STATE OF ILLINOIS
COUNTY OF KENDALL SS

The Kendall County Board Meeting was held at the Kendall County Office Building, Room 209, in the City of Yorkville on Tuesday, October 4, 2011 at 6:00 p.m. The Clerk called the roll. Members present: Chairman John Purcell, Bob Davidson, Jessie Hafenrichter, Nancy Martin, John Shaw, Anne Vickery, and Jeff Wehrli. Absent and excused were Elizabeth Flowers Suzanne Petrella. Dan Koukol arrived late.

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

MINUTES

Member Martin moved to approve the submitted minutes from the regular County Board Meeting of September 06, 2011. Member Hafenrichter seconded the motion. Chairman Purcell asked for a voice vote on the motion. All members present voting aye. Motion carried.

THE AGENDA

Member Vickery moved to approve the agenda as submitted. Member Hafenrichter seconded the motion. Chairman Purcell asked for a voice vote on the motion. All members present voting aye. Motion carried.

Chairman Purcell expressed condolences on behalf of the County Board to Member Elizabeth Flowers and her family due to the loss of her sister.

CITIZENS TO BE HEARD

Jerry Bannister of 110D Riverwood, Oswego, asked the Board to allow the office of Clerk and Recorder to be split without putting the question on the 2012 ballot. He also took issue with how state mandated redactions have been handled by the current Clerk and Recorder.

OLD BUSINESS

Approve Hire of Animal Control Warden

Chairman Purcell cited a letter from Gary D. Schlapp, D.V.M. recommending Anna Payton for the position of Kendall County Animal Control Warden. Member Vickery moved to approve the hiring of Anna Payton per Dr Schlapp’s recommendation. Member Martin seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

Member Koukol was not present.

Referendum to Eliminate Office of KC Auditor

Member Martin moved to remove from the table referendum language to eliminate the office of Kendall County Auditor. Member Hafenrichter seconded the motion. The Chair asked for a voice vote with all members present voting aye. Motion carried. Member Koukol was not present. The Chair noted that the position did not currently exist but would be created by the census results unless the voters chose to eliminate it. The Chair and majority of the Board agreed that the people should have the opportunity to make this decision. It was noted that if the position of auditor was retained, State of Illinois law still requires an audit of all County offices and departments be done by an outside agency. Following discussion, and the arrival of Member Koukol, Member Martin moved to approve the Resolution placing the question “Shall the elected Office of Kendall County Auditor be eliminated effective December 1, 2012?” on the ballot at the general primary election of March 20, 2012. Member Hafenrichter seconded the motion.

RESOLUTION 11-24

WHEREAS, figures from the 2010 Federal census show that the population of Kendall County is in excess of 75,000 and,

WHEREAS, pursuant to 55 ILCS 5/3-1001 in counties having a population between 75,000 and 3,000,000 there is created the office of county auditor and,

WHEREAS, pursuant to the Illinois Constitution Article VII, Section 4(c) the office of county auditor may be eliminated by county-wide referendum and,

CO.BRD 10-04-2011
WHEREAS, Section 28-7 of the Election Code provides that the Kendall County Board may submit a public question authorized by Article VII of the Illinois Constitution by resolution requesting submission of the proposal to the voters of the County.

NOW, THEREFORE BE IT RESOLVED that the following question be submitted to the voters of Kendall County:

Shall the elected Office of Kendall County Auditor be eliminated effective December 1, 2012?

BE IT FURTHER RESOLVED that the aforesaid question shall be submitted to a referendum of the voters of Kendall County at the general primary election to be held on March 20, 2012.

BE IT FURTHER RESOLVED that the Kendall County Clerk is hereby directed to give notice that the aforesaid question is to be voted on at said election at the same time and in the same manner as notice of said election, and to prepare ballots for use there at as provided in The Election Code, Section 16-7 and to conduct said referendum as provided by law.

PASSED AT YORKVILLE, ILLINOIS, THIS 4th DAY OF OCTOBER, 2011.

John Purcell, Chairman
Kendall County Board

Debbie Gillette
Kendall County Clerk

Chairman Purcell asked for a roll call vote on the motion. All members present voting aye with the exception of Member Koukol who voted present. Motion carried.

