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Transcript of **Public Hearing: Petition 4364, Volume
2**

Date: December 15, 2015

Case: Kane County Zoning Board of Appeals

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BEFORE THE KANE COUNTY BOARD OF APPEALS

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In Re: :
MAXXAM PARTNERS, LLC :
Special Use request in the :
F Farming District for a :
private-pay alcoholism and : Petition No. 4364
substance abuse treatment facility :
41W400 Silver Glen Road, Section 3, :
Campton Township (08-19-400-004) :
and Section 34, Plato Township :
(05-34-300-032 & 05-34-400-025) :

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PUBLIC HEARING - VOLUME II

St. Charles, Illinois

Tuesday, December 15, 2015

7:00 p.m.

Job No.: 98658

Pages: 180 - 320

Reported By: Paula Quetsch, CSR

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Held at the location of:

KANE COUNTY CIRCUIT COURT CLERK -
BRANCH COURT
530 South Randall Road
St. Charles, Illinois 60174
(630) 232-3495

Before Paula Quetsch, CSR, and Notary Public in
and for the State of Illinois.

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PRESENT:

- JOSEPH WHITE, Chairman
- HAROLD BOWEN, Member
- PENNY CAMERON, Member
- DANIEL HEINRICH, Member
- ROBERT MOGA, Member
- GERALD REGAN, Member
- ROXANNE STOVER, Member

ON BEHALF OF THE APPLICANT MAXXAM PARTNERS, LLC:

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ON BEHALF OF THE KANE COUNTY BOARD:

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ON BEHALF OF THE APPELLANT:

KEVIN M. CARRARA, ESQUIRE
RATHJE WOODWARD, LLC
300 East Roosevelt Road
Suite 300
Wheaton, Illinois 60187
(630) 668-8500

ALSO PRESENT:

MARK D. VAN KERKHOFF, Zoning Enforcing Officer
KEITH BERKHOUT, Secretary

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P R O C E E D I N G S

CHAIRMAN WHITE: If I could get everybody to take a seat. I have 7:00. I'll call the meeting to order.

Everybody please rise for the pledge.

(The Pledge of Allegiance was recited.)

CHAIRMAN WHITE: Secretary, please call the roll.

MR. BERKHOUT: Bowen.

MEMBER BOWEN: Here.

MR. BERKHOUT: Cameron.

MEMBER CAMERON: Here.

MR. BERKHOUT: Heinrich.

MEMBER HEINRICH: Here.

MR. BERKHOUT: Moga.

MEMBER MOGA: Here.

MR. BERKHOUT: Regan.

MEMBER REGAN: Here.

MR. BERKHOUT: Stover.

MEMBER STOVER: Here.

MR. BERKHOUT: White.

CHAIRMAN WHITE: Here. We have a quorum for this evening's public hearing, and I know some of you may not have been in attendance last night, so I'll

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1 review the information about the petition.

2 The public hearing this evening is for
3 Petition No. 4364. The applicant is Maxxam Partners,
4 being represented by Andrew Kolb and Keith Brown. The
5 purpose of this hearing is a request for a special use
6 for a private pay alcoholism and substance abuse
7 treatment facility. The existing zoning on the parcel
8 is F Farming. The requested action is the special use
9 that I stated.

10 The size of the parcel is 120 acres located
11 at 41W400 Silver Glen Road in Section 3 of Campton
12 Township and Section 34, Plato Township, predominantly
13 surrounded by F zoning and forest preserve district
14 with some residential. Existing land use is a school
15 campus. The zoning history is a special use was
16 granted in May of 1989 for a private boarding school
17 for boys.

18 Last night I gave the public a lot of
19 latitude in your ability to present testimony. As the
20 public, you will have that opportunity after the
21 petitioner has presented all of his witnesses.

22 For the purposes of this evening, addressing
23 the witnesses, you're able -- interested parties are
24 able to ask or cross-examine a witness that the

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1 petitioner brings forward. That is one reason why I
2 request you announce your address. I would ask that --
3 an interested party by definition is someone that's
4 within half a mile of this facility. There aren't
5 that many properties within that area. That's why we
6 ask that you state your address, so we can get some
7 kind of an idea of where you're located.

8 That would apply to the public. If you are
9 a township trustee, or supervisor, or someone else
10 connected with a government entity, you are more than
11 able to speak in this hearing.

12 I am going to limit a person to come up to
13 the mic one time, ask two questions. We'll see how
14 that goes. If you have follow-up questions, I may
15 allow that. I want to get through everyone kind of
16 like a first round, and then if someone wishes to come
17 back to the mic to address an answer that the witness
18 has stated in the cross-examination, I would allow that.

19 Last night became quite lengthy. Much of it
20 was due to my allowing individuals to bring up issues
21 that aren't directly related to the cross-examination
22 or to the testimony that the witness has provided.

23 I would suggest you turn your attention to
24 the screens. These are the findings of fact that the

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1 Zoning Board requires the petitioner to address in
2 order for us to make a decision, as you see that:

3 "The establishment, maintenance, or
4 operation of the special use will not be unreasonably
5 detrimental to or endanger the public health, safety,
6 morals, comfort, or general welfare.

7 "That the special use will not be injurious
8 to the use and enjoyment of other property in the
9 immediately vicinity for the purposes already
10 permitted nor substantially diminish or impair
11 property values within the neighborhood.

12 "C, that the establishment of the special
13 use will not impede the normal and orderly development
14 and improvement of surrounding property for uses
15 permitted within the district.

16 "That adequate utility access, roads,
17 drainage, and/or other necessary facilities have been
18 or are being provided; and

19 "E, that adequate measures have been or will
20 be taken to provide ingress or egress so designed as
21 to minimize traffic congestion in the public streets
22 and roads.

23 "That the special use shall in all other
24 respects conform to the applicable regulations of that

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1 district in which it is located except as the
2 regulations may in each instance be modified by the
3 County Board pursuant to the recommendations of the
4 Zoning Board of Appeals."

5 And in this case the petitioner has already
6 stated that in the event their firm no longer operates
7 this facility, that special use will become null and
8 void. I just want to make everybody aware of that. I
9 don't know if you picked up on that last night. That
10 will become a part of the findings of fact of this
11 Zoning Board.

12 With that I'll turn the meeting over to the
13 petitioners.

14 Do I have to swear people back in? Would
15 that be prudent?

16 Okay. We'll begin with swearing in yourself
17 and your witnesses. So if you'd please rise and raise
18 your right hands.

19 (Nine witnesses sworn.)

20 CHAIRMAN WHITE: Thank you. You may begin.

21 MR. BROWN: Thank you.

22 I'm going to turn it over to my cocounsel,
23 Andrew Kolb, at this time.

24 MR. KOLB: We call Derrick Waldren.

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DERRICK WALDREN,

having been duly sworn, testified as follows:

EXAMINATION BY COUNSEL FOR THE APPLICANT

BY MR. KOLB:

Q Good evening. Could you identify yourself for the record, please.

A I'm Derrick Waldren, security consultant for Alarm Detection Systems out of Aurora.

Q What is your current occupation?

A I'm considered a security consultant for Alarm Detection Systems.

Q What does your job entail currently?

A I currently engineer security systems as far as closed circuit television, thermal imaging cameras, card access control, burglar alarm, and fire alarm services.

Q Derrick, can you tell us a little bit about your company? How big is it? What type of clients does it service?

A Alarm Detection Systems has been in business since 1968. Some of you may know Ed Bonifas. He is the founding owner of Alarm Detection Systems out of Aurora. We have approximately 300 employees. We have approximately 40,000 monitored accounts. That's not

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1 including unmonitored accounts that we currently
2 service. Our servicing area is northwestern Indiana,
3 northern Illinois, and south Wisconsin.

4 Q And prior to going to work for ADS, you were
5 in the military; correct?

6 A I was. I was in the Air Force.

7 Q How long were you in the Air Force?

8 A I was in the Air Force for four years from
9 1986 to 1990. Got out right before the first Gulf War.

10 Q Thanks for your service.

11 A You're welcome.

12 Q Have you been retained or has ADS been
13 retained to provide consulting and bid for the
14 security system for the proposed facility that Maxxam
15 intends to develop?

16 A Yes.

17 Q And how long have you been working with the
18 principals of Maxxam to develop that system?

19 A Since I would like to say February of 2015.

20 MR. KOLB: Okay. And I'd like to walk
21 through the system. We have a number of slides.

22 Blair, if you could put the first slide up.

23 Q What is it that we're looking at here,
24 Derrick? Can you help outline the security system

1 that you propose for the facility?

2 A Yes. You're looking at an overhead view of
3 the proposed security system for the entire complex.
4 So the white lines on the perimeter are the thermal
5 imaging virtual fence that ADS would provide to go
6 around the entire perimeter. This perimeter fence can
7 be active 24 hours, or we can disable certain sections
8 of this fence at specified times if required.

9 The red, these are 180-degree IP megapixel
10 cameras which are going to see pretty much the extent
11 of what we see there in the red lines, maybe a little
12 bit farther out, but you'll get good HD images within
13 the confines of those red lines, and that's going to
14 see everything outside those buildings. You're going
15 to see human traffic; you're going to see vehicle
16 traffic, anything that comes within the perimeter of
17 those particular cameras. So all of the red are those
18 megapixel cameras.

19 I would like to point out that at the entry
20 we have a license plate capture camera which is also a
21 general view camera. So every car, every vehicle that
22 comes through that thoroughfare will have its license
23 plate captured on the video, and we'll be able to
24 identify at that time, obviously, who the car belongs

1 to whether it's entering or whether it's exiting.

2 All of the yellow cameras up here on the
3 resident halls are megapixel cameras, as well, that
4 are getting general views of all of the people that
5 are entering into those. There are no cameras at this
6 time proposed for inside any of these buildings.
7 They're all exterior cameras. So we're just
8 monitoring traffic coming and going out of each one of
9 those facilities.

10 You've got maintenance facilities over here,
11 and there's a gate right here that goes into some
12 neighboring farm fields. That's also going to be
13 viewed so we'll be able to detect anyone coming in and
14 out of that.

15 And then all of the purple dots that you see
16 at the various entry and exit points are card accessed
17 controlled. So each person that's authorized to have
18 a key fob, that would grant them access through
19 whatever doors the customer wants to have them
20 authorized to.

21 And there's purple dots on all the entries
22 for the resident halls, which also gets tracked so we
23 know exactly what time they entered, who it was, what
24 their authorization was on all of the resident halls,

1 as well as all of the other halls.

2 Q Can you explain to the Zoning Board and
3 members of the general public the difference between a
4 megapixel camera and a thermal camera?

5 A A -- well, we can show you. Do you have the
6 other image? The four-plex image? Can you put that
7 up there? It's not very large.

8 Thermal imaging camera essentially sees the
9 heat of the person or the machine, and at nighttime it
10 makes a very distinct -- or gives you a very distinct
11 image.

12 So right there you can see that there's a
13 guy standing there. Well, this is the same camera at
14 the same time on a regular camera, but you can't see
15 the guy there at all. So what ADS does -- and we do
16 this for many other customers in the northern Illinois
17 area, our servicing area, is we have an Ethernet link
18 to the recorders.

19 When we see a violation on one of those
20 perimeter thermal imaging cameras, this is what our
21 central station sees. So this goes directly to our
22 central station on Church Road in Aurora. Our central
23 station dispatcher sees these precise images that can
24 tell if it's a person, if it's a rabbit, if it's a

1 deer, whatever it is. It will actually highlight --
2 and I'll show you Windows Media Player image in a few
3 minutes -- where that is and where the violation
4 occurred. It also will give you a regular camera
5 view, as well, which specifically comes more into play
6 during the daytime. So, obviously, thermal works both
7 day and night, just the quality of the image and what
8 we're seeing with a regular camera versus thermal is
9 going to be a little bit different.

10 Also, to point out, if you noticed on the
11 original overhead view -- can you go back to the
12 overhead view?

13 There's a lot of foliage around the
14 perimeter here. We have other customers, specifically
15 a construction customer in Aurora that's right along
16 the river. This system has really been valuable to
17 him because they have a lot of people come up along
18 the river, and they're trying to take things off the
19 machinery. We can see -- with a thermal imaging
20 camera we can see right through the foliage. So it
21 doesn't matter if there's trees in the way, if there's
22 bushes in the way; we can get an accurate image from
23 that. So those images you just saw would be from
24 these perimeter cameras.

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1 Do you want to put up the animal in the
2 field Window Player video?

3 This particular video is of a football field
4 in an area that we protect, and the reason for the
5 protection is because it's a million dollar field,
6 asphalt field.

7 As you can tell, people can go around the
8 track. As soon as they go into there and that gets
9 highlighted with a red, that's when it sends the
10 signal to our central station. As soon as the central
11 station receives this and they show -- can you play it
12 again? -- and they show that it's a violation and that
13 it's a human and not an animal, obviously, we're going
14 to dispatch police on a human violation.

15 Can you play the three -- well, here's the
16 animal again. You can see that. It looks like it's a
17 rabbit because he's hopping pretty good there. So we
18 are able to determine what kind of species, so to
19 speak, is violating the space.

20 If you pull up the three people on the field
21 video -- well, this one will work, too. This one will
22 give us regular cameras on the bottom, and it gives us
23 the thermal imaging on the top. In a minute here you
24 should see three students. There's one. Then you can

1 see them on there running out onto the field to steal
2 some football equipment, which, by the way, they
3 didn't get away with.

4 So that kind of gives you a good idea of the
5 thermal scan versus the basis. Can you do the
6 remaining video? This one will actually show you the
7 analytics not like the one with the rabbit, but it's
8 actually with the people, and it will surround them
9 with a red -- that they're they violated as soon as it
10 turns red.

11 So this is the technology that is proposed
12 for this facility.

13 Q And talk about the time frame between when
14 ADS central control hub in Aurora identifies the
15 violation and the time frame between which -- by which
16 police can be notified. How long does that process --

17 A It's mere seconds. As soon as you saw the
18 red highlight the particular person, they're seeing
19 that at that point, and they're dispatching if that's
20 what they're programmed to do. If that's what they're
21 asked to do, they're dispatching at that point.

22 Q So am I correct based on this aerial view
23 that there are points on this plan that have both
24 thermal imaging and megapixel cameras?

1 A Yes. There's a regular megapixel camera
2 there as well as a thermal imaging camera. So we're
3 getting both of those views that were depicted on that
4 four-pane video.

5 Q And do the cameras also alert the security
6 personnel on the premises?

7 A ADS central station would do that. So
8 within the dispatch of the police we would also notify
9 whomever needed to be notified on-site in order to
10 address that.

11 Q And how would that work? Through a
12 telephone call?

13 A We can do it through a variety of different
14 methods. We can do it through an instantaneous
15 e-mail/text notification, and I can actually e-mail
16 and text it to as many people as they want.

17 So if they want each one of their RAs to
18 receive that information along with the video, I can
19 send it to them. If they only want one campus
20 security guy to receive that information, then I can
21 give it to him, as well. It's instantaneous. As soon
22 as my receiver receives that information, it
23 automatically forwards it to them.

24 Q So is ADS monitoring just thermal cameras or

1 all the cameras on the property?

2 A ADS is monitoring just the thermal imaging
3 cameras.

4 Q On the exterior?

5 A On the perimeter, correct.

6 Q Who is monitoring, if anybody, the interior
7 cameras?

8 A The interior cameras are all being recorded.
9 They can be monitored by other than ADS personnel, but
10 ADS doesn't propose to have somebody sitting there
11 watching the cameras all the time, only the ones that
12 are thermal imaging cameras on the perimeter.

13 Q So the violation would be when someone
14 actually steps over the white line?

15 A Correct. Just like in the football field,
16 as soon as they crossed from the track onto the field,
17 that was a violation. We were instantaneously
18 notified, and then we dispatched at that point.

19 Q So when the image turned red, the box here
20 around the image, is there an alert to someone that
21 works at ADS in the control center?

22 A It will pull that screen. As soon as that
23 happens, it pulls a screen on their computer, and they
24 will see exactly what you saw in that video.

1 Q So is that a 24-hour service that you
2 provide?

3 A It is a 24-hour service, yes.

4 Q Do you want to go through any of the other
5 slides?

6 A I think there's only one other slide that we
7 didn't see. If you want to put that up, that's fine.
8 I think it was just another example of a thermal image.

9 This is one of our construction companies in
10 Aurora that I was discussing earlier. You can
11 obviously tell it's a guy; it's a man there. And this
12 was this morning, by the way.

13 Q So for this particular facility, does your
14 security plan involve the construction of a fence, for
15 instance?

16 A No, it does not.

17 Q What was your primary motivation for sticking
18 to more thermal imaging and this type of technology as
19 opposed to your traditional fence?

