

**COUNTY OF KENDALL, ILLINOIS
LAW, JUSTICE AND LEGISLATION COMMITTEE**

Kendall County Courthouse

Jury Assembly Room

807 W. John Street; Yorkville IL

Monday, March 12, 2018 – 3:15 p.m.

Meeting Agenda



- 1. Pledge of Allegiance to the American Flag**
- 2. Roll Call and Determination of a Quorum:** Judy Gilmour, John Purcell, Matthew Prochaska (Chair), Audra Hendrix, Tony Giles (Vice Chair)
- 3. Approval of the Agenda**
- 4. Approval of the February 14, 2018 Meeting Minutes**
- 5. Public Comment**
- 6. Status Reports**
 - ❖ Coroner
 - ❖ Circuit Clerk
 - ❖ Courthouse
 - ❖ Court Services
 - ❖ EMA
 - ❖ KenCom
 - ❖ Public Defender
 - ❖ State's Attorney
 - ❖ Sheriff's Report
 - a. Operations Division
 - b. Corrections Division
 - c. Records Division
- 7. Old Business**
- 8. New Business**
- 9. Legislative Update**
- 10. Public Comment**
- 11. Executive Session**
- 12. Adjournment**

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630- 553-4171, a minimum of 24-hours prior to the meeting time

COUNTY OF KENDALL, ILLINOIS
Law, Justice and Legislation Committee
Wednesday, February 14, 2018
Meeting Minutes

Call to Order and Pledge Allegiance - Chair Matthew Prochaska called the meeting to order at 3:17p.m. and led the Pledge of Allegiance.

Roll Call: Member Prochaska, Member Hendrix, Member Gilmour, Member Purcell were present.
With four members present voting aye, a quorum was determined to conduct business.

Member Giles was absent.

Others Present: Public Defender Vicky Chuffo, Deputy Coroner Levi Gotte, County Administrator Scott Koeppel, Deputy Commander Jason Langston, Undersheriff Harold Martin, Presiding Judge Tim McCann, Chief Deputy Mike Peters, Judge Robert Pilmer, Coroner Jacquie Purcell, Court Administrator Nicole Swiss, First ASA Mark Shlifka, Facilities Management Director Jim Smiley, Health Department Executive Director Amaal Tokars, and State's Attorney Eric Weis

Approval of the Agenda – Member Hendrix made a motion to approve the agenda, second by Member Gilmour. **With four members present in agreement with the amendment, the motion carried.**

Approval of Minutes – Member Hendrix made a motion to approve the January 8, 2018 Meeting Minutes, second by Member Gilmour. **With four members present in agreement, the motion carried.**

Public Comment – Diane Selmer shared her concerns with the Proclamation Declaring Support for and addition to SB2280.

- ❖ **Coroner** – Deputy Coroner Levi Gotte reported on the Suicidal Death of a 53-year old male on January 5, 2018. Deputy Coroner Gotte also reviewed the personnel/office activity for the month of January.
- ❖ **Circuit Clerk** – Written report provided
- ❖ **Courthouse** – Judge McCann reported that they terminated the contract with the individual interpreter, and are requesting funds from the state for the new interpreter. Judge McCann stated that the new interpreter will be at a substantially lower cost than the previous one.
- ❖ **Court Services** – No report
- ❖ **EMA** – Written report provided.
- ❖ **KenCom** – Judy Gilmour reported that KAD is on schedule, and that KenCom is working with the Village of Montgomery that has requested to be added.

- ❖ **Public Defender** – Vicky Chuffo provided a written report and said that their numbers continue to increase.
- ❖ **State’s Attorney** – State’s Attorney Weis introduced his new first ASA Mark Shilfka, who began on February 13, 2018, to the committee.
- ❖ **Sheriff’s Report**
 - a. **Operations Division** – Written report provided. Deputy Commander Jason Langston reported that installation of the new systems has begun on the squads. Member Purcell asked Deputy Commander Langston about the EMA drone, and whether the Sheriff’s Office could utilize that drone instead of purchasing an additional one. Langston stated that the EMA drone is not as highly advanced as the one they hope to purchase.
 - b. **Corrections Division** – Written report provided.
 - c. **Records Division** – Written report provided. Undersheriff Martin stated that the Civil Process section is currently having issues with data entry and software, which they hope to have resolved soon.

Old Business - None

New Business

- *Approval of Resolution honoring former County Board Chair Frank Coffman-* Motion made by Member Purcell to forward the resolution to the County Board for approval, second by Member Gilmour. **With four members voting aye, the motion carried.**
- *Approval of Resolution supporting SB2280* – No action was taken on this item, motion died.
- *Approval of Resolution regarding HB4237* – No action was taken on this item, motion died.
- *Approval of Resolution regarding Auditing Standards for unit of local Government (HB4104)* – Motion made by Member Purcell to forward the resolution to the County Board for approval, second by Member Hendrix. **With four members voting aye, the motion carried.**
- *County Electronic Recycling Program* – Dr. Tokars briefed the committee on the potential recycling plan for Kendall County, and stated that the plan would allow for access all year long. Dr. Tokars stated that oversight of the plan would be conducted by IEPA. **Member Hendrix made a motion to forward the item to the County Board for approval, second by Member Gilmour. With four members present voting aye, the motion carried.**
- *Approval of Resolution supporting HB4298* - Motion made by Member Hendrix to forward the resolution to the County Board for approval, second by Member Gilmour. **With four members voting aye, the motion carried.**

