

Proceedings of the

KANE COUNTY BOARD



KANE COUNTY, ILLINOIS

August 9, 2011

DRAFT-COUNTY BOARD MINUTES – AUGUST 9, 2011

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The Adjourned Meeting of the Kane County Board was held at the Kane County Government Center, Geneva, IL 9:50 a.m. on Tuesday August 9, 2011 Chairman, Karen McConnaughay, County Clerk, John Cunningham.

Roll call as follows: PRESENT: Allan, Auger, Castro, Collins, Davoust, Donahue, Ford, Frasz, Haley, Hoscheit, Hurlbut, Kenyon, Kunkel, Lewis, Lindgren, Mihalec, Mitchell, Molina, Reyna, Silva, Smith, Taylor, Tredup, Van Cleave, Vazquez, Wojnicki ABSENT: None PRESENT: 26 ABSENT: 0

APPROVAL OF MINUTES

Motion by Kenyon; seconded by Ford that minutes of the July 12, 2011 meeting be approved. Motion carried unanimously by voice vote to approve the minutes of the July 12, 2011 meeting.

PRESENTATIONS

CERTIFICATE OF RECOGNITION

IN RECOGNITION OF MADELINE DILLMAN KANE COUNTY ICA SCHOLARSHIP WINNER WEST AURORA HIGH SCHOOL

WHEREAS, the Illinois Counties Association is a non-profit association that provides services to county government and is committed to promoting and advancing education and the future of Illinois' youth; and

WHEREAS, the 2011 Kane County winner of the ICA Scholarship is Madeline "Maddie" Dillman, a recent graduate of West Aurora High School with the amazing distinction of having earned a cumulative GPA of 4.0; and

WHEREAS, Maddie was enrolled in advanced placement classes throughout high school including calculus, biology and macroeconomics and plans to attend the University of Illinois' College of Liberal Arts and Sciences with a major in biology; and

WHEREAS, Maddie is also the proud recipient of a scholarship from the A+ Foundation for West Aurora Schools; and

WHEREAS, all through her school years, Maddie has been a scholar, athlete, musician, student leader, worker and student/church group worker in distressed communities throughout the nation. She is genial, unassuming, able and conscientious. Students like Maddie are the future of our country. With her skills and abilities and ICA support, she has an exceptionally bright future.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that it heartily applauds the hard work and dedication of Madeline Dillman. Her accomplishments and career goals should enrich all of our lives and leave an imprint on the people of her community for many future generations.

###

Ruth Anne Tobias, DeKalb County Vice-Chair and President of Illinois Counties Assn., presented Certificate of Recognition to Madeline Dillman. Tom Van Cleave read the Certificate of Recognition.

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RECOGNITION

BRIGHT IDEA AWARD

Phil Lewis and Maureen Anderson presented the trophy to Mary Philips, Department of Transportation, for her idea to print County envelopes with only department names on return address, not individual's names, so if someone leaves the envelopes don't have to be re-printed.

RECOGNITION

Chairman McConnaughay recognized Sean McCarthy, the new District Director for Congressman Randy Hultgren's office, who was in the audience, and asked that Board members seek him out because he's anxious to meet all of the Board members.

PETITIONS

PETITION #4260

Hampshire Township, Petitioner Colleen Thurow

Motion by Kenyon, seconded by Mihalec that Petition #4260 be postponed for one month.

ORDINANCE AMENDING THE ZONING ORDINANCE OF KANE COUNTY, ILLINOIS

BE IT ORDAINED by the County Board of Kane County, Illinois, as follows:

- 1) That the following described property is hereby rezoned and reclassified from F-District Farming to F-1 District Rural Residential:
 - a) That part of the Northwest Quarter of Section 9, Township 42 North, Range 6 East of the 3rd Principal Meridian described as follows: commencing at the Northwest corner of said Northwest Quarter; thence Southerly, along the West line of said Northwest Quarter, 722.08 feet to the North line of the South 118 acres of said Northwest Quarter; thence Easterly, at an angle of 90°02'22", measured clockwise from said West line, along said North line, 292.00 feet for the point of beginning; thence Northerly, at an angle of 89°57'38", measured clockwise from said North line, parallel with said West line, 180.00 feet; thence Westerly, at an angle of 90°02'22", measured clockwise from the last described course, parallel with said North line, 292.00 feet to said West line; thence Northerly, at an angle of 90°02'22", measured counterclockwise from the last described course, along said West line, 360.00 feet; thence Easterly, at an angle of 89°57'38", measured counterclockwise from said West line, parallel with said North line, 501.00 feet; thence Southerly, at an angle of 90°02'22", measured counterclockwise from the last described course, parallel with said West line, 540.00 feet to said North line; thence Westerly, along said North line, 209.00 feet to the point of beginning, all in Hampshire Township, Kane County, Illinois.
 - b) The original petition was amended by the petitioner on July 19, 2011, to define and restrict the area where the home, pole barn and septic field could be constructed to the southwest corner of the proposed parcel with the dimensions of 180' north to south and 292' east to west.
- 2) That the zoning maps of Kane County, Illinois, be amended accordingly.
- 3) This ordinance shall be in full force and effect from and after its passage and approved as provided by Law.

DRAFT-COUNTY BOARD MINUTES – AUGUST 9, 2011

###

Kenyon said the Petitioners have asked that this Petition be postponed for one month. Motion carried unanimously by voice vote. **PETITION # 4260 IS TABLED FOR ONE MONTH.**

PETITION #4263A

Rutland Township, Petitioner Rigoberto Ceja, et ux
Motion by Kenyon, seconded by Smith that Petition #4263A be granted.

**ORDINANCE AMENDING THE
ZONING ORDINANCE OF KANE COUNTY, ILLINOIS
(F to F-1)**

BE IT ORDAINED by the County Board of Kane County, Illinois, as follows:

- 1) That the following described property is hereby rezoned and reclassified from F-District Farming to F-1 District Rural Residential:

The West half of the Southeast Quarter Southeast Quarter of Section 10, Township 42 North Range 7, except that part described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence North 90 degrees 00 minutes 00 seconds East (assumed) along the South line of the Southeast Quarter, 1325.82 feet to the Southwest Corner of said West half; thence North 00 degrees 45 minutes, 13 seconds East along the west line of said West half, 341.98 feet for the point of beginning; Thence North 00 degrees 45 minutes 13 seconds East along the West line of said West half, 983.84 feet to the Northwest corner thereof, thence North 89 degrees 52 minutes 06 seconds East, along the North line of said West half, 664.98 feet to the Northeast corner thereof; thence South 00 degrees 50 minutes West, along the East line of said West half 983.85 feet; thence South 89 degrees 52 minutes 06 seconds West, 663.46 feet to the point of beginning, and also except the West 253.50 feet as measured at right angles to the West line thereof, in Kane County, Illinois.

- 2) That the zoning maps of Kane County, Illinois, be amended accordingly.
- 3) This ordinance shall be in full force and effect from and after its passage and approved as provided by Law.

###

Petitioner was not present to answer questions. Discussion followed. Motion carried unanimously by voice vote. **PETITION #4263A IS GRANTED.**

PETITION #4263B

Rutland Township, Petitioner Rigoberto Ceja, et ux
Motion by Kenyon, seconded by Smith that Petition #4263B be granted.