20 A We didn't think that the traditional fence
21 was necessary since this is not a correctional
22 facility. It's a volunteer facility. People have the
23 ability to come and leave as they please with the
24 shuttle.

1 So, you know, this essentially protects them
2 from any unknown persons trying to get in or out of
3 the property, and they can go and meet the people at
4 the time of the violation.

5 Q Safe to say that this thermal technology
6 aesthetically won't even be able to be detected by the
7 general public or surrounding property owners?

8 A No. It will be on the existing light poles
9 that are already surrounding the facility, and the
10 cameras are not very large, so nobody will ever know
11 unless they're trained to see them.

12 MR. KOLB: Does the Board have any questions
13 for our expert?

14 CHAIRMAN WHITE: Yes. Does weather affect
15 the thermal cameras?

16 THE WITNESS: Weather can affect them but we
17 can set the sensitivity on them so that it does not.
18 It was pretty interesting a few years ago when this
19 technology first came out. We had them on some gravel
20 pit facilities, and in the wintertime it looked like
21 there was a ghost that had made a violation. It was
22 actually just a little tornado of snow that was
23 swirling down the driveway and it activated. And,
24 obviously, the central station personnel were able to

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1 verify that it was just swirling snow, and they didn't
2 have to dispatch the police because of that.

3 But as far as rain or anything else, no, it
4 does not affect that. This is the same technology
5 that the United States uses on our borders.

6 (Murmurs from the audience.)

7 CHAIRMAN WHITE: Okay. As I mentioned last
8 night, I don't allow outbursts from the audience. I
9 would have hoped that you read the notice on the walls
10 for the decorum in the courtroom and expect you to
11 follow that same decorum.

12 The other question I have is, are these only
13 being used in the evening, or are they being used 24/7?

14 THE WITNESS: Certain areas -- if you could
15 put up the overhead view again.

16 Certain areas are going to be 24/7.
17 Obviously, the entry and exit point, that camera will
18 be turned over to allow people to freely enter without
19 violating that particular area and calling our central
20 station every time a car drives through.

21 CHAIRMAN WHITE: Board members have any
22 other questions?

23 Go ahead.

24 MEMBER REGAN: How would you record if

1 somebody decides to leave there in the middle of the
2 night if he decides it's a place he doesn't want to be
3 so he's going to head down the road?

4 THE WITNESS: From what I understand, their
5 protocol is if somebody wants to leave, then they
6 notify somebody on campus, and they provide a shuttle
7 for them to leave the property. In that case the
8 person who is in charge of the campus at that
9 particular moment would deactivate that particular
10 thermal imaging camera as not to violate it and allow
11 them access out.

12 Again, this is only viewing, viewing what's
13 happening. So we're only going to dispatch on what
14 we're told to dispatch on.

15 MEMBER REGAN: If they did see someone
16 leaving, let's say authorized, who would you call to
17 catch them?

18 THE WITNESS: We're going to call whoever is
19 on-site, and that on-site person would verify whether
20 that person was authorized or not authorized at that
21 specific time.

22 CHAIRMAN WHITE: Board members have any
23 other questions?

24 (No response.)

1 CHAIRMAN WHITE: I would turn to Mr. Carrara
2 then. Do you have some questions, Mr. Carrara? As I
3 mentioned, the same rules would apply to you as it
4 does to the public.

5 MR. CARRARA: I do. I guess, Mr. Chairman,
6 I will also ask that if this is their security
7 consultant, I have a number of questions beyond just
8 the thermal fence as to security. So if they plan on
9 bringing somebody else to talk about staffing and
10 security and the rest, I will reserve those questions.

11 CHAIRMAN WHITE: Do you have someone else to
12 address how it's going to be staffed?

13 MR. KOLB: We do. The primary focus of this
14 witness is to talk about the security thermal imaging
15 camera system that's being implemented here.

16 CHAIRMAN WHITE: Okay. So let's keep your
17 questions to that.

18 EXAMINATION BY COUNSEL FOR THE APPELLANT

19 BY MR. CARRARA:

20 Q Derrick, I heard you just mention
21 something -- obviously, I was not advised and we
22 weren't given any information that you'd be testifying
23 here until you stepped up. But you made an
24 interesting statement that this is the system that's

1 protecting our U.S. borders. I did a quick Google
2 search here, and it says, "Homeland security chief
3 cancels costly virtual border fence because of
4 technical difficulties and cost overruns."

5 What are those technical difficulties that
6 the U.S. border canceled the contract?

7 MR. KOLB: Objection; relevance.

8 CHAIRMAN WHITE: That's not the same system
9 that is being used here.

10 MR. CARRARA: I'm not sure, Mr. Chairman.
11 He's the one who referenced that this was the system
12 that's used.

13 THE WITNESS: I referenced the technology
14 being used.

15 Q So what flaws in the technology exist in
16 these systems?

17 A We haven't come across any flaws yet. Every
18 one of our customers that has had a violation has been
19 dispatched on it.

20 Q How would they handle power outages at the
21 facility for the thermal imaging?

22 A There's a 72-hour battery backup, and most
23 of the servers are put on UPS.

24 Q So is there a separate standby generator or

1 anything to work the system?

2 A If there's a standby generator currently in
3 the building that we have all of the main
4 infrastructure in, then we would definitely tap into
5 that. If not, like I said, we provide the UPS system
6 as a short-term backup to power outages.

7 Q And you said you'll dispatch on who you're
8 told to dispatch to. What is your understanding of
9 the procedures that will be utilized for this thermal
10 fence in terms of who is dispatched and who receives
11 those calls?

12 A I believe that that protocol would probably
13 be precisely created by the owner of the facility or
14 whoever he puts in charge of that particular program.
15 But typically what happens is with various other
16 customers as we contact the customer, whoever the
17 customer puts in that position, and most of the time
18 those people have an understanding of what he was
19 happening at their facility at those particular times.

20 For instance, at the construction site
21 somebody comes in at 5:00 a.m. They may have forgotten
22 to disarm at that time, and that's the typical time
23 people are coming in for work. So we'll let them know
24 we saw such-and-such truck, we saw a couple of guys.

1 Typically, if it's light out we can even give them the
2 lettering on the side of the truck, and we might know
3 that it's a specific construction company we're
4 providing the service for and that we don't need to
5 notify police because of that, but we will notify the
6 customer.

7 Q And that's for trucks. In this case it's
8 really trying to be used more for people entering or
9 leaving the facility across that white line; correct?

10 A Correct. But I would say in this particular
11 instance nobody should be going outside of this
12 perimeter at any of these other points except for the
13 entry/exit point here. So we would most likely, and I
14 would assume that the customer would like us to call
15 them and/or dispatch on any violation other than
16 right there.

17 MR. BROWN: Mr. Chairman, just for point of
18 clarification, it's my understanding that this company
19 will be involved in the staffing of the security and
20 that there will be -- but we have not reached any
21 contractual relationship with them. And, also, to be
22 honest with you, I haven't talked to him directly
23 about it, but we would open the floor for specific
24 questions as to staffing security and as to consultant

1 to what he would recommend.

2 So I just wanted to make sure that he would
3 be given a full opportunity to cross-examine him on
4 that issue. This will be our witness to that issue.

5 CHAIRMAN WHITE: Is the witness prepared to
6 address those questions?

7 THE WITNESS: Physical security?

8 CHAIRMAN WHITE: Staffing.

9 THE WITNESS: No. ADS only does electronic
10 security staffing. Although, I can refer a reputable
11 sister company that would accomplish that, yes.

12 CHAIRMAN WHITE: I would direct your
13 questions just to the thermal imaging and the cameras
14 as was originally stated.

15 MR. CARRARA: Okay.

16 BY MR. CARRARA:

17 Q But there's no requirement that Maxxam has
18 you dispatch police on any violation of that white
19 line, is there?

20 A There's no requirement. No, there's no
21 requirement for any of the security because it's a
22 volunteer facility. People can come and go as they
23 please.

24 Q So it's solely up to Maxxam as to how they

1 deal with people leaving their facility, whether they
2 decide to notify the police or handle it internally
3 from that perspective?

4 A I would say so, yeah.

5 Q Do you have any idea from the thermal
6 imaging alert to your contacting the facility -- and I
7 think you mentioned you're not going to be handling
8 the actual staffing of the facility on-site.

9 A Correct.

10 Q And there will be nobody monitoring these
11 cameras on-site?

12 A Nobody on-site, no. It goes to our central
13 station in Aurora.

14 CHAIRMAN WHITE: And that's just specific to
15 the thermal cameras?

16 THE WITNESS: Correct. The building cameras
17 are recorded locally and can be viewed remotely if
18 needed, but they are not monitored by any personal
19 staff.

20 Q And is that your contractual relationship
21 with Maxxam?

22 A Right now I have no contractual with Maxxam
23 at all. I have simply put together a proposal to
24 provide this for them.

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1 Q So, in theory, they don't even need to do
2 this, correct, with you?

3 A That's correct.

4 Q Did you have the opportunity to review the
5 Maxxam application and their security suggestions
6 before you testified today?

7 A No.

8 Q Were you aware that they suggested that
9 there would be two people monitoring these systems,
10 both on-site and off-site?

11 A No. But that certainly can happen if that's
12 what they want.

13 Q But you've had no conversations with any of
14 the principals that that was going to be what was
15 going to be the procedure and policy at this facility?

16 A I was not. But all of that is kind of in
17 fluid motion right now. So there's a lot of different
18 ideas that are being bounced around, and, obviously,
19 ADS is going to try to put together whatever they need.

20 Q So it's fluid meaning it's still subject to
21 change or not even being in presence at all?

22 MR. KOLB: Objection. Fluid because it's
23 subject to recommendations of this Board.

24 CHAIRMAN WHITE: And they've already stated

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1 that they are going to have a security system in place.

2 MR. CARRARA: Is that a condition that the
3 ZBA is putting down that this is a condition of their
4 special use?

5 MR. KOLB: Applicant does not object to that
6 being a condition of approval.

7 CHAIRMAN WHITE: We can include that in our
8 stipulations.

9 BY MR. CARRARA:

10 Q You mentioned there wasn't also a need for a
11 fence. Would there be any harm in having both a fence
12 and a thermal imaging system?

13 A I would think there would be no harm in
14 having both, no.

15 Q Do you see a need for having more than one
16 set of eyes watching these cameras? And what I mean
17 by that is more than just your facility but also at
18 the on-site location.

19 A I don't think there's a need. Seeing that
20 it's a voluntary facility, it's all going to depend on
21 what their protocol is. If they want to make it a
22 need, we can make it a need. If they don't, that's
23 fine, too; ADS can handle just the violations on the
24 perimeter thermals.

1 Q I think you heard some comments by Mr. Regan
2 earlier that the concern at least he's trying to flush
3 out is potentially the concerns of other people this
4 evening are even though you call it a voluntary
5 facility, the concern is that people will leave the
6 facility, and that's the concern that there is.

7 But there's nothing in this system that
8 would help minimize that risk of leaving. The thought
9 is you're hoping to be able to --

10 A Deter.

11 Q -- deter and then dispatch to whoever Maxxam
12 ultimately decides to be the appropriate party?

13 A I would say that's accurate.

14 MR. CARRARA: Mr. Chairman, I would also ask
15 that we consider a condition that one of those
16 dispatches be the police so it's not left up to a
17 private security facility to try to locate people who
18 leave the facility.

19 MR. BROWN: At this point we could not agree
20 to that. I think there will be a point where we'd be
21 glad to share further information as to the security
22 plan as we go through this process, but to dispatch to
23 the police each time there is a violation would
24 probably -- without there being any type of criminal

1 activity would probably put too much of a burden on
2 the police for that purpose. Even though there may be
3 violations in which police would be called for, to
4 make that type of stipulation at this point I think is
5 unwarranted.

6 CHAIRMAN WHITE: And as they did mention,
7 this is a fluid discussion at this point in time.

8 MR. CARRARA: Understood. But I guess I'm
9 not sure --

10 BY MR. CARRARA:

11 Q Where are the property borders on your area?

12 A I believe they're at the -- I'm not sure
13 exactly where they are because I was just contacted to
14 provide the fence around the perimeter road area.

15 Like I said, it's 120 acres. Do you have
16 another display that shows the plat of the property?
17 I assume that would have been done in another
18 questioning.

19 CHAIRMAN WHITE: We do have that in our
20 presentation.

21 MR. CARRARA: Mr. Chairman, the only reason
22 I'm asking -- and I'll be very quick -- is there was
23 just a suggestion by Mr. Brown that there wouldn't be
24 any criminal activity, but if they leave the facility

1 and cross over onto someone else's property, that is
2 trespass, and that would be a criminal situation that
3 we are concerned about and, therefore, a dispatch,
4 whether it's the sheriff or Campton on a backup since
5 the sheriff may not be available in such timely
6 matter.

7 THE WITNESS: Well, I know the reason why
8 they wanted to put it so close to the road is to give
9 them the quickest response that we could if there were
10 a violation.

11 MR. BROWN: It would be contemplated if
12 there was a violation there would be staff to look at
13 and take care of that situation. I guess there would
14 be a protocol if there was a violation where someone
15 left the premises and went onto private property.

16 Once again, that is something that would be
17 further down the line as we go through this process.
18 We are not an operating business for this purpose
19 right now, and we are trying to just get an application
20 for a special use. This would be something that would
21 be addressed in the future, though.

22 CHAIRMAN WHITE: Okay. Have you concluded,
23 Mr. Carrara?

24 MR. CARRARA: I guess in response to that,

1 this is the time for conditions to be placed on the
2 special use, and those reasonable conditions are
3 security of a facility. At some point in time, I'm
4 not sure if further on down the road -- once the
5 special use is granted, the County has no authority to
6 do anything about security.

7 Anytime their private security is seeking to
8 reobtain one of their clients who left the facility
9 onto private property, those individuals have no right
10 to go onto private property, those security people, to
11 try to get the person who left. That is the job of
12 the sheriff's department not of Maxxam.

13 MR. BROWN: First of all, the property that
14 is adjoining this mostly is forest preserve that is
15 not private property. There are two homeowners that
16 adjoin the property. We would be willing to reach
17 some type of an accord that if there was any type of
18 situation where we were of reasonable belief that they
19 were on private property, I think at that point that
20 is something police could be dispatched, especially if
21 there were no-trespassing signs that were up.

22 Short of that, I think they're trying to
23 lock us into any type of possibility which could
24 occur, and I don't think that is reasonable.

1 Secondly, I'd also say if we look back at
2 the sheriff's report as to the number of incidents
3 that they would expect, the sheriff himself has been
4 supportive of this. They said that they could support
5 this by bringing out the proper dispatches. They also
6 felt that this facility as proposed would not have
7 that great of an impact on their resources.

8 And, also, I would refer back to the Campton
9 Hills report that is part of our application process
10 in which it was very supportive in the sense of -- and
11 I'm going to read the last page -- and this goes back
12 to --

13 MR. CARRARA: Mr. Chairman, Keith. Would
14 you prefer to have the November 2015 Campton Hills
15 report on calls to similar facilities? One of the
16 facilities was the one that was listed by -- in your
17 original application before it was amended that had
18 205 calls for police activity over a one-year period.

19 MR. BROWN: I'm referring to the
20 October 22nd, 2012, report which was presented by
21 Campton Hills Police Department, and in that report it
22 stated that based upon his investigation it was his
23 conclusion that including of the clinic within village
24 limits will impact the cost of services for Campton

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1 Hills Police Department. However, that impact could
2 be mitigated tremendously if they planned accordingly
3 to include the following: Develop an on-site security
4 team and security process, take only private
5 noncourt-ordered patients, and develop a process of
6 communication with law enforcement consistent with the
7 HIPAA rules which will assist, not hamper law
8 enforcement's intervention in incidents occurring
9 on-site.

10 CHAIRMAN WHITE: I would also mention,
11 Mr. Carrara, that this is not the last opportunity to
12 add conditions to this petition. We are recommending
13 body, and this would ultimately go to the County Board,
14 and they can make conditions at that point in time.

15 MR. CARRARA: Understood. Thank you,
16 Mr. Chairman.

17 CHAIRMAN WHITE: Does the County have any
18 cross-exam at this time?

19 MR. KINNALLY: I have one question.

20 CHAIRMAN WHITE: Go ahead, Mr. Kinnally.

21 EXAMINATION BY COUNSEL FOR THE COUNTY BOARD

22 BY MR. KINNALLY:

23 Q How much does this system cost approximately?

24 You're going to have a proposal; I don't want to pin

1 you down, but can you give us an idea?

