CALL TO ORDER

ROLL CALL: Ken Boyer, Ken Donart, Whitney French (Vice-Chair), Michael Garrigan (Chair), Kristine Heiman, Richard Scheffrahn, Jeff Wehrli (CB Representative), 2 vacancies and Pete Iosue/Teska (PBZ liaison)
(Quorum is 5 members)

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of minutes from the July 15, 2015 Meeting

CHAIRMAN’S REPORT

PUBLIC COMMENT

NEW BUSINESS

OLD BUSINESS
1. Update on quorum requirements
2. Update on Millbrook Bridge
3. Discussion on public outreach event- September 17, 2015
4. Review Reconnaissance Survey Pictures

PUBLIC COMMENT

ADJOURNMENT- Next meeting on September 16, 2015
CALL TO ORDER
The meeting was called to order by Chairman Michael Garrigan at 7:15 p.m.

ROLL CALL
Present: Ken Donart, Vice-Chair Whitney French, Chairman Michael Garrigan, Kristine Heiman, Richard Scheffrahn, and Jeff Wehrli (CB Representative)
Also present: Pete Iosue: Teska Consultant; Andrez Beltran, Economic Development and Special Projects Coordinator
In the audience: None

APPROVAL OF AGENDA
Jeff Wehrli made a motion to approve the agenda as written, Ken Donart seconded the motion. Approved 6-0.

APPROVAL OF MINUTES
Chairman Garrigan noted some revision in the previous minutes as the approval of the agenda was incorrect. Whitney French made the motion to approve of the minutes from the May 20, 2015 meeting. Jeff Wehrli seconded. Approved 6-0.

CHAIRMAN’S REPORT
Chairman Garrigan updated the Commission on the changes that the Illinois Historic Preservation Agency has undergone. They have been incorporated into the Department of Commerce and Economy Opportunity. There has also been staffing reductions. Chairman Garrigan stated that it may be more difficult to get objectives completed with the reduced staffing.

PUBLIC COMMENT - None

NEW BUSINESS

1. Review of Commission By-Laws
Chairman Garrigan stated that this item is directly related to the second item on the agenda. He asked Mr. Iosue to elaborate. He stated that statute requires five members for a quorum which is more difficult as there are vacancies on the Commission. He stated that they were looking to amend the by-laws to specific fifty percent of sitting members instead of maximum members.

Mr. Wehrli asked if there would be a minimum number of Commission members. The Commission agreed but decided to move onto the second item before making a final decision.

2. Ideas to Fill Vacancies on Commission
Chairman Garrigan stated he talked to two possible community members about becoming commissioners. He stated that one would have difficulty getting to the meetings due to work schedule while the other is currently on Oswego’s commission and is not in a position to volunteer at this point.
Ms. Heiman asked about obtaining a list of architects in the County to possibly ask to fill the required seat. Mr. Iosue stated that they had looked at the list a few days previous and there were few in Kendall County, but many are not listed. Mr. Wehrli stated he had a neighbor who he was intending on asking, but has not been able to talk to him as he has his own business.

Chairman Garrigan asked for ideas about spreading the word about the Commission opening. Ms. Heiman asked about the possibility of having Kendall County Board Chairman John A. Shaw distribute a message or place a notice on the website. Mr. Wehrli stated it was possible and he would talk to Chairman Shaw.

Chairman Garrigan asked about the legality changing the by-laws language as the State defines what a quorum is. The Commission directed Mr. Iosue to look into the state statute to see if the recommendation would be allowed under statute.

Ms. Heiman asked about the owner of Hadley House as she seemed to have an interest. Ms. French stated she would meet with her and ask.

**OLD BUSINESS**

1. **Update on Grants for Courthouse Windows**
   Mr. Iosue stated he spoke to Kendall County Facilities Director Jim Smiley about the window and he passed a report to him. The Commission stated they had need seen the specific proposal. They had seen two proposals on replacing the windows either in restoration or modern fashion.

   Mr. Iosue stated that Mr. Smiley had generated a report outlining the work needed and the costs. Mr. Iosue stated that the amount would be a significant amount, and that grants to mitigate the costs are not there. Mr. Wehrli stated that regardless of the option, the County owned the building and would need to replace them. Mr. Iosue stated that the limestone around the windows had degraded to the point that water was getting into the building.

   Chairman Garrigan stated that by Secretary of Interior’s standards is straightforward; either recommendation for restoration or replacement. Ms. French stated that there were still some options that could be examined. Mr. Wehrli agreed to a need for prioritization. Mr. Iosue stated that the report offered some staging options. Ms. French stated that restoration was the proper action for buildings on the National Registry; if they are not restored that status could be discontinued.

