



Kane County

County Board

Meeting Minutes

Government Center
719 S. Batavia Ave., Bldg. A
Geneva, IL 60134

Tuesday, November 14, 2023

9:45 AM

County Board Room

1. CALL TO ORDER

The Adjourned Meeting of the Kane County Board was held at the Kane County Government Center, 719 S. Batavia Ave., Bldg. A, Geneva, IL 60134 on November 14, 2023.

Chairman Pierog called the meeting to order at 10:42 AM.

2. ROLL CALL

PRESENT:	Board Member Deborah Allan Board Member Mavis Bates Board Member Dale Berman Board Member Mark Davoust Board Member Ron Ford Board Member Michelle Gumz Board Member Leslie Juby Board Member Mo Iqbal Board Member Michael Kenyon Board Member Chris Kious Board Member Bill Lenert Board Member Anita Lewis Board Member Bill Roth Board Member Jarett Sanchez Board Member Monica Silva Board Member Cherryl Strathmann Board Member Clifford Surges Board Member Bill Tarver Board Member Vern Tepe Board Member Rick Williams Board Member David Young Chairman Corinne M. Pierog
REMOTE:	Board Member Gary Daugherty Board Member Michael Linder Board Member Myrna Molina

Present: Co. Bd. staff Valdez; Dev. Dir. VanKerkhoff & staff Berkhout; ITD/BLD Exec. Dir. Fahnestock* & staff Lasky*, Peters, Kash, Roff; State's Attorney Mosser & staff Frank, Ford, Shepro, Hunt*; KDOT Dir. Schoedel & staff Rickert; Court Admin. O'Brien*; KCAC Admin. Youngsteadt*; Circuit Clk. Barreiro*; KCHD Exec. Dir. Isaacson* & staff Snowden*; Auditor Wegman; Environ. & Water Res. Dir. Wollnik*; OCR Dir. Berger*; Treasurer Lauzen; members of the press & public.

3. REMOTE ATTENDANCE REQUESTS

Madam Chair asked the board if there was consensus to allow Board Members Daugherty, Linder, and Molina into the meeting remotely. No objections were voiced.

4. PLEDGE OF ALLEGIANCE & INVOCATION

Board Member Bates led the assembly in the recital of the Pledge of Allegiance. County Board Member Juby read aloud a poem by John O'Donahue for the invocation.

5. APPROVAL OF MINUTES: October 10, 2023

RESULT:	APPROVED BY VOICE VOTE
MOVER:	Mavis Bates
SECONDER:	Deborah Allan

APPROVAL OF MINUTES: October 20, 2023

RESULT:	APPROVED BY VOICE VOTE
MOVER:	Dale Berman
SECONDER:	Anita Lewis

APPROVAL OF MINUTES: October 23, 2023

Kious noted a scrivener's error: The adjourned time of the meeting was 5:51 PM.

RESULT:	APPROVED BY VOICE VOTE
MOVER:	Chris Kious
SECONDER:	Michelle Gumz

6. PUBLIC COMMENT (Agenda Items)

Madam Chairman Pierog stated that all public comments were held until the discussions of the Zoning Petitions.

7. NEW AND UNFINISHED BUSINESS**A. Madam Chairman's Comments**

- Proclamation: Proclaiming, Saturday, November 25, 2023, as [**TMP-23-1553**](#) Small Business Saturday

County Board Member Iqbal read aloud the proclamation recognizing Saturday, November 25, 2023 as Small Business Saturday.

Member Davoust, as a small business owner, spoke to the long fight to get Washington to recognize the importance of small businesses. He and Member Bates appreciated the Board making this proclamation.

RESULT: **APPROVED BY VOICE VOTE**

MOVER: Bill Roth

SECONDER: Dale Berman

B. Discussion - None.

C. Ordinance - None.

D. Zoning Petitions

- Petition # 4615 Petitioner: Robert Matson Trust (RPIL Solar 8, [TMP-23-1146](#) LLC)

Development Chairman Ford introduced the petition and explained an adjustment to the location of the solar panels was distributed on the dais by staff.

