The petitioner is making adequate provisions for appropriate buffers and the shooting with take place towards the south. The berm will be a minimum of 20’ tall and probably will be taller than that which will also help to block the noise._

_That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. A curb cut already exists to this piece of property_
and there will be no utilities on this property. Proper drainage is already being designed for and there will be a berm around the special use which will hold the water on their own site.

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. Assuming the text amendment passes to allow this type of use in the M-3 district it will conform to all applicable regulations.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The special use is consistent with the LRMP and municipal plans and policies as the ultimate goal is to eventually be a mine but in the meantime used for an outdoor shooting range. This specific use is for a compelling governmental function i.e. public safety for training and qualifications of law enforcement officers as it pertains to appropriate weapons.

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Zoning Board of Appeals and Special Use Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a map amendment from M-2 to M-3 and also grants a special use zoning permit to operate a Kendall County Government Agency and other law enforcement shooting range subject to the following conditions:

1. Minimum of a 30’ backstop
2. Hours are limited from 7am to 8pm
3. Water and drainage plans must be approved by Kendall Counties Consulting engineer
4. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance.
5. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning Ordinance
6. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance
7. All applicable State, Federal, County and EPA rules and regulations shall be adhered to.
8. No activity shall leave the boundaries of the site.
9. Shall contact and meet all requirements of the Kendall County Health Department.
10. The best practices manual provided from the Region 2 office of the EPA shall be used as a guide.
11. Gated entrance
12. The Sheriff’s office must keep a list of persons that want to be notified 48 hours in advance of shooting or training and notify them. Gun testing is exempt from notifying the neighbors as it will be on an as needed basis and for a short period of time.
13. Appropriate signage as determined by the Zoning Office be secured around the perimeter of the property.

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

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 19th day of February, 2013.

Attest:
Kendall County Clerk
Debbie Gillette
Kendall County Board Chairman
John Shaw

Subdivision Control Ordinance amendment

Member Wehrli made a motion to approve petition 13-03 granting amendment to the Subdivision Control Ordinance to have a zoning process for other plats (vacations, dedications, etc). Member Flowers seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.
WHEREAS, Kendall County regulates development under authority of its Subdivision Control Ordinance and related ordinances; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

WHEREAS, all administrative procedures for amendments have been followed including a public hearing held before the Kendall County Zoning Board of Appeals on January 28, 2013;

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby adds Section 7.06 Other Plat (Vacation, Dedication, Etc.) Procedure to the Kendall County Subdivision Control Ordinance as provided:

SECTION 7.06 OTHER PLAT (VACATION, DEDICATION, ETC.) PROCEDURE
A. The applicant shall prepare a plat, which shall include all of the property to be vacated or dedicate. County and Township roadways are exempt from this process as there is a separate process for those.
B. The applicant shall submit to the Plat Officer the Plat accompanied with a completed application for an Other Plat (Vacation, Dedication, Etc.) with the appropriate filing fees.
C. Plats must be prepared by a registered surveyor or engineer and must include all requirements below:
   - Title
   - Scale of Drawing
   - "North Arrow" showing north at top of the drawing
   - Location Map
   - Date of drawing (as well as dates of any and all revisions)
   - Names of Developer/Owner
   - Names of Designer/Surveyor
   - All existing structures on the property and all structures on adjacent properties within 100’ of property line

Utilities on the property and adjacent properties
- Existing easements (location, width and purpose)
- Existing streets and other rights-of-way
- Topography at 1 or 2 foot contours
- Wooded areas (if present)
- Natural drainage to, from and on the property
- Base Flood Elevation (if present on the property)
- Wetlands (if present on the property)

D. If there are utilities already existing in the easement (any type of easement: drainage, utility, etc.) the petitioner is responsible for relocation, if necessary and must supply the Plat Officer with a relocation plan.
E. Upon receiving the complete application and reviewed by the PBZ (Planning, Building & Zoning) staff for compliance with the regulations of this Ordinance and all other ordinances of the County the item will be placed on the agenda for the next regularly scheduled meeting of the Zoning, Platting and Advisory Committee (ZPAC) for review and recommendation to the Planning, Building & Zoning Committee (PBZC) of the County Board. After the ZPAC meeting this item will be placed on the agenda for the next regularly scheduled meeting of the PBZ for review and recommendation to the full County Board.
F. Upon completion of the review by the PBZC a recommendation shall be made and the minutes of the ZPAC & PBZC meeting containing such recommendation shall be submitted to the full County Board.
G. The County Board shall review the plat within thirty (30) days of the recommendation made by the PBZC. Action shall be taken by the County Board within a reasonable time and the applicant and the County Board may mutually agree to extend the County Board’s consideration of said plat.
H. Upon approval of the plat by the County Board, the application shall record the plat with the County Recorder within six (6) months. If the plat has not been recorded within this amount of time, the approval shall become null & void unless an extension to the recording of the plat has been granted by the County. Such a request shall be made in writing and submitted to the Plat Officer who will then forward the request to the PBZC for review and recommendation to the full County Board.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 19th day of February, 2013.