   The Commission decided to move forward with creating a comprehensive report on the possible options for restoration.

2. **Discussion on Public Outreach Event- September 17, 2015**
   Chairman Garrigan asked the Commission’s thoughts on using the Public Outreach Event to invite local commissions and elected officials to educate and brainstorm about the state of historic preservation in the in Kendall and the State of Illinois as a whole. The Commission members thought it was a good idea.

   Ms. Heiman stated that Landmarks Illinois may come out if the event was moved up as they would be in McHenry County. It may also help for community members who wanted to learn. The Commission agreed they felt it was important to hear from the state and discussed other possible dates for the event.
The Commission decided to move the date to the 16th of September in the evening.

3. Review of Reconnaissance Pictures
   The Commission was unable to view the pictures as the database nor projector was available.

4. Millbrook Bridge Update
   The Commission asked Mr. Wehrli to update the Commission on the state of the Millbrook. Mr. Wehrli stated that the right-of-way that connects the Millbrook property is not owned by any entity. There was not a recording of it. The township did not own it since Millbrook annexed to the edge, but Millbrook never recorded it. Currently, the Forest Preserve is doing title research to see who has rights to the property.

PUBLIC COMMENT: None

ADJOURNMENT- Next meeting will be on August 19, 2015
Jeff Wehrli made the motion to adjourn at 7:57 p.m.. Richard Scheffrahn seconded. Approved 6-0.

Respectfully Submitted,
Andrez P. Beltran
Economic Development and Special Projects Coordinator
Below is the SAO legal opinion on quorum for HPC.

Respectfully,

Brian Holdiman

David Berault
Assistant State's Attorney
Kendall County, Illinois
807 John St.
Yorkville, IL 60560
Phone: (630) 553-2160
Fax: (630) 553-4204

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Leslie,

Would your office please provide an opinion on the question posed below from the Historic Preservation Commission?

Respectfully,

Brian Holdiman

From: Michael Hoffman [mailto:MHoffman@TeskaAssociates.Com]
Sent: Tuesday, July 21, 2015 3:05 PM
To: Brian Holdiman
Cc: Jeff Wilkins
Subject: Quorum

Brian:

At this month’s Historic Preservation Commission meeting we had on the agenda to change the Commission’s quorum requirements. Currently, they are supposed to have a 9 member board, which requires a 5 person quorum to hold a meeting. However, they are down 2 members. The proposal was to change the Historic Preservation Ordinance to read:

G) Quorum. A quorum shall consist of five (5) members. Fifty percent of the appointed and serving members of this Commission shall be necessary to constitute a quorum for the transaction of any business. The transaction of business shall be made by a majority vote of those members in attendance while a quorum is present, except that the adoption, modification or rescission of any rule or part thereof shall require the affirmative vote of five (5) members.

This change would, given the current 7 serving members, reduce the quorum requirement to 4 for most issues. Angela recently processed a similar change to the bylaws of the Regional Planning Commission. This change was prompted by the difficulty the County has had in getting people to serve on Commissions – resulting in some meetings having to be cancelled due to a lack of quorum.

So, here’s the issue. We did not find anything from our review of statute that would suggest that the County could not make the proposed change – and I support the idea of making it easier to get a quorum. However, Michael Garrigan (HPC Chair and Plainfield Planning Director) was concerned that we could not make this change given his interpretation of statute. So I think this is one we should get an opinion from the State’s Attorney’s office. Can you forward this question to them and get their thoughts? Thanks.

Here’s a link to the relevant portion of the Illinois Compiled Statutes:
We did find examples of another HPC that use a similar rule to what was recommended:
http://www.co.coles.il.us/HPAC/bylaws.html

From: Pete Iosue
Sent: Tuesday, July 21, 2015 2:25 PM
To: Michael Hoffman
Subject: FW: Quorum

FYI …

From: Pete Iosue
Sent: Thursday, July 16, 2015 10:25 AM
To: 'mgarrigan@goplainfield.com'
Cc: 'jwehrli@co.kendall.il.us'
Subject: Quorum

Michael, I checked the Illinois Compiled Statutes and I can’t find a clear answer on how to determine a quorum if there are vacancies:

But I did find examples of other HPC that use a similar rule to what was recommended last night:
http://www.co.coles.il.us/HPAC/bylaws.html

Pete Iosue, AICP
Senior Planner