**ORDINANCE AMENDING THE
ZONING ORDINANCE OF KANE COUNTY, ILLINOIS
(F TO F-2)**

BE IT ORDAINED by the County Board of Kane County, Illinois, as follows:

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- 1) That the following described property is hereby rezoned and reclassified from F-District Farming to F-2 District – Agricultural related sales, service, processing, research, warehouse and marketing with a Special Use for a landscaping business:

The West 253.50 feet of the following described parcel (as measured at right angles to the West line of said Parcel) The West half of the Southeast Quarter Southeast Quarter of Section 10, Township 42 North Range 7, except that part described as follows: Commencing at the Southwest corner of said Southeast Quarter; thence North 90 degrees 00 minutes 00 seconds East (assumed) along the South line of the Southeast Quarter, 1325.82 feet to the Southwest Corner of said West half; thence North 00 degrees 45 minutes, 13 seconds East along the west line of said West half, 341.98 feet for the point of beginning; Thence North 00 degrees 45 minutes 13 seconds East along the West line of said West half, 983.84 feet to the Northwest corner thereof, thence North 89 degrees 52 minutes 06 seconds East, along the North line of said West half, 664.98 feet to the Northeast corner thereof; thence South 00 degrees 50 minutes West, along the East line of said West half 983.85 feet; thence South 89 degrees 52 minutes 06 seconds West, 663.46 feet to the point of beginning, in Kane County, Illinois.

- 2) That the zoning maps of Kane County, Illinois, be amended accordingly.
- 3) This ordinance shall be in full force and effect from and after its passage and approved as provided by Law.

###

Petitioner was not present to answer questions. Discussion followed. Motion failed unanimously on voice vote. **PETITION #4263B IS NOT GRANTED.**

PETITION #4264

Burlington Township, Petitioner Lenora Hallbeck Trust
Motion by Kenyon, seconded by Smith that Petition #4264 be granted.

**ORDINANCE AMENDING THE
ZONING ORDINANCE OF KANE COUNTY, ILLINOIS**

BE IT ORDAINED by the County Board of Kane County, Illinois, as follows:

- 1) That the following described property is hereby rezoned and reclassified from F-District Farming to F-1 District Rural Residential:

That part of the South half of the Southeast Quarter of Section 7, Township 41 North, Range 6 East of the 3rd Principal Meridian, described as follows: Beginning at the Northwest corner of said South half; thence Southerly, along the West line of said Southeast Quarter, 398.99 feet to the center line of Plank Road; thence Northeasterly, along said center line, 340.60 feet, on the arc of a curve to the Left, having a radius of 9549.40 feet, said arc forming a chord that measures 73°39'32" clockwise from said West line and measures 340.58 feet; thence Northerly, at an angle of 106°53'58", measured clockwise from said chord, 301.29 feet to the North line of said South half; thence Westerly, at an angle of 89°46'11", measured clockwise from the last described course, along said North line, 329.76 feet to the point of beginning, all in Burlington Township, Kane County, Illinois.

- 2) That the zoning maps of Kane County, Illinois, be amended accordingly.

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3) This ordinance shall be in full force and effect from and after its passage and approved as provided by Law.

###

Petitioner's attorney and trust officer were present to answer questions. No discussion. Motion carried unanimously by voice vote. **PETITION #4264 IS GRANTED.**

PETITION #4265

Blackberry Township, Petitioner Michelle Muellner Trust
Motion by Kenyon, seconded by Frasz that Petition #4265 be granted.

ORDINANCE AMENDING THE ZONING ORDINANCE OF KANE COUNTY, ILLINOIS

BE IT ORDAINED by the County Board of Kane County, Illinois, as follows:

1) That the following described property is hereby rezoned and reclassified from F-District Farming to F-1 District Rural Residential:

That part of the East half of the Northeast Quarter of Section 9, Township 39 North, Range 7 East of the 3rd Principal Meridian described as follows: Commencing at the Southeast corner of said East half; thence North 89°43'00" West along the South line of said East half 184.50 feet; thence North 1°04'38" East 275.0 feet for the point of beginning; thence South 1°04'38" West along the last described course 275.0 feet to said South line; thence North 89°43'00" West along said South line 1132.94 feet to the Southwest corner of said East half; thence North 2°53'00" East along the West line of said East half 477.84 feet, thence South 45°30'00" East 115.0 feet; thence South 72°50'00" East 81.0 feet; thence South 69°40'00" East 127.0 feet; thence North 82°10'00" East 90.0 feet; thence South 16°05'00" East 70.68 feet to a line drawn North 89°43'00" West from the point of beginning; thence South 89°43'00" East 726.82 feet to the point of beginning, in Blackberry Township, Kane County, Illinois.

2) That the zoning maps of Kane County, Illinois, be amended accordingly.

3) This ordinance shall be in full force and effect from and after its passage and approved as provided by Law.

###

Petitioner Jeffrey Muellner was present to answer questions. Discussion followed. Motion carried unanimously by voice vote. **PETITION #4265 IS GRANTED.**

CONSENT AGENDA

Chairman McConnaughay requested items to be considered separately. Item removed from Consent Agenda as follows: #11-242 by Mitchell. Motion by Kenyon seconded by Ford that the Consent Agenda (#11-233, #11-234, #11-235, #11-236, #11-237, #11-238, #11-239, #11-240, #11-241, #11-243, #11-244, #11-245, #11-246, #11-247, #11-248, #11-249, #11-250, #11-251) be adopted.

DRAFT-COUNTY BOARD MINUTES – AUGUST 9, 2011

RESOLUTION #11-233

**AUTHORIZING APPLICATION TO CIRCUIT COURT FOR DEMOLITION OF
DANGEROUS AND/OR UNSAFE BUILDING
(PROPERTY LOCATED AT 316 Parkside, TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS
PARCEL NO.: 15-24-177-004)**

WHEREAS, 55 ILCS 5/5-1211 authorizes the County of Kane, upon application to the circuit court, to demolish, repair, or enclose or cause the demolition, repair, or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the territory of the county, but outside of the territory of any municipality, and to remove or cause the removal of garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from those buildings; and

WHEREAS, 55 ILCS 5/5-1121 (a) requires that the County apply to the circuit court for an order authorizing such action after the County has provided at least 15 days' written notice by mail to the owner or owners of the building, including the lien holders of record, and such owner or owners have not commenced proceedings to put the building in a safe condition or to demolish it; and

WHEREAS, 55 ILCS 5/5-1121 authorizes the County to recover the costs related to the demolition, repair, enclosure, or removal incurred by the County, including court costs, attorney's fees, and other costs related to the enforcement of section 55 ILCS 5/5-1121; and

WHEREAS, certain Community Development Block Grant funds may be appropriated and may be available to pay the costs associated with the demolition of dangerous and unsafe buildings within the County; and

WHEREAS, the Kane County Building Officer has determined that a building (the "Unsafe Building") is located at 316 Parkside., Township of Aurora, Kane County, Illinois, parcel number 15-24-177-004 ("Property") is dangerous and/or unsafe; and

WHEREAS, the County desires to demolish the Unsafe Building if the owner or owners do not commence proceedings to do so after 15 days written mailed notice.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board as follows:

1. The Kane County Building Officer is hereby authorized and directed to order a title search on the Property and to provide written, mailed notice to the owner or owners of the Unsafe Building, including the lien holders of record, in accordance with 55 ILCS 5/5-1121, that the County desires to demolish the Unsafe Buildings and it will apply to the circuit court for an order authorizing such demolition in the event the owner does not commence proceedings to do so within 15 days of the date the notice is mailed; and

2. The Kane County State's Attorney's Office is hereby authorized and directed to file on behalf of the County an Application with the circuit court, in accordance with 55 ILCS 5/5-1121, for an order authorizing the demolition of the Unsafe Building in the event that the owner does not commence proceedings to demolish the building within 15 days of the date the notice is mailed by the Building Officer and to seek the recovery of the costs associated with the demolition.

