

McCONNAUGHAY, Hurlbut, Davoust, Jones, Kenyon, Lewis, Lindgren, R. McConnaughay, Mitchell, VanCleave, Wyatt (*Ex-officio*: Hoscheit/Forest Preserve President)

EXECUTIVE COMMITTEE AGENDA

**Wednesday, July 7, 2010
9:00 a.m.**

1. Pledge of Allegiance
2. Call to Order
3. Approval of Minutes: June 2, 2010
4. Health Department Budget
5. July 13, 2010 County Board Agenda (*attached*)
6. Committee Reports
7. Auditor's Report
8. Adjournment

A G E N D A
COUNTY BOARD, COUNTY OF KANE
TUESDAY, JULY 13, 2010
9:45 A.M.

PRELIMINARY

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. MINUTES: May 25, 2010 and June 8, 2010
- 4. NEW AND UNFINISHED BUSINESS

(A) PRESENTATIONS:

- Nick Hanks, Illinois 4-H Hall of Fame
- Kenneth Cornelissen, South Elgin Fire Protection District

(B) SPEAKERS (Agenda Items):

(C) ZONING PETITIONS

Petition #4243	BATAVIA TOWNSHIP
Petitioner:	Trautman Family Trust
Location:	On the east side of Hickory Lane, approximately ½ mile south of Deerpath Road, Section 31, Batavia Township (3S147 Hickory Lane)
Proposed:	Rezoning from F-District Farming to E-1 District Estate Residential (5.00 acres)
2030 Plan:	Countryside Estate Residential
Objectors:	None
Recommendations:	<u>Staff:</u> Approve <u>Regional Planning Comm.:</u> Not Applicable <u>Zoning Board Recommendation:</u> Approve <u>Development Committee Recommendation:</u> Approve

Petition #4244	BLACKBERRY TOWNSHIP
Petitioner:	Fox Development Homes, Ltd.
Location:	On the northwest corner of LaFox and Keslinger Roads, Section 2, Blackberry Township (1N026 LaFox Road)
Proposed:	Rezoning from F-District Farming & R-1 District Rural Residential to RB-Restricted Business (.88 acre)
2030 Plan:	Rural Residential
Objectors:	Neighboring property owner
Recommendations:	<u>Staff:</u> Approve with the following stipulation: 1. The access to LaFox Road be closed and the access easement to the northwest corner of the parcel be opened when the improvements to the Settlements of LaFox are completed. <u>Regional Planning Comm.:</u> Not Applicable <u>Zoning Board Recommendation:</u> Approve with the above mentioned stipulation <u>Development Committee Recommendation:</u> Approve

(D) RESOLUTIONS & ORDINANCES (*DRAFT, **NOT INCLUDED)

.....CONSENT AGENDA

Administration -

#10 - Replacement of Enterprise Storage System

Building & Capital Investment Task Force –

- #10 - Amending Resolution 10-64, Authorizing Additional Professional Services, Architectural Design and Partial Construction of Facility Improvements at the Randall Campus, Third Street Courthouse and Judicial Center

County Development -

- #10 - Refuse Removal Services at the Mill Creek Subdivision for the Mill Creek Special Service Area District
- #10 - Authorizing Renewal of the Kane-Elgin HOME Consortium
- #10 - Supporting the Creation of the Northwest Water Planning Area and Entering into an Intergovernmental Agreement with the Municipal Councils of Government within the Northwest Water Planning Area

Executive -

- *#10 - Appointment to Board of Trustees of the South Elgin and Countryside Fire Protection District

Finance/Budget -

- #10 - Amending 2010 Health Department Budget
- #10 - Authorizing Exception to the County Financial Policies Regarding Personnel Hiring and Replacement
- #10 - Emergency Communications Audio Recording Fee
- #10 - Amending Court System Fees and Repealing Ordinance #93-170

Human Services –

- #10 - Amended and Restated Kane County Ethics Ordinance

Judicial & Public Safety –

- #10 - Medical Services at Jail (Adult Justice Center)
- #10 - Authorization to Extend Intergovernmental Agreement with the Supreme Court of Illinois for Lease of Space in Third Street Courthouse for Mandatory Arbitration Program
- #10 - Treatment Alternative Court Contracts (Kane County Court Services)
- #10 - Residential Substance Abuse Treatment (Kane County Court Services)

Public Health -

- **#10 - Amending 2010 Health Department Budget

Public Service -

- #10 - Resolution to Accept a Voter Registration Systems HAVA Grant via the State of Illinois Board of Elections
- #10 - Appointment of Election Judges

Transportation -

- #10 - Approving an Intergovernmental Agreement between the County of Kane and the Village of Sugar Grove for Bliss Road from Ke-De-Ka Road to Merrill Road Improvements, Kane County Section No. 07-00359-00-CH
- #10 - Amendment Number 4 to Traffic Signal Master Agreement between County of Kane and Illinois Department of Transportation
- #10 - Relocation Cost Reimbursement, Longmeadow Parkway Bridge Corridor – Parcel No. 1LN0010, Kane County Section No. 94-00215-01-BR

.....END OF CONSENT AGENDA

(E) APPOINTMENTS:

- 5. EXECUTIVE SESSION
- 6. Claim No. 07 WC 32335
- 7. SPEAKERS (Non-Agenda Items):
- 8. ADJOURNMENT to Tuesday, August 10, 2010 at 9:45 a.m.



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item #

Date: 5/28/2010

Item:

Resolution: REPLACEMENT OF ENTERPRISE STORAGE SYSTEM

Presenter / Sponsor:

Roger Fahnestock

Assigned Committee: Administration

Budgeted: Yes No N/A

If not budgeted, explain funding source:

Appropriation: \$230,000

Summary:

The County's primary data storage system requires additional disk capacity to meet the growing demands. Information Technologies Department has researched various options and recommends the purchase of two used/demo FAS3170A NetApp storage units to replace the aging FAS270 units. The FAS270 drives will be converted to shelf units for the new NAS thus increasing the storage capacity and performance of the new FAS3170A units.

The purchase of the FAS3170A systems are available from Datalink as used/demo units.

List Attachments:

Detailed information available from / at: *William Lake, ITD, 630-232-5976*

Staff Comments / Recommendations:



Corporate Office: 8170 Upland Circle, Chanhassen, MN 55317
 Branch Office: 2050 Finley Rd; Suite 80, Lombard, IL 60148

Quote Number: 647801893v3
 Quote Created: May 28, 2010
 Quote Expiration: June 27, 2010

Company Name: County of Kane
 Contact Name: Paul Neitzel

Dejan Perovic
 Account Executive
 Work: (630) 281-7057
 dperovic@datalink.com

Noreen Plese
 Account Representative
 Work: (630) 281-7020
 nplese@datalink.com

Quotation: DEMO/USED NetApp FAS3170A's

Ln#	Part #	Qty	Description	Price	Ext Price
<i>Hardware</i>					
1	NET-UG-LX-BASE	4000	Platform Base Return Credit	-\$.26	-\$1,040.00
2	NET-FAS3170A-CHASSIS-R5-C	2	FAS3170,ACT-ACT,Chassis,AC PS,-C,R5	\$.00	\$.00
3	NET-FAS3170A-IB-BASE-R5	4	FAS3170A,IB,ACT-ACT,OS,R5	\$16,237.20	\$64,948.80
4	NET-DOC-31XX-C	2	Documents,31XX,-C	\$.00	\$.00
5	NET-X5515A-R6-C	2	Rackmount Kit,4N2,DS14-Middle,-C,R6	\$26.18	\$52.36
6	NET-X6521-R6-C	16	Loopback,Optical,LC,-C,R6	\$13.10	\$209.60
7	NET-X800E-R6-C	4	Power Cable North America,-C,R6	\$.00	\$.00
8	NET-DSX-14.0TB-QS-R5	2	DS14MK2 SHLF,14.0TB SATA,QS,R5	\$9,197.07	\$18,394.14
9	NET-X5515A-R6	2	Rackmount Kit,4N2,DS14-Middle,R6	\$26.18	\$52.36
10	NET-X6524-R6	4	Cable,Cntrlr-Shelf/Switch,2m,Pair,LC/LC,Op	\$32.73	\$130.92
11	NET-X6539-R6	8	SFP,Optical,4.25Gb,R6	\$47.14	\$377.12
12	NET-X800E-R6	4	Power Cable North America,R6	\$.00	\$.00
13	NET-X891A-R5	2	DS14MK2,Kit,ESH4,Copper,FAS2XX,R5	\$1,071.97	\$2,143.94
				Sub-total:	\$85,269.24
<i>Software</i>					
14	NET-SW-T5C-NEARSTORE-C	4	NearStore Software,T5C,-C	\$.00	\$.00
15	NET-SW-T5C-SMIRROR-C	4	SnapMirror Software,T5C,-C	\$13,199.28	\$52,797.12
16	NET-SW-T5C-CIFS-C	4	CIFS Software,T5C,-C	\$9,781.61	\$39,126.44
17	NET-SW-T5C-ISCSI-C	4	iSCSI Software,T5C,-C	\$.00	\$.00
18	NET-SW-T5C-ASIS-C	4	A-SIS Deduplication Software,T5C,-C	\$.00	\$.00
				Sub-total:	\$91,923.56
<i>Maintenance</i>					
19	NET-CS-S-SSP-4R	2	4hr Parts Replace and SW Subscription	\$21,411.08	\$42,822.16
20	NET-CS-S-4R	2	4hr Parts Replace HW Support	\$1,103.64	\$2,207.28
				Sub-total:	\$45,029.44
<i>Professional Services</i>					
21	MXN320	1	Datalink Professional Services	\$7,500.00	\$7,500.00
				Sub-total:	\$7,500.00
				Total:	\$229,722.24

Please FAX all POs to 952-279-4612
 or E-Mail to nplese@datalink.com

Comments:

* Datalink's standard payment terms are Net 30 (subject to approval) * FOB: Origin * Pricing does not include freight and applicable sales tax

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 - _____

**REPLACEMENT OF ENTERPRISE STORAGE SYSTEM
(Information Technologies Department)**

WHEREAS, the Kane County Information Technologies Department (ITD) is responsible for proper maintenance, support and operation of enterprise storage systems for electronic data retention, recovery and computing; and

WHEREAS, Kane County's existing enterprise storage system is below that required to meet the growing demands for data storage; and

WHEREAS, the Information Technologies Department has evaluated competitive systems, and has recommended the purchase of two "Used/Demo" FAS3170A (NAS) devices with storage shelves, and the conversion of our current FAS270 into additional shelves on the FAS3170A units.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Kane County Board that the Information Technologies Department be authorized to purchase two FAS3170A enterprise storage systems with the necessary hardware, software, maintenance and associated support through Datalink having submitted pricing for the Demo units in the amount not to exceed Two Hundred, Thirty Thousand Dollars (\$230,000.00) to be paid as follows:

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
2010.001.060.060.70030	Computer Software - Capital	Original	Yes	
2010.001.060.060.70000	Computers	Original	Yes	
2010.001.060.060.52130	Repairs and Maint - Computers	Original	Yes	

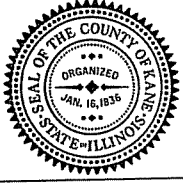
Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes _____
No _____
Voice _____
Abstentions _____

7DEMO NAS



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item

Date: June 29, 2010

Item: *Resolution: Approving design and partial construction of building improvements*

Presenter / Sponsor: Tim Harbaugh

Assigned Committee: Bldg and Capital Improvement Task Force

Budgeted: Yes No N/A

If not budgeted, explain funding source:

Appropriation: \$1,206,078

Summary:

As approved by the County Board, the Building and Capital Improvement Task Force explored six options to meet the growing facility needs of the Judiciary.

These six options were:

1. Construct courtroom(s) and support space at the County Randall Road facility
2. Construct office space for Court Services at County Randall Road facility, and courtrooms at the vacated Court Services space at the Judicial Center
3. Construct the first addition of the Judicial Center facility
4. Renovate and improve the Third Street Courthouse at accommodate additional court calls
5. Accommodate additional court calls through alternative scheduling/expanded hours of operation
6. Expand the Juvenile Justice Center to open a second court room

The Task Force has recommended options 1 and 4 be authorized by the County Board and completed immediately.

In addition, the Task Force recommends that additional planning and design for the construction of the first addition of the Judicial Center should be completed by the Task Force.

The attached resolution authorizes the complete architectural design of a traffic courtroom and necessary support functions at the County Randall Road facility at an amount not to exceed \$359,500, and authorizes the necessary identified improvements at the Third Street Courthouse and Judicial Center at an amount not to exceed \$846,578.00.