Attest:
Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
John Shaw

Zoning Ordinance amendment – micro/craft distillery

Member Flames made a motion to approve petition 13-04 granting amendment to the Zoning Ordinance to add definition for a micro/craft distillery and allow micro/craft distilleries as special use in A-1 Agricultural and B-3.
ORDINANCE # 2013-04
AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE
TO ALLOW MICRO DISTILLERIES OR CRAFT DISTILLERIES

WHEREAS, Kendall County regulates development under authority of its Zoning Ordinance and related ordinances; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

WHEREAS, all administrative procedures for amendments have been followed including a public hearing held before the Kendall County Zoning Board of Appeals on January 28, 2013;

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections 3.02 Rules & Definitions- “Definitions,” 7.01.C- A-1 Agricultural District- “Special Uses,” Section 9.04.C- B-3 Highway Business District- “Special Uses,” and Section 10.01.B & 10.02.B “M-1 Limited Manufacturing District & M-2 Heavy Industrial District- Permitted Uses” of the Kendall County Zoning Ordinance as provided:

SECTION 3.02 DEFINITIONS

MICRO DISTILLERY or CRAFT DISTILLERY: A facility that produces alcoholic beverages in quantities not to exceed fifteen thousand (15,000) gallons per year and includes an accessory tasting room. A tasting room allows customers to taste samples of products manufactured on site and purchase related sales items. Sales of alcohols manufactured outside the facility are prohibited. If state law changes the quantities the definition should reflect those changes.

SECTION 7.01.C - A-1 Agricultural District Special Uses, SECTION 9.04.C - B-3 Highway Business District Special uses, SECTION 10.01.B M-1 Limited Manufacturing Districts Permitted Uses & SECTION 10.02.B M-2 Heavy Industrial District Permitted Uses

Micro Distillery subject to the following conditions:

a. If zoned A-1 Agricultural the facility shall have direct access to a road designated as a major collector (or higher) on the County Land Resource Management Plan.
b. Locally grown inputs shall be used to the greatest extent possible
c. The number of hours permitted to operate shall be on the approving ordinance.
d. Parking shall be in accordance with Section 11 of the Zoning Ordinance including lighting.
e. All applicable Federal (including the Alcohol and Tobacco Tax and Trade Bureau), State (including the Illinois Liquor Control Commission), and County rules and regulations shall apply.
f. Shall contact & meet all requirements of the Kendall County Health Department.
g. A waste management plan should be submitted to the Kendall County Health Department

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 19th day of February, 2013.

Attest:
Kendall County Clerk
Debbie Gillette
Kendall County Board Chairman
John Shaw

Plat of vacation – Shadow Creek subdivision

Member Wehrli made a motion to approve petition 13-06 granting plat of vacation for lots 11 and 12 in Shadow Creek Subdivision. Member Flowers seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

ORDINANCE # 2013-05
APPROVING A PLAT OF VACATION FOR LOTS 11 AND 12 IN THE SHADOW CREEK SUBDIVISION

WHEREAS, Doug & Heather Jubic has filed a petition for a plat of vacation for lots 11 and 12 in the Shadow Creek Subdivision. The property is located on the northeast side of Shadow Creek Lane (PIN's #02-34-470-001 & 02-34-470-002), in Bristol Township, and;

State of Illinois
County of Kendall

Co Board 2/19/2013

Petition #13-06

- 9 -
WHEREAS, said petition is to vacate that portion of the 10' wide public utility and drainage easement legally described as:


WHEREAS, said petition is to vacate that portion of the 30' wide building setback line legally described as:


WHEREAS, the Preliminary & Final Plat for Shadow Creek was approved on January 15, 2002 as Ordinance number 02-02; and

WHEREAS, to effect the revised plat a Plat of Vacation as indicated on Exhibit "A" needs to be approved by the County Board; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby approves a Plat of Vacation for said tract of land graphically portrayed in Exhibit "A", hereby attached; and

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 19th day of February, 2013.

Attest:
Kendall County Clerk
Debbie Gillette
Kendall County Board Chairman
John Shaw

Public Safety
Chairman Shaw reviewed the minutes in the packet from the February 22, 2013 meeting.

Administration, HR, Revenue
Member Gilmour reviewed the minutes in the packet from the February 7, 2013 meeting.