Greg Peloquin, Hampshire, speaking on behalf of many residents, explained the issue was about constructing a solar field of this size at the particular location, which was adjacent to schools, a nearby forest preserve ecosystem, and residents. He expressed concern about property values being reduced, danger and high voltage signs surrounding the field. He asked the board to protect the health, welfare and safety of the children, residents, and ecosystems.

Development Chair Ford noted that the Zoning Board of Appeals did deny this petition and had 11 stipulations.

Michelle Schutta, resident, shared a map of the Howard B. Thomas School, shared that she spoke to 36 residents about their concerns regarding the proposed solar field, as it would affect property values, ecosystems, and the rural nature of her nearby subdivision. The safety of the students was a major concern. Fire and evacuation concerns were also voiced. The location of the solar field on Rocket Hill (the highest point of the county) was not appropriate.

Lynne Peloquin, a Hampshire resident, voiced that the location of the petitioner's solar field was all wrong. The proposed site was in the middle of a community located next to one of the most scenic roads in Kane County, and in the middle of the Cardinal Creek ecosystem. The solar field will destroy the character of Rocket Hill. Ms. Peloquin stated there were no long-term impact studies on the concerns raised. She further shared a one-minute video titled "Protect Rocket Hill," showing the proposed land. She asked the board to oppose the field..

Dezeri DeRaedt, Jr., resident, agreed with the speakers and was supportive of Kane County. However, he believed the two adjacent schools were the top schools in the County and asked that a solar field not be located next to them. He asked the board to vote no on the petition.

Mark Schrage, Elgin resident, explained that in 2012 the City of Elgin released their new water meters and he and his wife did not have the meter installed in their home due to no measurements of the EMFs emitted. The EMF's were not being researched which was a concern. He voiced the issue of Elgin's lead water pipes that lead to health issues 60 years later and the same could be applied to this proposal.

Simon Schrage explained his concern was about razing good farmland and replacing it with a solar facility. He believed such fields should be placed on industrial land, contaminated land, or land near expressways. He did work for a solar installation business and he did not support three farms being torn up only to be replaced by solar fields. He shared a law passed in France regarding solar fields.

Ben Jacobi, attorney for the applicants, thanked the Board for their consideration. He was joined by lead developer, Jeremy Price and land owner Robert Matson who lived in the community. Mr. Jacobi explained the tax benefits of solar fields. The lease was for 30-years and the land owner could return it to farmland. Mr. Jacobi explained this project was introduced to the Zoning Board on October 12, 2023 and the ZBA held no deliberations nor findings of facts and moved the petition forward to the Development Committee with a recommendation of denial. As a result, he said the petitioner made adequate revisions to the plan for the Development Committee and the plan was recommended for approval by the Development Committee. Mr. Jacobi was surprised the ZBA denied the project because the plan was consistent with the County's Zoning Ordinance and State statute. Neighborhood and school outreach discussions were held and the updated site plan now accommodated their requests. Mr. Jacobi reviewed the schools' adjustments to the new site plan. If the site plan was adjusted, he stated the schools would not object it. The county's health department had no concerns.

Lead developer, Jeremy Price, reviewed the changes to vegetation, signage, and adjustments made to the site plan, noting some rows of solar panels would be removed.

Robert Matson, owner of the site, explained his personal ties to Kane County. He explained that solar panels are progressive and he would live about 1.25 miles from the proposed field. He agreed the site was a beautiful piece of property. Should the solar facility not be approved, he offered to take bids on his land.

Mr. Jacobi said he met with the Kane County Forest Preserve who asked that the developer modify the seed mix that would go under and around the solar panels. to maximize regional consistency. As for comments about property value, Mr. Jacobi stated a colleague from CohnReznick (appraisal company) shared that studies done over 18 states found that solar facilities did not have a direct impact to property/land values.

Mr. Price returned and addressed the environmental impacts of the project, sharing the positives to the environment and the nearby schools.