Legislative Update

- *Discussion and Recommendation of Cook and Collar Counties Legislative Agenda – Member Prochaska updated the committee on some of the current bills, including SB 2226 (Amends the State Police Act. Provides that a physician, physician's assistant with prescriptive authority, or advanced practice registered nurse with prescriptive authority who provides a standing order or prescription for epinephrine auto-injectors in the name of the Department of State Police shall incur no civil or professional liability, except for willful and wanton conduct, as a result of any injury or death arising from the use of an epinephrine auto-injector), HR 69 (Heroin Addiction Awareness Day on November 4th), SB 2313 (provides that ten dollars of the differential shall be placed either in a county animal population control fund (rather than or the State's Pet Population Control Fund), and HB 4556 (amends the Sexually Dangerous Persons Act. Provides that litigation costs, including expert fees and the cost of representation by counsel for an indigent respondent for any purpose under the Act, including a trial or a hearing, shall be paid by the county in which the proceeding is brought).*

Items for the February 20, 2018 County Board meeting agenda

- *Approval of Resolution honoring former County Board Chair Franklin “Frank” Coffman*
- *Approval of Resolution regarding Auditing Standards for unit of local Government (HB4104)*
- *Approval of Resolution Electing to Participate in a Manufacturer E-Waste Program, provided for in the Illinois Consumer Electronics Recycling Act, for the Year 2019*
- *Approval of Resolution supporting HB4298*

Adjournment – Member Purcell made a motion to adjourn the meeting, second by Member Hendrix.
With all in agreement, the meeting adjourned at 4:16p.m.

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Secretary



KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	Month: February 2018	Fiscal Year-to- Date	February 2017
Total Deaths		28	80	27
Natural Deaths		28	75	25
Accidental Deaths		0	1	1
Pending		0	2	0
Suicidal Deaths		0	2	1
Homicidal Deaths		0	0	0
Toxicology		0	5	3
Autopsies		0	5	3
Cremation Authorizations		17	48	19

PERSONNEL/OFFICE ACTIVITY:

1. Coroner Purcell met with Health Department Director Dr. Amaal Tokars on February 8, 2018, to finalize plans for a community forum regarding the opioid epidemic and its impact on Kendall County.
2. Coroner Purcell was present and offered brief statistics at the Committee of the Whole meeting on February 15, 2018. The committee heard a proposal for Kendall County to develop a lawsuit against opioid producing pharmaceuticals.
3. Coroner Purcell provided a presentation at Oswego High School for Operation Impact on February 20, 2018.
4. Coroner Purcell and Chief Deputy Coroner Gotte attended the Kendall County Chiefs of Police luncheon on February 21, 2018.
5. Coroner Purcell provided an orientation for an intern with the Oswego Police Department on February 22, 2018.
6. Chief Deputy Coroner Gotte provided a presentation for both the morning and afternoon classes of Law Enforcement at Indian Valley Vocational Center on February 22, 2018.
7. Coroner Purcell attended the IL Coroners & Medical Examiner's Association training in Mt. Vernon, Illinois on February 26 & 27, 2018.
8. Coroner Purcell co-hosted a community forum (with the Kendall County Health Department) regarding the opioid epidemic and its impact on Kendall County on February 28, 2018. Chief Deputy Coroner Gotte and Deputy Coroner Jessica Knowles both attended the discussion.

CARORUM AD CURAM

To: Kendall County Board * Law, Justice and Legislation Committee
From: Tina J. Varney, Director * Kendall County Court Services
Date: March 12, 2018
Re: Juvenile Detention and Board & Care Monthly Report

Juvenile Detention – FY2018 ~ Costs Incurred

Kendall County Court Services FY2018 Summary - Juvenile Detention					Same Time 2017	Same Time FY2016	Same Time FY2015	Same Time FY2014	Same Time FY2013
Month	Total New Admissions	Total Holdovers*	Total Days	Total Cost Incurred					
12/2017	7	1	95	10,450.00	\$8,690.00	\$15,620.00	\$3,000.00	\$3,400.00	\$5,500.00
01/2018	3	4	82	9,020.00	10,560.00	15,180.00	8,400.00	7,600.00	6,500.00
02/2018	11	1	103	11,330.00	15,070.00	11,110.00	4,100.00	9,400.00	8,010.00
03/2018				**	9,900.00	3,410.00	2,300.00	4,300.00	13,300.00
04/2018					13,640.00	5,940.00	2,400.00	3,000.00	9,200.00
05/2018					5,610.00	4,180.00	7,800.00	11,510.00	3,500.00
06/2018					6,270.00	11,660.00	5,500.00	13,600.00	6,800.00
07/2018					1,540.00	10,120.00	8,400.00	8,700.00	9,500.00
08/2018					3,850.00	11,880.00	7,400.00	6,300.00	16,730.00
09/2018					9,130.00	2,640.00	16,000.00	11,200.00	10,700.00
10/2018					10,780.00	5,610.00	15,440.00	5,600.00	10,300.00
11/2018					5,170.00	11,110.00	15,100.00	1,400.00	3,700.00
TOTAL	21		280	\$30,800.00	\$100,210.00	\$108,460.00	\$95,840.00	\$86,010.00	\$103,740.00

*Holdover=A minor detained on the last day of the previous month carried over to the first day of the current month.

Kendall County Fiscal Year 2018 (Juvenile Detention):

Amount Budgeted: \$ 90,000.00
Amount Expended: 24,640.00 (as of 2/28/2018)
Amount Remaining: \$ 65,360.00

****The IGA with Kane was signed by Kane on 3/5/18. The new daily rate of \$120.00 begins 3/5/18.**

Juvenile Board & Care - FY2018 ~ Costs Incurred

	Number of Minors Placed	Days Paid	Total Monthly Cost Incurred	Total Cost Incurred
12/2017	1	26***	\$8,828.82	\$8,828.82
01/2018	0	0	0	\$8,828.82
02/2018	0	0	0	\$8,828.82
03/2018				
04/2018				
05/2018				
06/2018				
07/2018				
08/2018				
09/2018				
10/2018				
11/2018				
TOTAL				

Kendall County Fiscal Year 2018 (Juvenile Board & Care):

Amount Budgeted: \$ 90,000.00
Amount Expended: 19,015.92 (as of 2/28/2018)
Amount Remaining: \$ 70,984.08