###

DRAFT-COUNTY BOARD MINUTES – AUGUST 9, 2011

RESOLUTION #11-234

**AUTHORIZING APPLICATION TO CIRCUIT COURT FOR DEMOLITION
OF DANGEROUS AND/OR UNSAFE BUILDING
(PROPERTY LOCATED AT 440 Woodlyn, TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS
PARCEL NO.: 15-10-226-006)**

WHEREAS, 55 ILCS 5/5-1211 authorizes the County of Kane, upon application to the circuit court, to demolish, repair, or enclose or cause the demolition, repair, or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the territory of the county, but outside of the territory of any municipality, and to remove or cause the removal of garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from those buildings; and

WHEREAS, 55 ILCS 5/5-1121 (a) requires that the County apply to the circuit court for an order authorizing such action after the County has provided at least 15 days' written notice by mail to the owner or owners of the building, including the lien holders of record, and such owner or owners have not commenced proceedings to put the building in a safe condition or to demolish it; and

WHEREAS, 55 ILCS 5/5-1121 authorizes the County to recover the costs related to the demolition, repair, enclosure, or removal incurred by the County, including court costs, attorney's fees, and other costs related to the enforcement of section 55 ILCS 5/5-1121; and

WHEREAS, certain Community Development Block Grant funds may be appropriated and may be available to pay the costs associated with the demolition of dangerous and unsafe buildings within the County; and

WHEREAS, the Kane County Building Officer has determined that a building (the "Unsafe Building") is located at 440 Woodlyn, Township of Aurora, Kane County, Illinois, parcel number 15-10-226-006 ("Property") is dangerous and/or unsafe; and

WHEREAS, the County desires to demolish the Unsafe Building if the owner or owners do not commence proceedings to do so after 15 days written mailed notice.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board as follows:

1. The Kane County Building Officer is hereby authorized and directed to order a title search on the Property and to provide written, mailed notice to the owner or owners of the Unsafe Building, including the lien holders of record, in accordance with 55 ILCS 5/5-1121, that the County desires to demolish the Unsafe Buildings and it will apply to the circuit court for an order authorizing such demolition in the event the owner does not commence proceedings to do so within 15 days of the date the notice is mailed; and

2. The Kane County State's Attorney's Office is hereby authorized and directed to file on behalf of the County an Application with the circuit court, in accordance with 55 ILCS 5/5-1121, for an order authorizing the demolition of the Unsafe Building in the event that the owner does not commence proceedings to demolish the building within 15 days of the date the notice is mailed by the Building Officer and to seek the recovery of the costs associated with the demolition.

###

DRAFT-COUNTY BOARD MINUTES – AUGUST 9, 2011

RESOLUTION #11-235

**AUTHORIZING APPLICATION TO CIRCUIT COURT FOR DEMOLITION OF
DANGEROUS AND/OR UNSAFE BUILDING
(PROPERTY LOCATED AT 1686 Solfisburg Ave., TOWNSHIP OF AURORA, KANE COUNTY,
ILLINOIS PARCEL NO.: 15-24-128-033)**

WHEREAS, 55 ILCS 5/5-1211 authorizes the County of Kane, upon application to the circuit court, to demolish, repair, or enclose or cause the demolition, repair, or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the territory of the county, but outside of the territory of any municipality, and to remove or cause the removal of garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from those buildings; and

WHEREAS, 55 ILCS 5/5-1121 (a) requires that the County apply to the circuit court for an order authorizing such action after the County has provided at least 15 days' written notice by mail to the owner or owners of the building, including the lien holders of record, and such owner or owners have not commenced proceedings to put the building in a safe condition or to demolish it; and

WHEREAS, 55 ILCS 5/5-1121 authorizes the County to recover the costs related to the demolition, repair, enclosure, or removal incurred by the County, including court costs, attorney's fees, and other costs related to the enforcement of section 55 ILCS 5/5-1121; and

WHEREAS, certain Community Development Block Grant funds may be appropriated and may be available to pay the costs associated with the demolition of dangerous and unsafe buildings within the County; and

WHEREAS, the Kane County Building Officer has determined that a building (the "Unsafe Building") is located at 1686 Solfisburg Ave., Township of Aurora, Kane County, Illinois, parcel number 15-24-128-033 ("Property") is dangerous and/or unsafe; and

WHEREAS, the County desires to demolish the Unsafe Building if the owner or owners do not commence proceedings to do so after 15 days written mailed notice.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board as follows:

1. The Kane County Building Officer is hereby authorized and directed to order a title search on the Property and to provide written, mailed notice to the owner or owners of the Unsafe Building, including the lien holders of record, in accordance with 55 ILCS 5/5-1121, that the County desires to demolish the Unsafe Buildings and it will apply to the circuit court for an order authorizing such demolition in the event the owner does not commence proceedings to do so within 15 days of the date the notice is mailed; and

2. The Kane County State's Attorney's Office is hereby authorized and directed to file on behalf of the County an Application with the circuit court, in accordance with 55 ILCS 5/5-1121, for an order authorizing the demolition of the Unsafe Building in the event that the owner does not commence proceedings to demolish the building within 15 days of the date the notice is mailed by the Building Officer and to seek the recovery of the costs associated with the demolition.

###

DRAFT-COUNTY BOARD MINUTES – AUGUST 9, 2011

RESOLUTION #11-236

**AUTHORIZING APPLICATION TO CIRCUIT COURT FOR DEMOLITION OF
DANGEROUS AND/OR UNSAFE BUILDING
(PROPERTY LOCATED AT 03N897 Rte. 31, TOWNSHIP OF ST. CHARLES, KANE COUNTY,
ILLINOIS PARCEL NO.: 09-28-228-001)**

WHEREAS, 55 ILCS 5/5-1211 authorizes the County of Kane, upon application to the circuit court, to demolish, repair, or enclose or cause the demolition, repair, or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the territory of the county, but outside of the territory of any municipality, and to remove or cause the removal of garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from those buildings; and

WHEREAS, 55 ILCS 5/5-1121 (a) requires that the County apply to the circuit court for an order authorizing such action after the County has provided at least 15 days' written notice by mail to the owner or owners of the building, including the lien holders of record, and such owner or owners have not commenced proceedings to put the building in a safe condition or to demolish it; and

WHEREAS, 55 ILCS 5/5-1121 authorizes the County to recover the costs related to the demolition, repair, enclosure, or removal incurred by the County, including court costs, attorney's fees, and other costs related to the enforcement of section 55 ILCS 5/5-1121; and

WHEREAS, certain Community Development Block Grant funds may be appropriated and may be available to pay the costs associated with the demolition of dangerous and unsafe buildings within the County; and

WHEREAS, the Kane County Building Officer has determined that a building (the "Unsafe Building") is located at 3N897 Route 31., Township of St. Charles, Kane County, Illinois, parcel number 09-28-228-001 ("Property") is dangerous and/or unsafe; and

WHEREAS, the County desires to demolish the Unsafe Building if the owner or owners do not commence proceedings to do so after 15 days written mailed notice.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board as follows:

1. The Kane County Building Officer is hereby authorized and directed to order a title search on the Property and to provide written, mailed notice to the owner or owners of the Unsafe Building, including the lien holders of record, in accordance with 55 ILCS 5/5-1121, that the County desires to demolish the Unsafe Buildings and it will apply to the circuit court for an order authorizing such demolition in the event the owner does not commence proceedings to do so within 15 days of the date the notice is mailed; and

2. The Kane County State's Attorney's Office is hereby authorized and directed to file on behalf of the County an Application with the circuit court, in accordance with 55 ILCS 5/5-1121, for an order authorizing the demolition of the Unsafe Building in the event that the owner does not commence proceedings to demolish the building within 15 days of the date the notice is mailed by the Building Officer and to seek the recovery of the costs associated with the demolition.