List Attachments: Resolution, Bid Tab, Location Map

Detailed information available from / at: Tim Harbaugh

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 -

AMENDING RESOLUTION 10-64, AUTHORIZING ADDITIONAL PROFESSIONAL SERVICES, ARCHITECTURAL DESIGN AND PARTIAL CONSTRUCTION OF FACILITY IMPROVEMENTS AT THE RANDALL CAMPUS, THIRD STREET COURTHOUSE, AND JUDICIAL CENTER

WHEREAS, a Request for Proposal to develop a Master Plan for the Judicial Center complex (the "Master Plan") was developed and submitted to select architectural firms. Said select firms developed proposals and gave presentations to the Administration Committee. The County Board awarded this work to Wight and Company (Wight) with the passage of Resolution 08-29; and

WHEREAS, on December 21, 2009 the Chief Judge of the 16th Judicial Circuit submitted a written request to the Kane County Board Chairman requesting in part "I would request that the County Board revisit the Kane County Judicial Center Master plan and create a comprehensive path to address the long and short term needs as it relates to our court facilities and the need for technological enhancements."; and

WHEREAS, the 2010 Building and Capital Investment Task Force (the "Committee") has been established to address the facility needs and challenges of the Judiciary system; and

WHEREAS, the Committee met on March 2, 2010 and approved an amendment to the Wight Facility Master Plan contract. Specifically, said contractual amendment expanded the scope of professional services work being completed by Wight to include a detailed study of Judiciary feasibility requirements to meet the current and future space needs of the Judiciary; and

WHEREAS, Wight presented their findings to the Committee on June 24, 2010 and the Committee unanimously endorsed the County Board complete improvements to the Third Street Courthouse and Judicial Center, along with constructing improvements to the 540 Randall Road campus including the construction of traffic court and required improvements to support traffic court; and

WHEREAS, the Committee of the Whole has accepted and further endorses said facility improvements to meet the needs of the Judiciary. The first phase to complete said work is to authorize additional architectural design work to be completed by Wight to develop complete construction drawings for said improvements to the Randall Road campus in an amount not to exceed Three Hundred Fifty Nine Thousand, Five Hundred Dollars (\$359,500) and to authorize facility improvements to the Third Street Courthouse and Judicial Center in an amount not to exceed Eight Hundred, Forty Six Thousand, Five Hundred Seventy Eight Dollars (\$846,578); and

WHEREAS, adequate capital funds are available and have been budgeted to design and construct said Third Street Courthouse and Judicial Center facility improvements.

NOW, THEREFORE BE IT RESOLVED by the Kane County Board that the Kane County Board Chairman is hereby authorized to execute an amendment to the contract with Wight and Company (a copy of which shall be filed with the Kane County Clerk) for Three Hundred Fifty Nine Thousand, Five Hundred Dollars (\$359,500) to develop architectural construction drawings to improve the Judicial Center, Third Street Courthouse, and Randall Road facilities. Contract costs shall be paid from line item 510.800.781.50150.

NOW, THEREFORE BE IT FURHTER RESOLVED by the Kane County Board that the County Board Chairman is hereby authorized to execute agreements in an amount not to exceed Eight Hundred Forty Six Thousand, Five Hundred Seventy Eight Dollars (\$846,578.00) to complete the design and construction of improvements to the Third Street Courthouse and Judicial Center. Contract costs shall be paid from line item 510.800.781.72010

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
510.800.781.50150	Contracts and Consulting	Yes	Yes	Not applicable

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
 Clerk, County Board
 Kane County, Illinois

Karen McConnaughay
 Chairman, County Board
 Kane County, Illinois

Vote:
 Yes _____
 No _____
 Voice _____
 Abstentions _____

7Wight JC Plan



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item #

Date: 6/15/10

Item:

REFUSE REMOVAL SERVICES AT THE MILL CREEK SUBDIVISION FOR THE MILL CREEK SPECIAL SERVICE AREA DISTRICT

Presenter / Sponsor:

Jennie Gatske

Assigned Committee: Development

Budgeted: Yes No N/A

If not budgeted, explain funding source: Residents of Mill Creek

Appropriation: n/a

Summary:

Per Ordinance #94-356, the Mill Creek Special Service Area (SSA) is responsible for contracting a refuse removal and recycling company to provide services to the residents of Mill Creek Subdivision in unincorporated Geneva. The costs of the services are paid for by the residents and are based on individual usage. There is no cost to the Mill Creek SSA. This is a five (5) year contract.

The contract is not to include commercial waste generators.

List Attachments: *Resolution*

Detailed information available from / at: *Jennie Gatske, 630-232-3490*

Staff Comments / Recommendations: *Approval*

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 - _____

**REFUSE REMOVAL SERVICES AT THE MILL CREEK SUBDIVISION
FOR THE MILL CREEK SPECIAL SERVICE AREA DISTRICT**

WHEREAS, bids have been solicited and received for refuse removal and recycling services in the Mill Creek Subdivision for the Mill Creek Special Service Area District; and

WHEREAS, Veolia Environmental Services, Batavia, IL was the lowest responsible bidder for providing refuse removal and recycling services as per specifications.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman of the County Board is hereby authorized to enter into a contract with Veolia Environmental Services, Batavia, IL for refuse removal and recycling services in the Mill Creek Subdivision for the Mill Creek Special Service Area District at a cost shown below:

<u>Date</u>	<u>Refuse Sticker</u>	<u>Yard Waste Sticker</u>	<u>Refuse Cart per month</u>
9/10-8/11	\$2.68	\$2.50	\$17.49
9/11-8/12	\$2.76	\$2.58	\$18.01
9/12-8/13	\$2.84	\$2.65	\$18.56
9/13-8/14	\$2.93	\$2.73	\$19.11
9/14-8/15	\$3.02	\$2.81	\$19.69

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes _____
No _____
Voice _____
Abstentions _____

7MillCreekRefuseRemoval



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item #

Date: June 15, 2010

Item: **Resolution:** Authorizing Renewal of the Kane-Elgin HOME Consortium

Presenter / Sponsor: Scott Berger, Kane County Office of Community Reinvestment

Assigned Committee: Development

Budgeted: Yes No N/A

If not budgeted, explain funding source: If renewed, Kane County will receive Federal funds on behalf of the Kane-Elgin HOME Consortium from the U.S. Department of Housing and Urban Development.

Appropriation: N/A

Summary:

Since 2005, Kane County has been the lead entity of the Kane-Elgin HOME Consortium, a city-county partnership formed for the purpose of receiving federal HOME Investment Partnership Program funds from the U.S. Department of Housing and Urban Development. Annually, the Consortium receives between \$750,000 and \$800,000 under the HOME Program (Fund 402). HOME funds are used to provide housing rehabilitation assistance to area homeowners, downpayment and closing-cost assistance to first-time homebuyers, and gap financing for the development of affordable rental housing.

Under the HOME Program, the Consortium must be renewed every three years. The attached resolution authorizes the execution of a new Consortium Agreement with the City of Elgin for Federal fiscal years 2011-2013.

List Attachments: **Resolution:** Authorizing Renewal of the Kane-Elgin HOME Consortium

Detailed information available from / at: Scott Berger, bergerscott@co.kane.il.us

Staff Comments / Recommendations: Staff recommends Committee approval.

STATE OF ILLINOIS
COUNTY OF KANE

RESOLUTION NO. 10 -

**AUTHORIZING RENEWAL OF THE KANE-ELGIN
HOME CONSORTIUM**

WHEREAS, the Kane County Board adopted Resolution No. 04-06, authorizing the creation of the Kane-Elgin HOME Consortium; and

WHEREAS, the Consortium was created for the purpose of receiving HOME Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, HOME funds are used to address the affordable-housing needs of the residents of the City of Elgin, unincorporated Kane County, and the twenty-three municipalities that participate in the Kane County CDBG Program; and

WHEREAS, the term of the current Consortium Agreement is for a three-year period and will expire at the end of Program Year 2010 on May 31, 2011; and

WHEREAS, it is necessary at this time to execute a new Consortium Agreement in order to renew the Kane-Elgin HOME Consortium and to continue participation in the HOME Program; and

WHEREAS, the residents of Kane County and the City of Elgin will benefit from the renewal of the Kane-Elgin HOME Consortium.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is authorized to sign a HOME Consortium Agreement and all other documents necessary to renew the Kane-Elgin HOME Consortium and apply to the U.S. Department of Housing and Urban Development for HOME funds on behalf of the Consortium.

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:

Yes _____

No _____

Voice _____

Abstentions _____



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item #

Date: June 15, 2010

Item: RESOLUTION: Supporting the Creation of the Northwest Water Planning Area and Entering into an Intergovernmental Agreement with the Municipal Councils of Government within the Northwest Water Planning Area

Presenter / Sponsor: Tim Harbaugh; Paul Schuch

Assigned Committee:

Budgeted: Yes No N/A

If not budgeted, explain funding source: N/A

Appropriation: (insert dollar amount)

Summary:

The Metro West Council of Government has been meeting for almost two years to discuss water conservation and other water supply planning measures for municipal water utilities in the three-county area of Kane, Kendall and DeKalb Counties.

County Board Chairman Karen McConnaughay has been working with Mayor Tom Weisner of the City of Aurora and the Metro West Council of Governments over the past several months to build an understanding of what Kane County's role should be in moving forward with the water supply planning program in Kane County and in the northeastern Illinois region.

The Councils of Government in the 5 counties of Kane, McHenry, Lake, Kendall and DeKalb have also been meeting over the past few months and have agreed in principal to form a water supply planning group.

The County Board Chairs of the above named 5 counties, or their elected designees, have also been discussing over the past few months the desirability for the 5 counties to join with the COGs in entering into a voluntary intergovernmental agreement with the 5 COGs to begin uniform water use and leakage reporting from their member municipalities; water conservation education and model ordinances; preparing for drought; and other measures that would eventually lead to comprehensive planning for sustainable future water supplies in the 5 county Northwest Water Planning Area sub-region of the State designated 11 county Northeastern Illinois Water Supply Planning Area.

The new planning area and its member representatives will be working with the recommendations of the *Water 2050 Northeastern Illinois Regional Water Supply/Demand Plan* adopted by the Northeastern Illinois Regional Water Supply Planning Group in January 2010 and published by the Chicago Metropolitan Agency for Planning in March 2010. This Water 2050 Plan also incorporates many of the Policies and Objectives in the Water Resources Chapter of the Kane County 2030 Land Resource Management Plan. The IGA will provide the forum for implementation of many of these Policies and Objectives, which in turn, with proper planning and leadership, and the use of the scientific data and models from the ISWS Kane County Water Resources Investigations, bring about the implementation of a sustainable water supply plan and management strategy for Kane County.

List Attachments: Resolution, IGA and Exhibits A, B, C and D.

Detailed information available from / at: Tim Harbaugh 630-208-5118 or Paul Schuch 630-232-3497

Staff Comments / Recommendations: Staff recommends Committee approval.

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 - _____

**SUPPORTING THE CREATION OF THE NORTHWEST WATER PLANNING AREA AND
AUTHORIZING ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE
MUNICIPAL COUNCILS OF GOVERNMENT AND COUNTIES WITHIN THE NORTHWEST WATER
PLANNING AREA**

WHEREAS, the Kane County *2030 Land Resource Management Plan* was adopted unanimously by the County Board on October 12, 2004 under Resolution 2004-375; and

WHEREAS, the 2030 Plan raised three population growth related challenges that must be addressed by the county and its municipalities by the year 2030, one of them being the future water supply challenge: "How will we provide an additional 50 to 60 million gallons per day of sustainable water supply for an additional 300,000 people in the most efficient and environmentally responsible manner?"; and

WHEREAS, the Water Resources chapter in the 2030 Plan contains Policies and Objectives that, among others, call for the preservation and protection of the quantity and quality of potable groundwater and surface water supplies and encourage water conservation programs to ensure sustainable potable water supplies for current and future generations; and

WHEREAS, Kane County entered into an agreement with the Illinois State Water Survey (ISWS) to conduct scientific water resource investigations to further the knowledge and usefulness of water supply data and create computer models of Kane County aquifers and surface waters under Resolution 2002-86, and the work is now complete and the results have been delivered to the County; and

WHEREAS, THE Northeastern Illinois Regional Water Supply Planning Group, with the assistance of the Chicago Metropolitan Agency for Planning, completed in March 2010 the *Water 2050 Northeastern Illinois Regional Water Supply/Demand Plan*; and

WHEREAS, the Water 2050 Plan, "Encourages intergovernmental agreements among counties and municipalities . . . with knowledge from [the] ISWS on groundwater supplies for the purpose of water resources management; as provided for in 50 ILCS 805/4, Local Land Resource Management Plans"; and

WHEREAS, an *Intergovernmental Agreement (IGA) to Provide for the Voluntary Formation of the Northwest Water Planning Area* (copy on file with the County Clerk) between the Lake County Municipal League, McHenry Council of Government, Northwest Municipal Conference, Barrington Area Council of Government, Metro West Council of Government, Lake County, McHenry County, Kane County, Kendall County and DeKalb County, all being governmental bodies in the State of Illinois, has been submitted to Kane County and has been reviewed by the County staff and found to be acceptable and in accordance with the aforementioned Policies and Objectives of the 2030 Plan and the aforementioned recommendation of the Water 2050 Plan; and

WHEREAS, although this action by the COGs and Counties is not mandatory, Kane County and the other COGs and Counties that are forming the Northwest Water Planning Area are showing strong leadership in northeastern Illinois and the entire State in the planning for and conservation of our most vital natural resource; and

WHEREAS, the IGA is designed to recognize, plan for and mitigate the effects of urbanization and growth in an effort to find sustainable water supplies in Kane County and in the Northeastern Illinois Region; and

WHEREAS, the parties to this agreement will begin developing policies that support education and public outreach on topics related to Water Supply Planning; establish consistent standards and reporting programs required for sound Water Supply Planning; and develop policies, ordinances and plans that support the Kane County *2030 Land Resource Management Plan* and the *Water 2050 Northeastern Illinois Regional Water Supply/Demand Plan*.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that Kane County supports the formation of the Northwest Water Planning Area; and

BE IT FURTHER RESOLVED that the Chairman thereof is hereby authorized to execute the Intergovernmental Agreement, subject to its review by the county's legal counsel, to form the Northwest Water Planning Area between the Lake County Municipal League, McHenry Council of Government, Northwest Municipal Conference, Barrington Area Council of Government, Metro West Council of Government, Lake County, McHenry County, Kane County, Kendall County and DeKalb County, all being governmental bodies in the State of Illinois (copy of file with the County Clerk).