*****This minor was discharged from residential placement on 12/27/17. but the last day charged was 12/26/17.**

Kendall County Emergency Management Agency

1102 Cornell Lane, Yorkville Illinois 60560

630-553-7500

Joseph T. Gillespie, Director

Tracy Page, Deputy Director

EMA Report

February 2018

1. National Weather Service and KCEMA presented a free basic weather spotters class that was held on Thursday, February 8th
2. Major snow storm occurred on February 9th and throughout the weekend
3. EMA Regional Meeting was held in LaSalle County
4. Met with the Health Dept. regarding Hazard Vulnerability Assessment
5. Continued with siren testing on the first Tuesday morning of the month
6. Continued with STARCOM testing first Tuesday morning of the month
7. Continued with WSPY EAS testing first Tuesday morning of the month

TO: Law, Justice and Legislation Committee Members

FROM: Victoria Chuffo, Public Defender; Monthly Report

VC

NUMBER OF CASES ASSIGNED TO EACH PUBLIC DEFENDER
AS OF MARCH 12, 2018

VICTORIA CHUFFO, Public Defender

- 99 cases / last month 85 cases - Felony cases

COURTNEY TRANSIER, First Asst. Public Defender

- 154 cases / last month 140 cases - Felony cases

MICHAEL MONTGOMERY, Asst. Public Defender

- 332 cases / last month 321 cases - Felony/ Juvenile cases

REID SEAGREN, Asst. Public Defender

- 275 cases/ last month 308 cases - Misdemeanor/Traffic cases

CHRISTOPHER WARMBOLD, Asst. Public Defender

- 268 case/ last month 238 cases -
Misdemeanor/Traffic/Juvenile Cases

My office has been appointed a total of 209 new cases between February 14, 2018 and March 12, 2018. The Kendall County Public Defender's Office currently has 1,128 open cases as of today's date; March 12, 2018. The Public Defender driving under the influence and juvenile abuse/neglect appointments have increased from last month. The rest of the appointments have stayed about the same from last month.

KENDALL COUNTY SHERIFF'S OFFICE

MONTH-END REPORT



FEBRUARY

2018

OPERATIONS DIVISION

POLICE SERVICES	February-16	February-17	February-18
Calls for Service	552	597	628
Police Reports	272	267	284
Total Arrests	94	103	82
Cannabis Civil Law Citations Issued			8
Ordinance Citations Issued			0
TRAFFIC SERVICES	February-16	February-17	February-18
Traffic Contacts	606	480	696
Traffic Citations Issued	268	271	229
DUI Arrests	4	6	6
TRAFFIC CRASH INVESTIGATIONS	February-16	February-17	February-18
Property Damage	36	42	53
Personal Injury	4	5	10
Fatalities	0	0	0
TOTAL CRASH INVESTIGATIONS	40	47	63
VEHICLE USAGE	February-16	February-17	February-18
Total Miles Driven by Sheriff's Office	62,087.00	50,934	50,809
Vehicle Maintenance Expenditures	\$1,629.39	\$9,224.90	\$3,372.16
Fuel Expenditures	\$6,605.76	\$8,797.39	\$10,964.09
Fuel Gallons Purchased	5,033	4,479	4,434
Squad Damage Reports	0		2
AUXILIARY DEPUTIES	February-16	February-17	February-18
Ride-A-Long Hours	7	0	0
Auxiliary Hours	60.5	86.5	110
TOTAL AUXILIARY HOURS	67.5	86.5	110
EVIDENCE/PROPERTY ROOM	February-16	February-17	February-18
New Items Into Property Room	137	95	78
Disposal Orders Processed	35	63	63
Items Disposed Of	30	5	6
DVD/VHS Copy Requests	24	23	50
Items Sent to Crime Lab for Processing	9	9	72
Pounds of Prescription Medication Collected from Drop Box Pr	na	15.75	20.75
COURT SECURITY	February-16	February-17	February-18
Entries	14,834	14,928	12,478
Items X-rayed	5,654	5,239	4,568
Bond Call	37	37	43
Kendall Prisoners	108	100	86
Other Prisoners	19	19	36
Arrests made at Courthouse	21	19	19
Contraband Refused	104	71	63

INVESTIGATIONS/COPS ACTIVITIES	February-16	February-17	February-18
Total Cases Assigned (Patrol/Invest)	32	18	21
Total Cases Closed (Patrol/Invest)	27	38	25
Total Current Open Cases (Patrol/Invest)	89	115	169
Community Policing Meetings/Presentations	20	25	30

CORRECTIONS DIVISION

JAIL POPULATION	February-16	February-17	February-18
New Intake Bookings	224	243	233
Inmates Released	258	246	225
Average Daily Population	107	148	153
Kendall County Inmate ADP			70

JAIL MEALS	February-16	February-17	February-18
Number of Meals Prepared Kendall	8,855	0	0
Price Per Meal	\$1.06	0	0
Number of Meals Prepared Consolidated Food	na	11510	12333
Price Per Meal	na	\$1.19	\$1.20
	na	4	

INMATE TRANSPORTS	February-16	February-17	February-18
To and From Kendall County Courthouse	91	109	94
Other County Court Transports	5	12	7
Out of County Prisoner Pickups	16	28	32
To I.D.O.C	8	3	5
Medical/Dental Transports	9	8	8
Court ordered medical transports	3	1	1
Juvenile To and From Youth Homes/Courts	19	22	11
Federal Transports	5	8	11
TOTAL INMATE TRANSPORTS	156	191	169

INMATE WORK CREWS	February-16	February-17	February-18
Number of Inmates	na	2	8
Number of Locations	na	1	4
Total Hours Worked	na	4	12

OUT OF COUNTY HOUSING	February-16	February-17	February-18
Number of Inmates Housed for Other Jurisdictions	38	85	90
Amount Invoiced for Inmates Housed for Other Jurisdictions	\$42,180.00	\$86,580.00	\$106,200.00