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DRAFT-COUNTY BOARD MINUTES – AUGUST 9, 2011

**RESOLUTION #11-237
APPROVING AN ANNUAL OPERATIONS AND MAINTENANCE FEE
FOR STREAM AND RAIN GAGES, 2012**

WHEREAS, on October 13, 1998 the Kane County Board passed Ordinance No. 98-251 adopting the Kane County Stormwater Management Plan (the “Plan”) pursuant to 55ILCS 5/5-1062, which established goals to “identify, protect, and improve floodplains, waterways, lakes, ponds, wetlands... in order to maximize the protection of public health, safety, and welfare, and identify and develop revenue sources to complete the goals and objectives...”; and

WHEREAS, the collection of stream flow and rainfall data is an integral part of planning flood mitigation activities, investigating water quality, and protecting and improving Kane County’s water resources; and

WHEREAS, on May 12, 1998, the Kane County Board passed Resolution #98-129 authorizing the expenditure of funds to install, operate, and maintain stream and rain gages in cooperation with various state and federal agencies including the United States Geological Survey and the Illinois Department of Natural Resources; and

WHEREAS, the County has negotiated joint funding with the United States Geological Survey for the 2011/2012 operation, maintenance, and monitoring of said gages, for which the United States Geological Survey and Kane County will each pay approximately one-half the stated costs of the above mentioned work; and

WHEREAS, adequate funds to complete this commitment have been budgeted and exist in Fund 086, line item 50150 for the Kane County commitment of Thirty Seven Thousand Two Hundred Forty Dollars (\$37,240.00).

NOW, THEREFORE BE IT RESOLVED by the Kane County Board that the Chairman is hereby authorized to enter into a contract with the USGS for the joint funding for the operation, maintenance, and monitoring of rain and stream gages in Kane County in an amount not to exceed Thirty Seven Thousand Two Hundred Forty Dollars (\$37,240.00), to be paid from Fund 086, Line Item 50150. A copy of said contract shall be kept on file with the Kane County Auditor.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
420-670-680-50150	Contracts and Consulting	Yes	Yes	

###

**RESOLUTION #11-238
A RESOLUTION ALLOWING THE ESTABLISHMENT OF A SPECIAL SERVICE AREA
BY THE VILLAGE OF BIG ROCK OVER PROPERTIES IN UNINCORPORATED KANE COUNTY
FOR THE TENERELLI DRAINAGE IMPROVEMENTS**

WHEREAS, in 1994 Kane County (the “County”) established the Cost-Share program to assist residents in older subdivisions with drainage improvements to help alleviate flooding; and

WHEREAS, Kane County has been working with the Village of Big Rock (the Village) and residents in the Tenerelli subdivision (as the subdivision contains both incorporated and unincorporated

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lots) located north of Granart Road and west of Whildin Road to develop a plan to alleviate flooding and high groundwater conditions in the neighborhood that have resulted in structure, yard and street flooding; and

WHEREAS, the Village and County presented the findings of the conceptual design report completed by Robert E. Hamilton and Associates to the residents and the residents have expressed their support of the project verbally and through a signed petition; and

WHEREAS, the Village desires to establish a Special Service Area to collect the property owners share of the construction cost (not to exceed \$100 per property per year except Pin 13-23-176-021, -027 and -028 which will be levied at a higher rate) and a fee for long term maintenance of the proposed improvements as the Village does not collect sufficient property taxes for such services and Kane County does not maintain stormwater systems within the County with the exception of KDOT rights-of-way; and

WHEREAS, pursuant to the provisions of Article VII, Section 7, Part (6) of the 1970 Constitution of the State of Illinois (the "Constitution") and the "Special Service Area Tax Law", 35 ILCS 200/27-5, et seq. (2003) the Village of Big Rock is authorized to create special service areas in and for the incorporated areas within the Village and may create a special service area within an unincorporated area when the County consents to the creation of the special service area; and

WHEREAS, pursuant to the "Special Service Area Tax Law", 35 ILCS 200/27-5, et seq. (2003), the Village, once the Special Service Area is approved and recorded, would be authorized to levy and impose taxes upon property within special service areas for the provision of special services to those areas and for the payment of debt incurred in order to provide those services; and

WHEREAS, the majority of the properties within the Tenerelli subdivision are incorporated within the Village, it is, therefore, in the public interest for the Village of Big Rock to establish a special service area for the purpose of constructing and maintaining the stormwater system in the Tenerelli Subdivision over all lots within the subdivision and unincorporated parcel to the north.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board, County of Kane, Illinois, as follows: Kane County provides its consent to the Village of Big Rock to establish a Village sponsored Special Service Area over the following properties that are unincorporated within the Tenerelli Subdivision for the purpose of levying taxes for the Tenerelli Drainage Improvement project for construction and long term maintenance. PIN 13-23-177-011, PIN 13-23-176-011, PIN 13-23-251-021, PIN 13-23-251-018, PIN 13-23-251-006, PIN 13-23-251-024, PIN 13-23-251-025, PIN 13-23-251-012, PIN 13-23-176-021, PIN 13-23-176-027, and PIN 13-23-176-028.

###

RESOLUTION #11-239

**SAVANNA LAKES STORM SEWER
CONTRACT FOR CONSTRUCTION
ELGIN TOWNSHIP**

WHEREAS, bids have been solicited and received by the Purchasing Department for the drainage improvements in the Savanna Lakes subdivision located west of Nolan Road and south of the railroad tracks, Elgin Township; and

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WHEREAS, Stark and Son Trenching of Hampshire, Illinois is the lowest responsible bidder for the Savanna Lakes Storm Sewer Project in the amount of Fifty Three Thousand Fifty Three Dollars (\$53,053.00) which includes contingency.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the lowest responsible bid of Stark and Son Trenching, Inc. for the Savanna Lakes Storm Sewer Construction Project in Elgin Township in the amount of Fifty Three Thousand Fifty Three Dollars (\$53,053.00) be approved and that the Chairman thereof is hereby authorized to enter into a contract with Stark and Son, Inc contingent upon review and approval of the payment bond and insurance certificate by the Purchasing Department. The project was approved as Cost-Share Project 2011-005. The amount authorized in that approval is revised as follows: Twenty Four Thousand One Dollar and Fifty Cents (\$24,001.50) being paid by Kane County Cost Share, Twenty Four Thousand One Dollar and Fifty Cents (\$24,001.50) being paid by the Savanna Lakes Homeowners Association (Recovery Bond Loan back by SSA) and Five Thousand Fifty Dollars (\$5,050.00) being paid by Elgin Township Road District.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
405.690.715-73500	Other Construction	Yes	Yes	

###

**RESOLUTION #11-240
CHEVAL DE SELLE STORM SEWER CONTRACT FOR CONSTRUCTION
CAMPTON TOWNSHIP**

WHEREAS, bids have been solicited and received by the Purchasing Department for the drainage improvements in the Cheval De Selle subdivision located east of Anderson Road, south of Illinois Route 64 in Campton Township; and