BREAK
RECONVENE

Highway
Member Koukol reviewed the minutes in the packet from the February 11, 2013 meeting.

Spring Road posting
Member Koukol made a motion to approve the spring road posting resolution. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

KENDALL COUNTY
Resolution No. 13-01
A Resolution Providing for Spring Road Postings of Certain County Highways

WHEREAS, Kendall County Board has determined that certain county highways under their jurisdiction, by reason of deterioration, rain, snow, or other climate conditions, will be seriously damaged or destroyed unless the permissible weights of vehicles thereon are reduced; and
WHEREAS, authority has been granted to the County Board to limit the gross weight of vehicles on certain county highways by Illinois Statute 625 ILCS 5/15-316.

THEREFORE, BE IT RESOLVED, that Kendall County Board hereby reduces and restricts the gross weight of vehicles operating on the following county highways, or portions thereof, to a maximum of 12 tons gross weight, for a period not exceeding 90 days and until such time that weight limitation signs are removed by Kendall County Highway Department.

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall be in full force and effect upon the erection of weight limitation signs on the following listed roads:

**LIST OF POSTED ROADS – 2013**

- GROVE ROAD from Sherrill Road to Illinois Route 126
- PLATTVILLE/CHICAGO RD. from Illinois Route 47 to Grove Road
- VAN EMMON ROAD from Yorkville City Limits to Illinois Route 71
- WHITEWILLOW ROAD from Illinois Route 47 to Grove Road

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

John Shaw – Kendall County Board Chairman

I, Debbie Gillette, County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the 19th day of February, A.D. 2013.

Debbie Gillette – County Clerk

**Motor Fuel Tax Resolution for Grove Road**

Member Koukol made a motion to approve the Motor Fuel Tax resolution for Grove Road in the amount of $2,300,000.00. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

**Intergovernmental Agreement – Ben Street in Plano**

Member Koukol made a motion to approve the Intergovernmental Agreement with the City of Plano for reconstruction/maintenance of Ben Street from Route 34 to the city limits. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

**Illinois Railways Right-of-Entry Agreement**

Fran Klaas stated that the State’s Attorney’s office is working with the railroad to put the final form together for the agreement.

**Route 47 Corridor**

Chairman Shaw informed the board on the meeting he attended regarding the utilization of Prairie Parkway funding. They discussed the interchange for the toll way on 88, extending Route 47 from Kennedy Road in Yorkville to Cross Street in Sugar Grove, economic development and the total dollar amount available to be spent on improvements.

Member Flowers made a motion to direct the Planning, Building and Zoning committee to draft a resolution that 80% of the county board would like the money spent on the road going north. Member Gilmour seconded the motion.

**Facilities**

Member Koukol reviewed the minutes in the packet from the February 4, 2013 meeting.

**3 year master architect and engineering contract**

Member Flowers made a motion to approve the 3 year master architect and engineering contract with Kluber, Inc. Member Gilmour seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**
CLAIMS

Member Purcell moved to approve the claims submitted in the amount of $730,649.61. Member Flowers seconded the motion.

COMBINED CLAIMS: FCLT MGMT $95,517.70, B&Z $1,338.11, CO CLK & RCDR $2,539.80, ELECTION $235.05, ED SRV REG $5,871.42, SHRFF $26,996.80, CRRCTNS $26,413.80, MERIT $380.00, EMA $279.60, CRCT CT CLK $303.48, JURY COMM $7,776.72, CRCT CT JDG $9,115.35, CRNR $2,847.33, CMG CRT SRV $917.18, PUB DFNDR $711.00, ST ATTY $5,098.91, SPRV OF ASSMNT $717.99, TRSR $2,397.15, EMPLY HLTH INS $11,750.00, AUD & ACCT $3,250.00, OFF OF ADM SRV $5,480.67, GNRL INS & BNDG $49.00, CO BRD $35.00, TECH SRV $7,963.99, PRPTY TX SRV $22,200.00, CAP EXPEND $4,433.34, ECON DEV $1,500.00, CO HWY $84,445.14, CO BRDG $7,436.10, TRNSPRT SALES TX $28,439.04, HLTH & HMN SRV $217,562.69, FRST PRSRV $9,465.56, ANML CNTRL $416.63, CO RCDR DOC STRG $5,676.15, HIDTA $34,146.81, COMM FND $697.00, CRT SEC FND $408.55, LAW LBRY $1,578.67, CRCT CT DOC STRG $519.98, CRNR $1,051.83, PRBTN SRV $3,090.50, GIS $15.73, AREA TRAN FND $3,101.00, PUB SFTY $79,899.70, SHRFF FTA FND $551.26, VAC $4,292.68, FP BND PRO 2007 $1,735.20

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

Coroner's Vehicle

Member Purcell stated that he would like to do this at the next meeting, to accommodate RFP.