FEDERAL INMATES	February-16	February-17	February-18
Number of Federal Inmates Housed	11	13	14
Amount Invoiced for Housing	\$18,450.00	\$22,050.00	\$20,775.00
Amount Invoiced for Court Transport	\$1,407.84	\$1,751.55	\$2,767.74
Amount Invoiced for Medical Transport	0	\$0.00	\$0.00

MEDICAL BILLING	February-16	February-17	February-18
Medical Contractual Services	\$14,076.11	\$14,470.24	\$14,998.56
Prescriptions	\$905.31	\$3,805.92	\$20,644.28
Medical	\$2,465.84	\$1,566.60	\$1,047.25
Dental	\$231.84	\$83.00	\$0.00
Emergency Medical Services	\$0.00	\$0.00	\$0.00
Medical Supplies	\$0.00	\$400.96	\$38.75
TOTAL MEDICAL BILLING	\$17,679.10	\$20,326.72	\$36,728.84

Outstanding FTA Fees	February-16	February-17	February-18
FTA Fees- Outstanding	\$450.00	\$0.00	\$375.00

Sex Offender / Violent Offenders Against Youth Registrations	February-16	February-17	February-18
Sex Offender Registrations	13	9	11
Sex Offender - Address Verifications Completed	9	2	5
Sex Offender - Address Verification Attempted	27	3	11
Total # of Sex Offenders- Jurisdiction/Entire County		37/76	34/70
Violent Offenders Against Youth Registrations	2	1	1
VOAY - Address Verification Completed	1	0	0
VOAY - Address Verification Attempted	1	0	0
Total # of VOAY- Jurisdiction/Entire County		4/14	2/11

RECORDS DIVISION

SHERIFF SALES	February-16	February-17	February-18
Sales Scheduled	41	37	20
Sales Cancelled	22	27	13
Sales Conducted	19	10	7

CIVIL PAPERWORK	February-16	February-17	February-18
Papers Filed/Received			183
Papers Served/Executed	121	253	130

REPLEVINS/LEVY	February-16	February-17	February-18
Replevin/Levy Scheduled	1	0	0
Replevin/Levy Conducted	1	0	0

SUBPOENA/FOIA REQUESTS	February-16	February-17	February-18
Accident Reports	41	32	56
Background Checks	20	18	16
Incidents	58	59	63
Subpoenas	4	3	2
Total Requests	123	112	137

WARRANTS	February-16	February-17	February-18
Total Warrants on File	1,814	1,424	1,412
New Warrants Issued	209	87	95
Total Warrants Served	107	104	90
Warrants Quashed	17	37	25

EVICTIIONS	February-16	February-17	February-18
Evictions Scheduled for Month	17	14	14
Evictions Cancelled	7	7	6
Evictions Conducted	10	7	8

FEES	February-16	February-17	February-18
Civil Process Fees	\$8,728.00	\$10,332.49	\$5,847.47
Sheriff Sales Fees	\$16,200.00	\$6,000.00	\$8,100.00
Records Fees/Fingerprinting	\$290.00	\$365.00	\$310.00
Bond Processing Fees	\$1,926.75	\$801.54	\$661.11
Total Fees	\$27,144.75	\$17,499.03	\$14,918.58

KCSO TRAINING

CORRECTIONS DIVISION	February-16	February-17	February-18
NATURE OF TRAINING			
Web-Based Training			106
Sex Crimes Investigations			16
Taser Certifications			129.5
Use of Force			52.5
Use of Force: Train the Trainer Course			16
Rights and Responsibilities of Inmates			39
Civil Process Procedures KCSO			17.5
CERT Training			40
Basic Evidence Technician			16
TOTAL HOURS	412.5	479.5	432.5

OPERATIONS DIVISION	February-16	February-17	February-18
NATURE OF TRAINING			
Web-Based Training			81.75
Acting Patrol Officer in Charge			16
Bloodborne Pathogens and Infectious Diseases			55.5
Sex Offender Registration			74
Use of Force: Train the Trainer Course			16
Single Officer Response			112
Roll Call Training Pursuit Policy #307			9
Recent Case Law: How it Affects Police Operations			8
Illinois Vehicle Code Refresher Course			8
Enhanced Traffic Enforcement for Patrol			8
Police Academy			152
Basic Evidence Technician			16
Civil Process Procedures KCSO			21.5
TOTAL HOURS	662.5	584.15	577.75

COURT SECURITY		February-16	February-17	February-18
	NATURE OF TRAINING			
	Web-Based Training			4.5
	Annual Courthouse Security Conference			16
	Civil Process Procedures KCSO			4
	TOTAL HOURS	9	32.5	24.5
CORRECTIONS/OPERATIONS COMBINED		February-16	February-17	February-18
	NATURE OF TRAINING			
	SRT	32	48	64
	TOTAL HOURS	32	48	64
RECORDS DIVISION		February-16	February-17	February-18
	NATURE OF TRAINING			
	Web-Based Training			
	TOTAL HOURS	0	4	0
AUXILIARY		February-16	February-17	February-18
	Meeting/Training Hours		29.5	28.5
	TOTAL HOURS	22	29.5	28.5

Counties at the Capitol

March 2, 2018 • www.ilcounty.org

This report includes House bills of relevance to local governments introduced in the 100th General Assembly.

As of the filing deadline, just under 3000 new bills have been introduced in the second year of the General Assembly. The House is scheduled to be in session March 6-8, and the Senate will be in session March 13-15. Both chambers will then adjourn for the primary election/spring break and are scheduled to reconvene the week of April 9.