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes _____
No _____
Voice _____
Abstentions _____

7NWPA

STATE OF ILLINOIS

DRAFT

COUNTY OF KANE

RESOLUTION NO. 10 - _____

APPOINTMENT TO BOARD OF TRUSTEES OF THE SOUTH ELGIN AND COUNTRYSIDE FIRE PROTECTION DISTRICT

WHEREAS, a vacancy exists in the office of Trustee of the Board of Trustees of the South Elgin and Countryside Fire Protection District due to the resignation of Kenneth Cornelissen; and

WHEREAS, the Chairman of the County Board has by law the responsibility to fill this vacancy by appointment with the advice and consent of the County Board; and

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that _____, is hereby appointed to the office of Trustee of the Board of Trustees of the South Elgin and Countryside Fire Protection District to complete Kenneth Cornelissen's term, such appointment to be effective immediately and expire on the first Monday in May in the year 2013 or until his successor shall have been appointed and qualified.

BE IT FURTHER RESOLVED that the bond of _____ is hereby fixed in the sum of \$2500 with corporate surety indemnifying the People of the State of Illinois.


BE IT ALSO FURTHER RESOLVED that the Kane County Clerk forward a certified copy of this resolution to the herein named appointee and a copy to the Clerk of the Circuit Court, Case No. 68 MC 10364.

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes _____
No _____
Voice _____
Abstentions _____

	AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item #
	Date: May 25, 2010		
	Item:		<i>Amending 2010 Health Department Budget</i>
	Presenter / Sponsor:		<i>Paul Kuehnert</i>
Assigned Committee: Public Health and Finance		Budgeted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
If not budgeted, explain funding source: <i>\$184,090.00 from federal/state grant and \$ 65,000.00 from the County's contingency fund.</i>		Appropriation: <i>\$184,090.00 and \$ 65,000.00 totaling \$249,090.00</i>	
<p>Summary:</p> <p>The Kane County Health Department is managing a comprehensive response to an outbreak of tuberculosis (TB) among homeless individuals in Kane County. Currently, 13 active, epidemiologically-linked cases have been identified. In order to interrupt transmission of TB in this very vulnerable population (due to poor nutrition, lack of access to medical care, and underlying/untreated medical conditions) we are implementing an aggressive outreach and screening program focused on the homeless in Kane County. Over the remainder of this CFY, we are planning to screen approximately 200 homeless individuals every two months for TB and underlying medical conditions. This screening program is being undertaken at the recommendation of the federal Centers for Disease Control (CDC) and the Illinois Department of Public Health (IDPH). We have secured funding from the CDC that is being passed through the IDPH. Additionally, both the CDC and IDPH are providing approximately 2.0 FTEs of in-kind public health staff support and in-kind engineering and medical expertise and in-kind donations of staffing and laboratory tests are being provided by all 5 of the County's community hospitals. The City of Aurora is actively working with the Health Department and Hesed House around environmental improvements needed within the shelter, with the primary focus on the HVAC system. The City anticipates being able to provide some grant funds to Hesed House for these improvements once the engineering studies are completed.</p> <p>Grant funds and funding from the County contingency fund will all be used to address this outbreak. No contingency funds are being requested or will be used for Health Department personnel costs.</p>			
List Attachments: <i>Resolution, Agenda Item V.A.3</i>			
Detailed information available from / at: <i>Paul Kuehnert (630) 444-3021</i>			
Staff Comments / Recommendations:			

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 - _____

AMENDING 2010 HEALTH DEPARTMENT BUDGET

WHEREAS, the Kane County Health Department, in collaboration with the federal Centers for Disease Control and Prevention and the Illinois Department of Public Health, is currently managing an outbreak of tuberculosis among homeless individuals in Kane County; and

WHEREAS, organized, concerted public health, medical and social support activities must be directed toward the homeless population in Kane County in order to identify TB infections and assure treatment, in order to contain the outbreak; and

WHEREAS, the Illinois Department of Public Health has awarded the Kane County Health Department an additional grant in the amount of \$184,090.00 (One Hundred Eighty Four Thousand and Ninety Dollars) of funds received from the Centers for Disease Control and Prevention for the purpose of responding to this outbreak; and

WHEREAS, community partners of the Kane County Health Department, including the City of Aurora and the five hospitals that serve Kane residents are contributing financial and in-kind support to the TB outbreak response; and

WHEREAS, an additional Sixty Five Thousand Dollars (\$65,000.00) of funding is needed from the County Contingency fund.

NOW, THEREFORE, BE IT RESOLVED, by the Kane County Board that the following FY2010 budget adjustment be made to reflect the additional funding amount of Two Hundred Forty Nine Thousand, Ninety Dollars (\$249,090.00), One Hundred Eighty Four Thousand, Ninety Dollars (\$184,090.00) in revenue from state grants and Sixty Five Thousand Dollars (\$65,000.00) from the County Contingency Fund, as detailed below:

Health Department Fund

350.580.000.32580	(TB Observed Therapy Grant)	\$184,090
350.580.000.39000	(Transfer From Other Funds)	\$ 65,000
350.580.631.40000	(Salaries & Wages)	\$ 17,082
350.580.631.45000	(Healthcare Expense)	\$ 4,000
350.580.631.45010	(Dental Expense)	\$ 89
350.580.631.45100	(FICA/SS)	\$ 1,307
350.580.631.45200	(IMRF)	\$ 1,522
350.580.631.60250	(Medical Supplies and Drugs)	\$ 30,000
350.580.631.50150	(Contracts & Consulting)	\$195,090

General Fund

001.900.900.85000	(Allowance for Budget Expense/ Contingency)	\$(65,000)
001.800.808.99000	(Transfer to Other Funds)	\$ 65,000

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
Various- see above	Various- see above	No	No	350.580.000.32580 (TB Observed Therapy Grant) & 001.900.900.85000 (Contingency)

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
 Clerk, County Board
 Kane County, Illinois

Karen McConnaughay
 Chairman, County Board
 Kane County, Illinois

Vote:
 Yes _____
 No _____
 Voice _____
 Abstentions _____

7Bdgt-Health



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item #

Date:
5/28/2010

Item:

Resolution: EXCEPTION TO HIRING POLICY TO HIRE TWO
DESKTOP SUPPORT EMPLOYEES

Presenter /
Sponsor:

Roger Fahnestock

Assigned Committee: Administration

Budgeted: Yes No N/A

If not budgeted, explain funding source:

Appropriation:

Summary:

Requesting that an exception to the hiring policy be granted to the Information Technologies Department, authorizing the hiring of two PC support employees.

Retirement has facilitated promotional/upward mobility within I.T. leaving vacancies in the PC Support Division. Shortages in the desktop support division need to be filled.

List Attachments:

Detailed information available from / at: *William Lake, ITD, 630-232-5976*

Staff Comments / Recommendations:

Kane County Information Technologies Department

Job Description Form

Division/Department: Information Technologies

Location: 719 Batavia Ave. Building B

Job title: Audio/Video/Cellular/PCTech-Netwk Svc Spec

Employee Name: TBD

Reports to: TBD

Title: ITD, Technical Services Desktop Manager

Pay Grade:

CP I

Type of position:

<input checked="" type="checkbox"/>	Full Time
<input type="checkbox"/>	Part Time
<input type="checkbox"/>	Contractor
<input type="checkbox"/>	Other

Hours 40 /week

<input checked="" type="checkbox"/>	Exempt
<input type="checkbox"/>	Non-Exempt (hourly)

Exempt employees may be required to work beyond 40 hours per week.

General Description:

- Provide technical support for countywide audio, video, cellular, personal computer and printer systems
- Provide technical support for audio, video, cellular, data and voice network
- Provide software support for industry standard applications, operating systems, end-user databases, and utilities
- Provide application and database support including forms creation, report writing, and use of query tools
- Participates in and coordinates the development of the department's audio, video, cellular and personal computer support initiatives and strategies
- Assist with the development and implementation of policies and procedures consistent with those of the organization to ensure efficient and safe operation of the department
- Review and evaluate our audio, video, cellular, personal computer software and hardware making recommendations, as appropriate
- Assist with the purchase of audio, video, cellular, personal computer hardware and software for countywide departments
- Provides advice and assistance to the department in the planning, implementation, and evaluation of modifications to existing policies, standards, and procedures
- Represents the department at various community, business, and government meetings
- Performs miscellaneous job-related duties as assigned

Work experience requirements:

- Three years work experience in the Information Technology industry
- One year experience as Audio, Video, Cellular and/or PC Technician
- Experience organizing, prioritizing, and scheduling work assignments
- Demonstrated knowledge of industry standard software, hardware, data networks, and client-server systems
- Demonstrated ability to work in a group or in an interdepartmental setting
- Strong interpersonal and communication skills

Education Requirements

- Bachelor's degree in Computer Science or Information Technology field
- Associate's degree in Computer Science or Information Technology field and/or equivalent training and certifications

Approved by: Roger Fahnestock

Title: ITD, Executive Director/CIO

Date posted: 07/15/2010

Date hired: TDB

Kane County Information Technologies Department

Job Description Form

Division/Department: Information Technologies

Location: 719 Batavia Ave. Building B

Job title: PC Technician (Network Svc Specialist I)

Employee Name: TBD

Reports to: TBD

Title: ITD, Technical Services Desktop Manager

Pay Grade:

CP I

Type of position:

<input checked="" type="checkbox"/>	Full Time
<input type="checkbox"/>	Part Time
<input type="checkbox"/>	Contractor
<input type="checkbox"/>	Other

Hours 40 /week

<input checked="" type="checkbox"/>	Exempt
<input type="checkbox"/>	Non-Exempt (hourly)

Exempt employees may be required to work beyond 40 hours per week.

General Description:

- Provide technical support for countywide personal computer and printer systems
- Provide technical support for data and voice network
- Provide software support for industry standard applications, operating systems, end-user databases, and utilities
- Provide application and database support including forms creation, report writing, and use of query tools
- Participates in and coordinates the development of the department's personal computer support initiatives and strategies
- Assist with the development and implementation of policies and procedures consistent with those of the organization to ensure efficient and safe operation of the department
- Review and evaluate our personal computer software and hardware making recommendations, as appropriate
- Assist with the purchase of personal computer hardware and software for countywide departments
- Provides advice and assistance to the department in the planning, implementation, and evaluation of modifications to existing policies, standards, and procedures
- Represents the department at various community, business, and government meetings
- Performs miscellaneous job-related duties as assigned

Work experience requirements:

- Three years work experience in the Information Technology industry
- One year experience as PC Technician
- Experience organizing, prioritizing, and scheduling work assignments
- Demonstrated knowledge of industry standard software, hardware, data networks, and client-server systems
- Demonstrated ability to work in a group or in an interdepartmental setting
- Strong interpersonal and communication skills

Education Requirements

- Bachelor's degree in Computer Science or Information Technology field
- Associate's degree in Computer Science or Information Technology field and/or equivalent training and certifications

Approved by: Roger Fahnestock

Title: ITD, Executive Director/CIO

Date posted: 07/15/2010

Date hired: TBD

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 - _____

AUTHORIZING EXCEPTION TO THE COUNTY FINANCIAL POLICIES REGARDING PERSONNEL HIRING AND REPLACEMENT

WHEREAS, the Kane County Information Technologies Department (ITD) is responsible to install, upgrade, maintain and support desktop hardware and software for Kane County Employees; and

WHEREAS, the Kane County Information Technologies Department utilizes Employee resources in the desktop Support division to accomplish its goals and missions; and

WHEREAS, current staffing level for support operations of desktop hardware and software, due to involuntary termination, has fallen below the level needed to provide for and sustain operational support; and

WHEREAS, on September 9, 2008 the Kane County Board had deemed it necessary to adopt by Resolution a moratorium on the hiring of new County personnel and the replacement of existing or future personnel vacancies; and

WHEREAS, the Executive Director of the Kane County Information Technologies Department has requested the Kane County Board to allow exception to the hiring moratorium as the continuance of a shortage of staff will have a negative operational impact on the Department's ability to efficiently and effectively conduct the operations of desktop support.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Kane County Board that the County Information Technologies Department be allowed to hire two replacements to fill the desktop support vacancies.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
001.060.060.40000	Salaries & Wages	Yes	Yes	

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:

Yes _____
No _____
Voice _____
Abstentions _____
7-2DT Hiring _____

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item #

Date: July 7, 2010

Item: Resolution: Emergency Communications Audio Recording Fee

Presenter / Sponsor: Jennifer N. Baustian, KaneComm

Assigned Committee: Judicial & Public Safety Committee

Budgeted: Yes No N/A

Appropriation:

Summary:

Kane County Emergency Communications consistently receives requests from private attorneys and other such entities for the audio recording duplication of 911 calls and radio transmissions.

These requests are extremely time consuming in nature; generally requiring several hours for the employee to complete.

The increasing frequency of these requests has illustrated the need to establish a standardized fee in order to disburse the time and expense to the appropriate requestor. If not billed to the requestor; the costs will continue to be absorbed by both the County of Kane and Subscribers of KaneComm.