WHEREAS, Stark and Son Trenching of Hampshire, Illinois is the lowest responsible bidder for the Cheval De Selle Storm Sewer Project in the amount of One Hundred Fifteen Thousand Three Hundred Eighty Three Dollars (\$115,383.00) which includes contingency.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the lowest responsible bid of Stark and Son Trenching, Inc. for the Cheval De Selle Storm Sewer Construction Project in Campton Township in the amount of One Hundred Fifteen Thousand Three Hundred Eighty Three Dollars (\$115,383.00) be approved and that the Chairman thereof is hereby authorized to enter into a contract with Stark and Son, Inc contingent upon review and approval of the payment bond and insurance certificate by the Purchasing Department. The project was approved as Cost-Share Project 2011-003. The amount authorized in that approval is revised as follows: Fifty Nine Thousand Three Hundred Twenty Nine Dollar (\$59,329.00) being paid by Kane County Cost Share, Forty Seven Thousand Three Hundred Forty Four Dollars (\$47,344.00) being paid by through a Special Service Area (Recovery Bond Loan – Venetian SSA) and Eight Thousand Seven Hundred Ten Dollars (\$8,710.00) being paid by Campton Township Highway District.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
405.690.715-73500	Other Construction	Yes	Yes	

###

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**RESOLUTION #11-241
AUTHORIZING CERTAIN ACTIONS RELATIVE TO THE TAX AGENT**

WHEREAS, the County of Kane has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases where the taxes on the same have not been paid pursuant to 35ILCS 200/21-90; and

WHEREAS, pursuant to this program the County of Kane, as trustee for the taxing districts involved, has acquired an interest in the real estate described on the attached exhibit; and

WHEREAS, it appears to the Kane County Board that it would be in the best interest of the taxing districts of Kane County to dispose of this interest in said property.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof be and hereby is authorized to execute a deed of conveyance of the County’s interest or authorize the cancellation of the appropriate certificate of purchase, as the case may be, on the real estate described in the attached exhibit for the sums shown and to be disbursed as shown and according to law.

###

Resolution Number	Item Number	Parcel#	Type Of Transaction	Account Name	Kane County Monthly Resolution List July 2011				Agent	County Treasurer
					Total Collected	County Clerk	Auctioneer	Recorder/ Sec. of State		
07-11-001	611958	12-33-454-013	SAL	Village of North Aurora	485.00	0.00	0.00	42.00	250.00	193.00
07-11-002	611959	12-33-454-001	SAL	Village of North Aurora	485.00	0.00	0.00	42.00	250.00	193.00
					970.00	0.00	0.00	84.00	500.00	386.00
									Clerk Fees	0.00
									Sec. of State/ Recorder Fees	84.00
									Total To County	470.00

**RESOLUTION #11-243
RESOLUTION TO RETAIN HEALTH INSURANCE BROKER/CONSULTANTS
(Global Group)**

WHEREAS, Kane County provides health, dental and vision insurance to eligible employees, board members, and county-wide elected officials; and

WHEREAS, in 2009 through an RFP process, Global Group, Inc. was selected to negotiate the best possible rate with insurance carriers on behalf of Kane County; and

WHEREAS Global has provided quality representation to Kane County and should be retained as Kane County’s Broker of Record in negotiations with insurance carriers at a cost not to exceed \$60,000 per annum.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that it does hereby retain Global Group, Inc. as its Broker of Record for the health, dental and vision insurance and authorizes

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the Kane County Board Chairman to sign any and all contracts and documents necessary to effectuate this resolution.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
001.800.808.50520	Healthcare Admin Services	Yes	Yes	N/A

###

RESOLUTION #11-244

**ROOF REPAIRS
BUILDING A - ADMINISTRATION
KANE COUNTY DIVISION OF TRANSPORTATION**

WHEREAS, bids have been solicited and received by the Kane County Purchasing Department for roof repairs to the Kane County Division of Transportation Building A - Administration (hereinafter "Project"); and

WHEREAS, The Glenbrook Group, 3000 Dundee, Suite 404, Northbrook, Illinois 60062 was the low bidder for the Project in the amount of \$94,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the low bid for the Project from The Glenbrook Group of Northbrook, Illinois 60062 in the amount of Ninety Four Thousand Dollars (\$94,000.00) be accepted and that the County Board Chairman is hereby authorized to execute any contract documents therefor.

BE IT FURTHER RESOLVED that payment for the Project be made from County Highway Fund #300, Line Item #72010 (Building Improvements).

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
300.520.520.72010	Building Improvements	Yes	Yes	

###

RESOLUTION #11-245

**APPROVING A PHASE II ENGINEERING SERVICES AGREEMENT
WITH WILLS BURKE KELSEY ASSOCIATES, LTD. FOR
LAFOX ROAD OVER MILL CREEK STRUCTURE REPLACEMENTS
KANE COUNTY SECTION NO. 11-00417-00-BR**

WHEREAS, Phase II Engineering services are required for the LaFox Road (County Highway #81) over Mill Creek structure replacement (hereinafter referred to as the "Project"); and

WHEREAS, in order to accomplish the Project, it is necessary to retain the services of a professional engineering firm to provide Phase II Engineering services; and

WHEREAS, Wills Burke Kelsey Associates, Ltd., 116 West Main Street, Suite 201, St. Charles, IL 60174-1854 has experience and professional expertise in Phase II Engineering and is willing to perform the required services for an amount not to exceed Four Hundred Fourteen Thousand Nine Hundred Two and 16/100 Dollars (\$414,902.16).

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NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to execute a Phase II Engineering services agreement with Wills Burke Kelsey Associates, Ltd. for the Project (a copy of which is on file with the County Clerk's Office).

BE IT FURTHER RESOLVED that the Kane County Board appropriate the not to exceed sum of Four Hundred Fourteen Thousand Nine Hundred Two and 16/100 Dollars (\$414,902.16) from Motor Fuel Local Option Fund #304, Line Item #50140 (Engineering) to pay for said Phase II Engineering services for the Project.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
304.520.524.50140	Engineering	Yes	Yes	

###

RESOLUTION #11-246

**APPROVING A PHASE II ENGINEERING SERVICES AGREEMENT
WITH BAXTER & WOODMAN, INC. FOR
TANNER ROAD OVER LAKE RUN CREEK
KANE COUNTY SECTION NO. 11-00163-01-BR AND
THATCHER ROAD OVER VIRGIL DITCH NO. 1
KANE COUNTY SECTION NO. 11-00091-01-BR**

WHEREAS, Phase II Engineering services are required for the County Highway #15 (also known as Tanner Road) Bridge over Lake Run Creek and the County Highway #23 (also known as Thatcher Road) Bridge over Virgil Ditch No. 1 structure replacements (hereinafter referred to as the "Project"); and

WHEREAS, in order to accomplish the Project, it is necessary to retain the services of a professional engineering firm to provide Phase II Engineering services; and

WHEREAS, Baxter & Woodman, Inc. 8678 Ridgefield Road, Crystal Lake, IL 60012 has experience and professional expertise in Phase II Engineering and is willing to perform the required services for an amount not to exceed Three Hundred Fifty Five Thousand Four Hundred Twenty Eight and 25/100 Dollars (\$355,428.25).

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to execute a Phase II Engineering services agreement with Baxter & Woodman, Inc. for the Project (a copy of which is on file with the County Clerk's Office).

BE IT FURTHER RESOLVED that the Kane County Board appropriate the not to exceed sum of Three Hundred Fifty Five Thousand Four Hundred Twenty Eight and 25/100 Dollars (\$355,428.25) from Transportation Sales Tax Fund #305, Line Item #50140 (Engineering) to pay for said Phase II Engineering services for the Project.

