

<b>Proposed Consent Decree Conditions</b>	<b>Conditions Recommended to the County Board by the ZBA and Development Committee on 5/9/2017</b>
<p>1. Maxxam and the Facility shall obtain all necessary licenses from the State of Illinois prior to start of operation, and shall maintain such licenses in good standing during any period of operation. In connection therewith, Maxxam shall comply with the legal and administrative requirements of the Code to the satisfaction of DHS. These requirements shall include, but are not limited to, all restrictions, obligations, undertakings, and requirements of Part 2060 (77 Ill. Admin. Code 2060)</p>	<p>7. License approvals from the State of Illinois are required prior to Kane County issuing a certificate of occupancy.</p>
<p>2. To the extent permitted by law, Maxxam shall provide Kane County or its designee with 150 doses of NARCAN (Naloxone) or similar mutually agreeable medication per year for a total of 1,500 doses for a 10-year period, starting on the date one month after the start of operation and thereafter on the annual anniversary of such date.</p>	<p>1. Maxxam Partners, LLC will agree to provide Kane County with 1,000 doses of NARCAN (Naloxone) per year for a total of 10,000 doses over a ten-year period.</p>
<p>3. The Special Use Permit approved by the Ordinance specifically and solely applies to the use and operation of all existing buildings on the subject Property as depicted on the site plan labeled “Maxxam Partners, LLC – Site Plan” and as described in the Application and Rider (Exhibit 2). A copy of the “Maxxam Partners, LLC – Site Plan” is separately attached and incorporated hereto as Exhibit 5.</p>	<p>2. The site plan included in the petition does not propose expansion or construction of additional buildings or infrastructure. Any future proposed construction of additional buildings and/or infrastructure, including additional access roads or access locations, would not be permitted unless the special use site plan is amended per Section 4.8 Special Uses.</p>
<p>4. Should Maxxam or its successor or assigns desire to add new buildings the parties shall comply with all applicable review and approval procedures in the Kane County Zoning Ordinance, as well as all applicable Kane County Ordinances, Illinois law, and federal and state anti-discrimination laws.</p>	<p>2. The site plan included in the petition does not propose expansion or construction of additional buildings or infrastructure. Any future proposed construction of additional buildings and/or infrastructure, including additional access roads or access locations, would not be permitted unless the special use site plan is amended per Section 4.8 Special Uses.</p>

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<p>5. The Facility shall not provide outpatient treatment of methadone patients or any other outpatient program or service unless it is related to a patient’s inpatient continuum of care.</p>	<p>3. The petitioner has stated that there will be no outpatient treatment of methadone patients or any other program that solely administers medications on an outpatient basis. The addition of any such outpatient program will require an amendment to the Special Use and require a public hearing and full County Board approval.</p>
<p>6. Maxxam agrees to provide a level of security that, in the opinion of Maxxam’s retained security vendor, is sufficient to protect the facility’s residents and the surrounding community.</p>	<p>5. The petitioner must submit a security plan, including a copy of post orders, procedures and proof of contracts prior to Kane County issuing a certificate of occupancy.</p>
<p>7. Maxxam shall comply with Change of Ownership/Management requirements in Section 2060.221 of the Code. Section 2060.221 provides, among other things, that each license issued by the Department of Human Services is not transferable and becomes null and void when there is a change of ownership involving more than 25% of the aggregate ownership interest within a one-year period or a significant change in management. Maxxam agrees to contemporaneously provide the County Zoning Officer with a copy of any notifications sent to the Department of Human Services under Section 2060.221(b). Maxxam agrees to provide to any successor owner(s) a copy of this Decree.</p>	<p>6. The Special Use is only for Maxxam Partners, LLC and is not transferable to any other entity.</p>
<p>8. Maxxam shall use reasonable efforts to pursue accreditation for the Facility by the Joint Commission on Accreditation of Health Care Organizations (“JCAHO”) and the Commission on Accreditation of Rehabilitation Facilities (“CARF”).</p>	<p>8. Maxxam Partners, LLC will use reasonable efforts to pursue accreditation for the facility by the Joint Commission on Accreditation of Health Care Organizations (JCAHO) and (CARF) Commission on Accreditation of Rehabilitation Facilities.</p>
<p>9. Maxxam and the Facility shall comply, as applicable, with all requirements of the Illinois Controlled Substances Act, 720 ILCS 520, and any other applicable federal, state or local law, regulation or code pertaining to the storage, distribution, disposal, and dispensation of any controlled substance.</p>	<p>10. Petitioner agreed to provide information as to what drugs would be used at the facility, where they would be stored, and how safeguarded.</p>

<p>10. Maxxam shall comply with the Professional Staff Qualifications requirement provided in Section 2060.309 of the Code. Such compliance includes, in any medically managed or monitored detoxification service that at least one staff member, 24 hours a day, shall be a registered nurse, or a licensed practical nurse or certified emergency medical technician who has completed at least 40 hours of formal training in the field of alcoholism or other substance abuse. Notwithstanding Section 2060.309’s staffing requirements, Maxxam agrees to provide a Medical Director as referenced in Section 2060.413(a)(1) on premises at least 30 hours per week.</p>	<p>12. Petitioner agrees to have a medical director on site 40 hours per week.</p>
<p>11. Within one year of the start of operation, Maxxam shall establish a foundation through the Community Foundation for the Fox River Valley for outreach to the Kane County community in connection with issues pertaining to substance abuse and addiction. Maxxam will fund the foundation at a minimum level of \$15,000 per year for a minimum of 10 years.</p>	<p>15. Set up a Foundation and funding it through the Fox Valley Foundation for outreach to the Kane County Community in connection with drug use and addiction issues. To be set up and funded prior to occupancy at \$25,000 per year for 10 years</p>
<p>12. Maxxam shall comply with all applicable federal, state and local laws, regulations and codes pertaining to wastewater at its facility, including but not limited to the Wastewater Land Treatment Site Regulation Act, 415 ILCS 50/1, all related legal requirements of Kane County, and all related requirements of the Illinois and federal Environmental Protection Agency. Maxxam shall provide to the County any well monitoring/testing reports it receives from the Illinois or federal Environmental Protection Agency and/or any reports it receives from third-party vendors within 30 days of receipt.</p>	<p>17. Petitioner to submit a monitoring plan including wells and areas to be sampled and what substances will be tested for. Testing to be done by a third party retained by Kane County and costs reimbursed by the petitioner. Existing monitoring wells should be inspected to determine the condition of the wells and that they are functional for sampling.</p>
<p>13. Maxxam shall comply with Section 2060.305 (g) (1)-(24) of the Code’s spacing requirements including that (a) a minimum of 80 square feet is provided in a single bedroom; (b) 60 square feet is provided per bed in a multi-bedroom with no more than four beds per room; and (c) no bunk beds will be used for any detoxification patient.</p>	<p>23. The maximum number of patients at the Facility at any one time shall be limited to 96. The ZBA and Development Committee recommended that the maximum number of patients at the Facility at any one time shall be limited to 75.</p>

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<p>14. Maxxam shall install a fence substantially in compliance with Exhibit 6. The fence shall be located and installed around the Property 5-yards inside the survey line except for designated floodplain areas, as indicated in Exhibit 6, and across the private road/access drive. The fence shall be a minimum of 4 feet in height and shall be similar to the fence depicted in the photograph in Exhibit 7.</p>	<p>24. Prior to occupancy, a fence with a minimum of 4' in height shall be installed on or near the boundary of the entire Property. Color of fence does not have to be stipulated other than no chain link.</p>
<p>15. Exterior lighting fixtures upon replacement of existing fixtures or upon installation of new fixtures shall be full cut-off and have a color temperature of less than 3,000 Kelvin, provided that such fixtures do not compromise security as determined by the security system provider.</p>	<p>26. Exterior lighting fixtures upon replacement of existing fixtures or upon installation of new fixtures shall be full cut-off and have a color temperature of less than 3,000 Kelvin, provided that such fixtures do not compromise security as determined by the security system provider.</p>
<p>16. All signage related to the Facility shall be restricted to the Property. Further, such signage or advertising shall not be placed on the water tower located on the Property.</p>	<p>31. All signage related to the proposed use shall be restricted to the Property. Further, such signage or advertising shall not be placed on the water tower located on the Property.</p>
<p>17. Maxxam shall pay the Fox River &amp; Countryside Fire/Rescue District or any entity providing emergency medical services (EMS) to the Subject Property, including through any mutual aid agreements (hereinafter collectively the “EMS Entity”), directly for all emergency transport fees for transports to or from the Property, according to the EMS Entity’s regular cost recovery and fee schedule in effect at the time of the transport. Maxxam agrees that the EMS Entity can bill Maxxam directly for all such transport fees and that Maxxam shall pay such fees on behalf of its patients and residents directly to the EMS Entity.</p>	<p>9. Maxxam Partners, LLC or its successors shall pay all cost and recovery fees for patients and any persons on the premises for Fire and EMS calls and services to the responding fire district or provider, according to the adopted fee schedule by that district or provider.</p> <p>14. As to the Fire Protection District it was stipulated that Maxxam would pay all the expenses for ambulance calls from the facility that went unpaid.</p>
<p><b>Conditions Recommended to the County Board on 5/9/2017 but not included in the Proposed Consent Decree</b></p>	
<p>28. Wetlands on the Property shall be delineated and protected in perpetuity by conservation easements granted to Kane County and accepted by the Kane County Board.</p>	
<p>29. The Operator shall develop a process of communication with the Campton Hills Police Department to ensure effective enforcement and intervention in the event of incidents occurring on the Property to which the Campton Hills Police Department responds.</p>	
<p>46. The Subject Property shall be limited to a maximum wastewater capacity of 110 P.E. (population equivalent) as identified as the operational capacity of the property in the RHMG Engineers, Inc. Report dated October 10, 2012, entitled the "Glenwood School for Boys and Girls Water and Wastewater System Evaluation” until such time when the improvements identified in the report have been completed.</p>	