The KaneComm Board has recommended that the Emergency Communications Audio Recording Fee Resolution reflect that true costs expended in order to provide the data be determined based on a formula to include the costs for a senior Telecommunicator based on salary, related overhead and employee benefits. The language shall also include a not-to-exceed limit.

Based on the salary structure currently in place under the PBLC Collective Bargaining Agreement this amount shall total \$35.00 per hour; not to exceed \$175.00 per request, with a minimum of \$35.00 due per request.

List Attachments: Resolution

Detailed information available from / at: Jennifer N. Baustian, Director of KaneComm, 630-208-5345

Staff Comments / Recommendations: Staff recommends Committee approval.

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 - _____

EMERGENCY COMMUNICATIONS AUDIO RECORDING FEE

WHEREAS, the KaneComm Board has established the need to adopt a fee associated with the completion of requests for the duplication of audio recordings of 911 calls and radio transmissions; and

WHEREAS, the Kanecomm Board has established that the fee shall total \$35.00 per hour; not to exceed \$175.00 per request, a minimum fee of \$35.00 due per request. This fee is payable in addition to the standard subpoena fee, and must be paid before any recording will be released.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board, that an hourly fee of \$35.00 be invoiced for the duplication of audio recordings of 911 calls and radio transmissions, not to exceed \$175.00 per request, a minimum fee of \$35.00 due.

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes _____
No _____
Voice _____
Abstentions _____

7EmergencyAudioRecordFee



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item #

Date: July 13, 2010

Item:

Amending Court system Fees and Repealing Ordinance #93-170

Presenter / Sponsor:

Chief Judge F. Keith Brown and/or Court Administrator Doug Naughton

Assigned Committee: Judiciary

Budgeted: Yes No N/A

If not budgeted, explain funding source: Provides revenue from Court Fees to finance DUI Prevention class/information

Appropriation: (insert dollar amount)

Summary: This resolution amends Ordinance 93-170, County code Section 21-1.1, by adding a new revenue line for court fees, and allows for a new budget funded by the collected fees to be used to provide education programs designed to prevent driving under the influence of alcohol or drugs.

List Attachments: N/A

Detailed information available from / at: Douglas Naughton 630-232-3443

Staff Comments / Recommendations:

STATE OF ILLINOIS

COUNTY OF KANE

ORDINANCE NO. 10 -

**AMENDING COURT SYSTEM FEES AND
REPEALING ORDINANCE #93-170**

WHEREAS, the County pursuant to Resolution 90-280 established additional court fees on traffic violations pursuant to Illinois Compiled Statutes, Chapter 55 5/5-1101 (1992) in order to finance the court system; and

WHEREAS, Illinois Compiled Statutes, Chapter 55, section 5/5-1101 has been subsequently amended to allow the County Board to assess additional fees in other types of matters in order to further finance the court system; and

WHEREAS, the above mentioned statute provides a fee schedule.

NOW, THEREFORE, BE IT RESOLVED, by the Kane County Board that Ordinance # 93-170 is hereby repealed.

BE IT FURTHER RESOLVED, that the Kane County Code, Section 21-1.1 be amended to read as follows:

Section 21-1.1 Additional Court Fees:

The Clerk of the Circuit Court of the County shall charge and collect a fee of Five Dollars (\$5.00) for all traffic violations where there is an admission of guilt or a grant of supervision as well as fees per the following schedule: Felony-\$50.00; Misdemeanor Class A - \$25.00; Misdemeanor Class B or C - \$15.00; petty offense - \$10.00; all civil cases - \$5.00; said fees shall be used for the purpose of supporting the court system in Kane County. A "traffic Violation" for the purpose of this section shall not include parking tickets or parking violations. Such fees shall be in addition to all other fines and charges assessed by the Circuit Court and shall be remitted monthly by the Circuit Clerk to the County Treasurer for deposit in the County General Fund.

The Clerk of the Circuit Court shall charge and collect a \$100.00 fee for the second and subsequent violations of section 5/11-501 of the Illinois Vehicle Code or violations of similar provisions, contained in County or Municipal Ordinances, committed in the County. The proceeds of this fee shall be placed in the County General Fund, via Revenue Line Item 277.430.000.36050 and used exclusively to finance education programs relating to Driving Under the Influence of Alcohol or Drugs through the DUI Education Fund Expenditure Line Items in budget 277.430.467.

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:

Yes _____

No _____

Voice _____

Abstentions _____

7AmendOrd93-170



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item

Date: June 30, 2010

Item: Amended and Restated Kane County Ethics Ordinance

Presenter / Sponsor: Mark Davoust

Assigned Committee: Human Services

Budgeted: Yes No N/A

If not budgeted, explain funding source:

Appropriation:

The Human Services Committee after extensive review of Illinois, various counties, and local ethics laws present this ethics ordinance. This ordinance will repeal the existing ethics ordinance. This ordinance will replace the former ordinance.

List Attachments: Amended and Restated Kane County Ethics Ordinance

Detailed information available from / at:

Staff Comments / Recommendations:

STATE OF ILLINOIS

COUNTY OF KANE

ORDINANCE NO. 10-

AMENDED AND RESTATED KANE COUNTY ETHICS ORDINANCE

WHEREAS, the Kane County Board has determined that it is in the best interests of the County of Kane ("Kane County") and its citizens to provide for an amended and restated ethics ordinance applicable to officers and employees of Kane County.

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

Section 1: Chapter 2 Administration, Article III Officers and Employees in General, Division 3 Ethics of the Kane County Code is repealed in its entirety. This repeal shall not extend to or affect any pending complaint, violation, or investigation existing as of the date of adoption of this amendatory Ordinance of 2010.

Section 2: This Ordinance shall replace the current Division 3 Ethics of the Kane County Code as follows:

DIVISION 3. ETHICS

Section 1: Definitions

For purposes of this division, the following terms shall be given these definitions:

Administrative Action: The execution or rejection of any rule, regulation, legislative rule, standard, fee, rate, contractual agreement, purchasing agreement or other delegated legislative or quasi-legislative action to be taken or withheld by any county officer, employee or appointee.

Appointee or Appointed Official: A person appointed to a position in or with Kane County or with any authority, agency, board or commission with or without the consent of the Kane County Board regardless of whether the position is compensated.

Business or entity: The actual organization or person to which a Kane County contract has been awarded or contract is to be awarded and includes any of the business' principals, family members of the business' principals and any other legal entities in which those principals or family members have a controlling interest or have control over the disbursement of funds of the business.

Campaign For Elective Office: Any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, state, or local public office or office in a political organization, or the selection, nomination, or election of presidential or vice presidential electors, but does not include activities: (1) relating to the support or opposition of any executive, legislative, or administrative action, (2) relating to collective bargaining, or (3) that are otherwise in furtherance of the person's official duties.

Candidate: A person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in Section 1-3 of the Election Code.

Collective Bargaining: Has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act.

Compensation: Any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by himself or herself or another.

Compensated Time: With respect to any officer, employee or appointee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this division, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when said officer, employee or appointee is on a leave of absence. With respect to officers, employees or appointees whose hours are not fixed, "compensated time" includes any period of time when the officer, employee or appointee is on the premises under the control of the employer and any other time when the officer, employee or appointee is executing his or her official duties, regardless of location.

Compensated Time Off: Authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of employment with the County.

Contribution: Has the same meaning as that term is defined in Section 9-1.4 of the Election Code.

County: The County of Kane and, where applicable, any of its elected officers.

Department Head: Shall mean the director or executive director of a Kane County Department.

Economic Opportunity: Any purchase, sale, lease, contract, option or other transaction or arrangement involving property or services wherein a legislator may gain an economic benefit. The term shall not include gifts.

Employee: A person employed by the County of Kane, whether on a full time or part time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor. The term "employment" as used herein shall mean an "employee."

Employer: The County of Kane.

Family Member and Immediate Family Member: Family member shall mean those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, and stepsister. Immediate family member shall mean father, mother, son, daughter, brother, sister, and spouse.

Gift: Any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

Honoraria: Payment of money to an officer or Kane County employee for an appearance or speech, excluding any actual and necessary travel expenses incurred to the extent that those expenses are paid by any other person and does not include: (1) cash payments made on behalf of an officer to an organization described under Section 501(c)(3) of the Internal Revenue Code of 1986, (2) an agent's fee or commission, or (3) funds reported under the election code.

Leave Of Absence: Any period during which an employee is on an approved absence from work.

Lobbying: Promoting or opposing in any manner the passage of any legislative matter affecting the interests of any individual, association or corporation as distinct from those of the people.

Lobbyist: Any person who engages in lobbying.

Market Value: The price that a gift would bring for tangible or intangible assets of like type, quality and quantity in the local market at the time of acquisition.

Officer: A person who holds, by election or appointment, a position in Kane County government or a position appointed by the County Board chair regardless of whether the officer is compensated for service in his or her official capacity.

Person or Entity: An individual, proprietorship, partnership, association, trust, estate, business trust, group or corporation, whether or not operated for profit, or a governmental agency, unit or subdivision.

Political Activity: Any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities: (1) relating to the support or opposition of any executive, legislative, or administrative action, (2) relating to collective bargaining, or (3) that are otherwise in furtherance of the person's official duties.

Political Organization: A party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the state board of elections or a county clerk under section 9-3 of the Election Code, but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

Prohibited Political Activity:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- (6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.

Prohibited Source: Any person or entity who:

- (1) Is seeking official action: (a) by an officer or (b) by an employee, or by the officer or another employee directing that employee;
- (2) Does business or seeks to do business: (a) with the officer or (b) with an employee, or with the officer or another employee directing that employee;
- (3) Conducts activities regulated: (a) by the officer or (b) by an employee, or by the officer or another employee directing that employee; or
- (4) Has interests that may be substantially affected by the performance or nonperformance of the official duties of the officer or employee.
- (5) is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors.
- (6) Is an agent of, or an immediate family member who is living with a prohibited source.

Vendor: Any person, entity, corporation or association which has any contract or agreement with the County to provide for compensation, labor, materials, services or professional services.

Section 2: Prohibited Political Activities

- 1. No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of Kane County in connection with any prohibited political activity.

2. At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity: (a) as part of that officer's or employee's duties, (b) as a condition of employment, or (c) during any compensated time off (such as holidays, vacation or personal time off).

3. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

4. Nothing in this section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this ordinance.

5. No person either: (a) in a position that is subject to recognized merit principles of public employment or (b) in a position, the salary for which is paid in whole or in part by federal funds and that is subject to the federal standards for a merit system of personnel administration applicable to grant in aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

6. An employee shall not be required to (a) purchase tickets, solicit orders to purchase tickets, sell, distribute or receive payment for political tickets for any political fundraiser or campaign fund for a specific candidate for political office or (b) financially contribute to any political organization, political party, political rally, political fundraiser, political meeting or political event.

7. Political contributions shall not be intentionally solicited or accepted on County property by any employee or candidate for elective office. An inadvertent acceptance of a political contribution shall not be considered a violation of this ordinance if reasonable and timely action is taken to return the contribution to its source.

8. An officer or employee or a candidate for an elected office may not promise anything of value related to County government, including but not limited to positions in County government, promotions, salary increases, other employment benefits, board or commission appointments, favorable treatment in any official or regulatory matter, the awarding of any public contract, or action or inaction on any legislative or regulatory matter, in consideration for a contribution to a political committee, political party, or other entity that has as one of its purposes the financial support of a candidate for elective office.

9. Any employee who is requested or directed by an officer, member, employee, or candidate for elected office to engage in activity prohibited by this section shall report such request or directive to the State's Attorney's Office.

Section 3: Gift Ban and Honoraria

1. Except as permitted by this ordinance, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any "prohibited source", as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this section.

2. No officer or employee shall retain any honorarium other than as provided in sub-paragraph 23 of Section 3.1. Any honorarium received shall be surrendered to the County and deposited into the General Revenue Fund.

Section 3.1: Exceptions

Section 3 of this ordinance is not applicable to the following:

- (1) Opportunities, benefits, and services available on the same conditions as for the general public.
- (2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.
- (3) Any: (a) contribution that is lawfully made under the Election Code or (b) activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss business.
- (6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancée.
- (7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as:
 - (a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals;
 - (b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and
 - (c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
- (8) Food or refreshments not exceeding Seventy Five Dollars (\$75.00) per person in value on a single calendar day; provided that the food or refreshments are:
 - (a) consumed on the premises from which they were purchased or prepared or
 - (b) catered, defined as food or refreshment that is purchased ready to consume which is delivered by any means.
- (9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official

position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(10) Intragovernmental and intergovernmental gifts. For the purpose of this section, "intragovernmental gift" means any gift given to an officer or employee from another officer or employee, and "intergovernmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than One Hundred Dollars (\$100.00).

(13) A commercially reasonable loan evidenced in writing with repayment due by a date certain made in the ordinary course of the lender's business.

(14) A contribution or other payments made to a legal defense fund established for the benefit of an employee that is otherwise lawfully made

(15) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan.

(16) Information materials that are sent to the office of the employee in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication.

(17) Awards or prizes that are given to competitors in contests or events open to the public, including random drawings.

(18) Honorary degrees and associated travel, food, refreshments and entertainment provided in the presentation of degrees and awards.

(19) Training including food and refreshments furnished to all attendees as an integral part of training provided to an officer or employee if the training is in the interest of Kane County.

(20) Anything that is paid for by the federal government, the State of Illinois, a unit of local government, or a school district, or secured by the government under a government contract.