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Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
305.520.527.50140	Engineering	Yes	Yes	

###

RESOLUTION #11-247

**APPROVING CONTRACT FOR CONSTRUCTION
ILLINOIS ROUTE 64 AND BURLINGTON ROAD
TRAFFIC SIGNAL INTERCONNECT
KANE COUNTY SECTION NO. 08-00389-00-TL**

WHEREAS, the Illinois Department of Transportation (IDOT) has solicited and received bids for the work and construction described as:

**KANE COUNTY SEC. NO. 08-00389-00-TL
ILLINOIS ROUTE 64 AND BURLINGTON ROAD
(hereinafter the "Project")**

WHEREAS, the lowest responsible bidder for the Project is:

**H AND H ELECTRIC, FRANKLIN PARK, ILLINOIS
with a low bid of
\$597,353.14**

WHEREAS, pursuant to Kane County Resolution No. 11-145, Kane County previously entered into a Local Agency Agreement for Federal Participation in the Project with Federal, State and County funds covering construction costs of the Project; and

WHEREAS, the Project is estimated to be funded \$477,882.51 in Federal and State funds with the County share estimated at \$119,470.63.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that there is hereby appropriated the sum of One Hundred Nineteen Thousand Four Hundred Seventy and 63/100 Dollars (\$119,470.63) from Transportation Sales Tax Fund #305, Line Item #73000 (Road Construction) to reimburse IDOT for the County's share of the cost of the Project.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
305.520.527.73000	Road Construction	Yes	Yes	

###

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**RESOLUTION #11-248
 APPROVING A PHASE III ENGINEERING SERVICES AGREEMENT
 WITH AMEC E&I INC. FOR
 STEARNS ROAD BRIDGE CORRIDOR - STAGE 2A
 MCLEAN FEN ADAPTIVE MANAGEMENT PLAN
 KANE COUNTY SECTION NO. 06-00214-11-LS**

WHEREAS, Phase III Engineering services are necessary for the improvement of Kane County Highway No. 37 (Stearns Road), the McLean Boulevard Fen Adaptive Management Plan, Kane County Section No. 06-00214-11-LS (hereinafter referred to as the “Improvement”); and

WHEREAS, in order to accomplish the Improvement, it is necessary that the County retain the services of a professional engineering firm to provide Phase III Engineering services; and

WHEREAS, AMEC E&I Inc, 8745 West Higgins Road, Suite 300, Chicago, IL 60631 has experience and professional expertise in Phase III Engineering services and is willing to perform the required engineering services for an amount not to exceed One Hundred Thirty One Thousand Four Hundred Seventy Eight and 80/100 Dollars (\$131,478.80), upon the terms and conditions as set forth in an engineering services agreement (a copy of which is on file with the County Clerk’s Office).

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to execute an agreement for Phase III Engineering services with AMEC E&I Inc. for the Project.

BE IT FURTHER RESOLVED that the Kane County Board appropriate One Hundred Thirty One Thousand Four Hundred Seventy Eight and 80/100 Dollars (\$131,478.80) to be paid from Sales Tax Fund #305 Line Item #50140 (Engineering) to pay for said Phase III Engineering services for the Improvement with approximately ninety percent (90%) thereof to be reimbursed from federal and state funds.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
305.520.527.50140	Engineering	Yes	Yes	

###

**RESOLUTION #11-249
 APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ILLINOIS
 FOR CONSTRUCTION AND PHASE III CONSTRUCTION ENGINEERING
 STEARNS ROAD BRIDGE CORRIDOR - STAGE 2A
 MCLEAN FEN ADAPTIVE MANAGEMENT PLAN
 KANE COUNTY SECTION NO. 06-00214-11-LS**

WHEREAS, the Illinois Constitution of 1970, Article VII, Section 10 and 5 ILCS 220/1, *et seq.* authorizes the County of Kane (County) and the State of Illinois (State) to cooperate in the performance of their respective duties and responsibilities by contract and other agreements; and

WHEREAS, the County and the State acting through the Illinois Department of Transportation desire to cooperate among themselves to accomplish the improvement of Kane County Highway No. 37 (also known as Stearns Road), the McLean Boulevard Fen Adaptive Management Plan (hereinafter

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referred to as the “Improvement”); and

WHEREAS, the County and the State desire to undertake Phase III Construction and Construction Engineering for the Improvement at an estimated cost of One Million Five Hundred Sixty Eight Thousand One Hundred Thirty Eight and 80/100 Dollars (\$1,568,138.80); and

WHEREAS, the Improvement is deemed by the County and the State to be of immediate benefit to the residents of the County of Kane and the State of Illinois in that it shall facilitate the safe and efficient movement of traffic, shall provide for the safety of the motoring public, and shall preserve and protect sensitive environmental features from adjacent roadway improvements; and

WHEREAS, the County and the State have determined a mutually satisfactory allocation of responsibilities and costs for said Improvement as set forth in an agreement with the State (a copy of which is on file with the County Clerk's Office), with the County's share of the Phase III Construction and Construction Engineering estimated to be \$156,813.90.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to execute an intergovernmental agreement with the State of Illinois acting through the Illinois Department of Transportation for Phase III Construction of the Improvement.

###

RESOLUTION #11-250

APPROVING AGREEMENT WITH COMMONWEALTH EDISON COMPANY FOR UTILITY RELOCATION

STEARNS ROAD BRIDGE CORRIDOR – STAGE 5B UMBDENSTOCK ROAD BRIDGE OVER CC&P RAILROAD KANE COUNTY SECTION NO. 06-00214-27-BR

WHEREAS, the County of Kane has developed plans for the Umbdenstock Road Bridge over the CC&P Railroad (hereinafter the “Project”); and

WHEREAS, in order to accomplish said Project, it is necessary that the electric facilities owned and operated by Commonwealth Edison Company (hereinafter “ComEd”) be relocated in advance of major construction; and

WHEREAS, since the electric facilities are within a permanent easement owned by ComEd, the County is obligated to pay for facility relocation where ComEd Facilities are in conflict with the proposed road construction; and

WHEREAS, it is in the County's best interest to enter into an agreement with ComEd for electric facilities relocation with the costs thereof estimated at Six Hundred Thirty Two Thousand Dollars (\$632,000.00).

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to execute an agreement with ComEd (a copy of which is on file with the County Clerk's Office) for the required relocation of electric facilities for said Project.

BE IT FURTHER RESOLVED that the Kane County Board appropriate an amount not to exceed Six Hundred Thirty Two Thousand Dollars (\$632,000.00) from Transportation Sales Tax Fund #305, Line Item # 73010 (Bridge Construction) to pay for said services with a portion thereof to be reimbursed from federal and state funds.

