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

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

MINUTES

Member Davidson moved to approve the submitted minutes from the Adjourned County Board Meeting of 8/2/11. Member Flowers seconded the motion. Chairman Purcell asked for a voice vote on the motion. All members present voting aye. Motion carried.

THE AGENDA

Chairman Purcell noted there would be a need for Executive Session for Personnel, Pending Litigation and Collective Bargaining. Member Martin moved to approve the amended agenda. Member Hafenrichter seconded the motion. Chairman Purcell asked for a voice vote on the motion. All members present voting aye. Motion carried.

CITIZENS TO BE HEARD

Rebecca Wilhelmi, 24 North St, Bristol was present to represent the Kendall County Animal Control volunteers. These volunteers are helping to clean, organize, walk dogs, do adoption events for the past three weeks. They are trying to help the animals and help raise positive awareness for the Kendall County Animal Control especially after the recent events.

Gina Sendef, 440 Deerfield Dr, Oswego stated their mission statement.

Diane Soares, 3725 Munson, Plano was wondering if there was a contact list of the Board Members available.

Jerry Bannister, 110D Riverwood Dr, Oswego spoke about the handling of Military Discharge Papers (DD-214) in the Recorder’s Office. Mr. Bannister referred to Counties Code section 55 ILCS 5/3-5015. Mr. Bannister questioned the security in the Recorder’s Office.

Michelle Alexander, 1224 Evergreen Ln, Yorkville was present to support the volunteers for Animal Control. Ms. Alexander asked the Board to please reconsider the 37 day rule for putting animals down.

Kay Phillips, 165 E Rickard Dr, Oswego was representing the Kendall County Food Pantry, stating that they will have a program that they invite animal rescues, shelters and other similar organizations to spend a day at the Food Pantry when pet food is distributed.

Jessica Bannister, 110D Riverwood Dr, Oswego stated that there are valid reasons why state law requires when the county population reaches 60,000 there shall be an elected Recorder. Mrs. Bannister stated that state law does not require that the Board provide the elected Recorder with a custom built office. Mrs. Bannister stated that the cost to split the Office of Clerk/Recorder is not correct and those costs have been inflated.

NEW BUSINESS

Precinct Map

County Clerk, Debbie Gillette presented the unofficial precinct maps. The Board was informed that there is pending litigation regarding the map boundaries set by the State.
OLD BUSINESS

Bristol Township – 13 Patricia Lane

The Board was informed by Jeff Corneils, Bristol Highway Commissioner that the property has a lien against it and it is owned by Bank of America and he feels that it is time to either fix it or tear it down. State's Attorney, Eric Weis, stated that there are currently issues with the property – the building inspectors have said there are problems with the roof, the Health Department has issues with the exposed septic system, and there are vehicles on the property that need to be dealt with. All of the proceedings so far have been against the homeowner. The bank is in the process of foreclosing which has been put on hold, they are evaluating and making sure they are going through the process correctly. Leslie Johnson from the State's Attorney's Office informed the Board that an order for the eviction of the homeowner and eviction notice has been posted and is scheduled to go forward on 9/8/11. The property manager who works with the bank has indicated that they would clean up the property.

Recorder and Auditor Language

State's Attorney, Eric Weis informed the Board that they have prepared draft language for the Board to review. The language for the Recorder states that the office of the Recorder would be eliminated and County Clerk would continue to do the functions of the Recorder’s Office. The Board will have to decide on the Auditor's position; if they want to simply eliminate the office of the Auditor or eliminate the office and assign the duties to some other office. They have reviewed the statutory requirements of the Auditor and the Treasurer, Jill Ferko has indicated she would be willing to take on those responsibilities if that was the desire of the Board.

Kencom

State's Attorney, Eric Weis reported that they are working on the ballot language for the Kencom resolution.

STANDING COMMITTEE REPORTS

Public Safety

Member Flowers reviewed the minutes from August 22, 2011 in the packet.

Judicial/Legislative

Member Koukol reviewed the minutes from August 24, 2011 in the packet.

Animal Control

Chairman Vickery pointed out that there are extra precautions now in place including changing locks, door bell installed and they are checking on pricing on card swipes and push button key pads. There was discussion on the 37 day rule.

Finance

CLAIMS

MEMBER VICKERY moved to approve the claims submitted in the amount of $472,904.10. MEMBER HAFENRICHTER seconded the motion.

COMBINED CLAIMS: FCLT MGMT $18,276.98, B&Z $4,088.53, CO CLK & RCDR $ 88.80, ELECTION $190.00, ED SRV REG $693.56, SHRFF $23,790.15, CRRCFTS $1,384.82, MERIT $86.10, CRCT CL $508.54, JURY COMM $3,074.95, CRCT CT JDG $5,505.58, CRNR $2,276.87, CMB CRT SRV $9,794.74, PUB DRNDR $3,311.94, ST ATTY $1,436.03, SPRV OF ASMNT $325.00, EMPLY HLTH INS $291,797.54, PPPOST $17,509.95, OFF OF ADM SRV $376.37, ECON DEV $958.24, CO RCDR DOC STRG $164.90, TECH SRV $ 1,961.67, CONTINGEN $450.00, ECON DEV $824.28, CO HWY $244.87, TRANSPRT SALES TX $10,194.00, HLTH & HMN SRV $19,558.25, FRST PRSRV $7,386.71, KEN COM $3,763.72, ANML CNTRL $958.24, PUB SFTY $3,693.06, ANML POP CNTRL $583.00, VAC $9,754.01, SHIRFF VEH FND $2,025.00, TOTAL FP BND PROC 2007 $875.00