Referendum to Eliminate Office of KC Recorder

Member Martin moved to remove from the table referendum language to eliminate the office of Kendall County Recorder. Member Hafenrichter seconded the motion. The Chair asked for a voice vote with all members present voting aye. Motion carried. The Chair indicated the position of Recorder has been handled by the combined office of Clerk and Recorder. The Chair noted that the position did not currently exist but would be created by the census results unless the voters chose to eliminate it. Commenting on further financial detail for the creation of the offices, it was noted that it is difficult to be too specific due to the latitude the individual would have in determining what they believe would be necessary for the operation of their office once they are elected. The majority of the Board agreed the voters should decide. The County Board will now have the opportunity to educate, but not advocate, on these public questions. Member Martin moved to approve the amended Resolution placing the question “Shall the Office of Recorder of Kendall County be eliminated and the functions and duties of that office continue to be performed by the Kendall County Clerk?” on the ballot at the general primary election of March 20, 2012. Member Hafenrichter seconded the motion.

RESOLUTION 11-25

WHEREAS, figures from the 2010 Federal census show that the population of Kendall County is in excess of 60,000 and,

WHEREAS, pursuant to 55 ILCS 5/3-5001 in counties having a population of less than 60,000 the county clerk shall serve as recorder and in counties having a population greater than 60,000 a recorder shall be elected and,

WHEREAS, pursuant to the above cited statute, to date the Kendall County Clerk has performed the duties and functions of the office of recorder and,

WHEREAS, should the below question be answered in the affirmative by the voters of Kendall County, the Kendall County Clerk would continue to perform the duties and function of the office of recorder and,

WHEREAS, pursuant to the Illinois Constitution Article VII, Section 4(c) the office of recorder may be eliminated by county-wide referendum and,

WHEREAS, Section 28-7 of the Election Code provides that the Kendall County Board may submit a public question authorized by Article VII of the Illinois Constitution by resolution requesting submission of the proposal to the voters of the County.

NOW, THEREFORE BE IT RESOLVED that the following question be submitted to the voters of Kendall County:
Shall the Office of Recorder of Kendall County be eliminated effective December 1, 2012 and the functions and duties of that office continue to be performed by the Kendall County Clerk?

BE IT FURTHER RESOLVED that the aforesaid question shall be submitted to a referendum of the voters of Kendall County at the general primary election to be held on March 20, 2012.

BE IT FURTHER RESOLVED that the Kendall County Clerk is hereby directed to give notice that the aforesaid question is to be voted on at said election at the same time and in the same manner as notice of said election, and to prepare ballots for use there at as provided in The Election Code, Section 16-7 and to conduct said referendum as provided by law.

PASSED AT YORKVILLE, ILLINOIS, THIS 4th DAY OF OCTOBER, 2011.

John Purcell, Chairman
Kendall County Board

Debbie Gillette
Kendall County Clerk

Chairman Purcell asked for a roll call vote on the motion. All members present voting aye with the exception of Member Koukol who voted no. Motion carried on a 7 to 1 vote.

Directed Sale of Excess Land by IDOT to Kendall County

Member Wehrli moved to remove from the table land acquisition, directed sale of excess land by IDOT to Kendall County along former Jefferson Street. Member Davidson seconded the motion. The Chair asked for a voice vote with all members present voting aye. Motion carried. State’s Attorney Eric Weis provided information regarding the process of the sale and the paperwork. Member Martin moved to approve the Resolution Authorizing the Purchase of Less than One Acre of Land on Jefferson Street, Yorkville, Kendall County, Illinois from Illinois Department of Transportation, State of Illinois, in an amount up to $4,400.00. Member Hafenrichter seconded the motion.

KENDALL COUNTY
Resolution No. 11-26

A Resolution Authorizing the Purchase of Less than One Acre of Land on Jefferson Street, Yorkville, Kendall County, Illinois from Illinois Department of Transportation, State of Illinois

WHEREAS, the County of Kendall (the ‘County’) is unit of local government formed under the laws of the State of Illinois; and

WHEREAS, under and by virtue of 55 ILCS 5/5-1083 and other applicable provisions of the Counties Code, the County may purchase real estate for a public purpose within the County of Kendall, State of Illinois; and

WHEREAS, the County desires to purchase less than 1 acre of property (‘Property’), on Jefferson Street, Yorkville, Kendall County, Illinois from the Illinois Department of Transportation, State of Illinois (‘Owner’) by Direct Public Sale of Excess Land, which said Property is legally described as:

PART OF VACATED JEFFERSON STREET LYING BETWEEN VACATED RIDGE STREET AND MADISON STREET DESCRIBED AS FOLLOWS WITH BEARING BASED ON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, NAD 1863 (EAST ZONE) BEGINNING AT THE NORTHWEST CORNER OF LOT 8 IN BLOCK 18 IN THE ORIGINAL TOWN OF YORKVILLE; THENCE SOUTH 5 DEGREES 55 MINUTES 21 SECONDS WEST 60.962 METERS (200.00 FEET) ALONG THE SOUTH LINE OF VACATED JEFFERSON STREET, THENCE SOUTH 4 DEGREES 09 MINUTES 32 SECONDS WEST 15.356 METERS (50.38 FEET) ALONG SAID SOUTH LINE OF JEFFERSON STREET; THENCE NORTH 55 DEGREES 22 MINUTES 11 SECONDS WEST 10.964 METERS (35.97 FEET) TO THE INTERSECTION OF THE CENTERLINES OF RIDGE STREET AND JEFFERSON STREET; THENCE NORTH 5 DEGREES 55 MINUTES 21 SECONDS EAST 71.020 METERS (233.00 FEET) ALONG SAID CENTERLINE OF JEFFERSON STREET TO A POINT ON THE NORTH LINE OF BLOCK 18 EXTENDED WESTERLY; THENCE SOUTH 84 DEGREES 13 MINUTES 43 SECONDS EAST 9.144 METERS (30.00 FEET) TO THE POINT OF BEGINNING, CONTAINING 2218 SQUARE FEET, MORE OR LESS, SITUATED IN THE UNITED CITY OF YORKVILLE, STATE OF ILLINOIS.; and.

WHEREAS, the method of sale of the property requires legislative action from the Illinois General Assembly; and

CO.BRD 10-04-2011
WHEREAS, the purchase of the Property described above is necessary for future construction of parking facilities for county buildings, a public purpose in Kendall County, Illinois; and

WHEREAS, the County and the Owner have agreed to the appraised price of $4,400.00, for the Property described above which includes the purchase price and fees; and

WHEREAS, a copy of plat of the Property is attached as Exhibit A and is hereby incorporated by reference; and

WHEREAS, the sale of the Property to anyone other than the County would cause a severe hardship to the County, who is the adjoining land owner; and

WHEREAS, the County understands that the Owner will require a Temporary Use Permit from the County once the Owner has conveyed its interest in the Property for the construction of Route 47.

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

1. The above listed recitals are incorporated by reference.

2. The County shall purchase from the Owner, the Property for $4,400.00 which is the appraised value for the less than 1 acre pending approval from the Illinois General Assembly within two years from the date of the passage of this resolution.

3. The Chairman of the Kendall County Board is hereby authorized and directed to execute a document to the Illinois Department of Transportation, State of Illinois, indicating the desire of the County to purchase Property from the Owner by Direct Public Sale of Excess Land. A copy of the document is attached as Exhibit B and is hereby incorporated by reference.

4. The Kendall County Treasurer is hereby authorized to pay $4,400.00 to purchase the Property from the Illinois Department of Transportation under the terms and conditions contained herein and in Exhibit B.

This RESOLUTION is hereby ADOPTED by the County Board of Kendall County, State of Illinois, on the 4th day of October, 2011.

John Purcell
Kendall County Board Chairman

Debbie Gillette
Kendall County Clerk

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

Municipal Electric Aggregation per Progressive Energy

Chairman Purcell introduced Mr. Chris Childress, of Progressive Energy Group a broker of services. He was present to provide additional information regarding Municipal Aggregation. It is an option that allows residents and small commercial customers to aggregate their electric usage to save money. He states that moving to another power supplier would have no impact on ComEd and that service issues would still be handled by ComEd. This is something that, if approved by the Board, the County would have to put on the ballot for unincorporated Kendall County only. Since the three public question limit has been reached, it could not go on the March 2012 ballot. Per SA Weis each Governmental body must offer their own public questions. It cannot be a collective referendum. Oswego and Montgomery are currently looking at this.

NEW BUSINESS

Open Meetings Act Discussion

State’s Attorney Eric Weis announced an Open Meetings Act training session to be held in the Jury Room of the Kendall County Courthouse on October 20, 2011 at 6:30 pm. He noted that when the press has submitted a letter asking for meeting dates committees need to remember to notify them of changes. He also provided a brief overview on Special meetings noting that there is a form in the Administrative Office regarding same.