Board questions arose regarding whether the petition complied with the county's code and state law, whether the school's concerns were addressed appropriately, and concerns of EMF emissions. Board members shared their support or opposition to the solar field. Member Ford believed more setback may be required.

Motion by Williams, second by Tarver to go into closed session at 12:12 p.m. to receive legal advice from the State's Attorney's Office on the matter at hand. Roll call:

Aye: Allan, Bates, Berman, Daugherty, Davoust, Ford, Gumz, Iqbal, Juby, Kenyon, Kious, Lenert, Lewis, Linder, Molina, Roth, Sanchez, Silva, Strathmann, Surges, Tarver, Tepe, Williams, Young

Nay: None

Motion passed.

Motion by Davoust, second by Lenert to return to open session at 12:39 p.m.

The roll was called to hold over Petition No. 4615:

County Board

RESULT:	HELD OVER
MOVER:	Michael Kenyon
SECONDER:	Clifford Surges
AYE:	Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Leslie Juby, Mo Iqbal, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, and David Young
NAY:	Michelle Gumz, Anita Lewis, and Rick Williams

- Petition # 4617 Petitioner: Dale Hartmann, et ux (ILSolar05, LLC) [TMP-23-1419](#)

Madam Chair entertained a motion to postpone Petition No. 4617 to November 21, 2023.

County Board

RESULT:	HELD OVER
TO:	County Board
MOVER:	Mavis Bates
SECONDER:	Mo Iqbal
AYE:	Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Leslie Juby, Mo Iqbal, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cherryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, and David Young
NAY:	Michelle Gumz, Anita Lewis, and Rick Williams

- Petition # 4618 Petitioner: John Hatch, et ux (KaneSolar3, LLC) [TMP-23-1424](#)

Madam Chair asked for a motion to postpone Petition No. 4618.

County Board

RESULT:	HELD OVER
TO:	County Board
MOVER:	Deborah Allan
SECONDER:	Bill Lenert
AYE:	Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Leslie Juby, Mo Iqbal, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cherryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, and David Young
NAY:	Michelle Gumz, Anita Lewis, and Rick Williams

(Sanchez leaves 12:46 p.m.) The Board took a short break and reconvened at 12:55 p.m. Roll call followed.

Present: Allan, Bates, Berman, Davoust, Ford, Gumz, Iqbal, Juby, Kenyon, Kious, Lenert, Lewis, Linder*, Molina*, Roth, Silva, Strathmann, Tarver, Tepe, Williams, Young

Away: Daugherty, Sanchez, Surges

(* = Remote)

A change in the agenda followed again. Madam Chair entertained a motion to go into closed session at 12:57 p.m. to discuss settlement of claims. **Motion by Ford, second by Roth to go into closed session to discuss settlement of claims. Roll call:**

Aye: Allan, Bates, Berman, Davoust, Ford, Gumz, Iqbal, Juby, Kenyon, Kious, Lenert, Lewis, Molina*, Roth, Silva, Strathmann, Tarver, Tepe, Williams,
Nay: None

Away: Daugherty, Linder, Sanchez, Surges, Young

Motion passed.

The board returned to open session at 1:11 p.m.

Roll call in open session followed and a quorum was established:

Present: Allan, Bates, Berman, Daugherty, Davoust, Ford, Gumz, Iqbal, Juby, Kenyon, Kious, Lenert, Lewis, Linder*. Molina*, Roth, Silva, Strathmann, Tarver, Tepe, Williams

Nay: None

Away: Sanchez, Surges, Young

E. New Business - None

F. Appointments

- Drainage/Sanitary & Conservancy District Appointments [TMP-23-1550](#)

Wollnik introduced the appointments for the Drainage/Sanitary & Conservancy District. They were all reappointments except for the Lake Marian River District. .