HB 4594 (Andersson) / SB 2590 (Mulroe)

Criminal and Traffic Assessments

Status: State Government Administration Committee

Creates the Criminal and Traffic Assessment Act. Provides a minimum fine is \$25. When any defendant is convicted, pleads guilty, or placed on court supervision for a violation of a law or local ordinance, the court shall order one schedule of assessments in the case plus any conditional assessment applicable to a conviction in the case, as set forth in the Act, for the defendant to pay in addition to any fine, restitution, or forfeiture ordered by the court. All money collected by the clerk of the court based on the schedules or conditional assessments shall be remitted to the appropriate treasurer as directed in the Act. The treasurers shall deposit the money as indicated in the ordered schedule or conditional assessment. A defendant may petition the court for full or partial waiver of court assessments imposed under the Act.

HB 4748 (Fortner) – NEUTRAL

County Stormwater Management

Status: House 2nd Reading

Authorizes counties containing all or a part of an urbanized area to adopt stormwater management plans by referendum. Requires a county to adopt and enforce a floodplain management ordinance or a stormwater management ordinance that has been approved by the Office of Water Resources of the Department of Natural Resources and designate a Certified Floodplain Manager before the county may submit a referendum question to the electors for an annual tax. Prohibits a county from levying the tax if they are not in full compliance with specified provisions. Provides for specified special districts to be represented on the stormwater management planning committee in specified counties. Makes other changes.

Local Government Transparency Act

House Bill 4803 sponsored by Rep. Lindsay Parkhurst (R-Kankakee) provides that a mayor, president, vice president, chairman, director, or chief administrator of a unit of local government, either appointed or elected, may not be appointed, elected, or otherwise serve as the treasurer of that local government. A local government official currently serving in such capacity must comply with the provisions of the Act no later than 90 days after the effective date. **Status: Cities and Villages Committee**

STANDARDIZED VALUATION OF SOLAR FARMS

HB 5284 (Lang) – SUPPORT

Status: Revenue and Finance Comm.

Establishes a state-wide standard for valuing commercial solar farms to level the playing field between counties competing for renewable energy projects. Establishes an administrative process and valuation which is uniform with wind renewable energy (35 ILCS 200/10-600). The bill also distinguishes solar farms and other types of solar energy systems.



Improvement Valuation Process

(modeled after Wind Energy)

- \$448,000 improvement fair cash value per megawatt, which equals projected 01/01/2019 wind energy device valuation
- Annual trending factor based on CPI
- Annual depreciation based on 40-year typical life expectancy

Land Valuation Process

- \$10,000/acre standardized land value based on income stream with annual CPI trending factor to account for income changing over time

Administrative Issues

- If only part of parcel used for solar farm, permits a separate parcel for that part
- If used as farmland immediately before use as a solar farm, then can return to farmland valuation in first year after solar improvements are removed.

HB 5432 (Manley)
Counties CATV Fee Audits
Status: House Rules

Provides that a county's or municipality's initial report of its audit findings to CATV operators shall include the complete list of all addresses within the corporate limits of the county or municipality. Limits the scope of provisions concerning franchise fees and service provider fee reviews. Provides that contingent fees paid to auditors, including subcontractors, may not exceed 25% of the net amount recovered, inclusive of interest and penalties. Counties and municipalities shall provide to each CATV operator an updated complete list of addresses within the corporate limits of the county or municipality annually (within 90 days after the date of a written request by the CATV operator and before a CATV operator's franchise fees or service provider fees are derived). Holds harmless the CATV operator for any franchise fee underpayment if the county or municipality does not provide the updated address list.

NOTE: A companion bill has been filed by Sen. John Mulroe (D-Chicago). Senate Bill 3464 has been assigned to the Senate State Government Committee.

HB 5501 (Olsen)
Pension Code – IMRF Elected Officials
Status: House Rules

Provides that a person who holds part-time elective office is not a participating employee with respect to that office, unless he or she (i) was elected to that office before the effective date of the amendatory Act and (ii) has elected while in that office to become a participating employee. Eliminates pensions for part-time employees by requiring a minimum of 1,500 work hours per year to become pension-eligible through the Illinois Municipal Retirement Fund.

Finnie signs on to local government transparency bill

Rep. Natalie Finnie (D-Harrisburg) has signed on as co-sponsor of a bi-partisan measure requiring local governments to inform the public when they enter into a severance agreement with an employee or contractor accused of sexual harassment or discrimination.

Under House Bill 4242, the public body shall publish specified information on its website, if one is maintained, and make available such information to the news media for inspection and copying within 72 hours of the taxing body's approval of the severance agreement. No local government shall incur liability as a result of its compliance with required disclosures, except for willful or wanton misconduct.



Lawmakers take action on gun control

In a week at the State Capitol dominated by debate on gun reform, the Illinois House passed several new gun regulations after Democrats brought a package of proposed new laws to the House floor Wednesday.

House Bill 1465 changes the age requirement for the purchase and possession of high-capacity magazines and firearms. It defines as assault weapons. Only people aged 21 or older can now buy the items. Current owners have 90 days to transfer ownership. The bill also bans .50 caliber rifles (exempts competitive shooters, transportation of weapons to legal events and possession of prop weapons for movies).

House Bill 1467 bans so-called "bump stocks" and "trigger cranks", the devices which take semiautomatic guns that require a trigger pull for every shot to fire at rates closer to that of automatic weapons.

House Bill 1468 adds a requirement for a 72-hour waiting period before buying assault-style weapons and .50 caliber rifles.

The Illinois General Assembly also passed **Senate Bill 1657**. It adds new licensing requirements for firearm dealers and creates a gun dealer licensing board. A similar bill failed last year. **Senate Bill 1657** awaits Governor action.

NOTE: A simultaneously passed trailer bill sets a \$1,000 cap on licensing fees within a five year period.