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Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
305.520.527.73010	Bridge Construction	Yes	Yes	

###

RESOLUTION #11-251

**AUTHORIZING ACQUISITION OF HIGHWAY RIGHT OF WAY
JERICO ROAD (COUNTY HIGHWAY NO. 24)
OVER BLACKBERRY CREEK
KANE COUNTY SECTION NO. 04-00329-00-BR (5 PARCELS)**

WHEREAS, the County of Kane is authorized by law, pursuant to Illinois Compiled Statutes, 605 ILCS 5/5-801(2010) to acquire by negotiated purchase or eminent domain proceedings, real property for highway purposes; and

WHEREAS, the County of Kane has jurisdiction over Kane County Highway No. 24, also referred to as Jericho Road, within the boundaries of the County of Kane; and

WHEREAS, the County of Kane deems it necessary and appropriate to improve Kane County Highway No. 24 (Jericho Road) over Blackberry Creek; and

WHEREAS, Jericho Road and the planned improvements therefor, has been surveyed, laid out and projected over certain lands situated in Kane County, Illinois. It is deemed by the County of Kane that certain parcels of land and, in particular the parcels described herein in Exhibit "A" (copy of which is on file with the County Clerk of Kane County and which is incorporated herein and made a part hereof), which are located within the limits of Kane County should be acquired by negotiated purchase and, negotiation failing, by eminent domain proceedings for highway purposes.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board:

1. That it is hereby determined by the County Board of Kane County that the real property described herein in Exhibit "A" be used, occupied and improved for highway purposes in a manner necessary and convenient for public use.
2. That it is further hereby determined it is necessary and proper that the County of Kane acquire title to or other appropriate interest in and possession of these parcels because said real property is necessary and required by the County of Kane for highway purposes and, more specifically, the improvement of Jericho Road.
3. That the Chairman of the Kane County Board or her duly authorized representative are hereby authorized, empowered and directed to negotiate for and on behalf of the County of Kane with any and all owners of the property described herein or with any other individual possessing an interest therein for the purchase thereof upon such terms and conditions as

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shall be approved by the Transportation Committee of the Kane County Board and/or the County Board of Kane County.

4. In the event the County of Kane is unable to agree with the owner or owners, or any other party having an interest in the real property described herein regarding the compensation to be paid for said real property, then to the extent allowed by law, the County of Kane shall institute proceedings to acquire the property by eminent domain pursuant to the applicable provisions of the eminent domain laws of the State of Illinois. Further, in the event the County of Kane is unable to agree with the owner or owners, or any other party having an interest in the real property described herein regarding the compensation to be paid for said real property, then the County of Kane hereby directs the States Attorney of Kane County to institute eminent domain proceedings in a court of competent jurisdiction to acquire title to and possession of said real property in the name of the County of Kane.

EXHIBIT "A"

Section : 04-00329-00-BR
Parcel : 0001

That part of the Southeast Quarter of Section 25, Township 38 North, Range 7 East of the Third Principal Meridian described as follows:

Commencing at the northwest corner of said Quarter; thence South 00 degrees 15 minutes 30 seconds East along the West line of said Quarter on an assumed bearing 1445.15 feet to a line that is parallel with and 33.0 feet northerly of the center line of Jericho Road for a Point of Beginning; thence North 68 degrees 26 minutes 14 seconds East along said parallel line 584.71 feet to the grantors easterly line; thence North 23 degrees 58 minutes 30 seconds West along said easterly line 27.02 feet to a line parallel with and 60.0 feet northerly of said center line; thence South 68 degrees 26 minutes 14 seconds West along said parallel line 543.13 feet; thence North 70 degrees 15 minutes 30 seconds West 29.67 feet to the West line of said Quarter; thence South 00 degrees 15 minutes 30 seconds East along said West line 50.0 feet to the Point of Beginning.

Said parcel containing 0.366 acres, more or less, of which 0.094 acres, more or less were previously used or dedicated for highway purposes.

Section : 04-00329-00-BR
Parcel : 0001 TE

That part of the Southeast Quarter of Section 25, Township 38 North, Range 7 East of the Third Principal Meridian described as follows:

Commencing at the northwest corner of said Quarter; thence South 00 degrees 15 minutes 30 seconds East along the West line of said Quarter on an assumed bearing 1445.15 feet to a line that is parallel with and 33.0 feet northerly of the center line of Jericho Road; thence North 68 degrees 26 minutes 14 seconds East along said parallel line 584.71 feet to the grantors easterly line; thence North 23 degrees 58 minutes 30 seconds West along said easterly line 27.02 feet to a line parallel with and 60.0 feet northerly of said center line for a Point of Beginning; thence South 68 degrees 26 minutes 14 seconds

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West along said parallel line 279.92 feet; thence North 21 degrees 33 minutes 46 seconds West 10.00 feet to a line parallel with and 70.0 feet northerly of said center line; thence North 68 degrees 26 minutes 14 seconds East along said parallel line 279.50 feet to the grantors easterly line; thence South 23 degrees 58 minutes 30 seconds East along said easterly line 10.01 feet to the Point of Beginning.

Said parcel containing 0.064 acres, more or less.

Section : 04-00329-00BR
Parcel : 0002

That part of the Southeast Quarter of Section 25, Township 38 North, Range 7 East of the Third Principal Meridian described as follows:

Commencing at the southeast corner of said Quarter; thence South 88 degrees 29 minutes 00 seconds West along the South line of said Quarter on an assumed bearing 1854.77 feet to the southerly extension of the westerly line of a tract of land conveyed to the Fox River Valley Pleasant Drive and Park District by Document 899234 recorded in Book 1983, Page 424; thence North 05 degrees 54 minutes 00 seconds West along said extension and said westerly line 1368.57 feet to a line that is parallel with and 60.0 feet southerly of the center line of Jericho Road for a Point of Beginning; thence South 68 degrees 26 minutes 14 seconds West along said parallel line 722.16 feet to the West line of said Quarter; thence North 00 degrees 15 minutes 30 seconds West along said West Line 64.40 feet to said center line; thence North 68 degrees 26 minutes 14 seconds East along said center line 715.58 feet to an easterly line of said Park District; thence South 05 degrees 54 minutes 00 seconds East along an easterly line of said tract 34.27 feet to a line parallel with and 33.0 feet southerly of said center line; thence North 68 degrees 26 minutes 14 seconds East along said parallel line 314.37 feet to the northwest corner of a tract of land conveyed to James F. and Carol A. Carpenter by Document 2004K085129; thence South 05 degrees 54 minutes 00 seconds East along the westerly line of said tract 28.05 feet to a line parallel with and 60.0 feet southerly of said center line; thence South 68 degrees 26 minutes 14 seconds West along said parallel line 314.37 feet to the Point of Beginning.

Said parcel containing 1.851 acres, more or less, of which 1.344 acres, more or less were previously used or dedicated for highway purposes.

Section : 04-00329-00BR
Parcel : 0002 TE

That part of the Southeast Quarter of Section 25, Township 38 North, Range 7 East of the Third Principal Meridian described as follows:

Commencing at the southeast corner of said Quarter; thence South 88 degrees 29 minutes 00 seconds West along the South line of said Quarter on an assumed bearing 1854.77 feet to the southerly extension of the westerly line of a tract of land conveyed to the Fox River Valley Pleasant Drive and Park District by Document 899234 recorded in Book 1983, Page 424; thence North 05 degrees 54 minutes 00 seconds West along said extension and said westerly line 1368.57 feet to a line parallel with and 60.0 feet southerly of the center line of Jericho Road for a Point of Beginning; thence North 68 degrees 26 minutes 14 seconds East along said parallel line 314.37 feet to an easterly line of the grantors tract being also a westerly line of a tract of land conveyed to James F. and Carol A. Carpenter

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by Document 2004K085129; thence South 05 degrees 54 minutes 00 seconds East along the westerly line of said Carpenters tract and its southerly extension 93.47 feet to a line parallel with and 150.0 feet southerly of said center line; thence South 68 degrees 26 minutes 14 seconds West along said parallel line 214.37 feet; thence South 05 degrees 54 minutes 00 seconds East 41.54 feet to a line parallel with and 190.0 feet southerly of said center line; thence South 68 degrees 26 minutes 14 seconds West along said parallel line 100.00 feet to a westerly line of said Park District Tract; thence North 05 degrees 54 minutes 00 seconds West along said westerly line 135.01 feet to the Point of Beginning.

Said parcel containing 0.741 acres, more or less.

Section : 04-00329-00BR
Parcel : 0003

That part of the Southeast Quarter of Section 25, Township 38 North, Range 7 East of the Third Principal Meridian described as follows:

Commencing at the northwest corner of said Quarter; thence South 00 degrees 15 minutes 30 seconds East along the West line of said Quarter on an assumed bearing 1445.15 feet to a line that is parallel with and 33.0 feet northerly of the center line of Jericho Road; thence North 68 degrees 26 minutes 14 seconds East along said parallel line 584.71 feet to the grantors westerly property line for a Point of Beginning; thence North 68 degrees 26 minutes 14 seconds East along said parallel 219.19 feet to the grantors easterly property line; thence North 19 degrees 02 minutes 50 seconds West along said easterly line 27.03 feet to line parallel with and 60.0 feet northerly of said center line; thence South 68 degrees 26 minutes 14 seconds West along said parallel line 221.51 feet to the grantors westerly property line; thence South 23 degrees 58 minutes 30 seconds East along said westerly line 27.02 feet to the Point of Beginning.

Said parcel containing 0.137 acres, more or less, of which 0.035 acres, more or less were previously used or dedicated for highway purposes.

Section : 04-00329-00BR
Parcel : 0004

That part of the Southeast Quarter of Section 25, Township 38 North, Range 7 East of the Third Principal Meridian described as follows:

Commencing at the northwest corner of said Quarter; thence South 00 degrees 15 minutes 30 seconds East along the West line of said Quarter on an assumed bearing 1445.15 feet to a line that is parallel with and 33.0 feet northerly of the center line of Jericho Road; thence North 68 degrees 26 minutes 14 seconds East along said parallel line 803.90 feet to the southwest corner of the grantors property for a Point of Beginning; thence North 68 degrees 26 minutes 14 seconds East along said parallel line 125.04 feet to the grantors easterly property line; thence North 09 degrees 06 minutes 30 seconds West along said easterly line 27.65 feet to a line that is parallel with and 60.0 feet northerly of said center line; thence South 68 degrees 26 minutes 14 seconds West along said parallel line 129.82 feet to the grantors westerly property line; thence South 19 degrees 02 minutes 50 seconds East along said westerly line 27.03 feet to the Point of Beginning.

Said parcel containing 0.079 acres, more or less.

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Section : 04-00329-00BR
Parcel : 0005

That part of the Southeast Quarter of Section 25, Township 38 North, Range 7 East of the Third Principal Meridian described as follows:

Commencing at the southeast corner of said Quarter; thence South 88 degrees 29 minutes 00 seconds West along the South line of said Quarter on an assumed bearing 1854.77 feet to the southerly extension of the westerly line of a tract of land conveyed to the Fox River Valley Pleasant Drive and Park District by Document 899234 recorded in Book 1983, Page 424; thence North 05 degrees 54 minutes 00 seconds West along said extension and said westerly line 1368.57 feet to a line that is parallel with and 60.0 feet southerly of the center line of Jericho Road; thence North 68 degrees 26 minutes 14 seconds East along said parallel line 314.37 feet to the westerly line of a tract of land conveyed to James F. and Carol A. Carpenter by Document 2004K085129; thence North 05 degrees 54 minutes 00 seconds West along said westerly line 28.05 feet to the northwest corner thereof being on a line parallel with and 33.0 feet southerly of said center line for a Point of Beginning; thence North 68 degrees 26 minutes 14 seconds East along said parallel line and the northerly line of said tract 123.48 feet to the northeast corner thereof; thence South 05 degrees 54 minutes 00 seconds East along the easterly line of said tract 17.66 feet to a line parallel with and 50.0 feet southerly of said center line; thence South 68 degrees 26 minutes 14 seconds West along said parallel line 123.48 feet to the westerly line of said tract; thence North 05 degrees 54 minutes 00 seconds West along said westerly line 17.66 feet to the Point of Beginning.

Said parcel containing 0.048 acres, more or less.

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No questions or discussion. Roll call on Consent Agenda (#11-233, #11-234, #11-235, #11-236, #11-237, #11-238, #11-239, #11-240, #11-241, #11-243, #11-244, #11-245, #11-246, #11-247, #11-248, #11-249, #11-251) as follows: AYES: Allan, Auger, Castro, Collins, Davoust, Donahue, Ford, Frasz, Haley, Hoscheit, Hurlbut, Kenyon, Kunkel, Lewis, Lindgren, Mihalec, Mitchell, Molina, Reyna, Silva, Smith, Taylor, Tredup, Van Cleave, Vazquez, Wojnicki NAYS: None ABSTAIN: None AYES: 26 NAYS: 0 ABSTAIN: 0

Roll Call on #11-250 as follows: AYES: Allan, Auger, Castro, Collins, Davoust, Donahue, Ford, Frasz, Haley, Hoscheit, Hurlbut, Kenyon, Kunkel, Lewis, Lindgren, Mitchell, Molina, Reyna, Silva, Smith, Taylor, Tredup, Van Cleave, Vazquez, Wojnicki NAYS: None ABSTAIN: Mihalec AYES: 25 NAYS: 0 ABSTAIN: 1 **CONSENT AGENDA IS ADOPTED.**

RESOLUTION #11-242

Motion by Mitchell, seconded by Vazquez that Resolution #11-242 be adopted.

**COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COUNTY OF KANE AND
THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES,
COUNCIL 31, LOCAL 3966 FOR THE
KANE COUNTY DEPARTMENT OF EDUCATION AND EMPLOYMENT**

WHEREAS, the American Federation of State, County and Municipal Employees, Council 31, Local 3966, is the exclusive representative of the Kane County Department of Education and

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Employment employees within the meaning of the Illinois Public Labor Relations Act and having been certified as such by the Illinois State Labor Relations Board; and

WHEREAS, the current agreement between the parties expired on June 30, 2010. The County of Kane and the American Federation of State, County and Municipal Employees, Council 31, Local 3966, have engaged in effective and meaningful negotiations concerning wages, hours and other terms and conditions of employment relative to the employees of Kane County Department of Education and Employment and have reached a tentative agreement; and

WHEREAS, the staff representative for American Federation of State, County and Municipal Employees, Council 31, Local 3966, has represented to the County of Kane negotiators that the employees of Kane County Department of Education and Employment have ratified the tentative agreement.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized and directed to enter into a Collective Bargaining Agreement on behalf of the County of Kane, a copy of said Collective Bargaining Agreement shall be kept on file at the Office of the County Clerk, the County Auditor and the County Board Office.

The agreement shall have an effective date of July 1, 2010, and shall terminate on June 30, 2011.

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Mitchell stated that his concern with this was that normally they would get a synopsis of the contract highlighting the changes and he didn't see it. McConnaughay agreed that she didn't see it in the resolution or the synopsis. Lewis said that this was simply to close out the time period of two years so that the next round of negotiations will not be retroactive to 2009. Discussion followed. Motion by Mitchell and seconded by Van Cleave to table for 30 days. Approved by Voice Vote. **RESOLUTION #11-242 IS TABLED FOR 30 DAYS.**

ADJOURNMENT

There being no further business, motion by Van Cleave; seconded by Reyna, that the meeting stand adjourned until the next regularly scheduled meeting. Motion carried unanimously by voice vote. Chairman McConnaughay adjourned the meeting at 10:25 a.m.