RESULT:	APPROVED BY ROLL CALL VOTE
MOVER:	Mavis Bates
SECONDER:	Michael Kenyon
AYE:	Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Leslie Juby, Mo Iqbal, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Anita Lewis, Myrna Molina, Bill Roth, Monica Silva, Cherryl Strathmann, Bill Tarver, Vern Tepe, and Rick Williams
AWAY:	Jarett Sanchez, Clifford Surges, and David Young

G. Committee Updates

Member Iqbal announced Senator DeWitt will be joining the Legislative Committee meeting on November 20, 2003 at 1:00 p.m. Gumz thanked Member Iqbal for inviting Senator DeWitt.

8. RESOLUTIONS/ORDINANCES

Madam Chair asked if anyone would like to remove an item from the Consent Agenda. Member Tepe removed Resolution No. 23-457. Madam Chair entertained a motion to approve the Consent Agenda with the exception of Resolution No. 23-457.

----- CONSENT AGENDA -----

Ratifying an Emergency Purchase Affidavit to Purchase Two (2) 2024 Ford F-250 Truck Cab & Chassis for the Kane County Division of Transportation - Units 31 & 47	<u>23-428</u>
Approving Six Applicants for Protection Through the Kane County Farmland Protection Program	<u>23-429</u>
An Ordinance Proposing the Establishment of the Woodgate Estates Subdivision Special Service Area (or Special Service Area No. SW-56) of Kane County, Illinois and the Levy of Taxes for the Purpose of Paying the Cost of Providing Special Services in and for Such Area	<u>23-430</u>
Approving September 2023 Claims Paid	<u>23-431</u>
Authorizing FY23 Budget Adjustment and Transfer from the Tax Sale & Error Fund to the General Fund	<u>23-432</u>
Authorizing a Contract with Speer Financial, Inc. for Financial Advisor Services	<u>23-433</u>
Authorization to Enter into a Contract Extension for Annual Audit Services With Baker Tilly US, LLP	<u>23-434</u>
Authorizing an Intergovernmental Agreement with McHenry County for Juvenile Detention Services	<u>23-435</u>
Authorizing an Agreement for Microsoft Enterprise Licensing for Operating System Software	<u>23-436</u>
Authorizing an Agreement with Tyler Technologies for Computer-Aided Dispatch Call for Service Export Interface	<u>23-437</u>
Authorizing Contract for Delinquent Tax Notice Printing, Preparation, and Mailing Services (Kane County Collector)	<u>23-438</u>
Authorizing Contract Agreement with One Hope United for Multi-Systemic Therapy Services	<u>23-439</u>

Authorizing a Contract for Kane County Yellow House Restoration & Renovation Project	<u>23-440</u>
Authorizing a Contract with Hey and Associates, Inc., for Civil Engineering Services for the Fabulous Fox! Water Trail in Kane County	<u>23-441</u>
Authorizing a Contract with Gilmore Marketing Concepts, Inc. (GMCI), for Marketing Services for the Fabulous Fox! Water Trail and Agri-tourism in Kane County	<u>23-442</u>
Approving FY24 Operations and Maintenance Agreement with USGS for the Stream and Rainfall Gages	<u>23-443</u>
Authorizing a Contract for Kane County Garage Door Repair and Maintenance	<u>23-444</u>
Authorizing a Contract Amendment with Paymentus Corporation	<u>23-445</u>
Authorizing a Contract Extension with FSI for CMS Facility Management Software	<u>23-446</u>
Authorizing a Contract Extension for Mill Creek SSA Turf Fertilization/Weed Control Services	<u>23-447</u>
Authorizing an Extension for Mill Creek SSA Parkway Tree & Stump Removal Services	<u>23-448</u>
Authorizing a Contract Extension for Mill Creek SSA Parkway Tree Services	<u>23-449</u>
Authorizing a Contract Extension for the Purchase of Gasoline and Diesel Fuel for the Kane County Division of Transportation, Sheriff's Department, Building Management, City of Aurora, and the Kane County Forest Preserve District- (Bid 22-045)	<u>23-450</u>
Authorizing Executive of Collective Bargaining Agreement Between County of Kane, Kane County Sheriff, and Policeman's Benevolent Labor Committee (Kane County Sheriff's Office Civilians' Unit)	<u>23-451</u>
Authorizing Acceptance of the DCEO Tourism Attraction Grant	<u>23-452</u>
Authorizing Acceptance of the DCEO Travel and Tourism Grant	<u>23-453</u>
Amending the Kane County Fiscal Year 2024 Budget Policy	<u>23-454</u>
Amending The Kane County Financial Policies to Consolidate Four Reserve Funds	<u>23-455</u>
Revision to the Kane County Financial Policy for Procurement Cards	<u>23-456</u>