STANDING COMMITTEES
Judicial/Legislative

Member Koukol reviewed the Judicial / Legislative Committee’s presented minutes. Among items noted is a request by Mr. Weis to upgrade ASA Leslie Johnson to a Labor/Bargaining position believing it will save outside attorney costs for the County.

Animal Control

Member Martin, Animal Control Co-Chairman, presented minutes from their committee meeting as Ms Vickery had been out of town. Member Hafenrichter indicated that the department is self-supporting. Laura Pawson has accepted the full-time position of Assistant Warden and has been doing well with collecting outstanding fees.

Economic Development

Member Koukol reviewed the Economic Development Committee minutes. The five-year EDC plan was discussed and a draft of the plan has been printed in house. He indicated that Member Martin had suggested including the “KAT” program. John Sterrett has copies of this plan.

Budget & Finance

Member Vickery provided a review of the Finance Committee minutes.

CLAIMS

Member Vickery moved to approve the claims submitted in the amount of $560,737.75. Member Martin seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

COMBINED CLAIMS: FCLT MGMT $42,382.31, B&Z $4,225.20, CO CLK & RCDR $ 762.41, ELECTION $140.00, ED SRV REG $2,204.69, SHRFF $24,586.01, CRRCNTNS $463.75, ESDA $26.98, CRCT CT CLK $1,797.15, JURY COMM $2,727.16, CRCT CT J DG $4,840.68, CRNS $3,304.50, ST ATTY $4,218.13, BRD OF RVW $233.99, TRSR $350.00, EMPLY HLTH INS $288,328.96, OFF OF ADM SRV $621.65, GNRL INS $ BN DG $195.00, CO BRD $713.33, TECH SRV $ 6,111.00, CAP EXPEND $318.00, ECON DEV $2.40, CAP IMPRV FND $62,046.00, TB EXPND FND $35.00, CO HWY $60.00, HLTH & HMN SRV $71,765.37, FRST PRSRV $2,350.67, KEN COM $6,003.92, ANML CNTRL $11,131.43, CO RCDR DOC STRG $457.40, DRG ABS EXP $3,509.53, CRT SEC FND $179.99, LAW LBRY $4,508.00, BRI OAKS SUB $3,393.00, CO ANML POP $835.36, VAC $9,464.08, SHRFF $172.50, FP BND PROC 2007 $3,272.20, CRTHSE DEBT SRV $3,000.00

Member Vickery displayed whiteboard computations and indicated that the reason Kendall County has one of the best balance sheets in Illinois is that every department head and elected official continues to cooperate in working with the budget/finance committee and process. She noted the county will lend KenCom 1.2 million dollars for their build-out and that the County will continue with its hiring freeze.

Health & Environment

A written report was submitted. Member Koukol noted that the spelling of his last name needed to be corrected in the meeting minutes of September 19, 2011.

STANDING COMMITTEE MINUTES APPROVAL

Member Martin moved to approve all of the Standing Committee Minutes and Reports as amended by correcting the spelling of Member Koukol’s name in the minutes of the Health and Environment Committee. Member Hafenrichter seconded the motion. Chairman Vickery asked for a voice vote on the motion. All members present voting aye. Motion carried.

SPECIAL COMMITTEE & OTHER LIAISON REPORTS

Member Hafenrichter read a letter of thanks from a citizen for the help they received from Section 8 housing.

CHAIRMAN’S REPORT

Chairman Purcell announced appointments:

Housing Authority—Cynthia Scharf—5 yr Term—Expires July 2016.
KenCom Executive Board—Gail Johnson, Oswego Board Trustee; Brian LeClerq alternate.
Economic Development Committee—addition of Jessie Hafenrichter and John Shaw with current members Dan Koukol (Chair), Bob Davidson, Elizabeth Flowers.
Labor and Grievance Committee—addition of Bob Davison and Dan Koukol with current members John Shaw (Chair), Nancy Martin, Anne Vickery.

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

EXECUTIVE SESSION
None.

CITIZENS TO BE HEARD
Todd Milliron, 61 Cotswold Dr, suggested putting the EDC plan online, asked about Green Organic fieldtrip and noted the purchase of Windows 7 had been moved up.

QUESTIONS FROM THE PRESS
The Board accepted questions from the press.

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

Approved and submitted this 1st day November, 2011.
Submitted by,
Rennetta Mickelson, Chief Deputy Clerk