2 A I don't have the customer's position to
3 disclose that at this time.

4 Q There is a proposal?

5 A There is a proposal.

6 Q It's in writing?

7 A It is in writing.

8 MR. BROWN: I would say it's something that
9 we can afford, and it's a state-of-the-art system.

10 CHAIRMAN WHITE: Thank you. Is there anyone
11 from a unit of government that wishes to cross-examine
12 this witness?

13 I see Mr. Miller coming forward. I will
14 have to reswear you.

15 (Witness sworn.)

16 CHAIRMAN WHITE: State your name and address
17 and your connection.

18 MR. MILLER: Joe Miller, 39W861 Barnside
19 Court, St. Charles, and I am a Campton Township trustee.

20 EXAMINATION BY AUDIENCE MEMBER MILLER

21 BY MR. MILLER:

22 Q Just a couple questions.

23 For how many drug dispensing addiction
24 facilities has your group actually done security?

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1 A I'm not sure directly off the top of
2 my head.

3 Q Okay. Then would you also not be able to
4 provide information to this group in terms of the
5 number of times that police have had to have been
6 called to each of those facilities?

7 A That is correct. I would not be able to
8 provide that information.

9 MR. MILLER: Thank you.

10 CHAIRMAN WHITE: Mr. Blecker.

11 (Witness sworn.)

12 CHAIRMAN WHITE: Please state your name and
13 address and your unit of the government.

14 MR. BLECKER: My name is Harry Blecker,
15 B-l-e-c-k-e-r, 8N105 Ickenham Lane, Campton Hills.

16 MR. KOLB: For the record, can Mr. Blecker
17 identify if he's here on behalf of the Village or
18 individually?

19 MR. BLECKER: I'm here on behalf of the
20 Village.

21 MR. KOLB: You're speaking on behalf of the
22 Village?

23 MR. BLECKER: Yes, I am.

24 CHAIRMAN WHITE: Go ahead.

1 EXAMINATION BY AUDIENCE MEMBER BLECKER

2 BY MR. BLECKER:

3 Q Only one real quick question.

4 On the outline of the white border that
5 you've shown on the slide, how far outside of that
6 border does the camera cover?

7 A It depends on what we set the camera for. I
8 can set it up for 100 feet wide. So it would be
9 100 foot long, and it goes the length that you see
10 each one of those white arrows.

11 So we can set it up so that it's narrower,
12 or we can set it up to where it's wider up to 100 feet.

13 Q Up to 100 feet. So if we have somebody
14 that's relatively fast, they could be outside of that
15 100-foot range by the time your office dispatches and
16 the Maxxam facility security gets to that point? They
17 could be well outside that 100 feet.

18 A They would have to be very fast. You saw
19 the video of the three youngsters running across the
20 field. They were dispatched before they got to the
21 50 yard line and there was somebody there.

22 Q Who was there?

23 A APD.

24 Q How far is APD away from Maxxam?

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1 A APD has roaming areas in that district all
2 the time. So it just depends.

3 Q So if Maxxam has two security guards on,
4 they could be at the other end of the building, or
5 they could be at the south end, and then the intrusion
6 could be at the north end. That's a fair distance. I
7 don't know how many feet, but it appears to be a fair
8 distance. Somebody could theoretically get outside of
9 that border?

10 A Theoretically it's probably a possibility.
11 But what are they going to do once they get outside
12 that border?

13 MR. BLECKER: That's a good question.
14 That's a good question, especially with residents
15 being on the north side of the border. If a sheriff
16 has to be dispatched, or if Campton Hills police have
17 to be dispatched, it could be several minutes before
18 they get there, so that is a distinct possibility that
19 somebody could be outside that range.

20 Thank you.

21 CHAIRMAN WHITE: Thank you.

22 Next person. Mr. Shapiro.

23 MR. SHEPRO: Shepro. Close enough for
24 government work.

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1 My name is Kenneth Shepro, S-h-e-p-r-o,
2 P.O. Box 60, Wayne, Illinois. I'm an attorney for the
3 Fox River and Countryside Fire Protection District.

4 CHAIRMAN WHITE: I have to swear you.

5 MR. SHEPRO: Yes. Although, I think I'm
6 going to ask questions and not give testimony.

7 CHAIRMAN WHITE: I understand.

8 (Witness sworn.)

9 EXAMINATION BY AUDIENCE MEMBER SHEPRO

10 BY MR. SHEPRO:

11 Q I have a couple questions to try to
12 understand the security plan.

13 It's my understanding first that your
14 retention of ADS in this case is only for the purpose
15 of providing a thermal imaging service.

16 A We have been -- I put together a proposal to
17 provide all of the electronic security. So not only
18 the thermal imaging, but regular cameras, as well as
19 the access control, burglar alarms. ADS also
20 currently provides the fire alarm protection and
21 monitoring for those buildings, as well.

22 Q The existing Glenwood buildings?

23 A Correct.

24 Q Perhaps I misunderstood you. I thought I

1 heard you say a few minutes ago that you have not yet
2 prepared a proposal for Maxxam.

3 A I have not yet prepared a proposal for
4 physical security. When this gentleman asked about
5 the proposal for electronic security, I do have that
6 and it is in writing, but I have not received approval
7 to disclose the cost of that system.

8 MR. SHEPRO: At the risk of belaboring the
9 point, Mr. Chairman, I think that the cost is relevant
10 because if I heard the Chairman and counsel for the
11 applicant correctly, it sounds like they're agreeable
12 to having this electronic security included as a
13 condition of approval. Therefore, I think it is
14 appropriate for the Board to evaluate whether that
15 condition is capable of being fulfilled on an ongoing
16 basis.

17 While I understand that the petitioner has
18 assured the Board that they have the financial means
19 to do so, I think nevertheless it would be relevant
20 for members of the public and the Board to have some
21 idea of what is the scope of this service.

22 We heard an analogy to the U.S. Border
23 Patrol, and I'm sure this is a lot less distance than
24 the borders, but I think that is a relevant point, and

1 I would request that that information be made
2 available.

3 Q I guess my next question is, for how many
4 clients in Kane County or the vicinity are you
5 providing thermal imaging electronic surveillance or
6 security?

7 A Kane County alone, three or four.
8 Personally three. You have to understand we have
9 37 sales consultants. So I'm only really familiar
10 with the ones that I deal with on a daily basis.

11 Q And I take it that ADS as part of its
12 providing service to its customers -- somebody doesn't
13 just call you up and say, "I want this." They ask you
14 and you respond by advising them on the system that
15 you feel would fit their needs?

16 A Absolutely.

17 Q And did that take place in this case?

18 A Absolutely.

19 Q What -- what was asked of you as to what the
20 purpose was of this system?

21 A They told me they wanted to monitor the
22 comings and goings and virtually any unauthorized
23 entry or exit from the property. That was the purpose
24 of the thermal imaging cameras themselves.

1 They also wanted to track entry into each
2 one of the buildings, which is the purpose of the
3 access control system, as well as the camera system.

4 So the camera system will give them a visual
5 of who is entering the building. The card access will
6 also give that particular person authorization to
7 enter, and it will log the time that they enter the
8 building.

9 If there is unauthorized entry into any one
10 of those buildings, the burglar alarm system would be
11 activated, as well, so it's protecting the inside of
12 those buildings, as well.

13 Q Is it your understanding that the overall
14 purpose of this system is to keep people, in or keep
15 people out, or both?

16 A I think it's just to monitor either
17 situation. Seeing that it's a volunteer facility --
18 it's not a correctional facility. These people are
19 not criminals; otherwise, they would be in a criminal
20 facility. They just want to monitor and be able to
21 protect the surrounding area, all of you was his
22 concern, as well as provide documentation as to what's
23 going on electronically during the regular day-to-day
24 business.

1 Q Given your comment -- and we heard previous
2 testimony about this being a voluntary facility. In
3 your opinion, is it necessary or appropriate for the
4 applicant to spend what apparently is a large sum of
5 money on keeping people in who can leave voluntarily
6 and who are not, by the applicant's testimony, a
7 danger to society?

8 A I think he's doing it to limit his
9 liability.

10 Q Now, as part of your developing of this
11 plan, is it important as a security consultant to find
12 out what the entire plan is, not only electronic
13 monitoring but on-site, as well?

14 A Absolutely. At the time of the contractual
15 obligation, all of those things will be hammered out,
16 and that's when we will receive the call list, what
17 the protocol or procedures are at that time before we
18 even pull the first wire or do whatever it is that we
19 need to do.

20 So all of that would be hammered out at the
21 time the contract is signed, and when everything is
22 finally installed and tested, we would have all of
23 that information in place.

24 Q Have you consulted with any of the public

1 safety organizations that have jurisdiction over this
2 property in formulating any of your plans?

3 A I have not. Since it's all in the proposed
4 phase at this point and there's no contractual
5 obligation, we have not.

6 Q Wouldn't it be important to know what that
7 plan is before deciding whether or not to build the
8 facility or conduct operations there?

9 A That's part of the reason why I'm here.

10 Q But as I understand it, you're saying that
11 you're not going to have a proposal until after the
12 proposal for the rehab center would be approved.

13 A I have a proposal right now. We don't have
14 a contractual obligation at this point. When they
15 sign a contract, then we'll hammer out those details.

16 MR. BROWN: You know, I may be of some
17 assistance because part of these proposals have to do
18 with a lease versus a purchase and those are things
19 which -- if Mr. Shepro would allow me, I would like to
20 ask some questions which I think would be appropriate
21 as to some of the expenses of some of the individual
22 equipment that you have, which I think that we'll
23 allow some questions to be answered.

24 MR. SHEPRO: I'll certainly yield the floor

1 for that purpose.

2 EXAMINATION BY COUNSEL FOR MAXXAM PARTNERS

3 BY MR. BROWN:

4 Q The thermal imaging, each camera, can you
5 give me an approximation as to if someone were to
6 purchase one of the cameras how much that would cost?

7 A Well, the cost has fluctuated in the last
8 couple years, but it's approximately 15 to \$20,000 a
9 camera.

10 Q And the cameras which are located for taking
11 photographs of vehicles coming in and out of the
12 premises, what would be the approximate cost of one
13 of those?

14 A Anywhere from 5 to \$7,000.

15 Q And the cost of the cameras which are
16 located on the main buildings -- I'm not talking about
17 the housing areas -- what is the cost of those cameras
18 individually?

19 A Those individual 180-degree cameras are
20 anywhere from 25- to \$3500.

21 Q And the cost of the cameras which are
22 located on each of the individual housing units, what
23 would be the cost of each one of those?

24 A Anywhere from 750 to 1100.

1 Q Have I covered -- actually, were you also
2 part of the fob security system?

3 A Yes.

4 Q So for a door to be with a fob, what would
5 be the cost of a single door?

6 A Depending on the door hardware, on the
7 residential halls themselves we're looking at standard
8 door strikes, you're looking at maybe \$1500 per door.

9 The other doors that they have, if they have
10 a retractable rod or panic hardware on the doors,
11 which most of them do, you're looking at anywhere from
12 2100 to \$3100 per door.

13 Q As far as the major equipment that's
14 concerned, have I covered most of that, or is there
15 something else that would be something -- a major
16 expense?

17 A I believe you've covered all the majors, yes.

18 MR. BROWN: All right. I'd yield the floor
19 back to Mr. Shepro.

20 MR. SHEPRO: Thank you for that clarification.

21 EXAMINATION BY AUDIENCE MEMBER SHEPRO

22 BY MR. SHEPRO:

23 Q The individual components of the system, are
24 these something that are activated locally that is

1 on-site?

2 For example, I have utilized the service of
3 your fine firm, and at our house we have a key pad
4 which you can use to turn on certain portions of the
5 alarm system or turn them off. If you don't like the
6 cats running around on the ground floor and causing
7 the alarms to go off, you sometimes deactivate the
8 motion detector.

9 Is this -- on a larger scale, is this a
10 similar type of system?

11 A It is a similar type of system. Obviously,
12 the key pad, for instance, in your particular scenario
13 would be in an authorized area that only authorized
14 personnel would be able to access it.

15 Q So there will not be individual key pads for
16 the residence units?

17 A There will be but each one of those will
18 only be activated by the particular authorized key fob
19 or key holder.

20 MR. SHEPRO: And they'd have to remember
21 their pass code or call ADS again.

22 I think that's all I have. Thank you.

23 THE WITNESS: Thank you.

24 CHAIRMAN WHITE: Is there is anyone else

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1 requesting the floor at this time?

2 The gentleman to my left -- is there anyone
3 else here from a unit of government? Anyone else here
4 from a unit of government that wishes to speak?

5 (No response.)

6 CHAIRMAN WHITE: As I stated earlier, sir,
7 I'll allow you to ask two questions if you're just a
8 member of the public, and I'll also need to swear
9 you in.

10 (Witness sworn.)

11 CHAIRMAN WHITE: Please state your name and
12 address.

13 MR. O'DWYER: Michael O'Dwyer, 40W085 Fox
14 Mill Boulevard, Campton Hills, Illinois. I'm a
15 trustee of Campton Hills.

16 CHAIRMAN WHITE: Thank you.

17 EXAMINATION BY AUDIENCE MEMBER O'DWYER

18 BY MR. O'DWYER:

19 Q Sir, a question for you.

20 A lot of money is being spent on security at
21 the perimeter; you've explained exactly how it's going
22 to be used.

23 I go back to the original statement you
24 made, though, this is a voluntary place. Two things

1 on that.

2 One, is it possible that the court as part
3 of a plea bargain allows somebody to voluntarily enter
4 this or they could be potentially held --

5 CHAIRMAN WHITE: Sir, as I stated earlier,
6 you need to keep your questions specific to the
7 testimony that the witness has provided. We're
8 talking about the thermal security cameras.

9 Q Specifically about the cameras, then, these
10 cameras would identify potentially somebody walking
11 across the premises, and you go one step farther.
12 You've taken it to the point where somebody would be
13 dispatched, local security or police sheriff, as you
14 mentioned. The problem is if it's voluntary and they
15 walk off the property, as long as they're not
16 necessarily at that moment on somebody else's
17 property, wouldn't you consider it legal that they're
18 out of the facility and walking the streets?

19 A It could be. In that case we would probably
20 not dispatch, but the on-site security would probably
21 intercept them, ask them why they're leaving, and if
22 they said they wanted to leave, they would escort
23 them out.

24 Q But they couldn't just put them directly out

1 on the street, not on somebody's private property, is
2 that --

3 MR. BROWN: I believe that would be beyond
4 the scope of this witness, that particular question.
5 But we would say that each of the individuals would
6 have a contractual relationship which would cover this
7 issue, and it would be based on contract.

8 MR. O'DWYER: I'm sure you could sue them
9 for that, but in the meantime they'd be on the streets.

10 Thank you.

11 CHAIRMAN WHITE: The gentleman here in the
12 front, please raise your right hand.

13 (Witness sworn.)

14 CHAIRMAN WHITE: Please state your name and
15 an address for the record.

16 MR. BARTLETT: Frederick Bartlett,
17 42W540 Hidden Springs Drive. That's an inclusion of
18 the county within the bounds of the town.

19 EXAMINATION BY AUDIENCE MEMBER BARTLETT

20 BY MR. BARTLETT:

21 Q My question, sir. Are you familiar with a
22 piece of emergency equipment commonly found in people
23 who travel called an aluminized Mylar thermal blanket?

24 A Yes, I am.

1 Q Suppose someone were to drape one of those
2 things over them. Would your thermal imaging system
3 be able to detect them?

4 A I don't know. I've never had anybody
5 try that.

6 MR. BARTLETT: Maybe you should. Because
7 that's a device whose sole purpose is to preserve the
8 body heat by blocking infrared radiation, the very
9 radiation that you're depending upon.

10 So if I draped such a thing over my body,
11 I'm pretty sure I could get in, and you wouldn't
12 detect me.

13 CHAIRMAN WHITE: Thank you. The gentleman
14 right there. Yes, come forward. Just raise your
15 right hand AND be sworn in.

16 (Witness sworn.)

17 CHAIRMAN WHITE: Please state your name for
18 the record and your address.

19 MR. PALACIOS: Elias Palacios. Spell it?

20 CHAIRMAN WHITE: No, your address.

21 MR. PALACIOS: 40W142 Long Shadow Lane,
22 St. Charles.

23 CHAIRMAN WHITE: Are you in a 1 1/2 mile
24 radius of this facility?

1 MR. PALACIOS: I don't know. I received an
2 invitation.

3 CHAIRMAN WHITE: Did you have a question for
4 this witness?

5 MR. PALACIOS: Yes.

6 CHAIRMAN WHITE: I'll allow one.

7 MR. PALACIOS: Thank you.

8 EXAMINATION BY AUDIENCE MEMBER MR. PALACIOS

9 BY MR. PALACIOS:

10 Q My question is regarding you. How many
11 times did you visit the proposed facility, building,
12 or site before you finished your proposal?