Authorizing the Renovation of Rooms 240 and 242 of the 3rd Street Courthouse	<u>23-458</u>
Authorizing Expenditure of Funds for HVAC Maintenance, Repair, Supplies, and Equipment	<u>23-459</u>
Authorizing Expenditure of Funds for HVAC Maintenance, Repair, Supplies, and Equipment	<u>23-460</u>
Approving Payment of Commercial Insurance FY2024 Including Auto, Property, General Liability, Law Enforcement, Employment Practices, Public Official Liability, Excess Liability and Workers Compensation, and a Service Agreement with Presidio Insurance	<u>23-461</u>
Approving County Board Personal Expense Voucher Reimbursement Request	<u>23-462</u>
Approving County Board Personal Expense Voucher Reimbursement Request	<u>23-463</u>
Approving County Board Personal Expense Voucher Reimbursement Request	<u>23-464</u>
Authorizing Execution of Intergovernmental Agreements with Kane County Townships for Ice Control Salt	<u>23-465</u>
Approving Adopt-A-Highway Applicants	<u>23-466</u>
Approving an Agreement with GIS Solutions, Inc. of Springfield, Illinois for Geographic Information System Services, Kane County Section No. 23-00567-00-AM	<u>23-467</u>
Approving an Amendment to an Intergovernmental Agreement with the State of Illinois for Phase III Construction for Dauberman Road Extension, Kane County Section No. 15-00277-01-BR	<u>23-468</u>
Naming a New Highway as "Bliss Road"	<u>23-469</u>
Approving Establishment of Speed Limit, Kane County - Bliss Road	<u>23-470</u>

RESULT:	APPROVED THE CONSENT AGENDA
MOVER:	Michael Kenyon
SECONDER:	Ron Ford
AYE:	Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Leslie Juby, Mo Iqbal, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Anita Lewis, Myrna Molina, Bill Roth, Monica Silva, Cherryl Strathmann, Bill Tarver, and Vern Tepe

AWAY: Jarett Sanchez, Clifford Surges, Rick Williams, and David Young

-----**END OF CONSENT AGENDA**-----

Amending the Sick and Personal and Extended Illness Leave Policy to the Personnel Policy Handbook

[23-457](#)

Tepe motioned to table indefinitely. Juby seconded the motion. Motion failed with a 7-14 vote. Discussion ensued on this resolution. HRM Exec. Dir. Loblillo stated that at the advice of counsel, the resolution will be rewritten as an ordinance. Notice was emailed to everyone and the matter will be heard at the Human Services Committee meeting.

With unanimous consent to withdraw this motion from the agenda, it was withdrawn by both motioner and seconder.

RESULT: TABLED

Authorizing Salary Increase for the Director of the Office of Community Reinvestment

[23-471](#)

RESULT: ADOPTED BY ROLL CALL VOTE

MOVER: Mo Iqbal

SECONDER: Ron Ford

AYE: Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Leslie Juby, Mo Iqbal, Michael Kenyon, Chris Kious, Michael Linder, Anita Lewis, Myrna Molina, Bill Roth, Monica Silva, Cherryl Strathmann, Bill Tarver, and Vern Tepe

NAY: Bill Lenert, and Rick Williams

AWAY: Jarett Sanchez, Clifford Surges, and David Young

Amending County Code Section 2-48: Standing Committees Regarding Setting Salaries

[23-472](#)

Spec. ASA Shepro stated this ordinance was being introduced today as a first reading only. It would move to the regular December 12, 2023 County Board meeting. Much discussion ensued on the additions and deletions of this ordinance and the possible hindrance it would bring to department heads when when a quick decision is needed to hire a potential employee. HR Dir. Loblillo explained the ordinance change gives the board the authority to make policies and set guidelines around the setting of salaries. Further discussion and clarification followed as to what was approved at the October meeting. (Sanchez arrives remotely at 1:37 p.m.)