RENEWABLE ENERGY – IMPACT MITIGATION

HB 4651 (Meler) – NEUTRAL
Status: House Rules

Aims to prevent farmland problems stemming from the development of commercial solar energy projects. The legislation proposes requiring commercial solar energy developers to enter into an agricultural impact mitigation agreement (AIMA) with the Illinois Department of Agriculture. The goal is to protect landowners and assure land impacted by construction and deconstruction be properly restored. In December, Farm Bureau delegates passed new policy supporting statewide standards for farmland preservation and protection of private property rights and public health and safety, while allowing reasonable development of commercial solar energy projects. It is estimated 57 solar development companies are working in 64 counties.

SB 237 (Morrison)
Coal Tar Sealant Products
Status: Senate 3rd Reading

The county board or board of county commissioners may prohibit the sale of and the use of coal tar sealant product and high PAH sealant product on any surface, except for highway structures, including, but not limited to, a driveway, parking area, playground, sidewalk, bike trail, or roadway within the county.

SB 1573 / SB 1773 (Steans) Harris
DHFS Hospital Payments / Contracts
Status: Sent to Governor
Amends the Illinois Health Facilities Planning Act and the Illinois Procurement Code. Ensures that Illinois is in compliance with federal regulations and that the 3.7 billion appropriated by the federal government is able to be received by hospitals throughout the state.

NEWSWORTHY...

IDOT Road Funds

Senate Bill 2610 sponsored by Sen. James Clayborne (D-East St. Louis) amends the Motor Fuel Tax Law to provide that no municipality, county, or road district that received distributions under subsection (e) totaling more than \$1,000,000 in the previous State fiscal year shall receive a future distribution of motor fuel tax moneys unless that municipality, county, or road district implements a business enterprise program setting goals for the inclusion of minority, veteran, and female-owned businesses in the procurement of contracts.



Amends the Department of Transportation Law of the Civil Administrative Code of Illinois. Provides that the Department of Transportation shall assist municipalities, counties, and road districts in implementing those programs.

SB 2431 (Murphy)
Property Tax Code – Homestead Exemption
Status: Senate 2nd Reading

When any change occurs in use or ownership of property that has been granted a homestead exemption, the transferee shall notify the chief county assessment officer (CCAO) of the change in writing within 90 days after the change in use or ownership occurs. The CCAO shall ensure that, if the property ceases to qualify for the exemption as a result of the change in use or ownership, then the exemption shall be removed beginning with the next taxable year after the change occurs.

SB 2544 (Cullerton)
Counties Code – Local Government Reduction and Efficiency Division
Status: Senate 3rd Reading

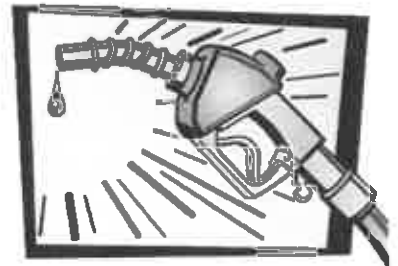
Provides that the findings on an audit of a unit that has been proposed to be dissolved shall be reported within 30 days, or as soon thereafter as is practicable, (rather than 30 days) after the chairman of the board requests the audit. A county board may adopt an ordinance authorizing the dissolution of a unit not less than 60 days (rather than 150 days) following the court's appointment of a trustee-in-dissolution (rather than after the effective date of the ordinance).

SB 2591 (Bennett) – NEUTRAL
Renewable Energy Facilities Agricultural Impact Mitigation Act
Status: Senate Energy and Public Utilities Committee

Provides that for commercial renewable energy facility owners of a commercial solar energy facility, the agricultural impact mitigation agreement shall be entered into prior to the commercial renewable energy facility owner making contact with a landowner seeking an underlying agreement for the development of a commercial solar energy facility. Makes conforming changes in the Counties Code.

SB 2645 (Bertino-Tarrant) – SUPPORT
Motor Fuel Tax – Local Government
Status: Senate Appropriations

Provides that, in the absence of an appropriation for any State fiscal year, moneys that are required to be distributed to units of local government and other entities from the State and Local Sales Tax Reform Fund, the Motor Fuel Tax Fund, the State Gaming Fund, the Local Government Video Gaming Distributive Fund, and the Statewide 9-1-1 Fund are subject to a continuing appropriation.



SB 2910 (Silverstein) – OPPOSE
PTELL – Extension Limitation
Status: Senate Revenue Committee

Provides that, for the 2018 through 2021 levy years, the Property Tax Extension Limitation Law (PTELL) applies to all non-home rule taxing districts. Provides that, for the 2018 through 2021 levy year, the extension limitation under PTELL is 0% or the rate of increase approved by the voters. Amends the State Mandates Act to require implementation without reimbursement.

SB 2912 (Hastings)
Highway Code – Fee Ownership Damages
Status: Senate Judiciary Committee

Provides that if a highway authority does not have fee ownership of property located over or under a highway or road or the right to grant use of the property, an entity applying for consent to use the property for ditches, drains, tracks, rails, poles, wires, pipeline, or other equipment of the entity shall pay to the owners of the property all damages the owners may sustain by reason of use of the property and the damages shall be agreed upon by the entity and the owners or ascertained and paid in the manner provided by law for the exercise of the right of eminent domain.

IN THE KNOW

SB 2275 (Cunningham) Hurley Public Question – Marijuana Status: Passed Senate

Creates a statewide advisory public question to be submitted to the general public on Nov. 6, 2018, asking if the voter supports legalization, possession, taxation, and regulation of marijuana. The vote will be a simple "yes" or "no." The exact language of referendum: "Do you support the legalization of possession and use of marijuana by persons who are at least 21 years of age, subject to regulation and taxation that is similar to the regulation and taxation of tobacco and alcohol?"



SB 2589 (Clayborne)

Regional Development Authorities Status: Senate 2nd Reading

Amends numerous Economic Development Authority Acts. Adds 16 counties into their respective regional development authority. Also makes confirming changes to board sizes to accommodate regions gaining one or two more counties into their authority. In addition, the bill removes an outdated line that requires DCEO to pay the compensation of the Executive Director of the Eastern Illinois Development Authority.