13 A Probably four or five times. Typically when
14 we're engineering something like this I need to see
15 the infrastructure at the property. So that's mostly
16 what we're looking at, the lighting, the fiber optics,
17 which this facility was all preinstalled, which was
18 really nice.

19 CHAIRMAN WHITE: Thank you. I did not
20 see -- now I see. Ms. Wojnicki, I'll allow you the
21 podium, but I would say that you'll have opportunities
22 after this hearing to address your concerns. So do
23 you have specific questions for this witness?

24 MS. WOJNICKI: I'm Barbara Wojnicki,

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1 W-o-j-n-i-c-k-i, 41W150 Brown Road, and that's in the
2 Village of Campton Hills, and I'm an elected County
3 Board representative. And by virtue of being an
4 elected County Board representative, I'm a forest
5 preserve commissioner, and there are 620.

6 CHAIRMAN WHITE: I need to swear you
7 in, Barb.

8 (Witness sworn.)

9 CHAIRMAN WHITE: And in what capacity are
10 you speaking?

11 MS. WOJNICKI: As a forest preserve
12 commissioner.

13 CHAIRMAN WHITE: Go ahead.

14 MS. WOJNICKI: Surrounding this facility are
15 620 acres of taxpayer-funded forest preserve. My
16 question is, how do we keep the residents safe in that
17 forest preserve at all times.

18 When I hear Judge Brown talk about woods
19 being all around this facility, the woods are not
20 owned by Glenwood School For Boys, they are owned by
21 the public, and I would like to make sure that the
22 people using -- our residents using the 620 acres of
23 forest preserve are safe at all times.

24 Thank you.

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1 CHAIRMAN WHITE: Thank you.

2 The gentleman standing up on the side.

3 MR. BEUHLER: Hello. Scott Beuhler,
4 6N815 Gilmore Drive.

5 CHAIRMAN WHITE: And where are you located
6 in relationship to this facility?

7 MR. BEUHLER: Just south of Silver Glen.

8 CHAIRMAN WHITE: Raise your right hand to be
9 sworn in.

10 (Witness sworn.)

11 CHAIRMAN WHITE: Thank you.

12 EXAMINATION BY AUDIENCE MEMBER BEUHLER

13 BY MR. BEUHLER:

14 Q I was wondering if the proposal includes
15 maintenance of the system, preventative maintenance
16 for UPS, server administration, IP administration.

17 A It does.

18 Q Network administration for LAN provider?

19 A Yes, 24/7, all parts and labor on all
20 systems.

21 Q Battery refresh?

22 A Everything that's connected to that system
23 will be annually inspected and tested, and actually
24 ADS will be looking in on the system quite frequently

1 whenever it's activated. So if there's any problem
2 seen at that particular time, there's an immediate
3 dispatch of a technician.

4 Q How often is the equipment refreshed?

5 A Every 24 hours.

6 Q I'm talking like servers, network switches,
7 and all the infrastructure you would need to maintain
8 the systems.

9 A I don't know what you mean by the term
10 "refreshed."

11 Q Servers get old.

12 A Rebooted or replaced?

13 Q Hardware gets old and fails, and we
14 typically refresh equipment on a periodic basis, and I
15 want to make sure that any system doesn't fall under
16 disrepair and thus becomes nonfunctional.

17 A If there's a potential for failure and it is
18 detected, it will be addressed at that time that we
19 find out about it.

20 Q So no preventive maintenance?

21 A Yes. Annual preventive maintenance. Yes,
22 annually.

23 MR. BEUHLER: Okay. Thank you.

24 CHAIRMAN WHITE: Thank you. A question on

1 the maintenance.

2 So you will check the system on an annual
3 basis, or will you be there more often throughout
4 the year?

5 THE WITNESS: There are quarterly
6 inspections on the camera systems themselves, but in
7 all reality that actually happens a little bit sooner
8 because of the system being running 24 hours and our
9 central station actually seeing through that camera
10 system.

11 So if something pops up that they see,
12 they're going to indicate that to the technical
13 department, and the technical department is going to
14 take care of it. That's all part of the service that
15 we provide.

16 CHAIRMAN WHITE: Are there any more?

17 Yes, please come forward. Please raise your
18 right hand.

19 (Witness sworn.)

20 MR. ANDRZEJEWSKI: I'm not going to testify.
21 I'm just going to ask questions.

22 CHAIRMAN WHITE: I still need you to testify
23 to the validity of your name and address. That's the
24 reason.

1 MR. ANDRZEJEWSKI: Abe Andrzejewski,
2 A-n-d-r-z-e-j-e-w-s-k-i, 41W547 McDonald Road,
3 Campton Hills.

4 EXAMINATION BY AUDIENCE MEMBER ANDRZEJEWSKI
5 BY MR. ANDRZEJEWSKI:

6 Q You mentioned in testimony earlier that one
7 of the main purposes of the thermal imaging fencing
8 was I think recording a deterrence. But primarily
9 deterrence?

10 A It can to either or simultaneously.

11 Q But not containment?

12 A Correct.

13 Q And you also testified that one of the
14 attractive attributes of a system like this as opposed
15 to a physical fence is that it's not noticeable, and I
16 think you used the word unless you're trained to
17 detect it, it's undetectable. Right?

18 A Correct.

19 Q So how does an invisible and undetectable
20 system serve as a deterrent to someone trying to come
21 onto the property or trying to step off of the
22 property onto private property or onto public land?

23 A Well, I would assume that when somebody
24 checks into this facility, they're going to let them

1 know what the security is on the property itself, and
2 they can show them the cameras on the poles as they
3 come in the entry so they would know where they're at,
4 and they would know what their parameters are. I
5 would almost think that they would have to do that in
6 this case seeing as to how close that virtual fence is
7 to their surrounding service road.

8 As far as somebody that's not checked into
9 the facility coming off the facility or onto the
10 facility, they won't know until security meets them.

11 Q Were you here yesterday to hear testimony of
12 a resident who lived next to an unfenced facility like
13 this in Dayton, Ohio?

14 A No.

15 Q He described people coming through his woods
16 to deliver controlled substances to patients in
17 recovery. Do you believe that an invisible fence
18 would be a deterrent to that type of potential activity?

19 A An invisible fence?

20 Q The invisible thermal fence that you've
21 described.

22 A It depends on how wide we have the cameras
23 set up. If we had it set up as a 100-foot-wide
24 perimeter, it's going to catch them within 100 feet of

1 the outside perimeter of this facility. But,
2 obviously, we're not going to be able to tell anywhere
3 outside of that what's happening until they violate
4 the perimeter of this facility.

5 Q So it wouldn't be a deterrent to someone
6 coming onto the property?

7 A I would say probably not.

8 Q And it wouldn't be a deterrent to somebody
9 leaving the property unless they were aware that it
10 was there?

11 A Correct.

12 MR. ANDRZEJEWSKI: Thank you.

13 CHAIRMAN WHITE: Is there going to be any
14 signage identifying the secure area?

15 MR. BROWN: Actually, I can address that.

16 There's going to be no-trespassing signs.
17 So anyone who enters the property would be in
18 violation of the law, and they could be arrested for
19 coming onto the property, yes.

20 CHAIRMAN WHITE: Were there any other
21 questions from the public?

22 The gentleman to my right standing up.

23 MR. STUTESMAN: Good evening.

24 CHAIRMAN WHITE: Please raise your right

1 hand to be sworn.

2 (Witness sworn.)

3 CHAIRMAN WHITE: And please state your name
4 and address for the record.

5 MR. STUTESMAN: Thomas Stutesman,
6 39W285 Silver Glen Road, Campton Hills, Illinois.

7 CHAIRMAN WHITE: Thank you. Do you have a
8 question for the witness?

9 MR. STUTESMAN: Yes, I do. Two questions,
10 sir. Thank you.

11 EXAMINATION BY AUDIENCE MEMBER STUTESMAN

12 BY MR. STUTESMAN:

13 Q My first question is, I'd actually like you
14 to go over specifically the redundancy of your
15 systems.

16 You made mention a couple points about
17 having UPSs or some sort of interruptible service
18 provider and things like that and maintenance. But
19 very specifically, in technologies like this, and
20 especially in secured facilities you normally have
21 redundancy, which means duplicate fibers going to the
22 facility, multiple channel connections to if you're
23 using Comcast or whatever it is for Internet
24 providers, and also for server technology, too, so if

1 you have a server failure, it has a redundancy built
2 in. Can you just take a moment and explain those
3 levels of redundancy in your technology?

4 A You just did it for me. Everything you said
5 is absolute. We have triple redundancy on all the
6 servers. They're all arrayed, if you know what that
7 is. They have a fantastic fiber network on the
8 property, and they have a fantastic provider at that
9 point, which I believe is all fiber, as well.

10 So there are spares to every one of the
11 buildings as far as fiber connections and redundancy
12 for the access control as well as the camera systems.

13 Q If I might ask, can you specifically say
14 what type of rate? Are you using Rate 5, Rate 1,
15 Rate 10?

16 A 8.

17 Q Rate 8?

18 A 8 or 10.

19 Q It's probably Rate 10.

20 A I'm not a tech so --

21 Q Okay. Well, that's very crucial because
22 that means in certain technology spectrums, if you
23 have a single failure, if you're using other than
24 Rate 10, you probably have some degree of failure in

1 your design.

2 But the other question which is adherent to
3 the original question is, when you speak of yes, you
4 have great fiber on-site, I'm not questioning that;
5 I'm not an engineer and I have not viewed the property.
6 However, I do know that a lot of technology in the
7 area because it is rural in nature, both AT&T and
8 Comcast, the two major providers of Internet and
9 connectivity in the area, do not have sufficient
10 enough band width, and they've been struggling over
11 the last couple years to provide band width.

12 And you made mention earlier in your
13 testimony the fact that you're going to have people
14 looking in on the facility from a remote facility,
15 which I'm assuming that means it's going to be
16 microwave or RF communication; it's going to be over
17 landline fiber optic to the facility. Is that
18 correct?

19 A That is correct. But only during the
20 violation will they be seeing it. So if somebody
21 violates that perimeter area, then -- those pictures
22 that I showed you on the video, that's what my central
23 station sees. So it doesn't take a whole lot of
24 product broadband in order to get that image to my

1 central station.

2 MR. STUTESMAN: However, you are potentially
3 having a crucial redundancy issue in that because you
4 have a singular provider or you have a duplicate
5 provider both which are, again, as I mentioned, in a
6 rural area and the technology is not broad enough.

7 In fact, your connectivity in this specific
8 area is actually a lot less than you find in any other
9 metropolitan area today. This is something that's
10 known by the residents and also engineers and people
11 who live in the area.

12 So thank you so much.

13 CHAIRMAN WHITE: Thank you.

14 Anyone else seeking the floor at this time?

15 (No response.)

16 CHAIRMAN WHITE: Any Board members or
17 petitioner?

18 MR. BROWN: I have a brief question.

19 EXAMINATION BY COUNSEL FOR MAXXAM PARTNERS

20 BY MR. BROWN:

21 Q Is one of your clients Kane County?

22 A Yes.

23 Q Is one of the your clients the forest
24 preserve?

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1 A Yes.

2 Q And you provide security for the forest
3 preserve?

4 A I believe security --

5 Q Security as in fire protection?

6 A Yes. In fact, I notice we've got one of our
7 inspection stickers on your smoke detector right here.

8 Q Has the County and forest preserve been
9 satisfied with your professional work in this area?

10 A As far as I know. I've received no
11 complaints.

12 Q How many years have you, if you know, had a
13 contractual relationship with the County?

14 A In the entire 18 years that I've been with
15 ADS, we've been contracted with Kane County to provide
16 services of various kinds, yes.

17 MR. BROWN: Those are all the questions I
18 have. Thank you.

19 CHAIRMAN WHITE: Thank you. The witness is
20 excused.

21 Do you have another witness to bring
22 forward?

23 MR. KOLB: We'd leave it up to the Board to
24 respond to any specific questions the Board has.

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1 CHAIRMAN WHITE: Do Board members have any
2 questions on any of the material in the petitioner's
3 presentation?

4 MEMBER STOVER: Are you leaving it up to us
5 as to which -- say it again.

6 MR. BROWN: We thought because we have given
7 you extensive materials, and if you have a question,
8 we do have the witnesses present and would be glad to
9 call a witness based upon your inquiry. Otherwise, we
10 will stand on our application.

11 MEMBER STOVER: You have a health expert
12 here; correct?

13 MR. KOLB: Not this evening. No, that was
14 yesterday. She was available for cross. We dismissed
15 her from testimony yesterday following conclusion.

16 MEMBER STOVER: Can you please name who you
17 do have here?

18 MR. BROWN: And the subject matter.

19 MR. KOLB: We have Christopher Lannert of
20 The Lannert Group here to talk about how the proposed
21 special use will not impede the normal and orderly
22 development of property in the surrounding area, that
23 particular element.

24 We have Monica Hon and Ryan Bailey here from

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1 Murer Consultants to talk about the similarity
2 standard should that be an issue.

3 We have Mark MaRous here as well as
4 Peter Poletti to talk about the impact and the lack of
5 any negative impact on surrounding property values.

6 We have Sheaffer & Roland here to talk about
7 wastewater-storm water system evaluation.

8 We have William Woodward here from KLOA to
9 talk about traffic, ingress and egress, if you want to
10 discuss any of those issues.

11 And, of course, last night we had Trina and
12 James here to talk about the issues with respect to
13 the notion that for some reason there's a notion that
14 every addict presents a threat to the community, which
15 is not the experience based on the experts we've put
16 forward. So they've already testified to those issues
17 as well as the State's monitoring of these facilities
18 from an inspection standpoint.

19 But the other experts are here. Their
20 reports are all in your binder, and if you'd like to
21 hear from any of them, we're happy to have them
22 available.

23 MR. BROWN: We're willing to -- I'm not
24 trying to take over your authority, Mr. Chairman, but

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1 if you wanted to take a break to have an opportunity
2 to review --

3 CHAIRMAN WHITE: That's what I was just
4 going to suggest, we take about a 10-minute recess at
5 this time, and the Board members may think about any
6 questions they have on the petition.

7 MR. CARRARA: Mr. Chairman, just one
8 comment. I have at least four questions that were
9 unanswered yesterday that they assured the Board they
10 would have witnesses here this evening to speak to.
11 Those were on security staffing, complaint procedures,
12 just general staffing of the facility.

13 And so I don't know if those were going to
14 be addressed or if they're just going to forget
15 about those.

16 CHAIRMAN WHITE: Are you prepared to address
17 those concerns at this time?

18 MR. BROWN: I believe we will be able to
19 field those questions, yes.

20 CHAIRMAN WHITE: Does that satisfy it?

21 MR. CARRARA: It does. Those were
22 unanswered yesterday. I thought they were going to be
23 answered this evening.

24 CHAIRMAN WHITE: Okay. We'll take a short

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1 recess.

2 (Recess taken, 8:17 p.m. to 8:34 p.m.)

3 CHAIRMAN WHITE: If I can have everybody
4 find their seats, we'll reconvene the hearing.

5 Can I have order, please?

6 The floor is open to the Board to ask
7 questions of the petitioner. Does the Board have any
8 questions?

9 Mr. Regan.

10 MEMBER BOWEN: I do have one, Mr. Chairman.

11 CHAIRMAN WHITE: Mr. Regan has the floor at
12 this point, Mr. Bowen.

13 MEMBER REGAN: My question is Maxxam
14 Partners, LLC, do they operate the center themselves?

15 MR. BROWN: When you say "operate," they
16 will have an executive director, medical director, and
17 that will be the staff that operates it. They will be
18 over the business and making overall decisions as to
19 what I would say on a business level that they're the
20 operators of it, yes.

21 MEMBER REGAN: Are they moneylenders?

22 MR. BROWN: Moneylenders?

23 MEMBER REGAN: Money -- are they -- do they
24 just have an investment in this thing, or are they the

1 operators?

2 MR. BROWN: They will be the operators.
3 They are not going to -- I think what you're trying to
4 say is outsource this to some other type of entity.
5 This will be operated by Maxxam Partners, LLC.

6 MEMBER REGAN: And do they have any of these
7 operating in the United States?

8 MR. BROWN: No. This would be -- they have
9 people who are -- in fact, the people that they have
10 contacted, who will be the persons who are going to be
11 the executive director, the clinical, and these people
12 that will be doing the day-to-day operations are
13 currently involved in other entities throughout the
14 United States and who have -- who are not able to be
15 disclosed for the sole purpose that they have jobs,
16 but they have paid commitments. And these are people
17 who are -- and, actually, I've had the opportunity to
18 review some of the résumés, and these are some of the
19 top people in the country who are running other
20 facilities.

21 MEMBER REGAN: And these people, you're sure
22 they know what they're doing?

23 MR. BROWN: Let me put it like this: My
24 client is making this a high priority at a level of

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1 making this like the Ritz-Carlton for purposes of the
2 highest level of treatment in the country. To be able
3 to get into this market, we can only have people who
4 are going to be the top people in the country.

5 There was a discussion yesterday about how
6 you would charge one thing and keep your service level
7 at a certain level in order to make a profit. And I
8 used the word Ritz-Carlton because Steven, who is a
9 principal in this, is a developer of the Carlton
10 property, and this is what he has in mind.

11 Anyone who has stayed in that high level of
12 a hotel recognizes from the moment that they walk in
13 until they walk out is the highest level of commitment
14 to treatment -- and service as a hotel. This is the
15 level that we're marketing for and we would -- the
16 only thing I can say is that we're asking for a
17 special use. We would have to be licensed in order to
18 do this, and we will be -- meet all the requirements
19 of the State and the Joint Commission.

20 But as I said before, one of the reasons for
21 my own personal involvement is this is the highest
22 level quality of the partnership and what they are
23 planning on presenting here to Kane County.

24 CHAIRMAN WHITE: Ms. Cameron.

1 MEMBER CAMERON: I should have probably
2 asked the question yesterday when we had the witness,
3 but she's not here tonight. But she made a mention
4 that some facilities were closed when she was looking
5 for some places to place some of her friends that had
6 come to her.

7 Why do you close these facilities? Is it
8 lack of funds, and then if you have lack of funds, do
9 you go to a lower standard in order to keep the
10 building open?

11 MR. BROWN: I think what she was talking
12 about was lack of State, Federal funds in order to
13 keep certain facilities open for people who need
14 public aid, Medicare, Medicaid in order to have these
15 services.

16 There is a lack of beds in this country for
17 drug and alcohol treatment. Now, that is not the type
18 of proposal that we are offering here. We are a
19 private pay facility. So, therefore, what she's
20 talking about -- which actually coming back into this
21 also goes into why this facility would never work as a
22 public pay, which is some of the fear here that's been
23 expressed is the fact that, one, there's no money in
24 it, and, secondly, that they are closing. It is not a

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1 business model that could be supported by that
2 property nor is it a business model that our clients
3 wish to be a part of.

4 MEMBER CAMERON: So what would happen if
5 they did have to close?

6 MR. BROWN: Actually, in this situation and
7 what we're proposing, by virtue of the fact that the
8 special use would be only to our entity, once we
9 closed, there would no longer be a facility, and
10 anyone who would like to come back in would have to go
11 through this process again.

12 CHAIRMAN WHITE: Yes. And they've already
13 agreed to that stipulation.

14 MEMBER CAMERON: I know they have.
15 thank you.

16 CHAIRMAN WHITE: Mr. Bowen, you had a
17 question.

18 MEMBER BOWEN: Just one, if I may.

19 About what percentage of people of your
20 clients would actually be coming from Kane County? I
21 ask the question because it's a Kane County
22 organization that you're going into, and I realize
23 you're talking about all over the world -- pardon
24 me -- all over the country.

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1 What percentage -- you know, 1 or 2 percent
2 or what? I ask the question because part of your
3 statement stated that the substance abuse facility
4 will serve to improve the public health, safety,
5 morals, comfort, and general welfare of the community.
6 And, of course, the community that we're here in now,
7 I'm just wondering tying that back what percentages
8 are coming from Kane County.

9 MR. BROWN: There's not going to be any way
10 I could tell you what the percentage would be. I
11 assume there are people who could have the resources
12 in order to use the facility in which their loved ones
13 could be able to be close to home that it would be
14 open.

15 There's not going to be any special
16 accommodation for someone that's from Kane County, but
17 you will find, I believe in the industry -- and this
18 is what's been told to me. I'm not going to sit up
19 here and be an expert -- but where people are closer
20 to, this is where the industry is moving toward. It
21 used to be people want to go as far away as possible
22 from home, say California or Utah. Now they like to
23 have the facilities closer to their homes.

24 So I would say that it would be a facility

1 that would be very accessible to Kane County, but at
2 this point, without us ever having opened the door to
3 say what the percentage would be for Kane County, I
4 could not.

5 But we must also talk about the general
6 welfare of our community. The general welfare comes
7 into taxpayer dollars that are going to be -- with
8 taxes that are going to be used for our facility that
9 will help pay for our schools. Also, the general
10 welfare is the amount of jobs, high-paying jobs, the
11 synergy that when you hire 80 to 120 people, what that
12 synergy does throughout the economic community that we
13 have here.

14 And, also, the fact that I'm looking at this
15 that the reputation of this facility will be at the
16 level that will bring acknowledgement to Kane County
17 that we can be proud of.

18 But I cannot commit to you to say that
19 there's going to be a certain percentage of anyone
20 coming from any direct population throughout the
21 country.

22 MEMBER BOWEN: I realize that but I was just
23 interested to know people coming in.

24 So how do you contact the people that come

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1 to your facility? Do you advertise nationwide, or how
2 do you do that, please?

3 MR. BROWN: I'm not -- how that -- I cannot
4 answer the question directly, to be quite honest with
5 you. But we did hear from the testimony yesterday
6 that there are people who are in the industry when
7 they're looking for placement are given information
8 about different facilities, and I would assume that
9 there's going to be some kind of level of
10 disseminating that information to those people who
11 make those types of referrals.

12 As far as their advertising budget or how
13 they plan on doing that, I am not privy to that
14 information.

15 MEMBER BOWEN: Thank you.

16 CHAIRMAN WHITE: On that same line, in your
17 documentation in your petition you mention that there
18 will be community outreach programs developed through
19 the facility that are offered to the community. Do
20 you have any specifics on what those are?

21 MR. BROWN: Mr. Harper is a motivational
22 speaker -- and I didn't bring this up yesterday, but
23 there is a high level of creating a foundation I think
24 that we're going to work through the Fox Valley

1 Foundation and create a foundation that would be for
2 educational purposes and for other purposes that would
3 be involved in the community. Not specifically
4 necessarily -- I shouldn't say not limited to drug and
5 alcohol education. But one of the key components that
6 my clients brought up right from the beginning was
7 what are the agencies and everything that they could
8 be part of the community and give resources back to it.

9 I'm not making that as emphasis as to why
10 you should do this. It's one of the ancillary things
11 that will be done on top of that.

12 Getting back to Mr. Harper, as you can see
13 from his résumé and the books that he's written, we
14 are going to make him -- he actually is committed to
15 be available to go to schools. I've met with
16 Billy Zane. He's the actor in the Titanic and a
17 person from the local Chicago area. He's willing to
18 come to the community and get involved in fundraising
19 and community events in order to facilitate some of
20 the things which are important to our community here
21 in Kane County.

22 I'm not trying to emphasize that as a
23 reason, but they have made that commitment, and I have
24 met with especially Mr. Zane personally. And if

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1 you've ever had any opportunity to meet him or look
2 back over his history, he's very active within
3 community-based organizations throughout the country,
4 and they have made a commitment that they will be
5 willing to do that here in Kane County.

6 CHAIRMAN WHITE: And those fundraising
7 activities would be for a foundation that the Maxxam
8 Partners, LLC, builds.

9 MR. BROWN: Actually, I've had discussions
10 with them, and they have stated that they are willing
11 to fund a foundation in order to do this. Yes, we
12 will be doing that. And, actually, upon my
13 recommendation the Fox Valley Foundation that would be
14 administered through.

15 CHAIRMAN WHITE: Okay. Thank you.

16 Board members have any other questions? Any
17 questions at this time?

18 MEMBER STOVER: I have a couple.

19 CHAIRMAN WHITE: Ms. Stover.

20 MEMBER STOVER: One of mine is a
21 transportation question.

22 On the property there is one entrance to the
23 property, but there is an easement out the back that
24 goes to McDonald Road. Has there been any discussion

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1 from the transportation report on the availability of
2 making that an access road for fire and police
3 possibly for public safety? No?

4 MR. BROWN: We would be willing to. If the
5 Board feels that that's a necessary element for
6 purposes of giving us a special use and that we
7 provide further information concerning that, it would
8 be something that we would be willing to agree it. It
9 has not been part of our proposal as that and has not
10 been identified to anything that I know that it is a
11 risk, but after talking to you I think it's an
12 appropriate thing to look into.

13 MEMBER STOVER: I think that's a large
14 piece, and if we don't make it part of our resolution
15 here, I would like to at least encourage you and
16 County when they are looking at your resolution to
17 explore that. And I think, you know, between the fire
18 and police department they'll be making
19 recommendations to you anyway, I'm assuming. Okay.

20 I had a couple more. Oh, briefly, if you
21 can, you talk about joint accreditation. So that will
22 be your licensing that you get from the drug and
23 alcohol. And then you mentioned JCAHO, which is some
24 sort of -- am I saying that right?

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1 MR. BROWN: I'm going to defer to one of our
2 experts in order to answer that question.

3 MR. KOLB: Well, JCAHO is a separate
4 accreditation separate from the State license.

5 MEMBER STOVER: Is it a medical foundation?

6 MR. KOLB: It is. The Joint Commission
7 evaluates facilities like ours, and it will certify
8 the facility as accredited.

9 MEMBER STOVER: Okay. That was my question.
10 That's fine.

11 MR. KOLB: We're committed to that standard.

12 MEMBER STOVER: I think that's it for me.

13 CHAIRMAN WHITE: Board members have any
14 other questions at this time?

15 Mr. Heinrich.

16 MEMBER HEINRICH: In all the reading here,
17 the Fair Housing Act came up in the correspondence in
18 thousands of pages of paper that we've been given
19 here. So I don't know if you can or the County can
20 address how this would affect this proposed facility.

21 MR. KOLB: I can address that. There is
22 recent case law -- we're getting quite legal, if that's
23 all right -- but there's recent case law that, putting
24 it in layman's terms, the courts have considered to be

1 people who are suffering from alcoholism and substance
2 abuse treatment to be considered under the wide
3 purview of the term "disabled" as the FHA would define
4 that term.

5 Similarly, there's been extensions by the
6 same courts to determine people staying in facilities
7 like this with a residential component, a residential
8 health care component for stays between 30 and 90 days
9 are considered to use the property in a residential use.

10 So while the FHA originally was adopted
11 perhaps to prevent discrimination in housing to those
12 who are disabled, more liberal courts, higher courts
13 in our country have extended this legislation to apply
14 to disabled people like the people that are going to
15 be at the Maxxam facility potentially and also to the
16 housing, the temporary residential housing component
17 that Maxxam provides at the facility.

18 So what we have is a broad Federal statute
19 that was maybe enacted for one reason being extended
20 broadly, and we find our application falling right
21 under its umbrella according to very recent decisions.

22 Does that answer your question?

23 MEMBER HEINRICH: So this would protect more
24 the patients, the people living there?

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1 MR. BROWN: Actually, it protects the
2 patients and people here from being discriminated
3 against in housing. All right? And one of the
4 aspects of this hearing and some of the things that we
5 have to be careful about is that by possibly denying
6 this you would be discriminating against people with
7 disabilities in alcohol and drugs.

8 MR. KOLB: The courts have required
9 applicants in order to preserve that claim to ask a
10 board such as yours for a reasonable accommodation as
11 part of their development request, which we've done as
12 part of this application. That's why you see the
13 language peppered throughout the application.

14 It's not technically part of a special use
15 ordinance or not part of 8.2(dd) or what we're
16 applying under, but it definitely applies in this
17 instance, and so we're obligated to preserve that
18 claim to ask for the reasonable accommodation under
19 the Fair Housing Act.

20 CHAIRMAN WHITE: Do the Board members have
21 any questions at this time?

22 (No response.)

23 CHAIRMAN WHITE: Mr. Carrara, do you have
24 any questions of the petitioner?

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1 MR. CARRARA: Mr. Chairman, as I mentioned
2 before the break, yesterday there were at least
3 four questions that were addressed that were not
4 answered.

5 One of those was security guard staffing.
6 This gentleman was also asked again this evening -- I
7 apologize; I don't remember his name from the alarm
8 company. He said he couldn't speak to that.

9 There was also questions yesterday as to
10 staffing of intake, and admissions, and nurses. The
11 one gentleman said he couldn't speak to that, and they
12 said they would have somebody speak to that.

13 There were also questions about what drugs
14 would be on-site, whether they would be controlled
15 substances. They said they'd have somebody here to
16 speak to that. They haven't brought anybody forward.

17 There were questions as to complaints. The
18 lady yesterday from the Illinois Department of Human
19 Resources said she couldn't speak to how complaints
20 were processed, whether they were actionable and how
21 that could possibly withdraw a permit or licensing.
22 They said they would have somebody here to speak
23 to that.

24 So I guess I would like to follow up on

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1 those questions before we go on to any others.

2 CHAIRMAN WHITE: Are you prepared to address
3 those questions?

4 MR. KOLB: Which one would you like to have
5 addressed?

6 CHAIRMAN WHITE: Let's just start right at
7 the top of the list.

8 MR. CARRARA: That was security guard
9 staffing.

10 MR. KOLB: So this is a special use
11 proceeding, part of a special use recommendations of
12 the Zoning Board of Appeals and County Board as far as
13 our staffing requirements. Our State licensure and
14 JCAHO accreditation will require that we have a
15 full-time medical director on-site to administer the
16 medical services, that we have the appropriate
17 therapists on-site and the other requirements for our
18 State licensure.

19 As far as staffing goes for security, we
20 were proposing to have two full-time security guards
21 on-site at all times. If the Board would like
22 something different, we're open to work with you in
23 this fluid process as it pertains to staffing.

24 CHAIRMAN WHITE: Thank you.

1 Mr. Carrara.

2 MR. CARRARA: Mr. Chairman, I guess
3 initially my concern is Maxxam, the applicant, has not
4 told you what its process is directly through its
5 principals and operational people. They're trying to
6 do this through their attorneys, and I guess the
7 argument really comes down to a legal question, it's
8 hearsay. They're trying to tell you something that's
9 truthful based on some other conversation that I don't
10 have the ability to examine those witnesses as to that
11 staffing need and the rest.

12 Obviously, I would like to question whoever
13 the principal that's disclosed from Maxxam is -- I
14 think it's Mr. Marco -- and we could delve into those
15 details further so we can actually get to the person
16 who is going to be responsible for the operations, as
17 we heard earlier, and deal with the details of those
18 questions.

19 CHAIRMAN WHITE: Are you prepared to bring
20 him forward?

21 MR. KOLB: We can. It's not uncommon for
22 corporations often to have zoning applications done
23 through architects, through land planners, through
24 attorneys. This is what we were retained to do is to

1 handle these types of specialized questions from very
2 skilled attorneys like Mr. Carrara who want to portray
3 things perhaps differently than we do.

4 So if the Board sees fit, we could make
5 it -- we request deference on that point to be able to
6 represent our client.

7 CHAIRMAN WHITE: It's not unusual that we do
8 have attorneys come before us to submit the
9 petitioner's request in a zoning issue.

10 Mr. Carrara --

11 MR. BROWN: Just as to the security issue --
12 and I'm going to apologize; I was misinformed on
13 something. We will be willing to stipulate for
14 purposes of a condition of the special use, if you
15 need further information concerning the staffing of
16 the security -- I think that's been a major concern
17 for you -- we have a plan for that security, but there
18 has not been someone who has been hired because,
19 obviously, we're trying to hire -- trying to hire
20 people when you're in a business in which you're
21 trying to get a special use has its complexities,
22 let's put it like that.

23 But we are willing to make it a condition of
24 the special use that we share with you our plan, and

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1 if you need further information concerning that, we'd
2 be glad to provide it for you.

3 CHAIRMAN WHITE: But you would be, as you've
4 stated, willing to have at least two security
5 personnel on the site?

6 MR. BROWN: That was set up as the minimum.
7 It's always been the discussion of this from day one,
8 and it's been told to me that that would be adequate.

9 But I think, to, after you listen to -- and,
10 actually, I have reached out to some of the adjoining
11 homeowners, and we are willing to work with the public
12 as far as talking to them and sharing that security
13 plan. I think that's important. And most of this
14 is -- that we hear in this discussion today is people
15 are concerned. People have fears and we are here to
16 answer them.

17 We feel that this is a facility that will
18 not have an impact and you're going to find that after
19 probably a few months of our operations, basically, no
20 one is even going to know that it's there. It's set
21 way off on the property.

22 But there are concerns and we will -- and
23 because this is such an important issue for many of
24 the residents, we would be willing to stipulate that

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1 we would provide you with further information if that
2 is a condition of the special use.