(21) A gift of personal hospitality of an individual other than a regulated lobbyist or agent of a foreign principal, including hospitality extended for a non-business purpose by an individual, not a corporation or organization, at the personal residence of that individual or the individual's family or on property or facilities owned by that individual or the individual's family.

(22) Free attendance at a widely attended event.

(23) A plaque, trophy, or other item substantially commemorative in nature and that is extended for presentation.

(24) Donations of products from an Illinois company that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.

(25) An item of nominal value such as a greeting card, baseball cap or T-shirt.

(26) An employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel, discussion, dinner, viewing, reception or similar event, provided by the sponsor of the event if:

(a) the employee participates in the event as a speaker or a panel participant by presenting information related to government, or by performing a ceremonial function appropriate to the employee's official position or employment, or

(b) Attendance at the event is appropriate to the performance of official duties or representative function of the employee.

An employee who attends such an event may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual. An employee or the spouse or dependent of an employee may accept a sponsor's unsolicited offer of free attendance at a charity event, except that reimbursement for transportation and lodging may not be accepted in connection with the event. For purposes of this section, "free attendance" may include waiver of all or part of a conference or other fee, the provision of transportation, or the provision of food, refreshments, entertainment and instructional materials furnished to all attendees as an integral part of the event. The term does not include entertainment collateral to the event, nor does it include food or refreshments taken other than in a group setting with all or substantially all other attendees, except as authorized hereunder.

Each of the exceptions listed in this section is mutually exclusive and independent of every other.

Section 3.2: Disposition of Gifts

An officer or employee or an immediate family member living with the officer or employee, does not violate the Gift Ban provisions of this ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

Section 3.3: Political Contributions

1. Except as otherwise provided in this Ordinance, no officer or candidate for office shall intentionally accept cumulative campaign contributions in any calendar year of more than One Thousand Dollars (\$1,000) from an individual, Two Thousand Dollars (\$2,000) from any contractor, union, or other entity, and Four Thousand Dollars (\$4,000) from any political action committee affiliated with such contractor, union or other entity. This limitation shall apply to all contracts for and vendors for all goods and services including those for professional services as defined where the amount of such contract for goods, services, or professional services as defined in the Kane County Procurement Ordinance exceeds the total sum of Fifteen Thousand Dollars (\$15,000).

2. Except as otherwise provided in this Ordinance, no officer or candidate for office shall intentionally solicit or accept a cumulative campaign contribution in any calendar year in excess of One Thousand Dollars (\$1,000) from any individual appointed or applying for appointment by the Kane County Board Chairman to serve on a board, commission, authority, task force, advisory committee or other governmental entity.

Section 4: Ethics Administration

1. This Ordinance shall be administered by the Kane County Department of Human Resources in conjunction with the State's Attorney's Office and the Ethics Advisor, as hereafter provided.
2. Any records, disclosure statements or other documents (collectively, "Records") filed or required to be filed pursuant to this Ordinance, shall be kept and maintained by the officer, employee, department or office specified in this Ordinance. Copies of all records shall be filed with the Department of Human Resources by the officer, employee, department or office responsible for the original documents.

Section 4.1: Ethics Advisor

1. The Chairman of the County Board, with the advice and consent of the County Board, shall appoint an Ethics Advisor for a term of three (3) years. Applications for the Ethics Advisor appointment may be solicited by way of a request for qualifications. The Human Services Committee shall initially review all timely responses to the request for qualifications and shall forward all written responses of the applicants to the Chairman of the County Board together with the committee's evaluation of each application. The Chairman of the County Board may, in his/her sole discretion, interview potential candidates prior to recommending the appointment of a particular candidate to the full County Board. The Ethics Advisor may be compensated as an independent contractor, as determined by the County Board.
2. Minimum qualifications for the office of Ethics Advisor may include, but shall not be limited to, the following:
 - (a) Has not been convicted of any felony under the laws of the State of Illinois, another state or the United States; and
 - (b) Has a juris doctorate or master's degree in public administration; and
 - (c) Has five (5) or more years of cumulative service (i) with a federal, state or local law enforcement agency, with investigatory experience; (ii) as a federal, state, or local prosecutor or public defender; (iii) as a senior manager, executive, or official of a federal, state or local agency; (iv) as a state or federal judge; (v) as an elected officer of a unit of local government; (vi) as a law professor; (vii) as an ethics professor; (viii) as an attorney in private practice; (ix) as a member of the clergy; or (x) with a combination of any subsection listed in this subparagraph (c); and
 - (d) Has strong oral and written communication skills; and
 - (e) Has the ability to interpret, explain and apply laws and regulations; and
 - (f) Has a high level of integrity and ability to maintain confidentiality.
3. The Ethics Advisor shall perform the following duties pursuant to this Ordinance:
 - (a) Provide guidance to the officers and employees of Kane County concerning the interpretation and compliance with the provisions of this ordinance.
 - (b) Prepare and conduct ethics training in conjunction with the State's Attorney's Office and request the assistance of the Kane County Human Resources Department to keep attendance records of all employees receiving ethics training.

(c) Prepare and disseminate, with the assistance of the Kane County Department of Human Resources, informational and training materials relating to this Ordinance.

(d) Receive all inquiries concerning this Ordinance not otherwise directed to the State's Attorney's Office.

(d) Report apparent violations of this ordinance to the State's Attorney's Office.

(e) Forward any written complaints directly to the State's Attorney's Office for resolution.

(f) Notify the elected official or department head or County Board of the ultimate disposition of any investigations undertaken by the State's Attorney's Office so that appropriate disciplinary action, if appropriate may be taken.

(g) Prepare written opinions on any interpretation of the Ordinance and records of any informal or unwritten opinions in order to maintain consistency of interpretation and promote compliance.

(h) Maintain records of all written or verbal guidance on interpretation and application of this Ordinance (redacted so as to preserve the privacy of the persons making the inquiry) and make such records available to officers, employees and the general public in order to maintain consistency of interpretation and promote compliance.

(i) Perform such other duties as may be assigned by the County Board.

4. The following activities are prohibited by the Ethics Advisor during his/her term of office:

(a) May not become a candidate for any elective office.

(b) May not hold any other elected or appointed public office, except for appointments on governmental advisory boards or study commissions.

(c) May not be an elected or appointed officer or committeeman of any political party or political organization.

(d) May not otherwise currently be employed by Kane County or any of its employing units.

5. The Kane County Board Chairman may remove the Ethics Advisor, with or without cause, by notice to the Ethics Advisor, by USPS certified mail, return receipt requested, and shall immediately notify the County Board of such action. The County Board may overrule the removal of the Ethics Advisor at its next regularly scheduled meeting by a majority vote of the members then holding office.

Section 4.2: State's Attorney's

1. All complaints of any alleged violation of this Ordinance shall be investigated and prosecuted by the Kane County State's Attorney's Office. The State's Attorney may designate an attorney from the State's Attorney's Office as the Compliance Officer.

2. The State's Attorney's Office shall perform the following duties with regard to this ordinance:

(a) Receive all complaints concerning this Ordinance.

(b) Conduct investigations concerning alleged violations of this Ordinance.

(c) File a legal complaint in the Circuit Court of the Sixteenth Judicial Circuit alleging a violation of this Ordinance as warranted by the facts or exercise such discretion to resolve complaints without resorting to the filing of a legal complaint. All legal complaints filed in Circuit Court by the State's Attorney's Office shall be prosecuted as a quasi-criminal ordinance violation. The prosecution shall be under and conform to the rules of civil procedure. The standard of proof for establishing a violation shall be proof by a preponderance of the evidence.

(d) The State's Attorney's Office shall perform such other duties as may be delegated by the County Board or as deemed appropriate by the State's Attorney's Office in the exercise of professional judgment.

3. Nothing in this Ordinance shall preclude the State's Attorney's Office from reviewing any D-2 Statement of Economic Interest or other filing by any officer with any federal, state, or local agency in connection with this Ordinance.

Section 4.3: Inquiries

All inquiries concerning interpretation of this Ordinance shall be in writing and submitted to the Ethics Advisor and all responses shall be in writing. The Ethics Advisor may issue informal oral opinions and guidance provided that a record of the inquiry and the response is kept and maintained as provided in Section 4.1 hereof.

Section 4.4: Complaints of Wrongdoing

1. Complaints concerning violations of this Ordinance shall be signed, notarized, and submitted in writing to the Kane County State's Attorney. Complaints shall describe in detail the act or acts complained of and provide a list of witnesses to the act or acts. The Complaint shall contain the home address and personal telephone number of the individual submitting an allegation.

2. The Complaint must be filed within thirty (30) days following knowledge of the alleged violation, but in no event, more than one (1) year after the actions giving rise to the alleged violation.

3. The State's Attorney's Office shall endeavor to keep the identity of an individual (the "complainant") submitting a Complaint confidential unless:

- (a) Public legal proceedings have been initiated regarding the Complaint, or
- (b) The complainant consents to disclosure, or
- (c) The interests of fairness or due process require disclosure, or
- (d) Disclosure is otherwise required by law or court order.

Section 4.5: Investigations

1. Upon receipt of a written Complaint, the State's Attorney's Office shall conduct a preliminary investigation concerning the Complaint, and within thirty (30) days after the Complaint was filed, unless good cause exists to extend the time period, shall determine whether sufficient evidence exists to support the allegation.

2. The State's Attorney's Office shall have the discretion to determine the appropriate means of investigation as permitted by law and to receive and investigate alleged violations of this Ordinance as follows:

(a) Request information relating to an investigation from any person when deemed necessary to conduct an investigation.

(b) Issue subpoenas for the appearance of witnesses and for the production of evidence per State law.

3. An investigation may not be initiated more than one (1) year after the most recent act of alleged violation or a series of alleged violations except where there is reasonable cause to believe that fraudulent concealment has occurred. To constitute fraudulent concealment there must be an affirmative act or representation calculated to prevent discovery of the fact that a violation has occurred.

4. Upon investigation by the State's Attorney's Office that there is reason to believe that a violation of this Ordinance has occurred, the State's Attorney's Office shall:

(a) Notify the person who violated this Ordinance and demand corrective action.

(b) Recommend disciplinary action.

(c) Prosecute the violation in accordance with this Ordinance or the laws of the State of Illinois.

5. Upon investigation by the State's Attorney's Office that there is not sufficient evidence to believe that a violation of this Ordinance has occurred, the State's Attorney's Office shall close the investigation. At the request of the subject of the investigation, the State's Attorney's Office shall provide a written statement to the subject of the investigation of the decision to close the investigation. Closure by the State's Attorney's Office does not bar the State's Attorney's Office from resuming the investigation if circumstances warrant.

6. The State's Attorney's Office shall notify the Ethics Advisor about the ultimate disposition of the investigation:

(a) If a Complaint has been filed with the Sixteenth Judicial Circuit,

(b) No action to prosecute was taken,

(c) The respondent was counseled, or

(d) Other action was taken.

7. It is the obligation of all officers and employees to cooperate with the State's Attorney's Office during the investigation. Failure or refusal to cooperate may constitute grounds for discipline or discharge of an employee. Any party may represent himself or herself or be represented by legal counsel of his or her own choice and own expense, unless otherwise required by applicable law or ordinance.

Section 4.6: Reports

At least twice per fiscal year, the Ethics Advisor with the assistance of the Kane County Department of Human Resources and the State's Attorney's Office shall compile and deliver to the Chairman of the County Board and to the Kane County Human Services Committee a report consisting of:

1. The number of inquiries received concerning interpretation of this Ordinance and the State ethics laws.
2. The number of filed Complaints.
3. The number of Complaints deemed to sufficiently allege a violation of this Ordinance.
4. The number of Complaints deemed to be insufficient.
5. The number of Complaints found to be supported by substantial evidence.
6. The number of Complaints found not to be supported by substantial evidence.
7. The number of Complaints filed in Circuit Court.
8. The number of Complaints settled prior to Court ruling.
9. The disposition of each Complaint.
10. The status of pending Complaints.
11. The number of officers and employees receiving ethics training.

Section 4.7: Penalties

Any employee who intentionally violates any provision of this Ordinance shall be subject to such fines and penalties as are prescribed in the Kane County Code or other applicable laws. Any person who willfully and intentionally files a Complaint for the purpose of influencing the State's Attorney's Office to initiate an investigation and without regard for the truth of the matters set forth in the Complaint, shall be subject to discipline, up to and including termination.

Section 5: Employee Cooperation

1. All employees shall conduct themselves in a way that complies with the Kane County Personnel Policy Handbook as adopted and amended from time to time as if it were reproduced in this Ordinance in its entirety.
2. Each employee shall be obligated to cooperate during the course of an investigation and to comply with requests for information from the State's Attorney's Office. Failure or refusal to comply with said requests for information shall constitute a violation of this division and may be considered grounds for discipline or discharge.

Section 6: Collective Bargaining Agreements

Any investigation and any recommendation for discipline of an employee pursuant to this division are subject to the provisions of any collective bargaining agreement that may apply to the employee.

Section 7: County-wide Elected Officers

All county-wide elected officers of Kane County shall be subject to this Ordinance with the exception of the State's Attorney and the Clerk of the Circuit Court to the fullest extent not otherwise prohibited by law. Any such officer may adopt or maintain an ethics policy that is more restrictive than that set forth

in this Ordinance and may continue to follow any existing policies, ordinances, rules or regulations that are more restrictive and are in addition to those set forth in this Ordinance.

Section 8: Training

Officers and employees must complete, within six (6) months after adoption of this Ordinance and at least annually thereafter, an ethics training program conducted by the Kane County Department of Human Resources, the Ethics Advisor, and, as appropriate, the State's Attorney's Office. A new employee must complete his/her initial ethics training during orientation within the first month of employment. Officers shall attend a training program within six (6) months of being elected or appointed (or as soon thereafter as an ethics training program is offered) and at least annually thereafter. The Department of Human Resources shall maintain records evidencing each employee's and officer's attendance at such training programs.

Section 9: Whistleblower Protection

1. An officer, employee or agency shall not take any retaliatory action against an employee or independent contractor because the employee or independent contractor does any one of the following:

- a. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, county agency, or other county employee that the County employee or independent contractor reasonably believes is in violation of a law, rule, or regulation.
- b. Provides information to or testifies before any public body conducting an investigation, hearing, or inquiry into any violation of a law, rule, or regulation by any officer, member, County agency, or other County employee.
- c. Assists or participates in a proceeding to enforce the provisions of this Ordinance.

2. A violation of this section may be established only upon a finding that the (a) County employee or independent contractor engaged in conduct described in Section 9.1 above and (b) that conduct was a contributing factor in the retaliatory action alleged by the County employee or independent contractor. It is not a violation, however, if it is demonstrated by clear and convincing evidence that the officer, employee or agency would have taken the same unfavorable personnel action in the absence of that conduct.

3. The County employee or independent contractor may be awarded all remedies necessary to make the County employee or independent contractor whole and to prevent future violations of this section. The Circuit Court shall have jurisdiction to hear cases brought under this section. Remedies imposed by the court may include, but are not limited to, all of the following:

- (a) Reinstatement of the employee to either the same position held before the retaliatory action or to an equivalent position;
- (b) Twice the amount of back pay;
- (c) Interest on the back pay;
- (d) Reinstatement of full fringe benefits and seniority rights; and
- (e) Payment of reasonable costs and attorney's fees.

4. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of a County employee or independent contractor under any other federal, state or county law, rule or regulation or under any collective bargaining agreement or employment contract.
5. All offices, agencies and departments shall conspicuously display notices of employee protection under this section.
6. An employee or independent contractor who reports a violation or concern in good faith on behalf of another employee shall not be subjected to retaliation, harassment, abuse, threats, and discrimination or any adverse employment consequences as a result of coming forward.
7. This Section shall not apply to a complainant or employee or independent contractor acting on behalf of a complainant who knowingly makes a false report.

Section 10: Contractor Disclosure

1. Prior to award, every contractor or vendor who is seeking or who has obtained contracts or change orders to contracts or two (2) or more individual contracts with Kane County resulting in an amount greater than Fifteen Thousand Dollars (\$15,000) shall disclose to the Kane County Purchasing Department, in writing all cumulative campaign contributions, (which includes multiple candidates) made within the previous twelve (12) months of awarding of the contract made by that contractor, union, or vendor to any current officer or countywide elected officer whose office the contract to be awarded will benefit. Disclosure shall be updated annually during the term of a multi-year contract and prior to any change order or renewal requiring Board level approval. For purposes of this disclosure requirement, "contractor or vendor" shall include owners, officers, managers, insurance brokers, lobbyists, agents, consultants, bond counsel and underwriters counsel, subcontractors corporations, partnerships, associations, business trusts, estates, trustees, and/or beneficiaries under the control of the contracting person, and political action committees to which the contracting person has made contributions.
2. All contractors and vendors who have obtained or are seeking contracts with Kane County must disclose the following information which shall be certified and attached to the application or document. Penalties for knowingly violating disclosure requirements will potentially result in immediate cancellation of the contract, and possible disbarment from future County contracts:
 - (a) Name, address and percentage of ownership interest of each individual or entity having a legal or a beneficial interest of more than five percent (5%) in the applicant. Any entity required by law to file a statement providing substantially the information required by this paragraph with any other government agency may file a duplicate of such statement;
 - (b) Names and contact information of their lobbyists, agents and representatives and all individuals who are or will be having contact with County employees or officials in relation to the contract or bid. This information disclosure must be updated when any changes to the information occurs.
 - (c) Whenever any interest required to be disclosed in paragraph (a) above is held by an agent or agents, or a nominee or nominees, the principals for whom such agents or nominees hold such interest shall also be disclosed. The application of a spouse or any other party, if constructively controlled by another person, or legal entity as set forth above, shall state the name and address and percentage of beneficial interest of such person or entity possessing such constructive control and the relationship under which such control is being or may be exercised. Whenever a stock or beneficial interest is held by a corporation

or other legal entity, such shareholder or beneficiary shall also make disclosure as required by paragraph (a) above.

(d) A statement under oath that the applicant has withheld no disclosures as to economic interests in the undertaking nor reserved any information, data or plan as to the intended use or purpose for which it seeks County Board or other county agency action.

3. All disclosures and information shall be current as of the date upon which the application is presented and shall be maintained current until such time as Kane County shall take action on the application. Furthermore, this information shall be maintained in a database by the Purchasing Department, and made available for public viewing.

4. Notwithstanding any of the above provisions, the County Purchasing Department with respect to contracts awarded may require any such additional information from any applicant which is reasonably intended to achieve full disclosure relevant to the application for action by the County Board or any other County agency.

5. Any failure to comply with the provisions of this section shall render any ordinance, ordinance amendment, County Board approval or other County action in behalf of the applicant failing to comply voidable at the option of the County Board or other County agency involved upon the recommendation of the County Board Chairman or the majority of the County Board.

6. The Purchasing Department is authorized to prepare forms to effectuate the purpose of this section and shall insure that all disclosure requirements of this Ordinance are set out in any notice to bidders in a request for qualification or proposal.

Section 11: Officer Disclosure

All officers shall disclose their financial interests and holdings in any business seeking a relationship with Kane County where the officer has an ownership interest of seven and one-half percent (7-1/2%) or greater. These disclosures shall be in compliance with the Public Officer Prohibited Activities Act, 50 ILCS 105/01 et seq. and shall include (1) publicly disclosing the nature and extent of interest prior to or during deliberations concerning the proposed award of the contract and (2) withdrawing from discussion and not voting on the award of the contract.

Section 12: Conflict of Interest

1. An officer or any of their employees while representing Kane County or employed by Kane County shall disclose any act that may be in conflict with the performance of his or her official duties. No officer nor any of their employees while representing Kane County or employed by Kane County shall engage in any act that is in conflict with the performance of his or her official duties. A conflict of interest exists whenever official action could result in a personal advantage or disadvantage to the interested officer or employee, including, but not limited to the following:

(a) Receives or has any financial interests in any purchase, sale or lease to or by the County where that purchase, sale or lease was obtained with prior knowledge that the County intended to take such action.

(b) Represents, or whose firm represents, any person who would receive direct financial benefit as a result of the official action under consideration.

(c) Accepts or seeks any employment, travel, compensation or gift from any person doing business or seeking to do business with the County for which the employee has responsibility.

(d) Receives or accepts a gift, compensation, or travel that was given for the purpose of obtaining special consideration or to influence County action where a reasonable and prudent person would believe that the purpose was to obtain special consideration or to influence County action.

(e) Violates any provision of the Public Officer Prohibited Activities Act (50 ILCS 105/0.1, et seq.)

2. The officer who has a conflict situation should abstain from discussion and shall not vote on any contract with the person or business involved in the conflict. If the conflict situation is an action that is prohibited by the Public Officer Prohibited Activities Act, a member cannot avoid the conflict by abstaining from discussion or vote on the contract.

3. Any employee who becomes aware that he or she may have a conflict of interest that arises in the course of his or her official duties shall notify, in writing, the Department of Human Resources of such conflict. The disposition of the potential conflict shall be stated in writing and maintained by the Department of Human Resources. An officer shall not participate in deliberations where they have a conflict of interest as defined under this ordinance and must not participate in the decision making in any manner.

4. Notwithstanding any other law or ordinance, on and after the effective date of this Ordinance, a person and his or her immediate family members are ineligible to serve on a board, commission, authority, or task force authorized or created by the Kane County Board (i) if that person is entitled to receive more than seven and one-half percent (7-1/2%) of the total distributable income under a Kane County contract other than an employment contract or (ii) that person together with an immediate family member are entitled to receive more than fifteen percent (15%) in the aggregate of the total distributable income under a Kane County contract other than an employment contract; except this provision does not apply to any of the following:

(a) A person and his or her family member living with that person, who is serving in an elective public office, whether elected or appointed to fill a vacancy; and

(b) A person and his or her family member living with that person, who is serving on a Kane County advisory body that makes non-binding recommendations to an agency of Kane County but does not make binding recommendations or determinations or take any other substantive action.

Section 13: Future and Former Employment

1. No officer shall solicit or accept employment with the County within one (1) year of such officer's resignation or termination of an elected term (whichever shall first occur). The County Board by a two-thirds (2/3) vote of all of the members then holding office may waive the prohibition in this paragraph.

2. Any vendor who employs or retains as a consultant, lobbyist, attorney or other independent contractor a former County officer within one (1) year of such officer's resignation or termination of an elected term (whichever shall first occur) shall disclose to the Kane County Purchasing Department, in accordance with but in addition to the requirements of Section 10 of this Ordinance, the name, title, and job description or the nature of the contracted services of the former officer and shall disclose the amount of compensation paid or to be aid to such officer for such employment or services.

Section 14: Use of Proprietary or Confidential Information.

No employee, officer, or the Ethics Advisor may intentionally disclose or use for his or her personal benefit or for the benefit of his or her family members any information acquired in the course of official duties, which is not available as a matter of public knowledge or public record, or which is exempt from disclosure under the Freedom of Information Act or this Ordinance. Violations of this section shall constitute grounds for disciplinary action consistent with the enforcement provisions of this ordinance.

Section 15: Freedom of Information and Open Meetings Act.

1. Documents generated by the Ethics Advisor under this ordinance are exempt as allowed by law from the provisions of the Freedom of Information Act.
2. Meetings held by the Ethics Advisor under this ordinance are exempt as allowed by law from disclosure pursuant to the provisions of the Open Meetings Act.

Section 16: Lobbying.

1. No officer or employee may engage in lobbying as that term is defined if he/she accepts compensation specifically attributable to such lobbying other than that provided by law. Nothing in this section prohibits an officer or employee from lobbying without compensation.
2. No officer or employee may accept compensation, other than that provided by law, for performance of his/her official duties. No person, other than County officials or employees performing their duties in making payments to any officer or employee as provided by law, may pay or offer to pay any elected official any compensation for performance of his or her official duties.

Section 17: Disclosure

Officers and those persons appointed to a board, commission, authority, or task force authorized or created by Kane County, must file with the County Clerk a disclosure of all contracts the person or his or her spouse or immediate family members living with the person have with the County and all contracts between the County and any entity in which the person or his or her spouse or immediate family members living with the person have a majority financial interest. Rules for the implementation and administration of this section must be adopted. Disclosures filed under this section are public records.

Section 18: Prohibition on Serving on Boards and Commissions

No officer shall be appointed to serve on a board or commission which is a compensated position for which appointment is made by the Kane County Board Chairman without the advice and consent of the Kane County Board unless otherwise authorized by State law.

Section 19: Employment of Family Members

1. This section shall not apply to any family members employed on the date of passage of this Ordinance.
2. No officer may approve, recommend or otherwise take action with regard to the appointment, reappointment, hiring, promotion, salary or supervision of a family member.

3. Officers and employees shall fully disclose the existence of any relationship to a family member who is an officer or employee of the County at the time of election or employment or that develops at any time during the course of their term of office or employment.

Section 20: Representation of Third Parties

1. No officer or employee may represent or act on behalf of any person or entity other than the County in a formal or informal proceeding, application or transaction before any County office or agency.

2. No officer or employee may represent any person or entity in any judicial or quasi-judicial proceeding before any administrative agency or court in which the County is a party and that person's interest is directly adverse to that of the County.

3. No officer or employee shall have an economic interest in the representation by others of any person or entity in the circumstances set forth in paragraphs 1 and 2 of this section.

4. No appointed official may represent any person in the circumstances described in this section unless the matter is wholly unrelated to the appointed official's County duties and responsibilities.

5. For purposes of this section, "economic interest" shall not include the interest of the spouse of an officer, appointed official, or employee which interest is related to the independent occupation, profession or employment of the spouse.

6. Nothing in this section shall preclude any officer or employee from being an applicant or party to any proceeding or transaction before any County office, agency, or judicial or quasi-judicial entity to the extent not otherwise prohibited by law.

7. Representation shall not include inquiries for information or other services rendered in a legislative capacity on behalf of a constituent or other member of the public.

Section 21: Dual Pension.

Within not more than three (3) months after taking office and annually, but not later than May 1 of each succeeding year, any officer subject to this Ordinance shall disclose on a form provided by the Department of Human Resources the identity of any unit of state or local government from which any pension or retirement package is currently received or vested. To the extent not prohibited by other law or regulation, such disclosure shall include the nature of the pension benefit as well as any other benefits received including but not limited to health care.

Section 22: Severability and Declaration of Unconstitutionality

The sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

Section 23: Code of Conduct and Ethical Principles for Officers

1. No officer may accept any economic opportunity, under circumstances where he knows or should know that there is a substantial possibility that the opportunity is being afforded him with intent to influence his conduct in the performance of his/her official duties.

2. No officer may charge to or accept from a person known to have an interest in the County a price, fee, compensation or other consideration for the sale or lease of any property or the furnishing of services which is substantially in excess of that which the officer would charge in the ordinary course of business.

3. No officer in order to further his/her own economic interests, or those of any other person, may disclose or use confidential information acquired in the course of his/her official duties.

4. No officer may accept a representation case where there is substantial reason for him/her to believe that it is being offered with intent to obtain improper influence over a Kane County agency.

5. No officer may use or attempt to use improper means to influence a Kane County agency in any representation case in which the officer or any person with whom he/she maintains a close economic association is participating.

6. No officer may engage in other conduct which is unbecoming to an officer or which constitutes a breach of public trust.

7. Where feasible, and taking into account the fact that officers may serve part-time, officers should avoid accepting or retaining an economic opportunity which presents a substantial threat to his/her independence of judgment.

8. When an officer must take official action on a matter as to which he/she has a conflict situation created by a personal, family, or client interest, he/she should consider the possibility of eliminating the interest creating the conflict situation. If that is not feasible, he/she should consider the possibility of abstaining from such official action. In making his/her decision as to abstention, the following factors should be considered:

(a) Whether a substantial threat to his/her independence of judgment has been created by the conflict situation

(b) The effect of his/her participation on public confidence in the integrity of the County.

(c) Whether his/her participation is likely to have any significant effect on the disposition of the matter.

(d) The need for his/her particular contribution, such as special knowledge of the subject matter, to the effective functioning of his/her office or the County.

(e) He/she need not abstain if he/she decides to participate in a manner contrary to the economic interest which creates the conflict situation.

(f) If he/she does abstain, he/she should disclose that fact to his/her respective agency or body.

9. When, despite the existence of a conflict situation, an officer chooses to take official action on a matter, he/she should serve the public interest and not the interest of any person.

10. An officer participating in a representation case shall disclose, wherever feasible, their participation in a representation case.

11. Employees or officers shall not intentionally disclose any information discussed during executive session of the County Board, any of its Committees.

12. This section is intended only as a guide for officer conduct and not as rules meant to be enforced by disciplinary action.

Passed by the Kane County Board on July 13, 2010.

John Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:

Yes _____

No _____

Voice _____

Abstentions _____

9Ethics



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item #

Date: July 13, 2010

Item: Resolution: Medical Services at Jail (Adult Justice Center)

Presenter / Sponsor: Patrick Keaty

Assigned Committee: Judicial and Public Safety

Budgeted: Yes No N/A

If not budgeted, explain funding source:

Appropriation:

Summary:

The resolution is for the Medical Services at Jail (Adult Justice Center). The County Board has determined a need for professional medical services at the Adult Justice Center which will also be responsible for the provision of additional professional services, including but not limited to, psychological and psychiatric care of inmates, certain dental services and pharmaceutical supplies, including services of a social worker.

The proposal submitted by Wexford Health Sources, Inc., is for the period from July 1, 2010 until June 20, 2012, for said services at a cost not to exceed \$1,899,973 annually.

List Attachments: Resolution

Detailed information available from / at: Patrick Keaty, Commander of Corrections

Staff Comments / Recommendations:

Medical Bid Proposal Comparison

PHS Proposal

- **References included**
- **Scope of services**
 - Meets Services required
 - Meets Staff training required
 - Meets Specialty Services required
 - Meets Emergency Services required
 - Meets Hospitalization required
- **Personnel**
 - Differs from RFP- uses EMT's instead of LPN's
- **Accreditation**
 - Meets RFP
- **Education & Training**
 - Meets RFP
- **Reports & Records**
 - Digital records optional
- **Security**
 - Meets RFP
- **Space, Medical Supplies & Pharmaceuticals**
 - Meets RFP
- **Compensation**
 - \$2,068,321.00
 - \$172,360.08 monthly
 - Per diem based on 640
 - Credit under 640 = \$1.32
 - Cost greater 640 = \$1.90
 - Aggregate Cap = \$281,277

(Continued next page)

Wexford Proposal

- **References included**
- **Scope of services**
 - Meets Services required
 - Meets Staff Training required
 - Meets Specialty Services required
 - Meets Emergency Services required
 - Meets Hospitalization required
- **Personnel**
 - Matches RFP
 -
- **Accreditation**
 - Meets RFP
- **Education & Training**
 - Meets RFP
- **Reports & Records**
 - Digital records optional
- **Security**
 - Meets RFP
- **Space, Medical Supplies & Pharmaceuticals**
 - Meets RFP
- **Compensation**
 - \$1,899,973.00
 - \$158,331.08 monthly
 - Per diem based on 640
 - Credit under 640 = \$2.60
 - Cost greater than 640 = \$1.90
 - Aggregate Cap = 0

(Continued next page)

Medical Bid Proposal Comparison

PHS Continued

- **Additional staffing coverage-**
none listed

- **Liability & Risk Management**
 - Meets RFP

- **Miscellaneous**
 - Meets RFP

Wexford Continued

- **Additional staffing coverage**
 - RN- \$6,446 monthly
 - LPN- \$5,295 monthly
 - EMT- \$3,856 monthly

- **Liability & Risk Management**
 - Meets RFP

- **Miscellaneous**
 - Meets RFP

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 - _____

**MEDICAL SERVICES AT JAIL
(ADULT JUSTICE CENTER)**

WHEREAS, the County Board has determined a need for professional medical services at the Adult Justice Center which will also be responsible for the provision of additional professional services, including but not limited to, psychological and psychiatric care of inmates, certain dental services and pharmaceutical supplies, including services of a social worker; and

WHEREAS, the proposal submitted by Wexford Health Sources, Inc., provides for a cost not to exceed One Hundred Fifty Eight Thousand, Three Hundred Thirty One Dollars and Eight Cents (\$158,331.08) per month for the period from July 1, 2010 until June 30, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is authorized and directed to enter into an agreement with Wexford Health Sources, Inc., for said services at a cost not to exceed One Million, Eight Hundred Ninety Nine Thousand, Nine Hundred Seventy Three Dollars (\$1,899,973.00) annually. Expenditures shall be paid from Fund 001.380.382.50210 (Medical/Dental/Hospital Services).

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
001.380.382.50210	Medical/Dental/Hospital Services	Yes	Yes	

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes _____
No _____
Voice _____
Abstentions _____



AGENDA ITEM EXECUTIVE SUMMARY Agenda Item #

Date June 11, 2010

Item: Resolution to Extend Current Lease for Mandatory Arbitration

Presenter / Sponsor: Chief Judge F.Keith Brown and/or Court Administrator Doug Naughton

Assigned Committee: Judiciary Budgeted: Yes No N/A

If not budgeted, explain funding source: Provides Revenue Appropriation: (insert dollar amount)

Summary: This Resolution extends the current lease from July 1, 2010 to October 31, 2010 between the Illinois Supreme Court and the County of Kane for space in the Old Court House that is used for the Mandatory Arbitration Program.

Detailed information available from / at: Douglas Naughton, 630-232-3443

Staff Comments / Recommendations:

STATE OF ILLINOIS

COUNTY OF KANE

ORDINANCE NO. 10 - _____

**AUTHORIZATION TO EXTEND INTERGOVERNMENTAL AGREEMENT WITH
THE SUPREME COURT OF ILLINOIS
FOR LEASE OF SPACE IN THIRD STREET COURTHOUSE FOR
MANDATORY ARBITRATION PROGRAM**

WHEREAS, the Illinois Supreme Court wishes to utilize certain space located in the Third Street Courthouse for purposes of establishing offices and hearing rooms for the Kane County Mandatory Arbitration Program; and

WHEREAS, the County of Kane has the authority to lease the above-referred space to the Illinois Supreme Court pursuant to 50 ILCS 605/3.1 and this lease would serve a public purpose; and

WHEREAS, the initial agreement expires June 30 2010 and there is a desire to extend the current agreement until a final resolution can be reached as to the future of the availability of space at the Kane County Courthouse; and

WHEREAS, the Illinois Supreme Court would pay the County of Kane Four Thousand Four Hundred Ninety Two dollars and Thirty Eight cents, (\$4,492.38) per month for the length of the contract extension.

NOW, THEREFORE, BE IT RESOLVED, by the Kane County Board that the Chairman thereof is hereby authorized to enter into the intergovernmental agreement, a copy of which is on file with the County Clerk's Office.

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes _____
No _____
Voice _____
Abstentions _____

7LeaseExtension



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item

Date: 6/3/10

Item:

Treatment Alternative Court Provider Contracts

Presenter / Sponsor:

Mary E. Hyatt, Court Services

Assigned Committee: Judicial/Public Safety

Budgeted: Yes No N/A

If not budgeted, explain funding source: N/A

Appropriation: \$45,000/year

Summary: Court Services has contracted since 2006 with three community agencies to provide mental health services throughout the county for participants in the Treatment Alternative Court. The Association for Individual Development, Gateway Foundation, and Ecker Mental Health Center provide psychosocial rehabilitation services to those participants, and staff from each of those agencies work closely with the TAC Coordinator, Judge, and attorneys to provide supportive services and case management for this population. Each agency will receive \$15,000/year for these services, but if one agency's percentage of clients from TAC significantly exceeds those referred to the other agencies, the division of funds can be altered through negotiation with the agencies. While currently provided under a federal grant, the services will be supported in the future by the Mental Health Court Fee that was implemented in 2006 through legislation and County Board Resolution 06-10 in which a \$10.00 fee is assess on all criminal felony and misdemeanor cases where there is a finding of guilty or grant of supervision.

List Attachments: *(insert list of attachments pertaining to the resolution/ordinance)*

Detailed information available from / at: Mary E. Hyatt (630) 406-7192

Staff Comments / Recommendations:

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 -

**TREATMENT ALTERNATIVE COURT CONTRACTS
(Kane County Court Services)**

WHEREAS, Court Services oversees the Treatment Alternative Court that services individuals whose criminality is linked to a diagnosis of mental illness; and

WHEREAS, the Association for Individual Development, Ecker Mental Health Center, and Gateway Foundation provide treatment services for the participants in this program; and

WHEREAS, Court Services has entered into agreements with these three agencies since the inception of the Treatment Alternative Court since 2006 in order to facilitate availability of necessary services to the participants, supporting the purchase of services through a federal grant and the proceeds from the Mental Health Court Fee authorized by Resolution 06-10.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman be, and hereby is, authorized to execute individual contracts with Ecker Center, the Association for Individual Development, and Gateway Foundation for a period of two years with an option by Court Services and the Agencies to terminate such contract with 30 days notice.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
001.430.432.50150	Contractual/Consulting Services	Yes	Yes	Not Applicable

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes _____
No _____
Voice _____
Abstentions _____

7TACContracts



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item

Date: 6/3/10

Item:

Residential Substance Abuse Treatment (Kane County Court Services)

Presenter / Sponsor:

Mary E. Hyatt, Court Services

Assigned Committee: Judicial/Public Safety

Budgeted: Yes No N/A

If not budgeted, explain funding-source: N/A

Appropriation: \$172,000/year

Summary: Drug Rehabilitation Court, through their work with addicted offenders, identifies certain individuals whose addiction requires a period of inpatient treatment. There are currently three facilities accepting Drug Rehabilitation Court offenders for periods of 30 -60 days in order to provide necessary treatment and stabilization prior to release to outpatient services in the community. Gateway Foundation in Aurora and Cornell Interventions in Woodridge agree to take these offenders at a cost of \$1800 per client for a period of 60 days. A third facility, Healthcare Alternative Systems (HAS) in Chicago takes Spanish-speaking offenders for a 30 day program at a cost to Drug Rehabilitation Court of \$250. These funds are cover only a small portion of the residential treatment at the facility, the balance of which is covered through any state funding available to the facility. Without the availability of residential treatment, the success rate for these offenders would be seriously compromised.

List Attachments: *(insert list of attachments pertaining to the resolution/ordinance)*

Detailed information available from / at: Mary E. Hyatt (630) 406-7192

Staff Comments / Recommendations:

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 -

**RESIDENTIAL SUBSTANCE ABUSE TREATMENT
(Kane County Court Services)**

WHEREAS, Court Services oversees the Drug Rehabilitation Court that services individuals whose criminality is linked to drug abuse; and

WHEREAS, the Drug Rehabilitation Court periodically services offenders requiring a period of inpatient treatment; and

WHEREAS, the Gateway Foundation and Cornell Interventions have agreed to service Drug Rehabilitation Court offenders, depending on bed availability, for a fee of One Thousand, Eight Hundred Dollars (\$1,800.00) per client for a 60 day program, while Healthcare Alternative Systems has agreed to service Spanish-speaking offenders for a fee of Two Hundred, Fifty Dollars (\$250.00) for a 30 day program.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof be, and hereby is, authorized to execute agreements with Gateway Foundation, Cornell Interventions, and Healthcare Alternative Systems (HAS) for inpatient services for a period of one year, contingent on the availability of funds with an option by Court Services and the agencies to terminate such contract with 30 days notice.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
273.420.464.50150	Contractual/Consulting Services	Yes	Yes	Not Applicable

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:

Yes _____

No _____

Voice _____

Abstentions _____

7DRC-InpatientAgreements



AGENDA ITEM EXECUTIVE SUMMARY Agenda Item #

Date: May 18, 2010

Item: ACCEPTANCE OF VOTER REGISTRATION SYSTEM & ACCESSIBILTY HAVA GRANT

Presenter / Sponsor: John A. Cunningham

Assigned Committee: Public Service Budgeted: Yes No N/A

If not budgeted, explain funding source: United States HELP AMERICA VOTING ACT (HAVA) Appropriation: \$32,400.00
\$25,054.00

Summary:

County Clerk applied for and was received the following grants:

Centralized Statewide Voter Registration System as required by Title III Section 303 of HAVA administered by the State of Illinois Board of Elections \$32,400.00.

Voting Access for Individuals with Disabilities Grant pursuant to Title II Section 261 of HAVA VAID III administered by the State of Illinois Board of Elections \$25,054.00.

HAVA funds received must, by law, be infused into the County Clerk's budget and not into the County General Fund.

List Attachments: Resolution

Detailed information available from Al Westhoff, Administrative Deputy, County Clerk's office – 232-5916

Staff Comments / Recommendations: Acceptance of the Grant

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 - _____

**RESOLUTION TO ACCEPT A VOTER REGISTRATION SYSTEMS HAVA GRANT
VIA THE STATE OF ILLINOIS BOARD OF ELECTIONS**

WHEREAS, The County Clerk's office has applied for the reimbursement for qualifying support cost incurred to maintain Local Government Voter Registration Systems and Accessibility HAVA grant administered by the Illinois Board of Elections; and

WHEREAS, to Grant amount is reimbursement for funds expended over the last several years for the maintenance of our IVOTER system and Voting Accessibility Equipment; and

WHEREAS, the amount of the Grant(s) is Fifty Seven Thousand, Four Hundred Fifty Four Dollars (\$57,454.00).

BE IT RESOLVED that the Kane County Clerk's office has received these funds and asks they be place them in the County Clerk budget.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
001.190.191.50340 \$32,400.00	Software License Cost	N/A	N/A	N/A
001.190.191.60320 \$25,054.00	Voting Accessibility Equipment	N/A	N/A	N/A

Passed by the Kane County Board on July 13, 2010

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes _____
No _____
Voice _____
Abstentions _____

7HavaGrant



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item #

Date: June 14, 2010

Item: *Appointment of Election Judges*

Presenter / Sponsor: John A. Cunningham

Assigned Committee: Public Service

Budgeted: Yes No N/A

If not budgeted, explain funding source:

Appropriation: *(insert dollar amount)*

Summary:

This is the standard documentation for the appointment of Election Judges for the bi-annual certification process. This will be for the 2010-2012 election cycle.

This is required by statute to be approved by the County Board at their July meeting.

List Attachments: *Letter of explanation, List of names of nominees for Election Judge*

Detailed information available from / at: *Linda L. Mitchell, 630-232-5993 or mitchelllinda@co.kane.il.us*

Staff Comments / Recommendations:

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 -

APPOINTMENT OF ELECTION JUDGES

WHEREAS, pursuant to Illinois Statutes 10 ILCS 5/13-3, the Kane County Board is required to appoint five election judges for each precinct within the County of Kane for 2010 through 2012; and

WHEREAS, the Executive Committee of the County of Kane has recommended that the list of active election judges and supplemental election judges, which is on file in the Office of the County Clerk, be approved by the Kane County Board with said list to be updated as additions are made to the precincts.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the list of elections judges on file with the Kane County Clerk is approved for the Kane County elections to be held in November 2010 through the General Primary of 2012.

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:

Yes

No

Voice

Abstentions

7ApptElectJudges



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item #8B

Date: June 28, 2010

Item: *Resolution: Approving an Intergovernmental Agreement Between the County of Kane and the Village of Sugar Grove for Bliss Road From Ke-De-Ka Road to Merrill Road Improvements, Kane County Section No. 07-00359-00-CH*

Presenter / Sponsor: Manny Gomez

Assigned Committee: Transportation

Budgeted: Yes No N/A

If not budgeted, explain funding source:

Appropriation: \$4,697.62

Summary:

The section of Bliss Road from Ke-De-Ka Road to Merrill Road will be widened and resurfaced to provide a new northbound to westbound left turn lane at Ke-De-Ka Road. Other work includes drainage improvements, new pavement markings and minor landscaping.

The widening of the roadway will cause existing water main facilities owned and maintained by the Village of Sugar Grove to be in conflict with the improvements. The Village of Sugar Grove has agreed to incorporate the design and construction of their water main facilities into the County's roadway contract and to reimburse the County for these items.

The current design needs modification which includes items like upgrading storm sewer pipe materials to address IEPA separation requirements between storm sewers and water main lines. The attached Intergovernmental Agreement allows the County to recapture engineering and construction costs associated with this work. These costs are summarized here.

Item Description	Cost	Comments
Phase II Engineering (E2)	\$4,697.62	100% funded by the Village of Sugar Grove
Phase III Engineering (E3)	\$1,319.00	100% funded by the Village of Sugar Grove
Construction	\$13,185.00	100% funded by the Village of Sugar Grove
Total	\$19,201.62	100% funded by the Village of Sugar Grove

Negotiations with the County's phase II engineering consultant for the project results in the figure shown above and is a not to exceed figure of \$4,697.62. Approval for appropriation for engineering in the amount of \$4,697.62 will allow the engineering to move forward to bring this project to the construction phase. The other costs are estimates. However, per the attached agreement the Village will be responsible for the actual costs, based upon actual bid prices.

The Village Board meets the 1st and 3rd Tuesday of each month. This agreement is scheduled to be presented at the Village Board meeting on July 6, 2010 and is subject to approval by the Village Board.

List Attachments: Resolution, Intergovernmental Agreement, Location Map

Detailed information available from / at: Manny Gomez, Assistant Director of Transportation, (630) 845-7873

Staff Comments / Recommendations: Staff requests Committee approval.

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 - _____

**APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN
THE COUNTY OF KANE AND THE VILLAGE OF SUGAR GROVE
FOR BLISS ROAD FROM KE-DE-KA ROAD TO MERRILL ROAD IMPROVEMENTS
KANE COUNTY SECTION NUMBER 07-00359-00-CH**

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

WHEREAS, the County desires to improve by the widening thereof, Kane County Highway No. 78 (also known as Bliss Road) from Ke-De-Ka Road to Merrill Road (hereinafter "Project"); and

WHEREAS, the widening of Bliss Road will cause existing water main facilities owned and maintained by Sugar Grove to be in conflict with the Project improvements; and

WHEREAS, the water main facilities require relocation and adjustment and Sugar Grove will reimburse the County for the cost of the design and construction of the relocated water main facilities and related improvements; and

WHEREAS, Sugar Grove and the County, by an agreement (a copy of which is on file with the County Clerk's Office), desire to establish their respective obligations and responsibilities for the cost of engineering, construction and maintenance of the Project.

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to execute an intergovernmental agreement with the Village of Sugar Grove for one hundred percent (100%) cost reimbursement for water main facilities relocation improvements for the Project.

BE IT FURTHER RESOLVED that the Kane County Board appropriate the not to exceed sum of Four Thousand Six Hundred Ninety Seven and 62/100 Dollars (\$4,697.62) from Southwest Impact Fees Fund #554, Line Item # 50140 (Engineering) to pay for said Phase II Engineering services with Entran, LLC for the Project, subject to one hundred percent (100%) reimbursement from the Village of Sugar Grove.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
554.520.554.50140	Engineering	Yes	Yes	

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:

Yes _____

No _____

Voice _____

Abstentions _____

7BLSSRDSGRGRVIGA.4LH



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item # 8C

Date: June 28, 2010

Item:

Resolution: Amendment Number 4 to Traffic Signal Master Agreement between County of Kane and Illinois Department of Transportation

Presenter / Sponsor: Manny Gomez

Assigned Committee: Transportation

Budgeted: Yes No N/A

If not budgeted, explain funding source: N/A

Appropriation: N/A

Summary:

Attached is an amendment to an intergovernmental agreement between the Illinois Department of Transportation (IDOT) and Kane County for the transfer of maintenance responsibilities of the following traffic signal installations.

- McLean Boulevard at New Stearns Road

Pursuant to the amendment, the County will assume primary maintenance responsibilities (to be performed by the County's Electrical Maintenance Contractor). In association with recent and future improvements, this will provide the County with more positive and immediate control of traffic signal operations at the above location thus enhancing the ability to manage traffic flow on New Stearns Road.

Also pursuant to the amended agreement, IDOT shall reimburse the County for all costs associated with maintenance of the specified IDOT traffic signal installations. The cost for all electrical energy will also be the responsibility of IDOT.

List Attachments: Resolution, Amendment, Master Agreement, Location Map

Detailed information available from / at: Thomas Szabo, Traffic Manager - 630/208-3139

Staff Comments / Recommendations: Staff requests Committee approval.

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 -

**AMENDMENT NUMBER 4 TO TRAFFIC SIGNAL MASTER AGREEMENT
BETWEEN THE COUNTY OF KANE AND
ILLINOIS DEPARTMENT OF TRANSPORTATION**

WHEREAS, the County of Kane (hereinafter the "County") and the State of Illinois, through its Department of Transportation (hereinafter the "State") have entered into a Master Agreement dated February 17, 1994, which agreement sets forth certain responsibilities of the parties theretofore the maintenance and provision of electrical energy for certain traffic signals throughout the County of Kane and the financial costs associated therewith; and

WHEREAS, the County and State desire to enter into an amendment to said Master Agreement which amendment is referred to as the Amendment to the Master Agreement (copy of which is on file with the County Clerk's Office) to include the traffic signal located at the intersection of McLean Boulevard, an unmarked State route, and the extension of County Highway No. 37 (commonly known as Stearns Road).

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to execute an Amendment Number 4 to the Master Agreement between the County of Kane and State of Illinois, through its Department of Transportation.


Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:
Yes _____
No _____
Voice _____
Abstentions _____

71DOTMSTRSGNAMND.4LH

AGENDA ITEM EXECUTIVE SUMMARY		Agenda Item # 8D
	Date:	June 28, 2010
	Item:	<i>Resolution: Relocation Cost Reimbursement, Longmeadow Parkway Bridge Corridor – Parcel No. 1LN0010, Kane County Section No. 94-00215-01-BR</i>
	Presenter / Sponsor:	Manny Gomez
Assigned Committee: Transportation		Budgeted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<i>If not budgeted, explain funding source:</i>		Appropriation: \$54,000.00 and other expenses as direct by IDOT
<p>Summary:</p> <p>Through development of contract plans, specifications and estimates for the Longmeadow Parkway Bridge Corridor, it has become necessary to acquire various parcels to construct this project. Some acquisitions are total takings and result in persons being required to move from these properties.</p> <p>The County purchased a residential property located at 2 Autumn Trail in Barrington, Illinois, which was owned by Mr. and Mrs. Jendruczek. Since this was a total taking the Jendruczek's were required to move. The Jendruczek's are entitled to monetary compensation under the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, Public Law 91-646. As such they are entitled to replacement housing costs of \$54,000.00 and any and all other relocation expenses due in accordance federal requirements with IDOT review and approval.</p>		
List Attachments: Resolution, Location Map		
Detailed information available from: Manny Gomez, Assistant Director of Transportation, (630)845-7873		
Staff Comments / Recommendations: Staff requests Committee approval.		

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 10 -

**RELOCATION COST REIMBURSEMENT
LONGMEADOW PARKWAY BRIDGE CORRIDOR – PARCEL NO. 1LN0010
KANE COUNTY SECTION NO. 94-00215-01-BR**

WHEREAS, the County of Kane is authorized by law pursuant to 605 ILCS 5/5-801 (1992) to acquire by negotiated purchase or eminent domain proceedings, real property for highway purposes; and

WHEREAS, the County of Kane has developed right-of-way plans for the Longmeadow Parkway Bridge Corridor, Kane County Section No. 94-00215-01-BR; and

WHEREAS, in order to accomplish the improvement as contemplated, it is necessary that the County of Kane acquire the residences of property owners within the designated right of way of the Longmeadow Parkway Bridge Corridor; and

WHEREAS, the Federal "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970", the "Uniform Relocation Act Amendment of 1987" and 49 CFR Part 24, require the County of Kane to reimburse the owner/occupants and/or tenants of residences acquired by the County of Kane for their additional replacement housing costs; and

WHEREAS, James S. Jendruczek and Donna E. Jendruczek were the owners of Longmeadow Parkway Parcel No. 1LN0010, which has been acquired by the County of Kane and is entitled, pursuant to said Federal Acts and Regulations, to a replacement housing supplement in an amount up to Fifty Four Thousand Dollars (\$54,000.00) and other reasonable allowable relocation expenses.

NOW, THEREFORE BE IT RESOLVED, by the Kane County Board that the County of Kane appropriate and authorize (i) to pay a relocation supplement in an amount of Fifty Four Thousand Dollars (\$54,000.00) to James S. Jendruczek and Donna E. Jendruczek and (ii) to pay any and all other relocation expenses due James S. Jendruczek and Donna E. Jendruczek pursuant to said Federal Acts and Regulations, all payments shall be made from the Transit Sales Tax Bond Fund No. 513, Line Item No. 74010 (Right-of-Way) and, if necessary, the Chairman of the Kane County Board is hereby authorized and directed to execute any requisite documents therefore.

Line item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds <u>currently</u> available for this personnel/item/service in the specified line item?	If funds are not currently available in the specified line item, where are the funds available?
513.520.528.74010	Right-of-Way	Yes	Yes	

Passed by the Kane County Board on July 13, 2010.

John A. Cunningham
Clerk, County Board
Kane County, Illinois

Karen McConnaughay
Chairman, County Board
Kane County, Illinois

Vote:

Yes _____

No _____

Voice _____

Abstentions _____

7LNGMDWJNDRZKREL.4LH