SB 2918 (Sandoval)

Local Government Fee Limits

Status: Senate Transportation Comm.

Amends the Illinois Vehicle Code. Provides that except for a municipality with 1,000,000 or more inhabitants, a unit of local government may not impose a fee for a permit in excess of the fees provided for in specified provisions of the Code.

Steans introduces new lead in drinking water legislation



Sen. Heather Steans (D-Chicago) is pushing legislation to remove lead service lines. **Senate Bill 3080** provides that DCEO shall by rule establish a comprehensive low-income water assistance policy and program. Contains various provisions concerning the policy and program. Amends the Public Utilities Act. Adds requirements related to billing statements and reconnection of service for water and sewer utilities. Provides that upon request by a water utility, the Illinois Commerce Commission may allow, but may not require, a water utility to establish a customer assistance program. Provides that an entity subject to certain federal laws that serves or provides water or sewer services to a specified number of people shall conduct a cost of service study every 5 years. Amends the Environmental Protection Act. **Provides that within one year of the effective date of the amendatory Act, every community water system shall create a plan to remove all known lead service lines within 10 years from the completion of the plan.** Requires each community water system to implement an asset management plan designed to inspect, maintain, repair, and renew its infrastructure within 18 months of the effective date of the amendatory Act. Requires the Department of Public Health to adopt rules for lead replacement that require an expedited timeline for high risk facilities and communities within 18 months of the effective date of the amendatory Act. Creates the Statewide Advisory Council on Lead In Drinking Water and requires specified community water supplies to create water system advisory councils tasked with various duties related to lead in drinking water awareness. **Status: Senate Public Health Committee**

SB 2923 (Clayborne)

Township Clerk Provides Attestation to Issued Payouts

Status: Senate 2nd Reading

Amends the Public Graveyards Act, the Township Code, and the Highway Code. Requires that if a Township Supervisor issues a payout from the township treasury for any purpose, the township clerk shall attest to all moneys paid out. Amends the Illinois Highway Code with similar provisions concerning the road district clerk attesting to all moneys paid out of the road district's treasury or township treasury.

SB 3503 (Sims)

Counties Code – Lactation Room

Status: Senate Public Health Committee

Provides that on or before June 1, 2019, every facility that houses a circuit court room shall include at least one lactation room or area for members of the public to express breast milk in private that is located outside the confines of a restroom and includes, at minimum, a chair, a table, and an electrical outlet, as well as a sink with running water where possible. The lactation rooms and areas shall also meet with reasonable minimum standards prescribed by the Supreme Court of Illinois, which the Supreme Court is requested to create, including requirements for posting of notice to the public regarding location and access to lactation rooms and areas, as well as requirements for the addition of a sink with running water in the event of renovation to the facilities. Requests the Supreme Court to create minimum standards for training of courthouse staff and personnel regarding location and access to lactation rooms and areas for all people present in the courthouse who need to use lactation rooms and areas.

The IACBM Legislative Committee convened on February 23 and took action on the following bills.

HB 4246 / HB 4247 / HB 4248 (McSweeney) – OPPOSE

Local Government Convention Expenses

Status: House Executive Committee*

HB 4246 – Creates the Local Government Convention Expense Control Act. Provides that on or after the effective date of the Act, public funds shall not be expended by a unit of local government for expenses connected with attendance by an employee or contractor of the local government at a convention or gathering of personnel. Excludes public funds expended (1) at any convention or gathering of public safety personnel or (2) pursuant to a contract entered into before the effective date of the Act.

HB 4247* – Amends the State Finance Act. Provides that, for contracts entered into on or after the effective date of the amendatory Act, State appropriations may not be expended to rent or pay for access to physical space for booths, hospitality suites, or other physical space for units of local government, school districts, community college districts, or other taxing bodies at a convention or gathering of personnel. Excludes appropriations for physical space expenditures at any convention or gathering of public safety personnel.

HB 4248 – Combines the language of the preceding measures into one comprehensive bill.

HB 4271 (Halbrook) – SUPPORT

Counties Code – Auxiliary Deputies

Status: House Counties and Townships Committee

The county authorities may (rather than shall) require that all auxiliary deputies be residents of the county served by them.

HB 4375 (Breen) – OPPOSE

Local Government Email Act

Status: Executive Committee

Provides that all emails that are in connection with the transaction of public business sent or received by a unit of local government or school district or an employee, staff member, trustee, board member, elected official, or officer of a unit of local government or school district are public records regardless if the emails are sent or received on a personal or unit-provided or district-provided email address. Requires a local government or school district that provides an email address to one or more of its employees, staff members, trustees, board members, elected officials, or officers to provide an email address for all employees, staff members, trustees, board members, elected officials, and officers of the local government or school district. Employees, staff members, trustees, board members, elected officials, or officers shall use unit-provided or district-provided email for all communications in connection with the transaction of public business. Employees, staff members, trustees, board members, elected officials, or officers shall promptly forward, print, or otherwise provide any email sent or received on his or her personal email address to his or her local government or school district if the email is in



connection with the transaction of public business. If an email received on a personal email was carbon copied to a unit-provided and controlled or district-provided and controlled email, a copy of the email does not need to be provided to the unit or district.

HB 4473 (Gabel) – OPPOSE

Juvenile Court Act – Period of Detention

Status: House Rules

Provides that the decision to place a minor alleged to be a delinquent minor in detention shall be a last resort and for as short of a time period as possible. A review of the decision to detain a minor alleged to be a delinquent minor shall be held as soon as possible. Unless sooner released, a minor alleged to be a delinquent minor taken into temporary custody must be brought before a judicial officer as soon as possible but in no event later than 24 hours including weekends and holidays for a detention or shelter care hearing to determine whether he or she shall be further held in custody (rather than within 40 hours exclusive of Saturdays, Sundays, and court-designated holidays).

HB 4583 (Halbrook) – OPPOSE

Open Meetings Act – Special Meetings

Status: House Rules

Provides that certain notice provisions that currently apply to regular meetings of a public body shall also apply to special meetings of a public body. Requires a public body that has a website maintained by a full-time staff to post the agenda and notice of meetings for both the governing body and all subsidiary bodies of the public body. Removes a provision stating that the failure of a public body to post on its website notice of any meeting or the agenda of any meeting shall not invalidate any meeting or any actions taken at a meeting. Requires a public body that has a website to post the minutes of a regular, special, or emergency meeting of its governing body (currently, only regular meeting). Allows a court to declare null and void any final action taken at a meeting in violation of the Act, regardless of whether or not the meeting was a closed meeting. Provides that a court shall (rather than may) assess against any party, except a State's Attorney, reasonable attorney's fees and other litigation costs reasonably incurred by any other party who substantially prevails in any action brought under specified provisions of the Act.



HB 4651 (Meler) – NEUTRAL

Renewable Energy Facility – Solar Energy

Status: House Rules

(see page 2 of this report for the synopsis)



IACBM Legislative Committee actions (continued)

SB 2260 (Tracy) – OPPOSE

State Revenue Sharing Act – School Districts

Status: Senate 3rd Reading

Provides that, in fiscal year 2018, each school district having Personal Property Tax Replacement Fund receipts totaling 13% or more of its total revenues in fiscal year 2016 shall receive an additional amount equal to 11% of the total amount distributed to the school district from the Personal Property Tax Replacement Fund during fiscal year 2016. Requires the State Board of Education to identify those school districts to the Department of Revenue. The total amount of additional distributions shall not exceed \$4,353,136. **NOTE:** The money would be taken away from other local governments, including counties. Since State Fiscal Year 2009, more than \$1 billion has been diverted from local governments.

SB 2280 (Connelly) – NEUTRAL

Animal Welfare Act – Pet Shops

Status: Senate Assignments

Provides restrictions on the retail sale of cats, dogs, and rabbits by pet shop operators in Will County and DuPage County. Pet shop operators may offer a dog, cat, or rabbit for sale only if the pet shop operator has obtained the dog, cat, or rabbit from an animal control facility, animal shelter, animal care facility, kennel, pound, or training facility operated by a subdivision of local, State, or federal government or a specified animal rescue organization. A pet shop operator shall not offer for sale a dog, cat, or rabbit that is younger than 8 weeks old. Provides that a pet shop operator shall maintain specified records of each dog, cat, or rabbit sold. Provides for civil penalties for each violation of the provisions. The provisions do not prohibit the county or a municipality in Will County or DuPage County from adopting requirements that are more protective of animal welfare than those set forth in the provisions. The home rule units in Will County or DuPage County may adopt an ordinance explicitly exempting itself from the provisions and requires a copy of the ordinance to be filed with the Secretary of State's Office. Limits the concurrent exercise of power by home rule units.



Sundays and court designated holidays). If an appearance is required of any minor taken and held in a place of custody or confinement operated by the State or any of its political subdivisions, including counties and municipalities, the chief judge of the circuit may permit by rule for the minor's personal appearance to be made by means of two-way audio-visual communication, including closed circuit television and computerized video conference, in the following proceedings: the initial appearance before a judge; a detention or shelter care hearing; or any status hearing. Provides that the Division of Probation Services of the Supreme Court shall adopt a statewide juvenile detention screening instrument that has been verified through evidence-based and data-based practices that is to be used by all authorized juvenile detention facilities. Makes other changes.

NOTE: This bill is an initiative of the IACBM in response to pending legislation (HB 4473) requiring the processing of juveniles within 24 hours including weekends and holidays. IACBM introduced SB 1799 last year, which unanimously passed the Senate, but was not called in the House.

SB 2593 (Rose) – NEUTRAL

Illinois Highway Code – Abolish Road District

Status: Senate Government Reform Committee

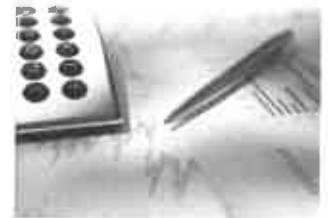
Provides that before a township may submit a proposition or referendum to abolish a road district under the Code, the township shall prepare, through an independent entity, a cost study demonstrating that the abolishment is cost efficient. Provides that if a cost study finds that the abolishment is not cost efficient, the township may not submit a proposition. **NOTE:** A similar measure (HB 4190) is pending in the House.

SB 3563 (Rose) – SUPPORT

Local Government Account Audits

Status: Senate Local Government Committee

Amends the Governmental Account Audit Act and the Public Library District Act of 1991. Provides that certain audits and financial reports of governmental units and public libraries shall be consistent with either the accrual or cash basis of accounting.



NOTE: Introduced at the request of the IACBM in response to the Office of the Comptroller's basis of a change in practice mandating accrual based accounting for units of local governments. The unintended consequences has resulted in transitional costs and audits being categorized as non-compliant, which could prevent local governments from receiving federal grant money. There is a pending opinion request of the Illinois Attorney General. **This bill includes all units of local government.** SB 2638 introduced by Sen. James Clayborne (D-East St. Louis) attempts the same legislative change.

NOTE: Opponents include the Illinois Chamber of Commerce, Illinois Animal Control Association and the Illinois Farm Bureau. Rep. Frances Hurley (D-Chicago) has introduced HB 5807 which would place similar restrictions on pet shops statewide.

SB 2581 (Mulroe) – SUPPORT

Juvenile Court Act – Detention Screening

Status: Senate 3rd Reading

Provides that on and after July 1, 2020, a detention screening instrument shall be used for referrals to all authorized juvenile detention facilities in this State prior to a judicial hearing. Provides a minor alleged to be a delinquent minor taken into temporary custody must be brought before a judicial officer within 48 hours (rather than 40 hours, excluding Saturdays,