3 CHAIRMAN WHITE: And I think it would be
4 made a condition of the special use.

5 MR. BROWN: Yes.

6 CHAIRMAN WHITE: Mr. Carrara, next question.

7 MR. CARRARA: I guess just for point of
8 clarification, you just heard Mr. Brown say he was
9 told and there's a plan. We're here today for the
10 public hearing to hear who told him and what the plan
11 is, and I think that that goes to the heart of the
12 operation. One of the factors there is the safety and
13 general welfare of the citizenry, that is a key -- I
14 believe it's Factor A which is on the screen right
15 behind you.

16 We have no plan and nobody to actually
17 testify to the operations of the facility. He's been
18 told something. I don't know who told him, and that's
19 the point of being able to delve into those questions
20 as to the operations of the facility, to make sure it
21 does not endanger the public health, safety, morals,
22 and general welfare. I think it's fair that Mr. Marco
23 be called, and we can go through the process.

24 Believe me, Mr. Chairman, I don't have just

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1 a question on security staffing for him. I have a
2 number of questions on the operation of the facility
3 that I think will all bear evidence as to the findings
4 of fact that you would be considering as the Board.

5 So, again, I would ask that I be able to
6 bring Mr. Marco up and go through the questions that I
7 have for him.

8 CHAIRMAN WHITE: You can ask but I'm not
9 going to suggest that they're forced to bring their
10 client to the table.

11 MR. BROWN: If that were that case, anytime
12 someone would put up a Walmart we would expect one of
13 the Waltons to show up.

14 This is a situation in which we provided the
15 information in our application, we stand by our
16 application, and we fielded as many questions as we
17 can with experts, and those which we have been unable
18 to give that information, we will make that as a
19 condition -- and stipulate that as a condition of the
20 special use and we stand by that.

21 MR. CARRARA: I think, Mr. Chairman,
22 quickly, it's not only the Waltons that would come.
23 Walmart, when it does a facility, brings its
24 operational people; it brings its facility people; it

1 brings its safety people, people that are subject to
2 cross-examination who will be running the facility.

3 You have heard none of that. You have heard
4 hearsay. As Mr. Brown just said, he was told
5 something, but he wants you to take it for truth even
6 though he can't do that.

7 We have heard from Mr. Kolb legal positions
8 that we disagree with, obviously, and we think we'd
9 like to be able to it talk to -- again, if it's not
10 Mr. Marco, then bring somebody who is going to be in
11 charge of the operations of the facility so we can
12 question them on these matters that directly relate to
13 the findings of fact that the ZBA has to consider.

14 You had other people do this in other
15 applications. It's not unheard of that the person who
16 is the operator of the facility will come forward so
17 you have the ability to question and discuss with them
18 the process.

19 MEMBER STOVER: May I ask a question to that?

20 CHAIRMAN WHITE: Go ahead, Ms. Stover.

21 MEMBER STOVER: This is for you.

22 For your accreditation and for your
23 licensure, will there be staffing and operational
24 features that you must meet, benchmarks you must meet?

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1 MR. BROWN: Yes. Between the State license
2 and, also, as we stated, we will be accredited by the
3 Joint Commission, yes.

4 MEMBER STOVER: So by both, your operations
5 will be bound by them? You'll be bound by them?

6 MR. BROWN: Yes. Of course, yes.

7 MEMBER STOVER: And would it be reasonable
8 to think that you would have things like that put
9 together before the County Board entertains this
10 question?

11 MR. KOLB: Yes.

12 MR. BROWN: I kind of misunderstood but he
13 gave the right answer. Yes.

14 CHAIRMAN WHITE: And, Mr. Carrara, I don't
15 have the power of a subpoena, so I can't force them to
16 bring someone forward.

17 MR. KOLB: I would remind the Board that
18 Mr. Carrara does have the power to subpoena and
19 has not.

20 MR. CARRARA: I don't believe that's the
21 case. Nobody has the ability to subpoena for a ZBA
22 hearing and have those people appear. There's no
23 authority to that.

24 MR. KINNALLY: There's no subpoena authority

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1 under the ordinance, Mr. Chairman, with respect to
2 your ability to compel people to come here and testify
3 with respect to their application. If they don't want
4 to come, they don't want to come, and that's the way
5 it is.

6 CHAIRMAN WHITE: Mr. Carrara, did you have
7 another question outside of this?

8 MR. CARRARA: I apologize for turning the
9 mic off.

10 I guess it gets down to yesterday there was
11 a question as to what drugs would be on the facility
12 and if any of those would be controlled substances.

13 CHAIRMAN WHITE: Can you address that?

14 MR. BROWN: We would be willing to make that
15 as a stipulation to the special use that we will
16 provide information concerning that.

17 MR. CARRARA: Again, Mr. Chairman the
18 purpose of these public hearings is to be able to
19 delve into that so the public has the opportunity to
20 learn what those are.

21 One of the reasons why we think it's
22 important is, as the ZBA is probably aware, there's
23 been some recent changes in the ordinance as to where
24 controlled substances can be dispensed and how they

1 can be dispensed. We think it's important if there's
2 going to be controlled substances on this facility
3 that you know of it, what those drugs are, what type
4 of potentially dual disorder treatments they may be
5 dealing with beyond just the drug substance abuse side
6 of things, but also the mental health side of things
7 as part of the overall operation of this facility.

8 Again, that goes directly to Factor A which
9 is right behind you on the board. And, again, we have
10 no information here for the public or for you to
11 consider.

12 CHAIRMAN WHITE: Do you have any response to
13 that, Mr. Brown or Mr. Kolb?

14 MR. BROWN: My response would be that I
15 don't believe it to be necessary for us to provide you
16 that information under Section A, but we would be
17 willing to provide it voluntarily.

18 We do not believe that that would be a
19 condition normally, but we will provide that because
20 we are going to -- if the Board feels that that's
21 necessary, we will provide it. The reason we have not
22 provided it in the beginning is because we did not
23 think that that would be something which would be
24 necessary.

1 I think if you want to get into the real
2 issue of it would be how those drugs are locked up and
3 how they're maintained. I think those are very
4 important questions which could be directly addressed.

5 But as far as -- we will be in compliance
6 with State regulations and rules and law and also the
7 requirements of the Joint Commission which will cover
8 these areas. And by our being compliant with that, we
9 would assume that that would be enough to be covered
10 under Section A, but we will go beyond that if
11 necessary.

12 CHAIRMAN WHITE: And you actually did bring
13 up a point that I had thought of was, how are these
14 drugs going to be secured on the facility?

15 MR. BROWN: And I think that's a fair
16 question, and I think that's something that we could
17 give you further information to be addressed, yes. We
18 will be willing to do that.

19 CHAIRMAN WHITE: Okay. Thank you.

20 MR. CARRARA: Mr. Chairman, is that further
21 information then subject to cross-examination? I
22 think that's the purpose of these hearings is to delve
23 into the information and have the ability to have
24 meaningful cross-examination and dialogue on the

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1 matter.

2 CHAIRMAN WHITE: I anticipate that this
3 public hearing will be continued. We have dates
4 blocked out in January to continue this public
5 hearing, and I would hope that at that time they will
6 have more of these -- more answers to some of your
7 questions.

8 MR. BROWN: Well, if I could just interpose,
9 if the Board has specific questions concerning these
10 areas that we are stipulating to, if you would like to
11 direct us to say this is information for these
12 specific questions, I can address that.

13 My problem is in this process as we bring
14 our application, which has been very extensive, we get
15 questions that are brought up once we're here. So I'm
16 willing to work with you and provide witnesses if
17 necessary concerning these areas. I just want to be
18 kind of locked in as to which ones I'm being required
19 to answer. That's all.

20 CHAIRMAN WHITE: And I think we can develop
21 that list, though, probably not this evening but
22 shortly.

23 MR. BROWN: I mean, Mr. Carrara and I are
24 colleagues, but it's not like he calls me up and says,

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1 "Hey, would you bring this." So this is my first
2 time -- and it's fair, and we are here to respond to
3 his questions.

4 CHAIRMAN WHITE: Okay. Anything else,
5 Mr. Carrara?

6 MR. CARRARA: With Mr. Brown's accommodation
7 I think we should be able to have dialogue and see if
8 we can get to a resolution at least to those matters.

9 MR. BROWN: I'd be glad to work with him.

10 MR. CARRARA: I guess for clarification,
11 Keith, help me out. Will somebody, whether it's the
12 principal, Mr. Marco, or others for the operation of
13 Maxxam at this facility, will they be available for
14 examination?

15 MR. BROWN: At this point -- they're not
16 available today.

17 MR. CARRARA: No, as part of the future date
18 that we have scheduled out I think in January, as the
19 Chairman said.

20 MR. BROWN: I'm making no commitment to that.

21 CHAIRMAN WHITE: Okay. Thank you.

22 Mr. Kinnally.

23 MR. KINNALLY: I think what I'm hearing here
24 is the Board has some concerns with respect to -- not

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1 only the Board but the public -- with respect to at
2 least three areas, and I don't want to speak for
3 anybody, but I think these are areas that are of
4 concern.

5 One is operations of the facility. Two
6 is -- and "operations" meaning from admission through
7 who is going to be there; how many people are going to
8 be there; how long does the licensure take; how long
9 does it take to get the JCAHO accreditation? If you
10 could enlighten the public and the Board on that, I
11 think that's important.

12 I also believe that there's concerns about
13 security, some of which have been addressed tonight.
14 I think Board Member Stover brought up a good idea
15 with respect to the fact that this is a huge piece of
16 property with only one way in and only one way out. I
17 assume the fire commissioner for the area is concerned
18 about that, public safety.

19 And I think the other thing that is of
20 concern for residents and the community is, is there
21 going to be any effect with respect to valuations on
22 their property? It's one of the concerns; it's one of
23 the issues in the six factors.

24 I think those are -- I'm not trying to

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1 provide a template here, but I think those are
2 three areas that the community and the Board are
3 concerned about.

4 So that's my two cents, for what it's worth.

5 CHAIRMAN WHITE: Thank you.

6 MR. BROWN: We do have our valuation experts
7 here if you wish to ask them some further questions,
8 but if would you like to defer for some other date,
9 I'm going to allow you -- we would be in agreement
10 with that, but the valuation people are here tonight.

11 CHAIRMAN WHITE: Do the Board members have
12 any questions on the effect of this facility on
13 property values? Would you like to call those
14 witnesses?

15 (No response.)

16 CHAIRMAN WHITE: I'm not seeing any.

17 Ms. Stover, do you have a question?

18 MEMBER STOVER: Just following up on what
19 Mr. Kinnally said and what Mr. Carrara said and
20 Mr. Brown, before they leave tonight it would be great
21 if they had a very succinct list of what they're
22 coming back for so we don't have to come back
23 two, three times.

24 So would you like that in a motion for what

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1 Mr. Kinnally said of what we'd like to see in one more
2 meeting, or how would you like that?

3 MR. BROWN: Just to throw something out
4 there, if you have a motion that you would send us a
5 letter that has the specific things from your
6 attorneys that we can address at the next hearing.
7 Therefore, we would have formally direct questions
8 that would be asked of us that we could reply to.
9 Sometimes in these processes in the form of a motion
10 it can be somewhat vague, and we would like to be
11 apprised specifically of what you would like so we can
12 answer it.

13 CHAIRMAN WHITE: You've already offered to
14 consult with Mr. Carrara on some of these issues, and
15 I think Mr. Kinnally mentioned some that I hope you
16 took notes of.

17 MR. BROWN: We did but we would be willing
18 to meet with Mr. Kinnally if you find that to be
19 appropriate as a representative for purposes of this
20 proceeding to address these issues as far as what the
21 issues are. We're not going to present evidence to
22 Mr. Kinnally, obviously, but as to what these issues
23 that the Board by action of the Board feels is
24 relevant.

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1 CHAIRMAN WHITE: Would it be more
2 appropriate to meet with Mr. VanKerkhoff?

3 MR. BROWN: Whatever the Board wishes.

4 CHAIRMAN WHITE: I think that would be a
5 better fit in this case.

6 Board members have any other questions?

7 MEMBER STOVER: Mr. Chairman, would you
8 prefer a motion to continue the meeting?

9 CHAIRMAN WHITE: Actually, I would like
10 to -- it was mentioned that we could try to break at
11 10:00 or prior. We do have some time. I've got
12 quarter after 9:00. So I would be willing to take
13 testimony from the public, and/or does the County have
14 anything to address?

15 MR. VAN KERKHOFF: Mr. Chairman, as your
16 zoning enforcement officer I just wanted to comment
17 that in terms of any stipulations or conditions that
18 the Zoning Board might consider to pass along with the
19 recommendation to the County Board and the petitioner
20 might agree to, those should be very specific conditions.

21 So rather than just to say a condition or
22 stipulation that a security plan would be worked out,
23 that actual security plan should be part of the
24 condition.

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1 So as you've suggested, I'm willing to work
2 with the petitioner on items for the next meeting, but
3 do keep in mind that stipulations and conditions
4 should be fairly specific.

5 CHAIRMAN WHITE: And I would hope that at
6 some time you're willing to bring those specifications
7 or those specifics to light.

8 Any other questions from the County at
9 this time?

10 MR. KINNALLY: No.

11 CHAIRMAN WHITE: That opens the floor for
12 public testimony at this time. And the way I want to
13 structure this is if there's any entity, whether it be
14 the village or a township, any unit of government, I
15 would allow them to speak first. And then if the
16 public is represented by an individual, if you've -- a
17 group of you have chosen a spokesperson, I would ask
18 that that person come forward.

19 I am going to limit you on the time you have
20 to make your presentation. I'll begin -- I'll be very
21 lenient at the beginning, but as the night progresses,
22 I will probably begin asking you to make briefer
23 statements.

24 So at this time, then, is there any unit of

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1 government that would like to speak? I see a hand to
2 my left. Please raise your right hand and be sworn in.

3 (Witness sworn.)

4 CHAIRMAN WHITE: Thank you. State your name
5 for the record and your address and your unit of
6 government.

7 MR. JOHANSEN: Richard Johansen, Campton
8 Township clerk. I live at 3N522 Bulkan Drive, Campton
9 Hills.

10 CHAIRMAN WHITE: Thank you.

11 MR. JOHANSEN: I'm interested in the fair
12 housing implications that were written by Hart Passman.
13 He wrote an opinion on why the County has to approve
14 this facility because it's a reasonable accommodation
15 because drug addiction is a disability.

16 I would very much like to cross-examine this
17 person, and I don't think he's here tonight. If he
18 would appear at the next meeting of this body, I would
19 very much like to do that.

20 Thank you.

21 CHAIRMAN WHITE: Thank you.

22 MR. BROWN: We did have him here last night.
23 He was not available tonight.

24 CHAIRMAN WHITE: Okay. Will he be --

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1 MR. BROWN: Actually, Andrew Kolb did write
2 the same opinion, and I guess Andrew Kolb could answer
3 those same questions. Just inform us if you need that
4 to be a condition, and we will try to accommodate you.

5 CHAIRMAN WHITE: Would you accept the
6 testimony of Mr. Kolb?

7 MR. JOHANSEN: Thank you very much. No, I
8 prefer Passman.

9 CHAIRMAN WHITE: Next question.
10 Yes, Mr. Blecker.

11 MR. BLECKER: Just one quick question that I
12 have for the Board. Is this the only time we will
13 have an opportunity to speak? I would like to hear
14 all the testimony from all the other individuals so
15 that I can make a clear and precise statement to you
16 and not conjecture what somebody else might say.

17 CHAIRMAN WHITE: Yes. I plan on continuing
18 this until January. I'm not going to close the public
19 hearing this evening.

20 MR. BLECKER: We will have another chance in
21 January to speak?

22 CHAIRMAN WHITE: You will have another
23 chance before this body, and you would also have an
24 opportunity to speak before the County Board if you so

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1 desired.

2 MR. BLECKER: Thank you.

3 CHAIRMAN WHITE: Anyone else?

4 Sir, please come forward.

5 (Witness sworn.)

6 CHAIRMAN WHITE: Please state your name and
7 address for the record.

8 MR. WILLIAMS: John Todd Williams,
9 5N575 Hazelwood Court, St. Charles, Illinois. I'm on
10 the Campton Township Plan Commission, have been for
11 about 10 years.

12 I was hoping to question -- but we don't
13 have a lot of the right people to question, as has
14 been noted, but I will make a couple statements
15 of fact.

16 I have until recently been a CEO of a
17 medical group in Detroit operating several different
18 facilities in that area, and we regularly were in the
19 business of treating pain and, therefore, very
20 frequently unfortunately creating the addicts that
21 we're talking about, and we also were in the business
22 of helping them wean from those drugs or in one way or
23 another recover from those.