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

MEMBER VICKERY moved to approve the Resolution Prohibiting the Use of Public Funds for Purchase of Alcoholic Beverages. MEMBER HAFENRICHTER seconded the motion. CHAIRMAN PURCELL asked for a voice vote on the motion. All members present voting aye except Purcell who voted Present. Motion carried.
KENDALL COUNTY

Resolution No. 11-22
A Resolution Prohibiting the Use of Public Funds for Purchase of Alcoholic Beverages

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

WHEREAS, the Constitution of the State of Illinois clearly states in Article VIII, Section 1 (a) “Public funds, property or credit shall be used only for public purposes”; and

WHEREAS, the County has a vital interest in maintaining safe, healthful, and productive working environment for employees and the public; and

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

1. The above listed recitals are incorporated by reference.
2. The purchase of alcoholic beverages by a County employee or official is not considered a legal use of public funds.
3. County employees or officials shall not purchase alcohol using public funds or County credit cards.
4. Public funds will not be authorized to reimburse employees or officials for purchases of alcoholic beverages when private funds or private credit cards were used for the purchase.

Economic Development

Member Koukol reviewed the minutes from August 26, 2011 in the packet. Mr. Koukol reported that one of the things that they have heard is that the City of Yorkville is considering a transfer station on Eldamain Road, they are trying to find out more information on that.

Highway

Member Davidson moved to approve the Resolution authorizing the purchase of 1.0428 acres of land on Crimmins Road for $10,194.00. Member Martin seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.

KENDALL COUNTY
Resolution No. 11-23
A Resolution Authorizing the Purchase of Approximately 1.0428 Acres of Land on Crimmins Road, Kendall County, Illinois from Robert A. Bright, Jr. and Brooke Bright

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 605 ILCS 5/5-401, 605 ILCS 5/5-402 & 605 ILCS 5/5-406 and other applicable provisions of the Illinois Highway Code, the County is engaged in the relocating, reconstructing, extending, widening, straightening, improving, repairing, and maintaining of the roadways within the County of Kendall, State of Illinois; and

WHEREAS, pursuant to 605 ILCS 5/5-801, any county in its name, may acquire the fee simple title, or such lesser interest as may be desired, to any lands, rights or other property necessary for the construction, maintenance or operation of any county highway, township road or district road within the county or necessary for the locating, relocating, widening, altering, extending or straightening thereof by purchase; and

WHEREAS, the County desires to purchase approximately 1.0428 acres of property (‘Property’), contained within PIN 04-29-300-004, on Crimmins Road, Kendall County, Illinois from the Robert A. Bright, Jr. and Brooke Bright (‘Owner’) which said Property is legally described as:

That part of the Southwest Quarter of Section 29, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Southwest Corner of said Southwest; thence Northerly, along the West Line of said Southwest Quarter, 1222.35 feet to a Stone Monument for the point of beginning; thence Northeasterly, along a line which forms an angle 256°41’15 with the last described course, measured clockwise therefrom, 270.92 feet to the centerline of Crimmins Road; thence Southwesterly, along said centerline being a non-tangential curve to the right with a radius of 730.0 feet, an arc distance of 434.13 feet to said West Line of said Southwest Quarter;
thence Northerly, along said West Line, 274.85 feet to the point of beginning in Fox Township, Kendall County, Illinois, and containing 1.0428 acres; and.

WHEREAS, the purchase of the Property described above is necessary for future construction and improvements to Crimmins Road, a public roadway in Kendall County, Illinois; and

WHEREAS, the County and the Owner have negotiated a price of $10,194.00, for the Property described above which includes the purchase price and fees and is within the appraised value for the Property; and

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

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 Owners, the Property for $10,194.00 which shall include the purchase price and fees for 1.0428 acres.

3. The Chairman of the Kendall County Board or the Chairman of the Kendall County Board Highway Committee and the Kendall County State’s Attorney are hereby authorized and directed to execute and attest to all documents, on behalf of the County, which are necessary to complete such transaction provided that the documents have first been approved by the Kendall County State’s Attorney.

4. The Kendall County Treasurer is hereby authorized to pay $10,194.00 to purchase the Property and to pay other closing costs and fees.

Administration

Member Hafenrichter had nothing to report on for the Committee.

STANDING COMMITTEE MINUTES APPROVAL

Member Martin moved to approve all of the Standing Committee Minutes and Reports as submitted. Member Flowers seconded the motion. Chairman Purcell asked for a voice vote on the motion. All members present voting aye. Motion carried.

CHAIRMAN’S REPORT

Chairman Purcell spoke about the Kencom build out and lease pay back; they may need to rebid the basement.

September 6, 2011 COUNTY BOARD MEETING

APPOINTMENTS

* Tuberculosis Board
  Maria Montero – 1-year term – expires August 2012
* Tuberculosis Board
  Dr. Kenneth Kavanaugh – 2-year term – expires August 2013
* Tuberculosis Board
  Dr. Tom Liske – 3-year term – expires August 2014

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

EXECUTIVE SESSION

Member Hafenrichter made a motion to go into Executive Session for collective negotiating matters between the public body and its employees or their representatives, the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, and litigation, when and action against, affecting or on behalf of the particular public body has been filed or is pending before a court or administrative tribunal. Member Vickery seconded the motion. Chairman Purcell asked for a roll call vote on the motion. All members present voting aye. Motion carried.
RECONVENE

Chairman Purcell reconvened the Board into regular session.

CITIZENS TO BE HEARD

Todd Milliron, 61 Cotswold Dr, Yorkville thanked Mr. Koukol for promoting Kendall County. Mr. Milliron stated that the 23rd Judicial District has passed and been signed by the Governor. Mr. Milliron discussed his conversation with Circuit Clerk, Becky Morganegg regarding the JANO system. Mr. Milliron asked how the Board will follow the new FOIA laws just passed.

ADJOURNMENT

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

Approved and submitted this 16th day of September, 2011.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk