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The Adjourned Meeting of the Kane County Board was held at the Kane County Government Center, Geneva, IL at 9:41 a.m. on Tuesday, November 12, 1997, Michael W. McCoy, Chairman; Bernadine C. Murphy, Acting Clerk.

Roll call as follows: PRESENT: Arians, Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hoscheit, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand (late), Wolfe, Wood & Wyatt. ABSENT: None.

Moved by Wolfe; seconded by Campbell, that the minutes of the October meeting be approved. Carried unanimously by voice vote.

**RESOLUTION #97-296**

Moved by Wood; seconded by Richards, that #97-296 be adopted.

**IN MEMORY OF JAMES PAUL JOHNSON**

WHEREAS, James Paul Johnson honorably and conscientiously served the People of Kane County during his 32 years of service with the Aurora Police Department; and

WHEREAS, James Paul Johnson continued to serve the People of Kane County during his tenure as a member of the Sheriff's Merit Commission from September 15, 1993 until his death on October 19, 1997; and

WHEREAS, James Paul Johnson will long be remembered for his strength of character which was tempered by his calm and personable demeanor.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that it acknowledges James Paul Johnson's dedicated, knowledgeable and unselfish service to the citizens of Kane County.

BE IT FURTHER RESOLVED that the appreciation and sympathy of the Kane County Board be extended to the family and friends of James Paul Johnson with the heartfelt wish that he rest in peace.

# # #

McCoy read the resolution aloud, praising Johnson for his contributions. Carried unanimously by voice vote. **RESOLUTION #97-296 ADOPTED.** (Weigand entered at 9:45 a.m.)

#### **ACKNOWLEDGEMENTS**

Chairman McCoy presented Cameron with a plaque for her acceptance into the National Womens' Hall of Fame. McCoy announced that Hurlbut had a new son last week.

#### **ZONING PETITION #3614**

(Campton Township--Old Second National Bank, Trusts #308 & #309)

Moved by Morse; seconded by Carlson, that #3614 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:

Westerly Parcel: That part of the Northwest Quarter of Section 33, Township 40 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the point of intersection of the East line of said Northwest Quarter with the center line of IL State Route No. 38; thence Westerly along said center line 988.0 feet; thence Southerly parallel with said East line forming an angle of 85°52'00" with said center line (measured counter-clockwise therefrom) 60.16 feet to a line drawn parallel with and 60.0 feet Southerly of said center line (measured at right angles thereto); thence continuing Southerly parallel with said Easterly line 382.0 feet; thence Westerly at right angles to the last described course 352.58 feet for a point of beginning; thence Westerly along the prolongation of the last described course 471.77 feet; thence Northerly at right angles to the last described course, parallel with said East line 322.43 feet to said parallel line; thence Easterly along said parallel line 473.0 feet to a line drawn parallel with said East line from the point of beginning; thence Southerly parallel with said East line 356.52 feet to the point of beginning, Campton Township, Kane County, Illinois and containing 3.677 acres. Easterly Parcel: That part of the Northwest Quarter of Section 33, Township 40 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the point of intersection of the East line of said Northwest Quarter with the center line of IL State Route No. 38; thence Westerly along said center line 988.0 feet; thence Southerly parallel with said East line forming an angle 85°52'00" with said center line (measured counter-clockwise therefrom) 60.16 feet to a line drawn parallel with and 60.0 feet Southerly of said center line (measured at

right angles thereto) for a point of beginning; thence continuing Southerly parallel with said Easterly line 382.0 feet; thence Westerly at right angles to the last described course 352.58 feet; thence Northerly parallel with said East line 356.52 feet to said parallel line; thence Easterly along said parallel line 353.50 feet to the point of beginning, in Campton Township, Kane County, Illinois and containing 2.989 acres.

(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 approval as provided by Law.

# # #

Attorney Robert Britz was present and available to answer questions. No questions or discussion. Carried unanimously by voice vote. **ZONING PETITION #3614 GRANTED.**

**ZONING PETITION #3617**

(Big Rock Township--Richard Shawfrank)

Moved by Morse; seconded by Carlson, that #3617 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 E-1 District-Estate Residential:

That part of the southwest quarter of Section 4, Township 38 North, Range 6 East of the Third Principal Meridian, lying southwesterly of the center line of the highway, in the Township of Big Rock, Kane County, Illinois **also** the north 10 chains (660.00 feet), measured along the section line, of that part of the northwest quarter of Section 9, Township 38 North, Range 6 East of the Third Principal Meridian, lying westerly of the centerline of the highway, in the Township of Big Rock, Kane County, Illinois.

(2) That the zoning be approved with the following stipulations:

1. A maintenance agreement for the private access easement will be included in the Final Plat. Neither Big Rock Township nor Kane County will be responsible for any maintenance responsibilities relating to the private access drive.

2. The Final Plat will note that Lots 3 & 4 that front Swan Road will not be granted direct access to Swan Road.

3. Brush and foliage in the new right-of-way area to the north of the proposed access site will be cleared to improve sight distance in that direction.

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

(4) This ordinance shall be in full force and effect from and after its passage and approval as provided by Law.

# # #

A landscape architect from Conservation Design Forum was present and available to answer questions. No questions or discussion. Carried unanimously by voice vote. **ZONING PETITION #3617 GRANTED.**

#### **ZONING PETITION #3618**

(Big Rock Township--William M. Bolton, Trust #001)

Moved by Morse; seconded by Carlson, that #3618 be granted.

#### **AN ORDINANCE GRANTING AN INTERIM SPECIAL USE PURSUANT TO ARTICLE VIII, SECTION 8.1-2 (CC) OF THE KANE COUNTY ZONING ORDINANCE OF KANE COUNTY, ILLINOIS**

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

(1) That an Interim Special Use is hereby granted and allowed under the provisions of Article VIII, Section 8.1-2 (cc), of the Zoning Ordinance of Kane County, Illinois, for a period of ten years, to accommodate an office for a septic business on the following described property:

That part of the Southeast Quarter of Section 25, Township 38 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast corner of said Quarter; thence Southerly along the East line of said Quarter 1103.1 feet to the center line of Raymond Road; thence Westerly along said center line forming an angle of 105 degrees 17 minutes with the last described course (measured counter-clockwise therefrom) 611.11 feet for a point of beginning; thence Northwesterly along a line forming an angle of 101 degrees 53 minutes 17 seconds with the last described course (measured counter-clockwise therefrom) 127.66 feet; thence Northerly along a line forming an angle of 155 degrees 22 minutes 05 seconds with the last described course (measured counter-clockwise therefrom) 79.0 feet; thence Westerly at right angles to the last described course 45.0 feet; thence Southerly at right angles to the last described course 42.0 feet; thence Westerly at right angles to the last described course 71.0 feet; thence Southerly at right angles to the last described course 55.20 feet; thence Easterly at right angles to the last described course 102.34 feet; thence Southeasterly along a line forming an angle of 114 degrees 37 minutes 55 seconds with the last described course (measured counter-clockwise therefrom) 112.60 feet to said center line; thence Easterly along said center line forming an angle of 101 degrees 53 minutes 17 seconds with the last described course (measured clockwise therefrom) 20.44 feet to the point of beginning, in Big Rock

Township, Kane County, Illinois and containing 10,571 square feet.

(2) That the interim special use be granted subject to the following stipulations:

. The Interim Special Use shall be in effect for 10 years.

. A building and zoning permit must be applied for within 60 days of the granting of the Interim Special Use to bring the building into compliance with the building code. No residential use will be allowed within the building.

. No additional access to Raymond Road will be permitted as part of the Interim Special Use.

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

(4) This ordinance shall be in full force and effect from and after its passage and approval as provided by Law.

# # #

Contract purchaser Ted McCannon spoke in favor of passage. No questions or discussion. Carried unanimously by voice vote. **ZONING PETITION #3618 GRANTED.**

**ZONING PETITION #3619**

(Virgil Township--Robert Maddox)

Moved by Morse; seconded by Cameron, that #3619 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 west half of the northeast quarter of Section 17, Township 4 North, Range 6 east of the Third Principal Meridian, described as follows: Commencing at the northeast corner of said west half; thence southerly, along the west line of said northeast quarter, 742.21 feet to the centerline of McGough Road for a point of beginning; thence southeasterly, at an angle of 131 degrees 35 minutes 49 seconds, measured clockwise from said west line, along said centerline, 100.0 feet; thence northeasterly, at an angle of 81 degrees 57 minutes 12 seconds, measured clockwise from said centerline, 124.0 feet; thence northeasterly, at an angle of 173 degrees 59 minutes 08 seconds, measured clockwise from the last described course, 201.0 feet; thence northwesterly, at an angle of 82 degrees 12 minutes 50 seconds, measured clockwise from the last described course, 251.0 feet to said west line; thence southerly, along said west line, 300.0 feet to the point of beginning,

containing 1.21 acres, all in Virgil Township, Kane County, Illinois.

(2) That said rezoning be granted with the following stipulation:

1. Any additional road access will have to be viewed by the Township Highway Commissioner for proper location and permit issuance.

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

(4) This ordinance shall be in full force and effect from and after its passage and approval as provided by Law.

# # #

Petitioners Robert and Lori Maddox were present and available to answer questions. No questions or discussion. Carried unanimously by voice vote.  
**ZONING PETITION #3619 GRANTED.**

**ZONING PETITION #3620**

(Campton Township--Mary Ellen Heidgen, Trustee)

Moved by Morse; seconded by Wood, that #3620 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-2 District-Agricultural related sales, service, processing, research, warehouse and marketing for a retail garden center and greenhouse:

That part of the Northeast Quarter of Section 33, Township 40 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the southeast corner of said Northeast Quarter; thence north 0 degrees 35 minutes 14 seconds west along the east line of said quarter 1,015.97 feet to the southerly line of Illinois State Route Number 38 as established by Warranty Deed recorded August 26, 1963 as document 1007540; thence westerly along said southerly line, being a curve to the left having a radius of 10,051.06 feet, 416.04 feet for a point of beginning; thence continuing westerly along said southerly line 38.12 feet; thence south 0 degrees 13 minutes 16 seconds east 47.08 feet; thence southerly and southeasterly along a curve to the left having a radius of 34.0 feet tangent to the last described course 19.30 feet; thence south 32 degrees 45 minutes 08 seconds east tangent to the last described curve at the last described point 115.02 feet; thence southeasterly and southerly along a curve to the right having a radius of 32.0 feet tangent to the last described course 16.86 feet; thence south 2 degrees 33 minutes 28 seconds east tangent to the last described curve at the last described point 22.37 feet; thence north 87 degrees 26 minutes 32 seconds east 73.63 feet;



thence easterly, southeasterly and southerly along a curve to the right having a radius of 50.0 feet tangent to the last described course 78.54 feet; thence south 2 degrees 33 minutes 28 seconds east tangent to the last described curve at the last described point 38.0 feet; thence north 87 degrees 26 minutes 32 seconds east 28.0 feet; thence south 2 degrees 33 minutes 28 seconds east 64.0 feet; thence north 87 degrees 26 minutes 32 seconds east 40.0 feet; thence north 2 degrees 33 minutes 28 seconds west 64.0 feet; thence north 87 degrees 26 minutes 32 seconds east 112.0 feet; thence north 2 degrees 33 minutes 28 seconds west 131.0 feet; thence south 87 degrees 26 minutes 32 seconds west 282.0 feet; thence north 32 degrees 45 minutes 08 seconds west 102.18 feet to a line drawn south 0 degrees 13 minutes 16 seconds east from the point of beginning; thence north 0 degrees 13 minutes 16 seconds west 73.64 feet to the point of beginning, in Campton Township, Kane County, Illinois and containing 0.855 acre.

(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 approval as provided by Law. # # #

Petitioners Carl, Chuck, Matt and Joe Heidgen were available to answer questions. No questions or discussion. Carried unanimously by voice vote.  
**ZONING PETITION #3620 GRANTED.**

**ORDINANCE #97-297 and RESOLUTIONS #97-298, #97-299, #97-300, #97-301, #97-302, #97-303, #97-304, #97-305, #97-306 & #97-307**

With unanimous approval of the Board, board action on Ordinance #97-297 and Resolutions #97-298, #97-299, #97-300, #97-301, #97-302, #97-303, #97-304, #97-305, #97-306 & #97-307 was rescinded and each was moved, seconded and voted on separately. See pages 342 - 348.

#### **CONSENT AGENDA**

Wood requested that #97-331 be considered separately. Carlson requested that #97-314 be considered separately. Wolfe requested that #97-320 be considered separately. Rage requested that #97-312 be considered separately. Kosinski requested that #97-317, #97-318 & #97-330 be considered separately. Moved by Campbell; seconded by Wood, that the Consent Agenda (#97-283, #97-308, #97-309, #97-310, #97-311, #97-313, #97-315, #97-316, #97-321, #97-322, #97-323, #97-324, #97-325, #97-326, #97-327, #97-329, #97-332, #97-333, #97-334, #97-335, #97-336, #97-337, #97-338, & #97-339) be adopted. Greviskes requested that #97-328 be considered separately. Moved by Rage; seconded by Jones, that the Consent Agenda be amended to reflect Greviskes' motion. Carried by voice vote.

#### **SPEAKER**

William R. Stickling, owner of the Elgin Tower Building, spoke on Resolution #97-319, expressing concern over the expense in renovating the NBD Bank Bldg. and the shortage of parking. McCoy said that engineers had looked at the

building and there were plans to enlarge the parking.

**RESOLUTION #97-283 PURCHASE OF VEHICLES FOR KANE COUNTY DIVISION OF  
TRANSPORTATION 1998 FORD TAURUS**

WHEREAS, bids have been solicited and received by Central Services for the purchase of two (2) 1998 Ford Taurus or Approved Equal for the office of the Kane County Division of Transportation;

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the low bid of Zimmerman Ford, Inc., St. Charles, Illinois for the purchase of two (2) 1998 Ford Taurus automobiles, after allowing for all credits to the County associated with the trade-in of a 1988 Ford Crown Victoria and a 1988 Ford Taurus, in the amount of twenty-eight thousand six hundred seventy and No/100 Dollars (\$28,670.00) be accepted and that funds for the payment thereof be allocated from County Highway Fund #031, Line Item #70-15.

BE IT FURTHER RESOLVED that the Chairman be and hereby is authorized to enter into an agreement for the purchase of two (2) 1998 Ford Taurus with the above indicated company at the above indicated bid price.

# # #

**RESOLUTION #97-308 PRINTER MAINTENANCE AGREEMENT**

WHEREAS, the following equipment to be covered by the preventive maintenance agreement are all over 20 years old and are no longer manufactured, and are not currently available; and

WHEREAS, AM Multigraphics, a division of AM International, Inc., Mt. Prospect, IL is the original manufacturer of the equipment, and is responsible for maintaining parts for the equipment as long as a preventive maintenance agreement exists; and

WHEREAS, the preventative maintenance agreement is not suitable for competitive bidding, because the necessary supplies are under the sole and exclusive control of AM Multigraphics, a division of AM International, Inc., Mt. Prospect, IL, and competitive bidding is impossible within the meaning of Sec. 2-209 of the Kane County Code.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board, that the Chairman be and hereby is authorized to enter into a one-year preventive maintenance agreement with AM Multigraphics, a division of AM International, Inc., Mt.

Prospect, IL in the amount of twelve thousand four hundred seventy-three dollars (\$12,473.00) including parts and maintenance, effective December 1, 1997 for the care of one (1) Multigraphics Model 2850 printer, two (2) Model 1250 printers. Funds to be paid from the General Fund 001-3510-414.50-88.

# # #

**RESOLUTION #97-309 VEHICLE FOR COUNTY CORONER'S OFFICE**

WHEREAS, the County Coroner's Office is in need of an additional vehicle for investigation and transportation of deceased human remains; and

WHEREAS, a request for proposal was duly published by Central Services in order to solicit bids for a suitable vehicle; and

WHEREAS, the lowest responsible bidder for a 1998 Chevy Express Van per specifications was Avenue Motor Sales, Inc., Batavia, Illinois, at a cost of twenty-two thousand five hundred twenty-three dollars (\$22,523.00) with delivery to be made in 20 weeks.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman of the Kane County Board is authorized to enter into a contract for the purchase of a 1998 Chevy Express Van from Avenue Chevrolet at a cost of twenty-two thousand five hundred twenty-three dollars (\$22,523.00) with funds to be paid from 001-7210-711-7015.

# # #

**RESOLUTION #97-310 JANITORIAL SERVICES (CIRCUIT CLERK AND DIAGNOSTIC CENTER)**

WHEREAS, bids have been solicited and received for providing outside Janitorial Services for the Kane County Circuit Clerk's Office at the Campana Building, the Diagnostic Center; and

WHEREAS, several janitorial staff members have left the County, and the existing janitorial staff has been shifted to cover the Circuit Clerk's Office and the Diagnostic Center creating a manpower shortage; and

WHEREAS, DuKane Contract Services, Inc., Batavia, IL was the lowest responsible bidder at a cost of eight hundred sixty-eight dollars and seventy-five cents (\$868.75) per month, for the aforesaid service as per specifications.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman of the Kane County Board is hereby authorized to enter into a contract with DuKane Contract Services, Inc., Batavia, IL to provide for Outside Janitorial Services at the Kane County Circuit Clerk's Office at the Campana Building and Diagnostic Center for the period commencing December 1, 1997 through November 30, 1999 at the rate of eight hundred sixty-eight dollars and seventy-five cents (\$868.75) per month. Funds to be paid from the General Fund 001-3520-414.50-77.

# # #

**RESOLUTION #97-311  
JANITORIAL SERVICES (JUDICIAL CENTER AND 6TH STREET CENTER)**

WHEREAS, bids have been solicited and received for providing outside Janitorial Services for the Kane County Judicial Center, and 6th Street Center; and

WHEREAS, Imperial Service Systems, Inc., Villa Park, IL was the lowest responsible bidder at a cost of twelve thousand and sixty-seven dollars (\$12,067.00) per month, for the aforesaid service as per specifications.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman of the Kane County Board is hereby authorized to enter into a contract with

Imperial Service Systems, Inc., Villa Park, IL to provide Outside Janitorial Services at the Kane County Judicial Center and 6th Street Center for the period commencing December 1, 1997 through November 30, 1999 at the rate twelve thousand and sixty-seven dollars (\$12,067.00) per month. Funds to be paid from the General Fund - 001 - 3520-414.50-77 and 001-3530-414.50-77.

# # #

**RESOLUTION #97-313  
AUTHORIZING ADVERTISEMENT REGARDING CAMPBELL STREET PROPERTY**

WHEREAS, the County Board is authorized by 55 ILCS 5/5-1005 to sell or convey any real estate owned by the County; and

WHEREAS, the County Board wishes to determine whether or not there is any person or organization who may be interested in the purchase and site removal of the house located at 427 Campbell Street in Geneva, IL.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Director of Central Services shall place an advertisement to sell the house located at 427 Campbell Street for the purposes of determining the marketability of said structure.

# # #

**RESOLUTION #97-315  
MATCHING FUNDS FOR THE ILLINOIS HERITAGE TOURISM GRANT PROGRAM**

WHEREAS, the agreement between Kane County and the Grand Victoria Casino provides for the use of riverboat funds to assist in economic and development endeavors; and

WHEREAS, the County Board has adopted strategic objectives which include promotion of the economic development of Kane County; and

WHEREAS, the Illinois Heritage Tourism Grant Program has proposed promoting the tourism and travel industry because of its significant impact on the economy of Kane County; and

WHEREAS, the Kane County Board believes that the promotion of tourism will promote the economic development of Kane County by creating jobs in accordance with the adopted strategic objectives.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Illinois Heritage Tourism Grant Program shall receive an amount of money not to exceed one hundred thousand dollars (\$100,000.00) as a matching grant in order to assist in the development of new cultural heritage tourism designations in order to attract new visitors to Kane County whereby promoting the economic development of Kane County.

BE IT FURTHER RESOLVED that the matching grant shall be paid from the Riverboat Fund 085.

# # #

**RESOLUTION #97-316**  
**AUTHORIZING AN ADDENDUM TO A LEASE BETWEEN THE FOREST PRESERVE AND THE**  
**COUNTY OF KANE**

WHEREAS, the Kane County Forest Preserve District and the County of Kane have previously entered into a lease for Building G of the Kane County Government Center; and

WHEREAS, a portion of said premises was previously reserved for the use of the janitor employed by Kane County; and

WHEREAS, the person who previously occupied the aforesaid premises is no longer employed by the County.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman of the Kane County Board is authorized to execute an addendum to the lease with the Forest Preserve District of Kane County allowing the Forest Preserve District of Kane County to occupy the portion of Building G known as the "janitor's quarters."

# # #

**RESOLUTION #97-319**  
**AUTHORIZING PURCHASE OF 6 FOUNTAIN SQUARE PLAZA, ELGIN, ILLINOIS**

WHEREAS, First Chicago NBD has offered to sell to Kane County the property located at 6 Fountain Square Plaza, Elgin, IL for the sum of ten dollars (\$10.00) in its as is condition with all transaction expenses being split fifty-fifty (50%-50%); and

WHEREAS, the Kane County Board has determined it is in the best interest of the County to purchase said premises.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that it agrees to purchase 6 Fountain Square Plaza, Elgin, IL at the cost of ten dollars (\$10.00) with the property in its as is condition and all transaction expenses being split fifty-fifty (50%-50%).

BE IT FURTHER RESOLVED that the Kane County Board Chairman will consult with the City of Elgin prior to establishment of any use on said premises.

# # #

**RESOLUTION #97-321**  
**PAYMENT OF INSURANCE PREMIUM AND SERVICE AGREEMENT TO WILLIS CORROON**  
**CORPORATION**

WHEREAS, the County has maintained liability, property, excess Workers' Compensation and claim service agreements with Willis Corroon Corporation and desires to maintain proper insurance coverages to protect the interest of Kane County and;

WHEREAS, the policies and premiums are due for renewal for Fiscal Year 1997.

NOW, THEREFORE, BE IT RESOLVED that the Kane County Board Chairman is authorized to execute any necessary insurance agreements for the

implementation of said insurance policies and related administrative programs upon the review and approval of the Kane County Finance Director and the Kane County State's Attorney.

BE IT FURTHER RESOLVED, by the Kane County Board that the Chairman be, and hereby is, authorized to enter into insurance agreements with the Willis Corroon Corporation of Illinois for the following policies and services:

Fund 026, Line Item 504

WILLIS CORROON

BROKERAGE FEE \$ 24,000

THIRD PARTY ADMINISTRATION \$ 26,250

Fund 026, Line Item 507

PROPERTY \$ 70,325

CRIME \$ 1,819

EXCESS GENERAL LIABILITY \$ 98,112

EXCESS AUTO LIABILITY \$ 32,703

EXCESS PUBLIC OFFICIALS LIABILITY \$ 53,865

Fund 026, Line Item 508

EXCESS WORKERS' COMPENSATION \$ 54,699

TOTAL COSTS \$361,773

Total amount of Premiums will be \$361,773.00 annually, and guaranteed for two (2) years subject to appropriation by the Kane County Board. These premiums are in effect from December 1, 1997 through November 30, 1999 and are to be monitored by the Finance Director.

BE IT FURTHER RESOLVED that the Finance Director is instructed to allocate the costs of these policies to the Transportation Department, Health Department, Forest Preserve, and KDK. All payments and claims must be reported monthly to the Finance and Executive Committees.

BE IT FURTHER RESOLVED that payments for the approved insurance programs and policies shall be expended from the insurance liability fund (026) in an amount not to exceed three hundred sixty-one thousand seven hundred seventy-three dollars (\$361,773.00) annually subject to appropriation by the Kane County Board;

# # #

**RESOLUTION #97-322 AMENDING THE 1997 FISCAL YEAR BUDGET (HOMEBOUND DETENTION PROGRAM AND JUVENILE DETENTION BASIC TRAINING GRANTS)**

WHEREAS, the Juvenile Justice Center has applied for a non-matching fund grant, in the amount of fifty-six thousand three hundred twenty-six dollars (\$56,326.00) for the Homebound Detention program and juvenile Detention Basic Training; and

WHEREAS, the County received this grant funding on August 5, 1997; and

WHEREAS, due to the timing of the grant award it is now necessary to modify the Juvenile Justice Center budget (6034).

NOW, THEREFORE, BE IT ORDAINED by the Kane County Board that the Juvenile Justice Center (Department 6034) is to be modified to show receipt of grant reimbursements for the payment of the Detention Basic Training program entered in with the University of Illinois at Springfield.

BE IT FURTHER ORDAINED by the Kane County Board that the 1997 fiscal year budget ordinance shall be amended to reflect an addition of seventeen thousand seven hundred seventy-nine dollars and fifty-six cents (\$17,779.56) in department 6034, line item 50-14, Contracts and Consulting. The remaining thirty-eight thousand five hundred forty-six dollars and forty-four cents (\$38,546.44) shall be credited to General Fund revenue No. 001-0000-311.22-06.

# # #

**RESOLUTION #97-323  
AMENDING THE 1997 FISCAL YEAR BUDGET ORDINANCE (KIDS PROGRAM)**

WHEREAS, furniture purchased in 1994 for the KIDS program was defective; and

WHEREAS, a payment plan was developed in 1996 after problems with this furniture were corrected; and

WHEREAS, no money was appropriated for this furniture payment in the 1997 budget, because these problems were not anticipated.

NOW, THEREFORE, BE IT ORDAINED by the Kane County Board that the 1997 fiscal year Appropriation Ordinance shall be amended to reflect the addition of four thousand dollars (\$4,000.00) to the KIDS budget for the fiscal year 1997.

The following budget adjustments shall be made:

Line Item 6040 70-09 (Office Furniture and Equipment) 4,000.00

Line Item 2030 65-30 (Allowance for Budget Expenditures) <4,000.00>  
# # #

**ORDINANCE #97-324**  
**AMENDING SEC. 2-75 OF THE KANE COUNTY CODE (NUMBER OF ASSISTANT STATE'S ATTORNEYS)**

WHEREAS, the Chief Judge for the Sixteenth Judicial Circuit Court has added an additional judge in the felony division; and

WHEREAS, additional Assistant State's Attorneys are needed to staff the new court room and to ease the extreme case load carried by Assistants in the felony division of the State's Attorney's Office.

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

1. The Kane County Code is amended as follows:

Sec. 2-75. Number Of Assistant State's Attorneys:

The State's Attorney may appoint up to ~~forty six (46)~~ forty-nine (49) Assistant State's Attorney positions and such other Special Assistant State's Attorneys as he deems necessary. The Assistant State's Attorneys shall be paid a salary set by the State's Attorney subject to budgetary limitations set by the County Board. The Special Assistant State's Attorneys shall be paid reasonable compensation for their contractual services as determined by the State's Attorney within budgetary limitations set by the County Board.

2. This ordinance shall be effective December 1, 1997.  
# # #

**RESOLUTION #97-325**  
**CONTRACT FOR JANITORIAL CLEANING SERVICE FOR COUNTY HEALTH DEPARTMENT**

WHEREAS, the Central Service Department of Kane County has conducted a bidding process for janitorial cleaning services per specifications needed for the Kane County Health Department; and

WHEREAS, Majesty Maintenance, Inc., Wood Dale, Illinois, has submitted the lowest responsible bid for janitorial cleaning services in the amount of twelve thousand six hundred and seventy-two dollars (\$12,672.00).

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the above bid submitted by Majesty Maintenance, Wood Dale, Illinois in the amount of twelve thousand six hundred and seventy-two dollars (\$12,672.00) is hereby accepted.

BE IT FURTHER RESOLVED that the total amount for janitorial cleaning services of Majesty Maintenance, Wood Dale, Illinois, shall be paid from Fund 041,



Department 7810, Account 715, Line Item 50-44,

Contractual Services. A copy of the contract shall be filed with the County Auditor.

# # #

**RESOLUTION #97-326 PURCHASE OF MEDICATIONS AND MEDICAL SUPPLIES FOR COUNTY HEALTH DEPARTMENT**

WHEREAS, the Central Services Department of Kane County has conducted a bidding process for medications and medical supplies per specifications needed for the Kane County Health Department; and

WHEREAS, Richmark Medical Supply has submitted the lowest responsible bid for medications and medical supplies in the amount of one hundred thousand nine hundred twenty dollars and forty-nine cents (\$100,920.49); and

WHEREAS, Richmark Medical Supply has provided the county with satisfactory service in the past.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the above bid submitted by Richmark Medical Supply in the amount of one hundred thousand nine hundred twenty dollars and forty-nine cents (\$100,920.49) for medications and medical supplies is hereby accepted.

BE IT FURTHER RESOLVED that the total amount for medications and medical supplies of one hundred thousand nine hundred twenty dollars and forty-nine cents (\$100,920.49) shall be paid from Fund 041, Department 7810, Account 715, Line Item 60-37, Medical Supplies and Drugs. A copy of the contract shall be filed with the County Auditor.

# # #

**ORDINANCE #97-327 REPEALING CHAPTER 18 OF THE KANE COUNTY CODE AND ADOPTING A NEW CHAPTER 18 (PRIVATE SEWAGE DISPOSAL)**

WHEREAS, the Kane County Board and Board of Health desires to better provide for the health, safety and welfare of the people of Kane County by adopting a new Septic Ordinance which addresses the issue of current concern;

NOW, THEREFORE, BE IT ORDAINED by the Kane County Board that Chapter 18 is hereby repealed and a new Chapter 18 is hereby adopted to read as follows:

ARTICLE I. IN GENERAL

SEC. 18-1 - 18-24 RESERVED

**Sec. 18-25. Definitions**

As used in this Ordinance, the following definitions shall apply:

(a) "CURTAIN DRAIN" means a subsurface drain installed at or above the moderately slowly permeable subsoil with gravel to within maximum of twelve (12) inches of the surface to intercept the movement of subsurface water from higher ground toward the private sewage disposal system and discharging by means of a positive outlet, to a lower area.

(b) "LIMITING LAYER" means a horizon or condition in the soil profile or underlying strata which includes:

(1) A seasonal high water table, whether perched or regional, determined by direct observation of the water table or indicated by soil mottling where common mottles comprise at least 2% to 20% of the soil in a progressive downward direction in the soil.

(2) Masses of loose rock fragments, including gravel, with insufficient fine soil to fill the voids between the fragments.

(3) Rock formation, other stratum or soil condition which is so slowly permeable that it effectively limits downward passage of effluent.

(c) "MAINTENANCE" means any activity that is needed to keep the private sewage disposal system operating properly, such as, but not limited to, the following: pumping the tank, replacement of tank lid, replacement of septic tank baffles, replacement of drop box lids, raising inspection ports to grade, adjusting water elevation in drop boxes, replacing sewer line between tank and seepage field, replacing pumps, replacing the line between the tank and the seepage field, or the elimination of depressions over lines, or the installation of water conservation devices.

(d) "REPAIR" means any change to a private sewage disposal system beyond maintenance, such as replacing the septic tank(s) or removing and replacing any portion of the septic field, and does require a permit.

(e) "RESTRICTIVE LAYER" SEE "LIMITING LAYER"

(f) "SOIL BORING" means an observation pit, dug by hand or backhoe, or an undisturbed soil core taken intact and undisturbed by a probe.

## **Article II Private Sewage Disposal System Code**

### **Sec. 18-26. Adoption**

In addition to the other provision stated herein, this Ordinance shall adopt, by reference and shall be interpreted and enforced in accordance with provisions set forth in the current, unabridged form of Licensing Act, 225 Illinois Compiled Statutes 225/1 et. Seq. and the "Private Sewage Disposal Code 1996" 77 Illinois Admin. Code 905, three copies of which shall be on file in the office of the Kane County Clerk.

#### **Sec 18-27. Scope**

The Illinois Department of Public Health, Private Sewage Disposal Licensing Act 225 Illinois Compiled Statutes 225/1 et. seq. and the "Private Sewage Disposal Code 1996" 77 Illinois Admin. Code 905, shall apply except for the following sections:

**(a) Section 905.30 Approved Private Disposal Systems**

**(b) Section 905.90 Waste Stabilization Ponds**

**(c) Section 905.100 b Aerobic Treatment Plants/Class II Effluent**

**(d) Section 905. Appendix A Illustration R Exhibit A, B and C waste stabilization pond**

#### **Sec. 18-28. Plat Approval**

The Kane County Health Department is required by 765 Illinois Compiled Statutes 205/2, to sign all plats within the County with respect to sewage disposal systems if any part of the platted land will not be served by a public sewer system. In order to accomplish this, Kane County Health Department will review and evaluate all plats by the criteria established in this Ordinance.

#### **Sec. 18-29. Interpretation**

The provisions of this Ordinance shall be held to be the minimum requirements for the promotion of public health, safety and general welfare. In any case where a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, safety, or health ordinance, the provision which establishes the higher standard for the promotion of the health and safety of the people shall prevail.

#### **Sec. 18-30. Compliance**

All private sewage disposal systems within the limits of Kane County shall be constructed, installed, repaired, and maintained by an individual with a valid private sewage disposal system installation contractor's registration;

and all such systems shall be pumped, cleaned, and the contents disposed of by individuals with a valid private sewage disposal system pumping contractor's registration. All private sewage systems shall be cleaned, pumped, or serviced, and the contents disposed of in accordance with the provisions of Sections 18-41 and 18-42.

#### **Sec. 18-31. Required**

All buildings or dwellings where people live, work, or assemble shall be provided with an individual sewage treatment and disposal system, designed and constructed to promote and safeguard the public health, or shall be connected to a public sewer system. Each single family residence and each unit in a multi-family residence using an individual sewage treatment and disposal system shall be provided with a separate individual sewage treatment and disposal system.

#### **Sec. 18-32. Occupancy**

No person shall occupy or permit occupancy of any building, structure, or dwelling not in compliance with this Ordinance.

#### **Sec. 18-33. Discharges of Sewage; Improper Operation of Systems**

Every private sewage disposal system shall be maintained in a proper sanitary condition and in a proper state of repair by the owner. It shall be unlawful for any person to permit or cause the discharge of improperly treated sewage directly or indirectly to any lake, stream, ditch, ground surface or abandoned well, or to allow the contents of any privy, vault, septic tank, or private sewage disposal system or component thereof, to emit any offensive odor, or to become objectionable so as to be dangerous or prejudicial to the health, safety and welfare of the public. Upon verification of such unsanitary conditions, the Kane County Health Department shall give written notice to the owner and/or legal occupant responsible for such acts or omissions, ordering abatement of same. Failure of any person to obey such an abatement order shall constitute a violation of this Ordinance.

#### **Sec. 18-34. Approved Private Sewage Disposal Systems**

The following systems are approved for private sewage disposal when designed, constructed, operated, and maintained in accordance with the applicable sections in this Ordinance:

(a) Septic tank in addition to one of the following:

(1) Subsurface Seepage System

(2) Buried Sand Filter

(3) Recirculating Sand Filter

(b) Aquarobic Raised Filter Bed as approved by the Illinois Department of Public Health (I.D.P.H.)

(c) Aerobic Treatment Plants discharging to supplementary treatment as provided in (a) (1), (2) or (3)

(d) Alternative Systems:

(1) Privy

(2) Chemical Toilets

(3) Incinerator Toilets

(4) Compost Toilets

(5) Recirculating Toilets

#### **Sec. 18-35. Alternative Systems**

When an application for a private sewage disposal system permit on an existing platted lot or parcel of record with residential zoning has been denied due to the limitations of the soil, or the lot or parcel is too small to install the required minimum size disposal system and expansion area, an application may be submitted to the Kane County Health Department for an alternative system. All other sections of this Ordinance shall be met.

#### **Sec. 18-36. Variances**

The Kane County Health Department may grant a variance provided it does not conflict with the stated purpose of this Ordinance. A variance may be requested by submitting a written proposal to the Kane County Health Department. Such written request shall include pertinent data such as soil suitability, drainage patterns, and distances to water supplies. The capability of the system to comply with the intent of this Ordinance will be the basis for approval or denial of the variance. The Kane County Health Department shall respond to all variance requests in writing within ten (10) working days. If the Kane County Health Department refuses to issue a variance the property owner may file with the Kane County Health Department a written request for an appeal and hearing as specified in Section 18-48

## Appeals.

### **Sec. 18-37. Soil Suitability**

All subsurface seepage fields and seepage beds shall be designed with primary consideration to soil type. The Kane County Health Department or contractor may request a percolation test to provide additional information where it is needed to assist in determining extent of compaction of soil. Upon notification percolation tests may be submitted (2) by the installation contractor to the Kane County Health Department in lieu of soil evaluations for repairs. Information about the location of the seasonal high water table must be included. The method that provides for the largest seepage field or seepage bed will be required. The soil type shall be determined by the indication of the soil property of three (3) or more soil borings in the private sewage disposal system area and designed as to that which most closely compares to the typical soil profile as described in the soil survey. Subsurface seepage systems shall have at least two feet of vertical separation distance between the bottom of the subsurface seepage system and the top of the limiting layer. For soils which are moderately rapid or rapidly permeable, a vertical separation of three feet between the bottom of the subsurface seepage system and the top of the limiting layer is required. When a limiting layer has been identified by a mottling depth of 24 inches or less, a curtain drain may be used to intercept the movement of subsurface water from higher ground toward the private sewage disposal system provided soils—with permeabilities of .6 in/hr or greater are present, in the area and surrounding area of the subsurface seepage system from the ground surface to the depth where the curtain drain tile is to be placed, and a proper drain outlet exists. Full credit for two feet of vertical separation from seasonal high water table will be given when the curtain drain is installed in topography of minimum slope of 1%, two feet lower than seepage field, and soil of a minimum permeability of .6 to 1 inch per hour. The curtain drain must have a minimum separation of 10 feet from the nearest seepage trench. All systems installed or repaired in areas designed as special flood hazard areas must be so constructed to avoid impairment to them or contamination from them during flooding.

### **Sec. 18-38. Soil Investigation**

(a) Determination of soil characteristics on sites proposed for development with private sewage disposal systems shall be based on the soil data collected by a certified soil classifier recognized by The Illinois Soils Classifiers Association or the American Registry of Certified Professionals in Agronomy, Crops, and Soils. United States Department of Agriculture (U.S.D.A.) Natural Resources Conservation Service soil classifiers may be available for periodic quality control sessions conducted with all scientists available for the performance of on-site soil borings. U.S.D.A. Natural Resources Conservation Service soil scientist may be available to provide needed soils expertise to the department and other County agencies in connection with the needs of the Ordinance. Soil reports shall be provided in a form uniform with County needs and requirements.

(b) There shall be a minimum of three (3) soil borings per private sewage disposal system site in the area where the private sewage disposal system is

intended to be installed. Additional soil borings may be required for accurate and appropriate evaluation of a site where there is some concern about the consistency of the soil materials.

(c) Soil borings shall be dug to a minimum depth of five (5) feet with a minimum width of two (2) feet, and one end of the pit shall be stepped or sloped to permit adequate ingress and egress.

(d) Soil borings shall be excavated at the perimeter of the expected private sewage disposal system area to minimize damage to the natural soil structure and potential disruptions of the soil distribution network that may be caused by settling after installation of the system.

(e) Soil borings shall not be made when frost depth is ten (10) inches or greater.

(f) Site characteristics to be described include zones of estimated seasonal high ground water table, observed water table, depth to bedrock, frost depth, U.S.D.A. soil textural changes, U.S.D.A. soil structural features of note, consistence, location of fill soil, compaction and depth, soil coloration, depth of mottling (depth to low chroma equal to or less than two (2) and a value of four (4) or more Munsell-Color Chart), and estimated permeability at a depth 12 inches to 36 inches. A site location map showing the location of the soil test sites shall be included with the soil report. The subsurface seepage system should be sized using Table I "Soil Suitability Chart For On-Site Sewage Disposal Design".

(g) The Kane County Health Department reserves the right to review site soil characteristics with assistance from a staff or U.S.D.A. Natural Resources Conservation Service soil scientist.

#### **Sec. 18-39. Requirements For Subsurface Seepage Systems Utilizing Fill**

Subsurface seepage systems utilizing fill shall be designed with the following criteria;

(a) If fill is used on systems to maintain at least 2 feet separation between the bottom of the trench and the limiting layer it may not exceed 18 inches in depth. Fill soils may be used to cover a private sewage disposal system provided no part of the system is located in the fill and the material is at least equal to or better than the original soil or meets the requirements in subsection (b) and (c) of this section.

(b) Where less than twelve (12) inches of fill is to be placed over a disposal field the suitability of the fill materials shall be determined by a soil classifier. Soils that are to be used for fill shall meet the following criteria:

(1) The fill shall conform to soils in design group II, III, and IV as identified in the Private Sewage Disposal Code 1996.

(2) The fill shall be of a porous material that is not compacted or wet.

(3) The fill shall be free of other non-soil materials such as concrete, brick or other extraneous material.

(c) Where more than twelve (12) inches of fill is required, for previously platted lots the suitability of the fill materials shall be determined by a soil classifier.

(1) The clay content shall be less than twenty-five (25) percent.

(2) Sand content shall be less than sixty-five (65) percent.

(3) Less than five (5) percent of the content shall be greater than two (2) mm. stones.

(4) Organic matter shall be three (3) percent or greater.

(5) No clods greater than ten (10) percent by volume or greater than four (4) inches in size.

(6) The fill shall be free of other non-soil materials such as concrete, brick or other extraneous material.

(d) All of the following conditions shall be met for a private sewage disposal system to be installed in fill:

(1) Satisfactory original soil shall be at least four (4) feet above bedrock.

(2) A maximum of eighteen (18) inches of fill soil shall be used.

(3) Fill shall not be placed on original soil with a slope greater than ten (10) percent.

(4) When adding fill to a depth of less than twelve (12) inches, the fill maybe added after the installation of the seepage field system. When fill depth is from twelve (12) to eighteen (18) inches, the fill shall be placed before installation of the seepage field.

(5) The fill shall be placed at the site so that a minimum of compaction occurs and the fill shall be allowed to settle undisturbed for a period of at least 12 months.

(6) After the fill has been settled, a percolation test shall be conducted.

(e) Site preparation for use of fill soil:



(1) Excess vegetation shall be cut and removed. The site shall be plowed with a mold board plow 7-8 inches deep with the plowing done parallel to the slope. Chisel plowing may be used in placed of mold board. Roto-tilling is prohibited.

(2) Once the site is plowed, all vehicular traffic must be kept off the site. The fill material can be deposited on the top with a long reach backhoe or pushed on from the up slope side, using a track type tractor, keeping six (6) inches of fill beneath the tracks. At no time shall ruts be made in the plowed area. The fill shall be placed immediately after site preparation to avoid the possibility of precipitation falling on the plowed area.

(3) Traffic on the down slope side of the fill area shall be minimal to reduce compaction. All work shall be performed from the ends and upslope side. Compaction of the natural soil down slope will reduce the lateral movement of the effluent.

(4) The fill shall not be placed on frozen ground or when the soil is wet. Moisture content of the soil is very important when filling. Site preparation shall not take place when the soil is too wet and subject to compaction. To check moisture content, take a soil sample from the plow layer (7-8 inches) and roll it between the palms of the hands. If it rolls into a ribbon, it is too wet to prepare. If it crumbles, site preparation can then proceed.

**TABLE I**

**SOIL SUITABILITY CHART FOR ON-SITE SEWAGE DISPOSAL DESIGN**

<b>Permeability Range</b>  <b>(estimated from soil boring)</b>	<b>In/Hr</b>	<b>Minimum Separation to Limiting Layer</b>	<b>Percolation Rate (minute/inch)</b>	<b>Residential Required ft<sup>2</sup>/bedroom</b>	<b>Commercial/Industrial Gallons per day/ft<sup>2</sup> application rate</b>
<b>Very rapid</b>	<b>&gt;20.0</b>	<b>N/A</b>	<b>&lt; 6 MPI</b>	<b>N/A</b>	<b>N/A</b>
<b>Rapid</b>	<b>6.0-20.0</b>	<b>3 feet</b>	<b>6-12 MPI</b>	<b>200</b>	<b>1.0</b>
<b>Moderately Rapid</b>	<b>2.0-6.0</b>	<b>3 feet</b>	<b>13-24 MPI</b>	<b>250</b>	<b>.84</b>
<b>Upper Moderate</b>	<b>1.0-2.0</b>	<b>2 feet</b>	<b>25-49 MPI</b>	<b>350</b>	<b>.68</b>
<b>Lower Moderate</b>	<b>.6-1.0</b>	<b>2 feet</b>	<b>50-59 MPI</b>	<b>480</b>	<b>.52</b>
<b>Moderately Slow</b>	<b>.2-.6</b>	<b>2 feet</b>	<b>N/A</b>	<b>740*</b>	<b>.27</b>
<b>Slow</b>	<b>&lt;.2</b>	<b>2 feet</b>	<b>N/A</b>	<b>1000*</b>	<b>.20</b>

\*CLASS I AEROBIC TREATMENT PLANT REQUIRED

## **Sec. 18-40. Aerobic Treatment Plants**

(a) Aerobic treatment plants approved for new construction shall not be designed for surface discharge for lots platted after the effective date of this Ordinance.

(b) Aerobic treatment plants designed to serve an existing building or dwelling with a malfunctioning private sewage disposal system may use an approved surface discharge method, provided conditions for a subsurface seepage system can not be met.

### **(c) Service and Maintenance Requirements**

(1) All aerobic treatment plants, regardless of the date of installation, shall have in force, at all times, a service policy, for that identified product, from the private sewage disposal installation contractor through the manufacturer or the distributor or qualified homeowner to perform the necessary service for as long as the unit is in operation. A qualified homeowner is one who has received onsite training on his aerobic treatment plant by the dealer of that product. The dealer will submit documentation, to the Kane County Health Department, that the homeowner has been trained to service their aerobic treatment plant.

This service policy shall provide:

a. For an inspection/service call, at least once every six months, which includes inspection, adjustment, and servicing of the mechanical and electrical component parts to ensure proper function;

b. For an effluent quality inspection, at least once every six (6) months, consisting of a visual check for color, turbidity, scum overflow, and an examination for odors and a chemical test for chlorine residual.

c. For improper operation which cannot be corrected at the time, to be reported to the owner immediately. This shall be followed with a written report which includes the date for the condition to be corrected.

d. For a written report describing each inspection and/or service call for each aerobic treatment plant available to the Kane County Health Department upon request provided by the servicing agency. Such report shall include date of inspection/service call, and a description of the inspection/service performed.

e. A telephone response shall be returned to the customer within twenty-four (24) hours after the customer calls for service.

f. A service call to the property to physically service the aeration unit shall be made within forty-eight (48) hours after the customer calls for service.

(2) Standby mechanical and electrical component parts shall be stocked by the local distributor for use when an aerobic treatment plant's mechanical or electrical components must be removed from the site for repairs.

(3) The mechanical and electrical component parts shall be guaranteed against any defects in materials and workmanship as warranted.

(4) Alarms: A clearly visible, permanently attached label or plate giving instructions for obtaining service shall be placed at the audible and visible alarm.

(5) The Responsibility of the Property Owner:

Property owners of aerobic treatment plants shall be required to obtain and maintain at all times a continuing service policy as described in Section 18-40C above.

(6) Responsibility of the Servicing Agent:

A copy of all service contracts shall be submitted to the Kane County Health Department within 30 days of occupancy of the premises.

(7) The responsibility of the manufacturer's representative: The Aerobic Treatment Plant manufacturer's representative shall submit annual lists of all existing Aerobic Treatment Plants and indicate if a service contract is in effect.

#### **Sec. 18-41. Requirements for Septage Disposal**

(a) Application to Agricultural Land

Septage may be applied to agricultural land provided that a permit for such application has first been approved by the Kane County Health Department. Applications for permits to dispose of septage on agricultural land shall be made on forms provided by the Kane County Health Department. All methods of disposal shall comply with the U.S. Environmental Protection Agency (USEPA)

Regulations 40 CFR Part 503: "Standards for the Use of Disposal of Sewage Sludge" three copies of which shall be on file in the office of the Kane County Clerk. In addition, any application for a permit shall meet the following criteria to be considered suitable as a septage disposal site. Inspection and approval by the Kane County Health Department shall be conducted using the following criteria:

(1) Any site being utilized as a septage disposal site shall be inspected and approved by the Kane County Health Department.

(2) The depth to the seasonal high ground water table is at least four (4) feet below the ground surface.

(3) The depth to fractured limestone formations is at least six (6) feet below grade.

(4) It originates from private sewage disposal systems which treat only domestic wastes.

(5) It is not applied to land which has received more than one-quarter ( $\frac{1}{4}$ ) inch of rainfall during the twenty-four (24) hour period preceding the intended application time.

(6) It is not applied to land with water ponded upon it, or is in a flood plain or wetland.

(7) It is not applied to land having greater than 5% slope.

(8) It is applied at a rate which does not exceed 5,000 gallons of septage per acre per month.

(9) It is not applied to land within two hundred (200) feet of a water well, homes, or other water supplies, ponds, wetlands, streams, or within twenty-five (25) feet of property lines.

(10) It shall be an area covered with vegetation to prevent erosion or it shall be contour plowed.

(11) If it is within municipal limits, written approval by corporate authorities of the municipality is mandatory prior to issuance of a permit.

(12) The soil type on the site shall have a permeability at least .6 inches per hour in the upper twelve (12) inches of the soil to allow dewatering of the septage without ponding.

(13) A soil thickness of at least two (2) feet without limiting layers will be required.

(14) The soil shall have a ph value ranging between 6.5 and 8.2.

(15) Pasture or hay ground that has received septage shall not be harvested for livestock grazing for a period of at least one month after application.

(b) Discharge to a municipal sewer shall be only with permission of the Sanitary District or Municipality which operates or governs said sewer.

**Sec. 18-42. Registration and Licensure of Private Sewage Disposal System Installation Contractor and Pumping Contractor**

(a) All private sewage disposal system installation contractors and pumping contractors shall be registered in accordance with this Ordinance, and licensed with the Illinois Department of Public Health.

(b) Persons who design private sewage disposal in systems in Kane County shall be knowledgeable of all laws and rules and regulations of both the State of Illinois and the County of Kane governing such design, construction, installation, repair, modification and renovation.

(c) At least once per year, the private sewage disposal installation contractor, and/or pumping contractor shall attend a workshop, conference and/or complete a course on private sewage treatment and disposal approved by the Kane County Health Department. Approved workshops and conferences shall be reviewed annually by an advisory committee representing the Kane County health department and private sewage disposal installation and pumping contractors. Attendance at this workshop, conference and/or course is mandatory prior to requesting and obtaining a Kane County private sewage disposal system installation contractor/pumping contractor registration. This course must contain information specific to their area of licensure. Documentation of registration must be submitted. Failure to comply with this section will cause a written notice to be mailed to such person advising that they will not be registered by the Kane County Health Department until such time as they have attended a workshop, conference and/or completed a course in private sewage treatment and disposal. Such course must first be approved as acceptable by the Kane County Health Department.

(d) The Kane County Health Department shall issue a private sewage disposal system installation contractor/pumping contractor registration to persons

applying for such who comply with the standards for private sewage disposal system installation contractors/pumping contractors adopted by Kane County. All such registration shall run from April 1 to March 31 of the following year.

(e) Issuance of Registration

(1) Registration for private sewage disposal system pumping contractors or persons who pumps portable toilets in the County of Kane shall have a valid registration from the Kane County Health Department and must comply with the requirements of this Ordinance. All registration shall be issued annually for the period April 1 to March 31 of the following year.

(2) Registration for private sewage disposal system installation contractor. Every private sewage disposal system installation contractor in the County of Kane shall have a valid private sewage disposal system installation contractors registration from Kane County Health Department and must comply with the requirements of this Ordinance.

**Sec. 18-43. Suspension or Revocation of Registration**

A registration may be suspended or revoked by the Kane County Health Department for failure of the registrant to comply with the requirements of this Ordinance. Whenever a registrant has failed to comply with any notice issued under this Ordinance, the registrant shall be notified in writing that the registration is, upon service of the notice, immediately suspended or revoked and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the Kane County Health Department by the registrant within five (5) days from receipt of the notice. Any person to whom such an order is issued shall comply immediately therewith, but upon written petition to the Kane County Health Department, shall be afforded a hearing before the Public Health Committee within (20) twenty days of receipt of the request for a hearing.

**Sec. 18-44. Inspections**

(a) No private sewage disposal system shall be put into use until it has been inspected and has written approval from the Kane County Health Department.

(b) The Kane County Health Department is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance.

(c) It shall be the duty of the owner or occupant of a property to give the Kane County Health Department free access to the property at reasonable times for the purpose of making such inspections as are necessary to determine

compliance with the requirements of this Ordinance.

### **ARTICLE III FEES AND PERMIT**

#### **Sec. 18-45. Fees and Refunds**

Fees shall be charged according to the following schedule with payment to be made upon submission of each request.

(a) PERMIT FEES:

(1) Construction - New: \$150.00

a. Single family dwelling

b. Commercial, cluster or multi-family

(retail, office, factory, etc.) \$250.00

(2) Alternative System:

a. Aquarobic Raised Filter Bed \$150.00

b. Privy \$150.00

c. Chemical toilet \$150.00

d. Incinerator toilet \$150.00

e. Composting toilet \$150.00

f. Recirculating toilet \$150.00

g. Experimental system \$250.00

(3) Renovation:

a. Single family dwelling \$ 75.00

b. Commercial, cluster or multi-family  
(retail, office, factory, etc.) \$125.00

(4) Septic tank abandonment  
(no charge if done with new tank installation) \$ 50.00

(5) Reinspection \$ 50.00

(b) MISCELLANEOUS SEWAGE PROGRAM FEES:

(1) Ordinance \$ 5.00

(2) Subdivision plan review (per lot) \$ 15.00

(3) Sewer feasibility letter \$ 15.00

(4) Review of on-site soil suitability letter  
(per lot) \$ 15.00

(5) Variance request \$ 15.00

(6) Monitoring of aerobic units for effluent quality  
(per lot) \$ 25.00

(7) Site inspection of a septage disposal area \$ 50.00

Whenever new construction, repair or alteration is being made for school districts or units of local governments the fee for each permit shall be waived.

(c) PERMIT REFUND:

(1) If the private sewage disposal system is not installed before the permit time limitation expires and a refund of the permit fee is requested, a letter shall be given to the Kane County Health Department by the permit applicant stating such a request and the reasons for it. Any refund shall not exceed



eighty (80) percent of the total fee paid.

(2) If the permit is denied by the Kane County Health Department, the refund shall be one hundred (100) percent of the fee paid.

**Sec. 18-46. APPLICATION FOR A PERMIT**

(a) Permit Required. It shall be unlawful for any person to construct, install or repair a private sewage disposal system within Kane County unless that person holds a valid permit issued by the Kane County Health Department for the specific construction, installation or repair.

(b) For the purpose of this Ordinance, new construction is considered to be a new structure or when twenty five (25) percent or more of the square footage of an existing structure is added or when additional bedrooms or sleeping room are added to an existing structure, or when an addition to an existing structure will detrimentally infringe upon an existing or future replacement septic system area.

(c) Applications for permits shall be in writing on forms provided by the Kane County Health Department, and, prior to acceptance by the Kane County Health Department, shall be signed and dated by both the property owner and the installation contractor, duly licensed under the provisions of this Ordinance, who will do the construction, and shall include the following:

(1) Sanitary Sewer. New or renovated private sewage disposal systems shall not be approved where a public sanitary sewer is available for connection. A public sewer is reasonably available for connection when it is within 200 feet of the property unless a physical barrier or local ordinance exists which prevents connection to the sewer.

The Kane County Health Department shall refuse to grant a permit for the construction or renovation of a private sewage disposal system where a public sewer is reasonably available and accessible.

(2) The soil boring log of the on-site soil boring(s) shall be provided as required on forms provided. The exact locations of the soil borings on the property shall be shown on the plot plan.

Percolation tests or soil identification tests shall be required for major renovation to a private sewage system.

(d) All trees and shrubs that have invasive root systems that are located within the private sewage disposal system absorption field area should be

removed prior to the issuance of the permit. Removal shall occur only when ground conditions are such that the risk of soil compaction is minimized.

(e) An examination of a private sewage disposal system plan application shall be made within ten (10) days of receipt of said application and plans, by or under the direction of the Kane County Health Department.

#### **Sec. 18-47. PLOT PLAN**

(a) The application for a permit to construct a new private sewage disposal system shall be accompanied by four (4) copies of a plot plan (17" x 22") or for a renovation by four (4) copies of a plot plan (11 x 17), and folded to approximately 9" x 12". A copy of the on-site soil investigation report along with a copy of the Kane County Health Department's Soil Suitability Interpretation sheet, if one was applied for, shall also be submitted with the application form.

(b) Plans shall be drawn to scale (one [1] inch equals 10', 20' or 30') and fully dimensional, and specifications necessary to fully describe the private sewage disposal system as follows:

(1) It is recommended that the person designing the private sewage disposal system contact the subdivision developer or Kane County Development Department to review the final record drawing or the accepted engineering plans for the subdivision to determine locations of required setbacks, drainage design requirements, easements, flood plains, surface drainage systems, detention/retention ponds, or other required engineering features.

(2) The location, legal description, parcel number and fire number, if available, of the property and a sketch of geographical location of the property with all road names clearly indicated.

(3) Location of lot boundaries, and easements on the property and within seventy-five (75) feet of the private sewage disposal system.

(4) Locations of all existing and proposed buildings, structures, driveways, roads, parking areas, sidewalks, patios, swimming pools, and other improvements.

(5) Locations of all water lines within 50 feet of the private sewage disposal system.

(6) The locations of all existing and proposed wells on the property and within seventy-five (75) feet of the property. Isolation distances from the

well shall be kept within the lot where possible. The well location shall be flagged and shall not be relocated without prior approval of the Kane County Health Department.

(7) Two (2) clearly described and permanent bench marks which will be maintained throughout the construction period and which shall be used to determine the following specifications:

a. Existing and proposed finished grade topography at one (1) foot contours over the entire lot regardless of the lot size, up to two (2) acres. For any lot larger than two (2) acres the topographic study may be limited to the two (2) acre area encompassing the building and seepage field area.

b. All elevations necessary to describe the sewage flow to and through the private sewage disposal system.

c. Top of foundation (T.O.F.).

(8) Location of any lake, stream, pond, creek, river, drainage ditch, retention area, flood plain, wetlands, easements of any other surface water within one hundred (100) feet. The bottom of the seepage trench must be above the water elevation of any stream or body of water.

#### **Sec. 18-48. Appeals**

(a) If the Kane County Health Department refuses to issue a permit for construction or renovation of a private sewage disposal system, the property owner may file with the Kane County Health Department a written request for an appeal and hearing.

(b) An appeal may be taken before the Public Health Committee of the County Board by any person aggrieved from any order, requirement, rule, decision or determination made by the Kane County Health Department. Such appeal shall be taken within twenty (20) days of the date of the action from which it is taken by filing with the Kane County Health Department and with the Public Health Committee a notice of appeal, specifying the grounds. The Public Health Committee shall thereupon set a reasonable date, time and place for a hearing of said appeal and shall cause written notice thereof to be mailed to the appealing party, or his or her attorney, and to the Kane County Health Department.

(c) The Public Health Committee may revise or affirm wholly or partially, or may modify the order, requirement, rule, decision or determination as in its opinion should be implemented in the private sewage disposal system, and to that end shall have all the powers vested in the Kane County Health Department by this Ordinance.

(d) The Public Health Committee shall keep minutes of its proceedings hereunder, showing the vote of each member upon every question, or, if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions.

**Sec. 18-49. Sanitary Officer Relieved From Personal Responsibility.**

All Kane County Health Department employees and officers, charged with the enforcement of this Ordinance, while acting for the jurisdiction, shall not thereby render themselves liable personally, and they are hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of this official duty. Any lawsuit instituted against any officer or employee because of an act performed by him or her in the lawful discharge of his or her duty and under the provisions of this Ordinance shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. Employees or officers of the Kane County Health Department shall not be liable for any costs in any action, suit or proceedings that may be instituted in the pursuance of the provisions of this Ordinance; any officer or employee of the Kane County Health Department, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act of omission in the performance of his or her official duty in connection therewith.

**Sec. 18-50. Violations**

Any person who violates this Ordinance, or who violates any determination or order of the Kane County Health Department under this Ordinance shall be guilty of an Ordinance violation. All penalties shall be consistent with the Private Sewage Disposal Licensing Act and Code, ILCS 225/19. The State's Attorney or the Attorney General shall bring such action in the name of the People of the State of Illinois, or The Kane County Health Department may in addition to other remedies provided in this Ordinance, bring action for an injunction to restrain such violation, or to enjoin the operation of any such establishment.

**Sec. 18-51. Term and Expiration**

A permit issued pursuant to this Ordinance is valid for a period of twelve (12) months from date of issuance. If construction is not started within this period, the permit is void.

This Ordinance shall be effective upon passage. # # #

**RESOLUTION #97-329  
AMENDING SECTION 2-74(c) OF THE KANE COUNTY CODE (PER DIEM - SHERIFF'S  
MERIT COMMISSION)**

WHEREAS, the Kane County Board sets the per diem compensation of the Sheriff's Merit Commission; and

WHEREAS, the Sheriff's Merit Commission performs a service which is beneficial to the County.

NOW, THEREFORE, BE IT ORDAINED by the Kane County Board that Section 2-74(c) be amended as follows:

Sec. 2-74. Salaries And Per Diem - Certain Appointed Positions:

(c) *Per Diem Compensation:*

Alternates-Board Of Review \$80.00

Farm Land Assessment Members 80.00

Liquor Control Commissioners (3) 20.00

Sheriff's Merit Commissioners (3) ~~60.00~~ 75.00

Zoning Board Of Appeal Members (7) 60.00

The Chairman of the Kane County Board may appoint additional

qualified members to the Board of Review to hold separate hearings on complaints. # # #

**ORDINANCE #97-332**  
**REPEALING ARTICLE III, CHAPTER 11 OF THE KANE COUNTY CODE**

WHEREAS, Article III of Chapter 11 of the Kane County Code, adopted by the County Board in 1968, is known as the Sanitary Landfill Ordinance of Kane County, Illinois; and

WHEREAS, this article has been reviewed and has been determined to be outdated and superseded in its entirety by the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq (1996); and

WHEREAS, it is desirable to repeal Article III of Chapter 11 of the Kane County Code for the reasons stated above.

NOW THEREFORE BE IT ORDAINED by the Kane County Board that Article III of Chapter 11 of the Kane County Code is hereby repealed in its entirety and replaced with the following language:

ARTICLE III. LANDFILLS, Sec. 11-32

This article shall be known as the Sanitary Landfill Control Ordinance of Kane County, Illinois.

Any sanitary landfill as defined under Sec. 3.41, 415 ILCS 5/1 et seq. of the Illinois Environmental Protection Act (the "Act") shall conform with the Act, relevant regulations, and any future amendments to the Act. The Act is enforced by the Illinois Environmental Protection Agency, the Attorney General and the State's Attorney.

# # #

**RESOLUTION #97-333  
PURCHASE OF ICE CONTROL SALT FOR MAINTENANCE DEPARTMENT KANE COUNTY  
DIVISION OF TRANSPORTATION**

WHEREAS, bids have been solicited and received for the annual supply of Ice Control Salt for the Maintenance Department of the Kane County Division of Transportation through the Joint Purchasing Program for the State of Illinois.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the low bid for said Ice Control Salt from Cargill Salt Inc., North Olmsted, Ohio in the amount of twenty-eight dollars and thirty-nine Cents (\$28.39) per ton be accepted. Payment to be made from County Highway Fund #031, Line Item #60-55.

# # #

**RESOLUTION #97-334 NO LEAD GASOLINE AND DIESEL FUEL DIVISION OF  
TRANSPORTATION**

WHEREAS, bids have been solicited and received by Central Services for the furnishing of no-lead gasoline and diesel fuel for bulk delivery to the Kane County Division of Transportation; and

WHEREAS, Feece Oil Company was the lowest responsible bidder for No Lead Gasoline and Sweeney Oil was the lowest responsible bidder for Diesel Fuel, the bid being based upon the low side of Premium No-Lead, the low side of Regular No-Lead, the low side of Low Sulfur Diesel Fuel #1, and Low Sulfur Diesel Fuel #2 as published in the "OPIS Price Index," for the period December 1, 1997 to November 30, 1998, plus the following:

89 Octane No-Lead Gasoline 1.65 cents per gallon

Diesel Fuel #2 2.57 cents per gallon

Diesel Fuel Pre-Blend Winter Mixture 2.57 cents per gallon

WHEREAS, the gasoline/diesel fuel is to be delivered to the Kane County Division of Transportation and deposited in the underground storage tanks located at the facility;

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the low bid of Fecce Oil Company for sale and delivery of 89 Octane No-Lead Gasoline, and the low bid of Sweeney Oil Company for Diesel Fuel #2 and Diesel Fuel Pre-Blend Winter Mixture to the underground storage tanks at the Kane County Division of Transportation for the period commencing December 1, 1997 to November 30, 1998 the price being based upon the low side of Premium No-Lead, the low side of Regular No-Lead, the low side of low Sulfur Diesel Fuel #1, and Low Sulfur Diesel Fuel #2 plus 1.65 cents per gallon for 89 Octane No-Lead, or plus 2.57 cents per gallon for Diesel Fuel #2, or plus 2.57 cents per gallon for Diesel Fuel Pre-Blend Winter Mixture be approved and charged to the County Highway Fund #031, Line Item #60-45. # # #

**RESOLUTION #97-335 JANITORIAL SERVICES KANE COUNTY DIVISION OF TRANSPORTATION**

WHEREAS, bids have been solicited and received for janitorial services for the office and maintenance buildings of the Kane County Division of Transportation;

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

low bid for janitorial services of Imperial Service Systems, Inc. of Villa Park, Illinois in the amount of twenty thousand six hundred eighty-eight dollars (\$20,688.00) for the period beginning December 1, 1997 and ending November 30, 1999, be accepted and that the funds for the payment thereof be allocated from County Highway Fund #031, Line Item #50-77.

BE IT FURTHER RESOLVED, that the Chairman be and hereby is

authorized to enter into an agreement for janitorial services with the above indicated company at the above indicated bid price.

# # #

**RESOLUTION #97-336  
ELECTRICAL MAINTENANCE TRAFFIC SIGNALS, FLASHING LIGHTS AND STREET LIGHTING  
SYSTEMS DIVISION OF TRANSPORTATION**

WHEREAS, bids have been solicited and received for the continuous maintenance and repair of all traffic signals, flashing lights, and street light installations which are under the maintenance jurisdiction of Kane County from December 1, 1997 to November 30, 1999; and

NOW THEREFORE, BE IT RESOLVED by the Kane County Board that the low bid of Aldridge Electric of Libertyville, IL, for electrical maintenance of all traffic signals, flashing lights, and street light installations under the jurisdiction of Kane County in the amount of \$92.40 per month for each traffic signal installation, \$30.00 per month for each flashing beacon installation, and \$2.75 per light standard per month from County Highway Fund #031, Line Item #60-03 be accepted and the Chairman be and hereby is authorized to enter into an agreement for maintenance service at the above

mentioned contract price.  
# # #

**RESOLUTION #97-337 MOTOR FUEL TAX FUND APPROPRIATION MAINTENANCE 1998**

WHEREAS, the Kane County Division of Transportation is required to maintain the county highway system throughout the County of Kane; and,

WHEREAS, three million seven hundred sixty-eight thousand dollars (\$3,768,000.00) will be required to maintain said county highway system in the County of Kane in 1998.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the designated section or patrol be maintained under the provisions of said Illinois Highway Code during the year ending December 31, 1998.

BE IT FURTHER RESOLVED, three million seven hundred sixty-eight thousand dollars (\$3,768,000.00) is hereby appropriated for FY 98; two million six hundred eighteen thousand dollars (\$2,618,000.00) from Motor Fuel Tax Fund #033, Line Item #50-64 and one million one hundred fifty thousand dollars (\$1,150,000.00) from County Highway Matching Fund #034, Line Item #50-64, for the maintenance of the following sections or patrols located on County or State Highways meeting the requirements of the Illinois Highway Code:

Section 98-00000-00-GM

BE IT FURTHER RESOLVED that the County Engineer shall, as soon as practicable after December 31, 1998, submit to the Illinois Department of Transportation, Schaumburg, Illinois on forms furnished by the said Department, a certified statement showing expenditures from and balances remaining in funds authorized for expenditure by said Department under this appropriation; and

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to transmit two certified copies of this resolution to the District Office of the Illinois Department of Transportation, Schaumburg, Illinois.

# # #

**RESOLUTION #97-338 APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF KANE AND THE CITY OF ST. CHARLES FOR ACCESS AND IMPROVEMENTS TO KIRK ROAD FOR FOXFIELD DRIVE THROUGH ILLINOIS AVENUE**

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

WHEREAS, the City of St. Charles and the County of Kane, in order to facilitate and assure the proper flow of traffic on Kirk Road at present and in the future, and permit reasonable development of adjacent lands, wish to limit direct access from properties adjoining Kirk Road; and,



WHEREAS, the City of St. Charles and the County of Kane have determined that limitations on direct access to Kirk Road are necessary for proper transportation planning and land use planning along Kirk Road; and,

WHEREAS, it will be necessary to enter into a joint agreement embodying such provisions between the City of St. Charles and the County of Kane.

WHEREAS, an intergovernmental agreement with the City of St. Charles to designate access and improvements to Kirk Road for the intersection of Foxfield Drive through the intersection of Illinois Avenue is deemed by the County and the City of St. Charles to be of immediate benefit to the residents of the County of Kane in that it shall facilitate the safe and efficient movement of traffic and shall provide for the safety of the motoring public; and,

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

the Chairman thereof is hereby authorized to execute the intergovernmental agreement (a copy of which is on file with the County Clerk's Office) with the City of St. Charles to designate access and improvements to Kirk Road for the intersection of Foxfield Drive through the intersection of Illinois Avenue.

# # #

**ORDINANCE #97-339**

**ORDINANCE PROHIBITING PARKING ON LYNN DRIVE, ST. CHARLES TOWNSHIP, KANE COUNTY**

BE IT ORDAINED by the Kane County Board that:

Section 1: It shall be unlawful for any person, firm or corporation to park or permit to be parked any motor vehicle on both sides of Lynn Drive from Campton Hills Drive to the intersection of Joan Drive and Bernice Drive, St. Charles Township, Kane County, Illinois..

Section 2: The St. Charles Township Highway Commissioner is directed to post appropriate signs in accordance with the provisions of this ordinance.

Section 3: Any person, firm, corporation, or entity violating the provisions of this ordinance shall be fined not more than \$500.00 for each offense.

Section 4: That all ordinances or parts of ordinances in conflict with this ordinance be and same are hereby repealed.

Section 5: This ordinance shall be in full force and effect from and after its passage, approval, publication, and posting of signs as provided by law.

# # #

No questions or discussion. Roll call on Consent Agenda (#97-308, #97-309, #97-310, #97-311, #97-313, #97-315, #97-316, #97-319, #97-321, #97-322, #97-323, #97-324, #97-325, #97-326, #97-327, #97-329, #97-332, #97-333, #97-334, #97-335, #97-336, #97-337, #97-338, & #97-339) as follows: AYES: Arians, Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hoscheit, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: None. **CONSENT AGENDA ADOPTED.** (Hoscheit left at 10:10 a.m.)

**RESOLUTION #97-312**

Moved by Rage; seconded by Wolfe, that #97-312 be adopted.

**REFUSE REMOVAL SERVICE**

WHEREAS, bids have been solicited and received for the Refuse Removal Service at the Kane County Government Center, Courthouse, 6th Street Center, Campana (Circuit Clerk), Old Youth Home, Judicial Center, and Juvenile Justice Center; and

WHEREAS, Waste Management-West, Batavia, IL was the lowest responsible bidder at a cost of one thousand three hundred eighty-seven dollars and ninety-four cents (\$1,387.94) per month, for the aforesaid service as per specifications.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board, that Waste Management-West, Batavia, IL be approved and accepted to provide Refuse Services for the period of two years commencing December 1, 1997 through November 30, 1999 at the rate of one thousand three hundred eighty-seven dollars and ninety-four cents (\$1,387.94) per month and that all refuse be deposited in the Settlers Hill Landfill. Funds to be paid from the General Fund 001-3520-414.60-04 and 001-3530-414.50-04, and 001-3540-414.60-04.

# # #

Moved by Rage; seconded by Campbell, that #97-312 be amended. Discussion followed on the contract. Rage's motion to amend carried unanimously by voice vote. Moved by Richards; seconded by Weigand that #97-312 (as amended) be adopted. Roll call on #97-312 (as amended) as follows: AYES: Arians, Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt.

NAYS: None. **RESOLUTION #97-312 ADOPTED.**

**RESOLUTION #97-314**

Moved by Carlson; seconded by Sanchez, that #97-314 be adopted.

**AUTHORIZING RENEWAL OF THE MULTIMEDIA CABLEVISION FRANCHISE**

WHEREAS, Multimedia Cablevision was previously granted a cable television franchise by Resolution 82-5 for a portion of Batavia Township; and

WHEREAS, Negotiations for renewal of said Franchise have been completed.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that pending receipt and approval by the Kane County State's Attorney's Office of all exhibits thereto, the Chairman of the Kane County Board is hereby authorized and directed to enter into an Agreement renewing the Cable T.V. Franchise with Multimedia Cablevision for a term of twelve (12) years under the terms and conditions as set forth in the Franchise Agreement. The original Agreement and the exhibits thereto shall be retained by the Kane County Clerk and shall be available to the public for inspection.

# # #

Moved by Carlson; seconded by Wolfe, that #97-314 be postponed for 30 days. Discussion followed on the State's Attorney's office working out some language concerning the \$5.00 late fee. Carlson's motion to postpone carried unanimously by voice vote. **RESOLUTION #97-314 POSTPONED.**

**RESOLUTION #97-317**

Moved by Kosinski; seconded by Wood, that #97-317 be adopted.  
**APPOINTMENT TO THE MERIT COMMISSION (ELMER WEBER)**

WHEREAS, the Sheriff's Merit Commission was established pursuant to Ordinance; and

WHEREAS, a vacancy has occurred in the Merit Commission due to the passing of James Johnson; and

WHEREAS, 55 ILCS 5/3-8003 provides that in the case of a vacancy in the Merit Commission the Sheriff, with the approval of a majority of the members of the County Board, shall appoint a suitable person to serve the unexpired portion of the term; and

WHEREAS, the Sheriff of Kane County has recommended that Elmer Weber serve the unexpired portion of James Johnson's term.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that Elmer Weber is appointed to the Sheriff's Merit Commission to fill the unexpired portion of James Johnson's term of office.

# # #

Discussion followed on the appointment. Those speaking against passage cited the fact that it was the Sheriff's uncle. Those speaking for passage said that the compensation is minimal and that this man was experienced. Voice vote followed with AYES and NAYS. McCoy ruled that the AYES prevailed.  
**RESOLUTION #97-317 ADOPTED.**

**RESOLUTION #97-318**

Moved by Steve-McConnaughay; seconded by VanOvermeiren, that #97-318 be adopted.

**APPOINTING DIRECTOR OF THE KANE COUNTY DIVISION OF TRANSPORTATION**

WHEREAS, Nabi R. Fakroddin will retire as Director of Transportation on November 17, 1997; and

WHEREAS, the Kane County Board has conducted a search for a suitable replacement to be the new Director of Transportation.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that Jeffrey S. Dailey, P.E., is named as the new Director of the Kane County Division of Transportation to assume said position at its present salary with a commencement date of November 17, 1997. # # #

Discussion followed on the high qualifications of the new director and that he would be introduced at the next Board meeting. Roll call on #97-318 as follows: AYES: Arians, Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: None. **RESOLUTION #97-318 ADOPTED.**

**RESOLUTION #97-320**

Moved by Wolfe; seconded by McConnaughay, that #97-320 be adopted.  
**AMENDING FISCAL YEAR 1997 BUDGET FOR SOLID WASTE (HAZARDOUS MATERIAL HANDLING - BOMB SQUAD)**

WHEREAS, the Kane County Sheriff's Office has a unit which specializes in the handling of hazardous materials; and

WHEREAS, expenditures for materials necessary to perform hazardous waste material handling is a valid expenditure from Fund 081; and

WHEREAS, the Kane County Sheriff's Office Bomb Squad is in need of the following equipment in order to adequately and safely perform the task of hazardous material handling: Bunker/Magazine; Transport/Burn Trailer; Step Van Bomb Squad Truck; Hazardous Devices Robot; Bomb Suit.

NOW, THEREFORE, BE IT ORDAINED by the Kane County Board that the Fiscal Year 1997 Budget for the Solid Waste Management Department (Fund 081) be amended to reflect one hundred sixty-eight thousand one hundred seventy five dollars (\$168,175.00) in expenditures for the following hazardous material handling equipment: Bunker/Magazine; Transport/Burn Trailer; Step Van Bomb Squad Truck; Hazardous Devices Robot; Bomb Suit.

BE IT FURTHER ORDAINED that the Sheriff's Office is authorized to initiate procedures necessary to procure the above mentioned equipment with the total cost of said equipment no to exceed one hundred sixty-eight thousand one hundred seventy five dollars (\$168,175.00).

# # #

Moved by Wolfe; seconded by Greviskes, that #97-320 go through the Public Safety Committee before coming to the Board meeting. Discussion followed on which additional committees this resolution should possibly go through. Wolfe's motion carried unanimously by voice vote. **RESOLUTION #97-320 SENT**

BACK TO COMMITTEE.

**RESOLUTION #97-328**

Moved by Greviskes; seconded by Jones, that #97-328 be adopted.  
**AMENDING SECTION 2-74 (b) OF THE KANE COUNTY CODE (ESTABLISHING ANNUAL SALARIES FOR APPOINTED OFFICIALS)**

WHEREAS, Section 2-74 (b) of the Kane County Code lists the salaries of certain Kane County officials: and

WHEREAS, the Kane County Board has determined that the officials listed in Section 2-74 (b) of the Kane County Code may receive, based on a performance evaluation, a salary increase for fiscal year 1998 effective on the credible service date of each official listed therein;

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that section 2-74 (b) of the Kane County Code be amended as follows:

Animal Control Director ..... ~~\$11,896.00~~ \$13,063.00

BE IT FURTHER ORDAINED that this amendment to the Kane County Code shall become effective upon passage by the Kane County Board. Payments to the Animal Control Director shall made from fund 051, Line Item 50-14 (Contracts and Consultation). # # #

Moved by Greviskes; seconded by Jones, that #97-328 be amended changing the dollar amount to \$13,063. Carried unanimously by voice vote. Roll call on #97-328 (as amended) follows: AYES: Arians, Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: None. **RESOLUTION #97-328 (as amended) ADOPTED.**

**RESOLUTION #97-330**

Moved by Kosinski; seconded by Cameron, that #97-330 be adopted.  
**SENIOR CITIZEN ASSESSMENT FREEZE HOMESTEAD EXEMPTION**

WHEREAS, Public 90-204 permits County Boards to establish a date beyond the current July 1st deadline for applications to the Supervisor of Assessments for the Senior Citizen Assessment Freeze Homestead Exemption; and

WHEREAS, extension of the submission deadline is in the best interest of the Kane County Senior Citizens who meet all of the mandated requirements of 35 ILCS 200/15-172 of the Property Tax Code; and

WHEREAS, a deadline of 30 days prior to judgment or order of sale is a reasonable final filing date for Senior Citizens' Applications.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the final filing date for Kane County Senior Citizen Assessment Freeze Homestead Applications with the Supervisor of Assessments shall be extended to 30 days prior to the date judgment order of sale is entered by the County Collector. # # #

No questions or discussion. Carried unanimously by voice vote. RESOLUTION #97-330 ADOPTED.

**RESOLUTION #97-331**

Moved by Wood; seconded by Rage, that #97-331 be adopted.

**REPEALING SECTION 2-52 OF THE KANE COUNTY CODE**

WHEREAS, Section 2-52 of the Kane County Code requires that any amendment to the Rules of Order of the Kane County Board (Section 2-46 to and inclusive of Section 2-52) may not be made without consent of the majority of the total membership of the County Board nor on the date of introduction of the same.

WHEREAS, Section 2-52 artificially restrains the Board from the timely amendment of the Rules which govern its conduct of business.

NOW, THEREFORE, BE IT ORDAINED by the Kane County Board that Section 2-52 of the Kane County Code is repealed in its entirety.

# # #

No questions or discussion. Moved by Wood; seconded by Campbell, that #97-331 be sent back to the Rules Committee. Carried unanimously by voice vote.

**RESOLUTION #97-331 SENT BACK TO COMMITTEE.**

**RESOLUTION #97-276**

Moved by Wyatt; seconded by Mitchell, that #97-276 be adopted.

**CONSENTING TO ALTERNATIVE ANNUITY AND SURVIVOR'S BENEFITS FOR ELECTED COUNTY OFFICERS**

WHEREAS, 40 ILCS 5/7-145.1 and 40 ILCS 5/7-145.2 (Illinois Pension Code) authorize elected county officers to elect optional alternative annuity benefits and survivor's benefits pursuant to the provisions set forth therein so long as the county which the elected official represents has consented to the availability of said benefits; and

WHEREAS, the Kane County Board finds that it is appropriate to approve the availability of said benefits for elected Kane County Officers and county offices as defined in 40 ILCS 5/7-145.1(f)(Illinois Pension Code);

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

1. It hereby consents to the provision of benefits as set forth in 40 ILCS 5/7-145.1 and 40 ILCS 5/7-145.2 (Illinois Pension Code) for all elected Kane

County Officers and county offices as defined therein.

2. This Resolution shall be effective upon adoption.

# # #

A member of the fact finding committee that had studied the plan said, that with the concurrence of Human Resources Committee, the recommendation was not to adopt. Roll call on #97-276 as follows: AYES: None. NAYS: Arians, Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt.  
**RESOLUTION #97-276 DENIED.**

**RESOLUTION #97-294**

Moved by Wood; seconded by VanOvermeiren, that #97-294 be adopted.  
**AMENDING SECTION 2-47 OF THE KANE COUNTY CODE (CONDUCT OF MEETINGS)**

WHEREAS, the Rules Committee of the Kane County Board has suggested certain changes be made in Section 2-47 of the Kane County Code (Conduct of Meetings).

NOW, THEREFORE, BE IT ORDAINED by the Kane County Board that Section 2-47 be amended to read as follows:

Sec. 2-47. Conduct of meetings.

(a) *Order of business.* The order of business for meetings of the ~~e~~County ~~b~~Board shall be as follows:

(1) Call to order.

~~(1)~~ (2) Roll call.

~~(2)~~ (3) Approval Reading or disposal of the minutes of the previous meeting.

(4) Presentations.

~~(3)~~ (5) Zoning Reception of bills, petitions, ~~communications and resolutions.~~

~~a. Such bills, petitions, communications and resolutions heretofore referred or initially presented by the standing committees of the board.~~

~~b. Such new bills, petitions, communications and resolutions not heretofore considered by a standing committee when presented shall be read by the clerk and the chairman of the board shall cause the same to be referred to the appropriate committee.~~

~~(4) Reports of standing committees.~~

~~(5) Reports of special committees.~~

~~(6) Unfinished business.~~

~~(7) New business.~~

(6) Resolutions and Ordinances.

a. Consent Agenda

b. Matters removed from Consent Agenda

c. Matters postponed from previous meetings

(7) Appointments.

(8) Public and employee comment.

(9) Executive Session.

~~(9)~~ (10) Adjournment.

(b) *Rules of order.* "Robert's Rules of Order" (Scott, Foresman, 9th Edition, 1990) shall govern the meeting of the eCounty bBoard in all cases to which they are applicable and where they are not inconsistent with the following specific rules of order:

(1) The eClerk of the bBoard shall distribute a copy of the minutes of each regular meeting, together with the minutes of such special, or other meetings not previously printed, to each member prior to the next succeeding meeting.

(2) All questions relating to the priority of business shall be decided without debate.



(3) The eChairman shall preserve order and decide all questions of order, subject to an appeal to the bBoard without debate.

(4) Every member, previous to speaking, shall ~~rise and respectfully address the request recognition by the eChairman,~~. During the debate each member shall avoid personalities, and confine himself or herself to the question under consideration.

(5) When two (2) or more members ~~rise~~ seek recognition at the same time, the eChairman shall name the member who may speak first.

(6) A member called to order shall immediately ~~take his seat~~ refrain from further comment, and if there be no appeal to the bBoard, the decision of the chair shall be conclusive; but in no case shall the chair be empowered to call to order a member who is making such appeal.

(7) When a question is put, every member shall vote thereon, unless directly interested or excused by the eChairman of the bBoard.

(8) No motion shall be debated or put unless seconded. When seconded, it shall be stated by the chair before being debated. Every motion shall be reduced to writing by the member making same, if required by the chair or any member of the bBoard.

(9) A motion to adjourn shall always be in order and shall be decided without debate.

(10) After a motion is stated by the eChairman or read by the eClerk, it will be considered to be in possession of the bBoard; but may be withdrawn at any time, before a decision or amendment by leave of the bBoard.

(11) The eClerk shall call the names of the members of the bBoard in alphabetical order when calling the roll or polling a vote.

(12) On all questions or motions involving the expenditure of money, the eChairman of the bBoard shall cause the eClerk of the bBoard to call the roll and the eClerk shall record the vote of ayes and naves.

(13) Members must be present at ~~the~~ a meeting ~~of the day~~ in order to be entitled to their per diem.

(14) The rules may be suspended in any particular case by a vote of two-thirds of the members present.

(15) The eChairman of the eCounty bBoard shall vote on all motions, ordinances, amendments thereto, or other matters coming before the bBoard, whenever the casting of such vote might either defeat or cause the passage or adoption of any such motion, ordinance, amendment thereto or other matter.

(16) a. Anyone, including municipalities, desiring to speak on behalf of, or against, any zoning matter shall file their request to do so with the zoning officer not later than the Friday preceding the meeting of the eCounty bBoard at which said zoning matter is to be presented. The presentation of evidence, debates and argument by non-members of the eCounty bBoard in support of, or in opposition to, zoning petitions coming before the eCounty bBoard shall be limited in time to a period of not more than five (5) minutes for each side of zoning matter; provided that the petitioner shall be permitted an additional three (3) minutes of time for rebuttal, limited, however, to any matters raised in opposition to the petition under consideration. Provided further, that an additional five (5) minutes of time shall be allowed to any objecting municipality situated within one and one-half (1<sup>1/2</sup>) miles of the property which is the subject of the petition, or any part thereof. The time allowed to a municipality shall not be used by anyone other than the duly authorized representative of such municipality.

b. The time period allotted to each side shall be utilized by the parties on either side as they shall determine and apportion among themselves, provided, however, that the petitioner, or petitioners, shall have the absolute right to apportion the time allotted for the support of the petition; and provided further, that any person who desires to be heard in opposition to the petition and who files his request to address the bBoard with the zoning officer, as in paragraph a. required, shall be allowed an equitable portion of the time so allotted.

c. The eChairman of this bBoard may require of the petitioner on either side of a zoning matter that a statement showing the name of the persons who will address the bBoard and the time apportioned to each such person to be filed with the eChairman of the bBoard in advance of the consideration of the zoning matter by this bBoard.

(17) a. Members of the public and employees of the County who wish to address the Board pursuant to 55 Illinois Compiled Statutes 5/2-1001, must register the desire to do so in writing at least one working day prior to the date of the regular or special meeting.

b. The written request shall state the name, address, home and/or work telephone numbers of the individual, as well as indicate a County employment relationship or representative capacity, if any, and shall state the topic upon which he/ or she desires to address the Board.

c. No more than three (3) individuals shall be allowed to speak at each meeting and each speaker will be limited to three (3) minutes.

d. If more than three (3) people wish to address the Board at any one meeting, the Chairman may select three (3) based upon public concern of the topic, previous times the individual or organization has addressed the Board or in his/ or her sole discretion, by drawing by lot.

(c) *Agendas*. Agendas shall be governed by the following provisions:

(1) The Chairman, with the advice of the Executive Committee, shall prepare an agenda for each such regular and special meeting of the County Board not less than five (5) days prior to such meeting. The agenda shall be in writing and shall be available for distribution not less than four (4) days prior to the meeting for which the agenda is prepared.

(2) The agenda shall be sufficiently itemized to apprise members and the public of matters to be considered by the County Board. Matters to be placed on the agenda shall be communicated to the Chairman of the County Board in writing prior to the meeting of the Executive Committee at which the agenda is to be prepared. A matter not on the agenda may be considered upon motion made, seconded and passed by two-thirds ( $\frac{2}{3}$ ) of the members present at the Board meeting. After the meeting of the Executive Committee the Chairman may add such items to the agenda as he or she deems necessary to provide for timely consideration by the Board.

(3) The meeting agenda, along with all resolutions and ordinances to be considered at the County Board meeting, shall be printed and mailed (first class) to all Board members not less than four (4) days prior to such meeting.

# # #

Discussion followed on (c)(1) giving the Chairman power to add to the Agenda. A member of the Rules Committee said that the intent was to make the rules reflect how we do business. Discussion continued on the issue of maintaining decorum when dealing with other board members. Roll call on #97-294 as follows: AYES: Arians, Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: None. **RESOLUTION #97-294 ADOPTED.** (Arians left.)

#### **ORDINANCE #97-297**

Moved by Hurlbut; seconded by Jones, that #97-297 be adopted.  
**AN ORDINANCE ADOPTING THE ANNUAL APPROPRIATIONS**

BE IT RESOLVED that the County Board of Kane County, State of Illinois, hereby adopts the attached schedule of appropriations for all corporate purposes for the fiscal period beginning December 1, 1997 and ending November

30, 1998; and

BE IT FURTHER RESOLVED that:

1. The schedule of appropriations as attached is intended to cover all expenditures to be made by the County of Kane for the said fiscal year.
2. All expenditures made during said fiscal year are hereby limited to the amounts specified in said schedule of appropriations.
3. All unexpended balances may be expended in making up any deficiency for the same general purpose as was appropriated.
4. The appropriate account number shall be shown on each purchase order and check drawn on the County Treasury.
5. The Finance Director shall keep an accurate account of the financial status of each specific fund.
6. The County Clerk and County Treasurer are authorized and required to sign and countersign all checks drawn on the County Treasury in payment for services and materials purchased, other than those set out in paragraph 7 (a) and (b) herein.
7. The County Clerk and County Treasurer, individually, are authorized to sign checks drawn on the County Treasury which are expenditures for (a) Personal Service appropriations contained within said schedule of appropriations, and (b) all contractual obligations as authorized by the Finance Director.
8. Any committee of the County Board may approve for payment bills for items or services which it deems appropriate for payment that (a) the funds have been appropriated herein, (b) the cost for such goods or services does not exceed \$8000 (eight thousand dollars), and (c) the payment of such bills does not violate any other provision of the law.

Passed at this adjourned session of the October meeting of the County Board of Kane County, held at the Government Center in Geneva, Kane County on November 12, 1997. # # #

No questions or discussion. Roll call on #97-297 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt.

NAYS: None. **RESOLUTION #97-297 ADOPTED.**

**RESOLUTION #97-298**

Moved by Hurlbut; seconded by Wyatt, that #97-298 be adopted.

**ADOPTING A TAX LEVY FOR THE GENERAL FUND**

BE IT RESOLVED by the County Board of the County of Kane, State of Illinois, at this adjourned session of the November meeting of said County Board, held at the Government Center in Geneva, Kane County, Illinois that there be and there is hereby levied upon all taxable property within the County of Kane, the sum of:

TWELVE MILLION THREE HUNDRED FORTY THREE THOUSAND AND THREE HUNDRED DOLLARS  
(\$12,343,300)

Such levy shall be spent for the objects and purposes as set fourth in detail in the GENERAL FUND Budget of the County of Kane, State of Illinois for the fiscal period beginning December 1, 1997 and ending November 30, 1998. # # #

A member expressed concern about the increase in the General levy, saying that the County need to spend within its means. Roll call on #97-298 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: Kosinski. AYES:

23. NAYS: 1. **RESOLUTION #97-298 ADOPTED.**

**RESOLUTION #97-299**

Moved by Hurlbut; seconded by Morse, that #97-299 be adopted.

**ADOPTING A TAX LEVY FOR THE COUNTY BRIDGE FUND**

BE IT RESOLVED by the County Board of the County of Kane, State of Illinois, at this adjourned session of the November meeting of said County Board, held at the Government Center in Geneva, Kane County, Illinois, that there be and there is hereby levied upon all taxable property within the County of Kane, the sum of:

ONE HUNDRED EIGHTY NINE THOUSAND AND NINE HUNDRED DOLLARS (\$189,900)

Such levy shall be spent for the objects and purposes as set fourth in detail in the COUNTY BRIDGE FUND Budget of the County of Kane, State of Illinois for the fiscal period beginning December 1, 1997 and ending November 30, 1998. # # #

No questions or discussion. Roll call on #97-299 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: None. **RESOLUTION #97-299 ADOPTED.**

**RESOLUTION #97-300**

Moved by Hurlbut; seconded by Jones, that #97-300 be adopted.  
**ADOPTING A TAX LEVY FOR THE KANE COUNTY HEALTH FUND**

BE IT RESOLVED by the County Board of the County of Kane, State of Illinois, at this adjourned session of the November meeting of said County Board, held at the Government Center in Geneva, Kane County, Illinois, that there be and there is hereby levied upon all taxable property within the County of Kane, the sum of:

ONE MILLION TWO HUNDRED THIRTEEN THOUSAND AND FOUR HUNDRED DOLLARS  
(\$1,213,400)

Such levy shall be spent for the objects and purposes as set fourth in detail in the KANE COUNTY HEALTH FUND Budget of the County of Kane, State of Illinois for the fiscal period beginning December 1, 1997 and ending November 30, 1998. # # #

No questions or discussion. Roll call on #97-300 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: Kosinski. AYES: 23. NAYS: 1. **RESOLUTION #97-300 ADOPTED.**

**RESOLUTION #97-301**

Moved by Hurlbut; seconded by Morse, that #97-301 be adopted.  
**ADOPTING A TAX LEVY FOR THE COUNTY HIGHWAY FUND**

BE IT RESOLVED by the County Board of the County of Kane, State of Illinois, at this adjourned session of the November meeting of said County Board, held at the Government Center in Geneva, Kane County, Illinois, that there be and there is hereby levied upon all taxable property within the County of Kane, the sum of:

TWO MILLION SEVEN HUNDRED EIGHTY THOUSAND DOLLARS (\$2,780,000)

Such levy shall be spent for the objects and purposes as set fourth in detail in the COUNTY HIGHWAY FUND Budget of the County of Kane, State of Illinois for the fiscal period beginning December 1, 1997 and ending November 30, 1998. # # #

No questions or discussion. Roll call on #97-301 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: Kosinski. AYES: 23. NAYS: 1. **RESOLUTION #97-301 ADOPTED.**

**RESOLUTION #97-302**

Moved by Hurlbut; seconded by Kosinski, that #97-302 be adopted.  
**ADOPTING A TAX LEVY FOR THE ILLINOIS MUNICIPAL RETIREMENT FUND**

BE IT RESOLVED by the County Board of the County of Kane, State of Illinois, at this adjourned session of the November meeting of said County Board, held at the Government Center in Geneva, Kane County, Illinois, that there be and there is hereby levied upon all taxable property within the County of Kane, the sum of:

TWO MILLION FIVE HUNDRED TWO THOUSAND AND ONE HUNDRED DOLLARS (\$2,502,100)

Such levy shall be spent for the objects and purposes as set fourth in detail in the ILLINOIS MUNICIPAL RETIREMENT FUND Budget of the County of Kane, State of Illinois for the fiscal period beginning December 1, 1997 and ending November 30, 1998. # # #

No questions or discussion. Roll call on #97-302 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: None. **RESOLUTION #97-302 ADOPTED.**

**RESOLUTION #97-303**

Moved by Hurlbut; seconded by Steve-McConnaughay, that #97-303 be adopted.  
**ADOPTING A TAX LEVY FOR THE INSURANCE LIABILITY FUND**

BE IT RESOLVED by the County Board of the County of Kane, State of Illinois, at this adjourned session of the November meeting of said County Board, held at the Government Center in Geneva, Kane County, Illinois, that there be and there is hereby levied upon all taxable property within the County of Kane, the sum of:

ONE MILLION FIVE HUNDRED FIFTY ONE THOUSAND AND THREE HUNDRED DOLLARS (\$1,551,300)

Such levy shall be spent for the objects and purposes as set fourth in detail in the INSURANCE LIABILITY FUND Budget of the County of Kane, State of Illinois for the fiscal period beginning December 1, 1997 and ending November 30, 1998. # # #

No questions or discussion. Roll call on #97-303 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: None. **RESOLUTION #97-303 ADOPTED.**

**RESOLUTION #97-304**

Moved by Hurlbut; seconded by Wood, that #97-304 be adopted.  
**ADOPTING A TAX LEVY FOR THE COUNTY HIGHWAY - MATCHING FUND**

BE IT RESOLVED by the County Board of the County of Kane, State of Illinois, at this adjourned session of the November meeting of said County Board, held at the Government Center in Geneva, Kane County, Illinois, that there be and there is hereby levied upon all taxable property within the County of Kane,

the sum of:  
ONE MILLION THREE HUNDRED THIRTY FOUR THOUSAND AND TWO HUNDRED DOLLARS  
(\$1,334,200)

Such levy shall be spent for the objects and purposes as set fourth in detail in the COUNTY HIGHWAY - MATCHING FUND Budget of the County of Kane, State of Illinois for the fiscal period beginning December 1, 1997 and ending November 30, 1998. # # #

No questions or discussion. Roll call on #97-304 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: Kosinski. AYES: 23. NAYS: 1. **RESOLUTION #97-304 ADOPTED.**

**RESOLUTION #97-305**

Moved by Hurlbut; seconded by Wolfe, that #97-305 be adopted.  
**ADOPTING A TAX LEVY FOR THE PUBLIC BUILDING COMMISSION**

BE IT RESOLVED by the County Board of the County of Kane, State of Illinois, at this adjourned session of the November meeting of said County Board, held at the Government Center in Geneva, Kane County, Illinois, that there be and there is hereby levied upon all taxable property within the County of Kane, the sum of:

FIVE MILLION THREE HUNDRED FORTY TWO THOUSAND AND NINE HUNDRED THIRTY SEVEN DOLLARS (\$5,342,937)

Such levy shall be spent for the objects and purposes as set fourth in detail in the PUBLIC BUILDING COMMISSION FUND Budget of the County of Kane, State of Illinois for the fiscal period beginning December 1, 1997 and ending November 30, 1998. # # #

No questions or discussion. Roll call on #97-305 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: Kosinski. AYES: 23. NAYS: 1. **RESOLUTION #97-305 ADOPTED.**

**RESOLUTION #97-306**

Moved by Hurlbut; seconded by Cameron, that #97-306 be adopted.  
**ADOPTING A TAX LEVY FOR THE SOCIAL SECURITY FUND**

BE IT RESOLVED by the County Board of the County of Kane, State of Illinois, at this adjourned session of the November meeting of said County Board, held at the Government Center in Geneva, Kane County, Illinois, that there be and there is hereby levied upon all taxable property within the County of Kane, the sum of:

TWO MILLION TWO HUNDRED THREE THOUSAND AND FOUR HUNDRED DOLLARS  
(\$2,203,400)



Such levy shall be spent for the objects and purposes as set fourth in detail in the SOCIAL SECURITY FUND Budget of the County of Kane, State of Illinois for the fiscal period beginning December 1, 1997 and ending November 30, 1998.

# # #

No questions or discussion. Roll call on #97-306 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: None. **RESOLUTION #97-306 ADOPTED.**

**RESOLUTION #97-307**

Moved by Hurlbut; seconded by Cook, that #97-307 be adopted.  
**ADOPTING A TAX LEVY FOR THE VETERANS COMMISSION FUND**

BE IT RESOLVED by the County Board of the County of Kane, State of Illinois, at this adjourned session of the November meeting of said County Board, held at the Government Center in Geneva, Kane County, Illinois, that there be and there is hereby levied upon all taxable property within the County of Kane, the sum of:

TWO HUNDRED FIFTY EIGHT THOUSAND AND FOUR HUNDRED DOLLARS (\$258,400)

Such levy shall be spent for the objects and purposes as set fourth in detail in the VETERANS COMMISSION FUND Budget of the County of Kane, State of Illinois for the fiscal period beginning December 1, 1997 and ending November 30, 1998. # # #

No questions or discussion. Roll call on #97-307 as follows: AYES: Cameron, Campbell, Carlson, Cook, Greviskes, Hartwell, Hurlbut, Jones, Kosinski, McConnaughay, Mitchell, Morse, Neuberger, Rage, Richards, Sanchez, Spear, Steve-McConnaughay, Tredup, VanOvermeiren, Weigand, Wolfe, Wood & Wyatt. NAYS: None. **RESOLUTION #97-307 ADOPTED.**

**EXECUTIVE SESSION**

Moved by Weigand; seconded by Hartwell, that the Board enter Executive Session for the purpose of discussing pending litigation. Carried unanimously by voice vote. Chairman McCoy closed the meeting to the public at 11:00 a.m. The Board resumed regular session at 11:12 a.m.

There being no further business, moved by Wood; seconded by Carlson, that the meeting stand adjourned until the next regularly scheduled meeting. Carried unanimously by voice vote. Chairman McCoy adjourned the meeting at 11:13 a.m.