24 So one of the things that, Mr. Chairman, you

1 originally mentioned, when people were going to come
2 up, they were to state whether they were in favor or
3 opposed to this. I haven't heard anyone do that. I
4 think that's because no one who has come up was in
5 favor of it. I am in favor of this and as a member of
6 the Campton Township board voted in favor of it.
7 However, as an elected official I think I certainly
8 would vote against it because the overwhelming
9 constituents are against it.

10 That notwithstanding, the statement I want
11 to make is that any facility of which I have been
12 aware and certainly those over which I've had
13 managerial control do dispense FDA Schedule II drugs.
14 As you may or may not know, that's the highest, and
15 most addictive, and most desirable other than
16 Schedule I, which would be heroin and cocaine and so
17 forth. Almost without a doubt it's going to have
18 Schedule II drugs: Methadone for oxycodone/heroin
19 addiction, Suboxone to manage opiate withdrawal,
20 benzodiazepines to help with alcohol withdrawal and
21 management of those symptoms.

22 So I think it is germane and, frankly, it's
23 ridiculous not to be able to state that that is what
24 this is. This place is going to have the most

1 desirable drugs on the planet in it. They are going
2 to be delivered, stored, and dispensed on a daily
3 basis to, my guess would be from my experience about
4 80 percent of the people there. So out of 120 -- you
5 guys can do the math -- but say 100 folks a day are
6 going to be getting these.

7 Those people are trying to quit drugs, but
8 they have drug seeking behavior. People outside of
9 the facility also have drug seeking behavior and may
10 come to that facility. It's already been stipulated
11 that this is going to be a very softly secured
12 facility in terms of ingress and egress. In fact,
13 it's going to allow ingress and egress by its very
14 nature.

15 Considering that, I think it is very
16 reasonable that the people living near the facility
17 and, you know, even less proximate as I to have, you
18 know, a very strong concern about the safety of this
19 facility. And it is indeed going to be a very
20 different operation in Campton Township, which is one
21 of the top townships in the nation in terms of
22 maintaining its rural charming character.

23 So whether this facility is good in a place
24 nearby or whether it's good in Campton Township is

1 certainly something that you as a fine commission need
2 to be thinking about, and I would hope that when this
3 gets to the County Board where we have elected
4 officials those officials are also considering what
5 the vast majority of constituents are telling them
6 about the -- basically the comfort and their feeling
7 of security.

8 That's all I have.

9 CHAIRMAN WHITE: Thank you. Next gentleman,
10 Mr. Shapiro.

11 MR. SHEPRO: Ken Shepro, fire district,
12 previously sworn.

13 We have some questions that we have posed
14 earlier in my cross-examination and in some
15 discussions with the applicant. I think I would just
16 say this evening that I would associate ourselves with
17 the comments that were made by Mr. Kinnally and
18 Mr. VanKerkhoff, as well as the discussions with the
19 applicant.

20 Our concerns are that of the security plan,
21 the interaction that the facility will have with the
22 emergency service providers, whether it be the sheriff
23 or the fire departments, and access to some of the
24 facilities.

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1 I think most of the answers to those
2 questions are -- will be forthcoming, as I understand
3 it, and I think our hope would be that after we've had
4 a chance to discuss that and articulate, receive some
5 more information that the County staff and the
6 developer will assist us in incorporating those
7 into -- as Mr. VanKerkhoff said, specifically into any
8 stipulations that are attached to any recommendation
9 by this Board.

10 So that's really all we want to say, and
11 thank you for your attention and your questions.

12 CHAIRMAN WHITE: Thank you.

13 MR. KINNALLY: Mr. Chairman?

14 CHAIRMAN WHITE: Yes.

15 MR. KINNALLY: Before we indicated that we
16 would direct Mr. VanKerkhoff to try to meet with the
17 applicant and the objector, Mr. Carrara, and I
18 indicated to you that there is no subpoena power. I
19 wanted to remind you that under our ordinance you do
20 have the authority to compel a witness to come here.

21 Now, I'm not sure how you do that, but
22 that's what the ordinance says. So at some point in
23 meeting with Mr. VanKerkhoff, if he believes that
24 that's necessary that some witness come forward, I

1 believe under the ordinance that you probably have the
2 right to issue some kind of order that says so-and-so
3 should be here.

4 So I'm just bringing that to your attention.
5 I'm not trying to use it as a hammer to make sure that
6 the applicant knows that. But we do not have subpoena
7 power under the ordinance.

8 CHAIRMAN WHITE: Thank you. This gentleman
9 on my right, would you like to come forward?

10 And you have been be sworn. Please state
11 your name.

12 MR. PALACIOS: Elias Palacios.

13 CHAIRMAN WHITE: Thank you.

14 MR. PALACIOS: I have an opinion and
15 request.

16 First of all, I have a lot of experience in
17 substance abuse over the last 24 years. I worked in a
18 forensic program over the last 10 years in an
19 inpatient setting.

20 And then having said that, I would like to
21 see or hear from Maxxam or the company of the proposed
22 facility to come and explain the clinical and the
23 model of treatment that they are intending to provide,
24 all the models of treatment and also to see the

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1 training, the experience, and the education of the
2 people who are going to work.

3 That's it.

4 CHAIRMAN WHITE: Okay. Thank you.

5 Would the petitioner be able to address that
6 concern on your model of care?

7 MR. BROWN: We've been standing by our
8 answer that we will be in compliance with the Joint
9 Commission and also the State regulations and laws.

10 I think what he's -- I don't have a problem
11 with the type of care, but if we're going to go into
12 issues of training and everything, we would just go by
13 the fact that we are standing by the laws that are
14 involved here.

15 I will discuss it with the principal
16 furthermore, but I cannot commit to anything further
17 than that at this point.

18 CHAIRMAN WHITE: Thank you.

19 Next witness. The gentleman on my left.
20 And you've been sworn.

21 MR. MILLER: Yes, I have. Joe Miller,
22 Campton Township.

23 CHAIRMAN WHITE: Please speak into the
24 microphone.

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1 MR. MILLER: Joe Miller, Campton Township.

2 I have a series questions that relate to
3 property values and property taxes. So at your
4 discretion I could tackle one or all of them. I want
5 to be cognizant of the amount of time. However, I
6 want to make sure that if we do throw some of these
7 back towards the January session that I have the
8 prerogative to have these questions answered.

9 So possibly just start with the property
10 values and ask after we finish those questions. Would
11 that be logical?

12 CHAIRMAN WHITE: That's fine.

13 MR. MILLER: For point of clarification,
14 does the County conduct independent validation of the
15 property value reports supplied by the petitioner?

16 CHAIRMAN WHITE: I can't answer that.

17 MR. MILLER: Okay. So right now it sounds
18 like there is no plan to do independent validation.
19 Okay.

20 MEMBER STOVER: Can you repeat that
21 question? Because I want to know how it pertains to
22 our --

23 MR. MILLER: For property values, property
24 valuation studies have been supplied by the

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1 petitioner. I was wondering whether the County had
2 any plans to conduct independent valuation studies on
3 its own to validate or invalidate the material
4 supplied by the petitioner.

5 MEMBER STOVER: I see what you're saying.

6 MR. MILLER: So, in other words, you have
7 information. Okay? Is that information accurate or
8 inaccurate? At the moment certainly credible people
9 are supplying credible reports. However, there's a
10 series of opinions that go into these reports, so the
11 question becomes whether or not there are concurring
12 opinions that are represented independently by the
13 County or whether or not the Board or the Zoning
14 Commission is going to say we're just going to accept
15 then at face value.

16 MR. BROWN: I'd like to say that's usually
17 something brought by an objector. And I would defer
18 to Mr. Kinnally, but if the County was to do this for
19 every proposal that came up, the County would be
20 spending most of its money on getting experts to
21 counter other experts.

22 MEMBER STOVER: I still don't know --

23 MR. KINNALLY: The County has no intention
24 of doing that.

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1 CHAIRMAN WHITE: Ms. Stover, did you have a
2 comment?

3 MEMBER STOVER: No, I don't.

4 CHAIRMAN WHITE: Thank you.
5 Joe.

6 MR. MILLER: For Poletti & Associates,
7 please, I was wondering if basically they could just
8 give a general explanation of what types of things are
9 typically considered deterrents to purchasers or have
10 a negative impact on property value.

11 CHAIRMAN WHITE: Go ahead with your
12 questions.

13 MR. MILLER: That is the question, sir. The
14 first question is, what are things that are considered
15 to be deterrents in people purchasing properties?

16 CHAIRMAN WHITE: I'm inclined to bring the
17 witness forward is what I'm trying to get at. So go
18 through your list of questions.

19 MR. MILLER: Actually, I have about six or
20 seven of them.

21 CHAIRMAN WHITE: Go ahead. State them and
22 we'll see how we can address them.

23 MR. MILLER: Of those that they mentioned,
24 I'm wondering in terms specifically of the Timberline

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1 Knolls. If I look at the Timberline Knolls, you've
2 got basically railroad tracks, .1 mile; scrap yard,
3 .3 miles; retreaded tire facility, .3 miles;
4 industrial canals; water departments; large --

5 CHAIRMAN WHITE: Go ahead. Move on.

6 MR. MILLER: Okay. So within those, how
7 many are actually physically near the proposed site?
8 So that would be another one. I would actually prefer
9 if we could have this as a dialogue so I could address
10 these questions and skip questions when they're no
11 longer relevant, but it sounds like we're just going
12 to go this route.

13 CHAIRMAN WHITE: Just proceed with your
14 questions, and I'll address them at the end of your
15 testimony.

16 MR. MILLER: Okay. That does lead us then
17 to if we take a look specifically at Timberline
18 Knolls, which has seven or eight within literally less
19 than 1 mile, we now have a series of factors that,
20 wouldn't it be logical to assume that given the
21 numerous negative impacts on property values near
22 Timberline Knolls, what would be the impact of any one
23 given presence or absence?

24 So when they are factoring in and they used

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1 that as an example, and they said let's compare that
2 neighboring -- those neighbors with the absence of one
3 specific out of eight very negative detractants, how
4 can they then make that assumption?

5 CHAIRMAN WHITE: Okay. I've got to stop you
6 at this point. Is the witness available for
7 questioning?

8 MR. KOLB: With respect to the issue of
9 property values we have two primary witnesses,
10 Mr. MaRous and Mr. Poletti. Their testimony is best
11 presented together. I think it makes most sense to
12 defer this until the next hearing if that's what the
13 Board prefers.

14 MR. MILLER: Sure.

15 CHAIRMAN WHITE: That's fine.

16 MR. BROWN: I guess part of it would be the
17 interest of time.

18 CHAIRMAN WHITE: I understand that. I think
19 you're probably going to eat up more time bringing
20 them forward. Are they to be available in January is
21 the next question. I see one affirmative.

22 MR. KOLB: Yes, they will.

23 MR. MILLER: Skipping all those, moving on
24 to traffic, is your traffic person available, or would

1 you prefer to also defer that until January?

2 MR. KOLB: In pushing 20 minutes left with
3 your 10:00 cutoff, I think to bring another witness
4 forward, examine the witness, and then cross-examine
5 the witness would be impractical.

6 MR. MILLER: That's why I began with the
7 assertion that perhaps it makes more sense to go ahead
8 and defer to January, and we can tackle the taxes at
9 that time, too.

10 MR. KOLB: The taxes are referenced in our
11 binder.

12 MR. MILLER: Just a quick point, though.
13 The school system is a great amount of -- it's getting
14 towards close to -- what? -- close to a quarter
15 million dollars that goes to the school system.
16 Specifically, what school system, please? We do have
17 multiple.

18 MR. BROWN: District 301.

19 MR. MILLER: District 301. So are you
20 familiar that a lot of the school districts of the
21 properties bordering this specific proposed facility
22 is 303? So, in other words, you have one school
23 system benefitting where another is not.

24 CHAIRMAN WHITE: That's the case with all

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1 property. They have no control over that.

2 MR. MILLER: Okay.

3 MR. KOLB: We're not burdening the property
4 by adding any students to the school district, either.
5 There will be no one here under the age of 18 that
6 will attend schools that will be burdened.

7 MR. MILLER: Perhaps a poor choice of words
8 on my part; I do apologize. However, though, just in
9 terms of distribution of benefit is what I'm
10 referring to.

11 I'll just defer the rest them until January.
12 Thank you.

13 CHAIRMAN WHITE: Thank you. Anyone else --
14 I think the lady in the far back there I can see,
15 please come forward.

16 MS. HARTMAN: Am I permitted to make a
17 general statement?

18 CHAIRMAN WHITE: I'd ask that you come
19 forward to submit testimony.

20 (Witness sworn.)

21 CHAIRMAN WHITE: Please state your name for
22 the record and your address.

23 MS. HARTMAN: I'm Patricia Hartman,
24 8N316 Dittman Road along McDonald, Elgin 60124, and we

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1 live near Dittman and McDonald Roads. Our farm fields
2 are about a mile from the site. I'm speaking for a
3 lot of the neighbors, a lot of the farmers in the
4 area, and just people in neighboring homes.

5 We do live on a family-owned farm. We've
6 been in the area, my ancestors, since the 1880s,
7 ourselves on the farm for 71 years -- that would be my
8 husband -- me 53 years.

9 We are an area of rural farm land. The
10 forest preserves, the beautiful rural countrysides,
11 and it's my opinion that this place, a rehab and drug
12 center is the wrong place in this location. It's not
13 good for our area, neither is it good for them.

14 I feel a center of this type should be
15 located near a hospital. There's 120 patients that
16 are there with big problems, and there will be medical
17 problems. There will be security problems. We're an
18 area of a small village of Plato Center, a small
19 village of Wasco, a very broad community of Campton
20 Hills. Community services are limited. Hospital care
21 is limited if you put this kind of facility in the
22 center of the countryside surrounded by forest
23 preserve, rural homes, and so forth.

24 I'm also concerned that the Glenwood Academy

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1 is not appropriate because of its open campus. You
2 talk about people with problems detoxing and such.
3 There's eight separate residences, a separate dining
4 hall, a separate meeting center, a separate gymnasium
5 where people are free to move not just in campus but
6 possibly outside of campus and affect those neighbors.

7 I've given thought to what I thought ought
8 to be there because when you speak up against
9 something, maybe you need another alternative, and I
10 really feel that this property would be better suited
11 to what Glenwood was in the beginning, possibly a
12 boarding school or academy, a college field study
13 campus, a retreat center, retirement facility, a
14 business or environmental center for study, something
15 that would be more appropriate for Campton Hills and
16 for central Kane County.

17 I don't wish to be known as the home of the
18 second largest drug rehab center in the state. From
19 what I understand, most of them, again, are located in
20 urban areas or near hospitals, not in the country.

21 I would like to remain what we are. We are
22 the pride of the Fox. We're the Fox River Valley, and
23 there are some sites that say one of the most beautiful
24 areas in the state of Illinois is Campton Hills.

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1 Let's keep it that way.

2 I vote against Maxxam coming in and
3 developing a drug rehab facility. So I state my
4 disagreement, and I hope you will vote against it.

5 CHAIRMAN WHITE: Thank you.

6 (Applause.)

7 CHAIRMAN WHITE: As I mentioned last night,
8 we don't recognize applause or jeering in this
9 proceeding.

10 There was a woman that stood on the right
11 side when I asked. You may come forward.

12 Please raise your right hand to be sworn.

13 (Witness sworn.)

14 MS. JOHNSON: My name is Catherine Johnson;
15 C-a-t-h-e-r-i-n-e, Johnson. I live at 43W423 Ickenham
16 Lane in Campton Hills.

17 I have a couple items I would like to review.

18 CHAIRMAN WHITE: May I ask what your
19 proximity to this property is.

20 MS. JOHNSON: A little bit more than
21 1 mile west.

22 CHAIRMAN WHITE: Okay. Thank you.

23 MS. JOHNSON: The special use that is being
24 requested tonight is in an F District and an R1

1 District which specifically does not call out a
2 private addiction program. This is not a hospital
3 that is being petitioned for use. There has been no
4 discussion about any affiliation with a hospital or
5 any other type of facility that provides comprehensive
6 medical services.

7 What is called out for a special use permit
8 in these districts are a monastery, a nunnery,
9 religious retreat, nursing or convalescence home,
10 assisted-living facility, boarding school, and
11 orphanage. The definition of a convalescence or
12 nursing home is for persons suffering from bodily
13 disorders versus an addiction. Applying a special use
14 permit for this type of facility also has the
15 potential to deter the public from using the adjoining
16 forest preserve land.

17 There's also been discussion over the last
18 two nights regarding the Fair Housing Act. I did my
19 own investigation into that, and my understanding is
20 the Fair Housing Act excludes persons who are current
21 drug users or those in rehab if using drugs. It also
22 states that a person is not considered disabled if
23 their conditions can be corrected by medication.

24 It has been stated in the testimony of the

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1 petitioners that the treatment that will be provided
2 will include medical detox services, as well as
3 comfort medications for those who are in the process
4 of recovery.

5 An additional comment was made tonight that
6 it could be potentially considered as a residential
7 property in regards to the Fair Housing Act since the
8 stay is determined to be 30 or 90 days or more.
9 Reviewing the special use for an R1, it does not
10 include residential greater than a single-family home.

11 My last comment for tonight is it was stated
12 there was a potential of 80 to 120 permanent local
13 high-paying jobs associated with this facility. The
14 patient count is established at 120. It seems very
15 questionable that the patient/staff member ratio would
16 be one-for-one and that all jobs included would be
17 considered as high-paying.

18 CHAIRMAN WHITE: Thank you. Anyone else to
19 the podium?

20 The gentleman to the right.

21 (Applause.)

22 CHAIRMAN WHITE: I'll have you removed if
23 you want to continue that.

24 (Witness sworn.)

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1 CHAIRMAN WHITE: State your name and address
2 for the record.

3 MR. ATKINSON: My name is Mark Atkinson. I
4 live at 7N290 Fox Bend in Campton Hills.

5 CHAIRMAN WHITE: Approximately how close
6 are you?

7 MR. ATKINSON: A couple hundred yards just
8 west of the -- my neighborhood is just west of the
9 property.

10 CHAIRMAN WHITE: Go ahead.

11 MR. ATKINSON: My comment is just -- I'll
12 speak from experience of about 30 years as a law
13 enforcement officer and dealing with people that are
14 intoxicated and/or have used different substances. A
15 lot has been said about every addict is not dangerous,
16 which is probably entirely true.

17 CHAIRMAN WHITE: Please speak closer to
18 the mic.

19 MR. ATKINSON: When an addict has just used
20 their drug of choice, they're usually pretty happy.
21 When you take that narcotic away and they need to
22 figure out a way to get more is when they become the
23 most dangerous. That's obviously one of the things
24 that would be done at the facility to attempt get

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1 these people detoxed.

2 Being an open facility where you can come
3 and go as you please, it's been stated many times that
4 no crime is being committed there. The first urgent
5 call to any police agency would be possibly when
6 somebody enters on to someone's private property or
7 worse, was kicking in their back door or something
8 like that.

9 I believe that is, in fact, the concern of a
10 bunch of people here. And like I said, I'm dealing
11 with 30 years of experience and about half of my
12 career had a lot to do with narcotic crime. I've
13 heard this is just sensational, things like that. I
14 disagree with that. Like I say, I'm speaking from my
15 experience. My fear and other people's fears are
16 probably equal and the same.

17 Thank you. Thank you very much.

18 CHAIRMAN WHITE: Thank you.

19 I have a woman in the back on my right.
20 I've got about another 15 minutes. I saw a few more
21 hand go up. So we will be wrapping this up shortly.

22 I have to swear you in.

23 (Witness sworn.)

24 CHAIRMAN WHITE: Please state your name and

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1 address for the record.

2 MS. WALTER: My name is Doris Walter,
3 6N743 Briarwood Drive, Campton Hills, Illinois.

4 CHAIRMAN WHITE: Thank you. And how close
5 to this facility are you?

6 MS. WALTER: My street is the one right next
7 to the drive to go into it.

8 CHAIRMAN WHITE: Okay. Thank you.

9 MS. WALTER: You guys are supposed to
10 protect us. Okay? So I'm hoping when you make this
11 decision you think about us.

12 Campton Hills has a vision statement which I
13 was told you guys have not received yet. I'm nervous
14 as all get out tonight, and I'm not going to be able
15 to read it to you. So if anyone would like to read it
16 to them afterwards, after I'm done, I would appreciate
17 it and I've got a copy for you guys.

18 CHAIRMAN WHITE: Do you want to enter it
19 into testimony?

20 MS. WALTER: Yes, I do.

21 CHAIRMAN WHITE: Is there a motion from the
22 Board to accept it?

23 MEMBER STOVER: So moved.

24 MEMBER CAMERON: Second.

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1 CHAIRMAN WHITE: Moved by Ms. Stover,
2 seconded by Ms. Cameron. All in favor say aye.

3 (Ayes heard.)

4 CHAIRMAN WHITE: Opposed, same sign.

5 (No response.)

6 CHAIRMAN WHITE: Motion carries. Just make
7 a copy available and it'll be distributed.

8 MS. WALTER: Okay. My heart is going a
9 hundred miles a minute. I hope this doesn't put me
10 in AFib.

11 I moved to this area over 30 years ago, love
12 the community the way it is. We voted this type of
13 thing down just what a couple years ago. I'm just
14 hoping that you honor what Campton Hills wants. You
15 know, we do not want this facility in there.

16 It's wrong for to you vote in favor of this
17 issue because we have voted it down before. So I hope
18 you'll honor us with that. I mean, we pay our taxes
19 to Kane County, too.

20 They brought their paid witnesses here from
21 other states, and we've heard all this before. I
22 mean, they had the two druggies; they came out good
23 and some do. But I want to tell you I lived with my
24 sister since I was 15 years old and she's done -- she

1 did and still does drugs, but she's been in facility
2 after facility over the years, and I'm telling you,
3 you would not want her knocking on your door.

4 She's made the Elgin paper probably
5 15, 20 years ago for breaking into an 87-year-old
6 man's house, grabbing a knife out of his kitchen
7 drawer, and holding him at knifepoint so she could get
8 money. My sister has done all kinds of things like
9 that, and she got out of a lot of stuff because my dad
10 was a retired judge.

11 So people that go into this place may not
12 all have the money to pay for it, but they may have a
13 retired judge or somebody that can get them into the
14 system. My dad knew people.

15 CHAIRMAN WHITE: I would ask that you keep
16 your comments to the six points that we need to
17 address as this board, findings of fact.

18 MS. WALTON: Okay. But they talked about
19 how well they did in their system and everything, and
20 my sister is still on drugs and all that. And she's
21 now 63 years old, and this is starting when she was
22 16. I was having to deal with this type of person
23 stealing and all of that. So you have to know the
24 type of people that are going into these. I don't

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1 care how much money you have in your pocket.

2 CHAIRMAN WHITE: We can't make that
3 assumption. We don't know the people that --

4 MS. WALTON: I know that it's true. I know
5 she stole my car; I know she beat me up. I have scars
6 on my hand.

7 CHAIRMAN WHITE: That's the case of your
8 sister. She hasn't been in this facility. I really
9 ask you to keep your comments directed to this Board
10 concerning the six points that we need to address.

11 MS. WALTER: Okay. Well, anyway, that's my
12 testimony on her because I know what she did.

13 What I would like to know from them, too, is
14 how many people come out of it the first time and
15 never have problems again. And it's probably about
16 10 percent, 10, maybe 15 percent that ever -- that do
17 well. So you've got the other 75 percent.

18 Yeah. Well, my bottom thing is I hope you
19 respect us out in Campton Hills.

20 CHAIRMAN WHITE: Okay. Thank you.

21 MS. WALTON: You want me just to hand this
22 to you?

23 CHAIRMAN WHITE: Yes, if you would, please.
24 You can give it to Keith on the end, please.

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1 Now the gentleman on my left, please raise
2 your right hand.

3 (Witness sworn.)

4 CHAIRMAN WHITE: Please state your name and
5 address for the record.

6 MR. BARTON: Jeff Barton. My address is
7 41W580 Fox Bend Drive. My back yard is less than a
8 quarter mile from this facility. The main entrance
9 goes right past my back yard.

10 I keep hearing a lot of talk about 120 beds,
11 120 people. We're talking about a minimum stay of
12 30 days, so we're really talking about a little over
13 1400 people here a year in total turnaround if it's at
14 the minimum stay. Is there going to be any expert
15 testimony as to how many emergency-type calls this
16 facility will predictably generate per year?

17 In looking at the resources that we have,
18 tying up a small response team to at least an hour of
19 total response time and taking the person to the
20 hospital -- or going to there, picking them up, taking
21 them to the hospital, is there going to be any expert
22 testimony as to the actual physical estimated number
23 of emergency response calls that this will generate?

24 I know there was a police statement that

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1 said it was a minimum impact, but what are the hard
2 numbers on it? What are the factual estimated
3 numbers?

4 CHAIRMAN WHITE: There was information
5 provided in their petition. Did you have anything
6 else you wanted to add at this time?

7 MR. BARTON: The people in this community,
8 live in Campton Hills, it's a quiet community, the
9 number of emergency response calls and hearing sirens
10 on a -- you know, for two-thirds of the year on these
11 type of calls, it's not what the people that have
12 invested in properties in this rural community setting
13 signed up for.

14 CHAIRMAN WHITE: Okay. Thank you.

15 Is the petitioner willing to address that
16 question at this time?

17 MR. BROWN: Which one? About emergency --

18 CHAIRMAN WHITE: About the number of calls
19 that you feel would be generated and the testimony
20 that you provided in your petition package
21 addressing that.

22 MR. KOLB: We could get more specific
23 information, but we submit that the number of calls
24 generated for police will be less than what currently

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1 is being generated by the Glenwood School for Boys in
2 its abandoned condition. With respect to ambulance,
3 we could get more details.

4 There are impact fees that the petitioner
5 would contemplate paying. We've been in touch with
6 Mr. Dixon on that point. And an ambulance is private
7 pay. Typically the patient pays for that, and we
8 would anticipate the facility perhaps being involved
9 in that, as well.

10 CHAIRMAN WHITE: Thank you.

11 I'll take this lady right in the front here.

12 (Witness sworn.)

13 CHAIRMAN WHITE: Thank you.

14 MS. FREDA: My name is Ellen Freda. I
15 reside at 41W670 Barberry Lane. Our subdivision is
16 Hedgerow Farms we're located just a switch past a half
17 mile off campus.

18 There's four words that jump out at me as
19 I'm sitting here tonight looking at your screen, and
20 it is the words "comfort or general welfare." And let
21 me give you a little idea of who we are. I can only
22 speak to my subdivision, but I know the other ones in
23 Campton Hills are pretty much the same.

24 My husband and I moved out here 20 years ago,

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1 and we belong to a subdivision of 66 single-family
2 homes most of them with children, a couple of retirees.
3 It's a beautiful neighborhood.

4 We -- as a neighborhood we have a homeowners
5 association. We collect dues and we do wonderful
6 things in our subdivision like we have Santa Claus
7 that goes house to house to any family that would like
8 and visits their children before Christmas to make
9 sure they're being behaved.

10 We have the Easter bunny visit us for an
11 outdoor activity where we have Easter egg hunts, and
12 there's probably 20, 30 children running around in our
13 back yard; I have hosted it. We have hosted, my
14 husband and I, our neighborhood bonfire and hay ride
15 where we have 50, 60 people in our back yard, which
16 you can see the entrance right through the ball fields
17 to this facility. We're probably within a five-minute
18 run of a drug addict who is looking to escape and
19 looking for a fix.

20 Yesterday it appeared to me I got the
21 feeling that we, Campton Hills, was being looked at as
22 uncaring individuals and individuals who are fear
23 mongering. We're not. We're families; we're den
24 leaders. I was a den leader for 10 years with boys in

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1 my back yard grilling hot dogs. I chaired the wreath
2 fund for the cub scouts and the boy scouts where we
3 have \$27,000 worth of wreaths on my front yard that
4 were there for three days. I didn't have to protect
5 them; I didn't have to hire guards to protect them.

6 This is the type of community that we have
7 all created together, and we see that somebody wants
8 to bring into our back yard a facility that's going to
9 bring drug abusers not from Kane County, drug abusers
10 from all over the United States. They're going to fly
11 them in; they're going to limousine them out to my
12 back yard, and there's nothing but a virtual fence
13 which apparently Harry Potter's cloak of invisibility
14 can get through from what I hear tonight -- I'm sorry --
15 I shouldn't have said that but I'm very upset.

16 This is my back yard; this is my family;
17 this is my friends and people I live with that are
18 raising children in this area. We moved out here
19 because we looked at the area, we saw a beautiful
20 place to live, a semirural area, not a place that has
21 a for-profit business where they bring drug abusers
22 and who are by their very nature of taking drugs
23 committing crimes. So they are crime committers and
24 alcohol abusers.

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1 I have a heart for them. My mother was an
2 alcoholic. My sister and her husband are currently
3 going through the court with it. He has court-
4 mandated shots that supposedly last for 30 days where
5 he can't drink. And by the 20th day, they don't tell
6 you this, but it wears off and he seeks more alcohol,
7 and he spends a week in a drug-induced stupor. They
8 have two elementary school children.

9 I know what it's like to live with addicts,
10 and I have a big heart for them, but that's not the
11 community that we have created together and that we
12 live in. And I hope that you would take that in
13 consideration and take into consideration the families
14 that you will be impacting if you agree to allow this
15 to happen.

16 Thank you.

17 CHAIRMAN WHITE: I've got time for one more
18 if it's brief.

19 (Witness sworn.)

20 CHAIRMAN WHITE: Please state your name and
21 address for the record.

22 MR. BOSCH: My name is Adam Bosch, B-o-s-c-h.
23 I live at 9N050 Dittman. It's approximately a mile
24 north of the facility.

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1 CHAIRMAN WHITE: Thank you.

2 MR. BOSCH: Two concerns of my neighbors,
3 myself, my wife, my daughter. The well-being of my
4 wife and daughter is number one concern for me. I
5 travel a lot; I'm on the road a lot for work. They're
6 small people; they don't carry guns; they don't have
7 an ability to protect themselves. We've got a couple
8 dogs, but you can put them down pretty easily.

9 The bottom line is we need to protect the
10 people in this community from unnecessarily putting
11 them at risk. There's a place for a facility like
12 this. We need it. We need these facilities. It's
13 not my back yard.

14 Secondly, we've had plummeting property
15 values, plummeting, plummeting property values in this
16 county and this state, worst in the nation. We don't
17 need help with that. If you had an opportunity to buy
18 a house next to this facility or not, it's the same
19 house, you're not going to buy one next to this
20 facility. I don't care what research you have that
21 says it doesn't affect property values. Anyone here
22 would say I'll take the one that's not next to the
23 facility.

24 Thank you.

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1 CHAIRMAN WHITE: Thank you. I think with
2 that we'll recess.

3 MR. BROWN: We do have a housekeeping motion.

4 CHAIRMAN WHITE: Go ahead.

5 MR. KOLB: We wanted to move into evidence
6 the six electronic slides of the PowerPoint presentation
7 that our security expert relied upon during his
8 testimony. It occurred to me that those weren't moved
9 into evidence, and it's become the basis of some
10 condition. I just want to make sure they're part of
11 the record in the case.

12 CHAIRMAN WHITE: Is there a motion?

13 MEMBER REGAN: So moved.

14 MEMBER STOVER: Second.

15 CHAIRMAN WHITE: Moved by Mr. Regan and
16 seconded by Ms. Stover. All in favor say aye.

17 (Ayes heard.)

18 CHAIRMAN WHITE: Opposed, same sign.

19 (No response.)

20 CHAIRMAN WHITE: Motion carries.

21 I need a motion to continue this meeting
22 to -- January 19th will be the next meeting date. I
23 believe it's scheduled to be held here at 7:00 p.m.

24 MEMBER CAMERON: So moved.

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1 CHAIRMAN WHITE: Moved by Ms. Cameron.

2 MR. CARRARA: Mr. Chairman -- I'm sorry --
3 just one question. Is the transcript from yesterday
4 and today going to be available prior to the hearing?

5 CHAIRMAN WHITE: The minutes I know from
6 last night are on the website.

7 MR. CARRARA: Mr. Chairman, we have no
8 problem with ordering the transcript. We just want to
9 make sure we can get it. Thank you.

10 CHAIRMAN WHITE: I don't know what their
11 time frame is, Mr. Carrara.

12 MR. CARRARA: Andrew and I will work it out.
13 Thank you.

14 CHAIRMAN WHITE: Moved by Ms. Cameron,
15 seconded by Ms. Stover to adjourn until January 19th.
16 All in favor say aye.

17 (Ayes heard.)

18 CHAIRMAN WHITE: Opposed, same sign.

19 (No response.)

20 CHAIRMAN WHITE: Motion carries. We're
21 adjourned.

22 (Off the record at 9:59 p.m.)

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CERTIFICATE OF SHORTHAND REPORTER

I, Paula M. Quetsch, Certified Shorthand Reporter No. 084-003733, CSR, and a Notary Public in and for the County of Kane, State of Illinois, the officer before whom the foregoing proceedings were taken, do certify that the foregoing transcript is a true and correct record of the proceedings, that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision, and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 27th day of December, 2015.

My commission expires: October 16, 2017



Notary Public in and for the
State of Illinois

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