ASA Frank provided further clarification as to the statute and what was being presented. In effect, it was asking if the board wanted to have input in decisions made by executive directors as it relates to compensation. Further discussion was raised. (Ford leaves at 1:41 p.m.; Davoust leaves at 1:45 p.m.; Tepe leaves 1:50 p.m.) The board agreed more information was needed and voted to send the matter to the regular December 12th meeting.

County Board

RESULT:	HELD OVER
TO:	County Board
MOVER:	Rick Williams
SECONDER:	Bill Roth
AYE:	Deborah Allan, Dale Berman, Gary Daugherty, Mo Iqbal, Michael Kenyon, Chris Kious, Anita Lewis, Bill Roth, Jarett Sanchez, Monica Silva, Cherryl Strathmann, Bill Tarver, Rick Williams, and Corinne M. Pierog
NAY:	Leslie Juby, Michael Linder, Bill Lenert, and Myrna Molina
ABSTAIN:	Mavis Bates
AWAY:	Mark Davoust, Ron Ford, Michelle Gumz, Clifford Surges, Vern Tepe, and David Young

Amending Section 2-47 of the Kane County Code for Purposes
Related to Meeting Agendas and Agenda Materials (As
Amended)

[23-473](#)

(Strathmann leaves at 1:52 p.m.) Special ASA Shepro reminded the board this was a first reading of the ordinance and it would be forwarded to the regular December 12, 2023 county board meeting.

Motion by Juby, second by Roth to amend and revise Paragraph C.1. to read as follows:

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 meeting of the county board prior to such meeting. The agenda shall be in writing and shall be made available in accordance with the provisions of the Open Meetings Act (5 ILCS 120/1 et seq.).

Roll call on the amendment followed:

Aye: Allan, Bates, Berman, Iqbal, Juby, Kenyon, Kious, Lenert, Lewis, Linder, Molina, Roth, Silva, Tarver, Williams

Nay: None

Away: Daugherty, Davoust, Ford, Gumz, Strathmann, Surges, Tepe, Young

Motion on the amendment passed.

The roll followed on the main motion to forward Ordinance 23-473 to the December 12th County Board meeting for its second reading, as amended:

RESULT:	HELD OVER
MOVER:	Bill Roth
SECONDER:	Leslie Juby

9. EXECUTIVE SESSION

(See references to the executive sessions held earlier in the agenda.)

A. Settlement of Claims

10. OPEN SESSION

A. Vote on Settlement Approval in Case 19WC030908 and 23WC013868

(Davoust returns remotely.)

RESULT:	APPROVED BY ROLL CALL VOTE
MOVER:	Michael Kenyon
SECONDER:	Deborah Allan
AYE:	Deborah Allan, Mavis Bates, Dale Berman, Mark Davoust, Leslie Juby, Mo Iqbal, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Anita Lewis, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Bill Tarver, and Rick Williams
AWAY:	Gary Daugherty, Ron Ford, Michelle Gumz, Cherryl Strathmann, Clifford Surges, Vern Tepe, and David Young

11. PUBLIC COMMENTS (Non-Agenda Items)

Treasurer Lauzen stated he will discuss his three ideas with the board next week.

12. ADJOURNMENT TO TUESDAY, DECEMBER 12, 2023

Meeting adjourned at 2:07 p.m.

RESULT:	APPROVED BY VOICE VOTE
MOVER:	Michael Kenyon
SECONDER:	Bill Roth