HIDTA authorization

Member Purcell made a motion to allow the Sheriff to sign the HIDTA grant award in the amount of $842,387. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Emergency Notification System

Member Purcell made a motion to approve the additional funds of $8,477 to pay for the Emergency Notification System to replace the reverse 911 system. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

ESRI ARC Software Program

Member Purcell made a motion to approve the purchase of an additional license for the Environmental Health Department for the ESRI ARC GIS Software Program in the approximate amount of $6,300. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Member Purcell stated that a letter will be coming from the committee regarding capital needs over the next 3-5 years.

Animal Control

Member Cesich reviewed the minutes in the packet from the January 16, 2012 meeting. Members discussed ongoing investigations where 4 dogs were kept in poor condition and are now at the shelter as well as horses that have been neglected.

Committee of the Whole

Member Gilmour reviewed the minutes in the packet from the February 14, 2013 meeting.

STANDING COMMITTEE MINUTES APPROVAL

Member Prochaska moved to approve all of the Standing Committee Minutes and Reports. Member Gryder seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. Motion carried.
SPECIAL COMMITTEE REPORTS

Public Building Commission

Member Wehrli stated that bills were approved and they discussed the amount of money that remains to be spent. The debt service will go from $2.8 million to $180,000 this year, phasing PBC out at the end of 2015.

VAC

No meeting.

UCCI

Member Prochaska stated that the next meeting will be on February 25, 2013 and they will be discussing firearm issues. Member Prochaska asked for a board consensus as to how they would like for him to vote; consensus was to have him use his best judgment. UCCI will meet again on March 19, 2013, leadership academy on April 12-13, 2013 and the annual conference is July 22-23, 2013.

Historic Preservation

Member Wehrli reviewed the minutes in the packet from the January 16, 2013 meeting.

708 Mental Health

Member Gilmour stated the board meets about four times a year. The board is made up of several citizens that contact agencies throughout the county and supply them with grant funds to run their programs. They discussed their annual plan, three year plan and the grant application.

Housing Authority

Member Prochaska reported that there will be a special meeting on February 26, 2013. There is a new executive director that Member Prochaska would like to invite to the next Committee of the Whole meeting.

River Valley Workforce Investment Board

Member Shaw spoke about the levels of bureaucracy and the dispensation of funds.

Member Flowers was excused at 11:44am.

OTHER BUSINESS

State’s Attorney, Eric Weis informed the board of the Respect for Law banquet put on by the Optimist Club and Chiefs of Police is on March 9, 2013, 6pm at St. Patrick’s Church.

CHAIRMAN’S REPORT

Member Purcell moved to approve the appointments. Member Wehrli seconded the motion. Chairman Shaw asked for a voice vote on the motion. All members present voting aye. Motion carried.

Appointments

Judith Burks – Ethics Commission – 2 year term – expires February 2015
Jim Horton – Kencom Executive Board – Lisbon Seward Fire Protection District
Tom Fletcher – Kencom Executive Board – Alternate Lisbon Seward Fire Protection District

Announcements

Kristine Heiman – Ethics Commission – 2 year term – expires February 2015
Brad Mathre – Ethics Commission – 2 year term – expires February 2015
Carl Guiterrez – Ethics Commission – 2 year term – expires February 2015
CITIZENS TO BE HEARD

Todd Milliron, 61 Cotswold, Yorkville asked about the forensic audit results and encouraged the board members to make sure Route 47 funds for the roadways is spent in Kendall County.

Tom Gilmour, 23 Fox Glen, Yorkville stated that the greater benefit of the people that use Route 47. The common sense way of spending the money would be on Route 47 going north.

QUESTIONS FROM THE PRESS

Ryan Morton from WSPY asked whether or not the road money could be spent on the Interchange at I88.

Steve Lord from the Beacon News stated that is sounds like some of the road money has been spent on work further south.

Matt Schury from the Kendall County Record asked who attended the meeting that discussed the roadway funding. Mr. Schury asked who makes the decision on how the road money is spent and if Kendall County will be informed if the money is moved to the north.

BREAK

RECONVENE

EXECUTIVE SESSION

Member Koukol made a motion to go into Executive Session for the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body, for 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 for litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal. Member Wehrli seconded the motion. Chairman Shaw asked for a roll call vote on the motion. All members present voting aye. Motion carried.

RECONVENE

ADJOURNMENT

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

Respectfully submitted by,
Debbie Gillette,
Kendall County Clerk

Approved and submitted this 23rd day of February, 2013.