

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



**Kendall County Courthouse
Jury Assembly Room
807 W. John Street; Yorkville IL
Monday, April 9, 2018 – 3:15 p.m.
Meeting Agenda**



- 1. Pledge of Allegiance to the American Flag**
- 2. Roll Call and Determination of a Quorum:** John Purcell, Matthew Prochaska (Chair), Audra Hendrix, Tony Giles (Vice Chair), Judy Gilmour
- 3. Approval of the Agenda**
- 4. Approval of the March 12, 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**
 - Approval of a Proclamation Declaring Opposition of HB 2628*
 - Approval of a Proclamation Declaring Opposition of HB 4556*
 - Approval of a Proclamation Declaring Opposition of HB 4581*
 - Approval of a Proclamation Declaring Opposition of HB 5489*
 - Approval of a Proclamation Declaring Support for HB 4584*
- 10. Public Comment**
- 11. Executive Session for the purpose of the review of discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06, 5ILCS 120-2**
- 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
Monday, March 12, 2018
Meeting Minutes

Call to Order and Pledge Allegiance - Chair Matthew Prochaska called the meeting to order at 3:18p.m. and led the Pledge of Allegiance.

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

Others Present: Sheriff Dwight Baird, Public Defender Vicky Chuffo, EMA Director Joe Gillespie, Undersheriff Harold Martin, Judge Robert Pilmer, Coroner Jacquie Purcell, Facilities Director Jim Smiley, Court Administrator Nicole Swiss, Court Services Director Tina Varney, and State's Attorney Eric Weis

Member Giles was absent.

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 February 14, 2018 Meeting Minutes, second by Member Gilmour. **With four members present in agreement, the motion carried.**

Public Comment – None

❖ **Coroner** – Coroner Purcell reviewed her office statistics for the month of February, and reported that all 28 deaths were from natural causes. She also provided an update on presentations conducted by the Coroner's Office and on the Illinois Coroners and Medical Examiner's Association training and various meetings attended by office personnel, and presentations to local High School classes.

❖ **Circuit Clerk** – Written report provided

❖ **Courthouse** – Judge Pilmer reported that they have begun accepting applications for the Court Administrator position, and will have a farewell get-together for Nicole Swiss, who has accepted a new position in Arizona.

Judge Pilmer stated that on April 16th, they will be switching a couple of court calls and judges around.

❖ **Court Services** – Written report provided. Director Varney reported that Kane County did not sign the new agreement until March 5th, but also did not charge Kendall County the new rate for January, and February. Ms. Varney also reported that contract negotiations are ongoing, and that a new meeting date has yet to be determined.

- ❖ **EMA** – Director Joe Gillespie updated the committee on a free basic weather spotters class offered by the National Weather Service and Kendall County EMA on February 8, 2018.

Director Gillespie also reviewed the meetings conducted by EMA, as well as an update on the KC Health Department Hazard Vulnerability Assessment.

Sire, STARCOM and WSPY EAS testing was conducted as usual on the first Tuesday of the month. Written report provided.

- ❖ **KenCom** – Written report provided.
- ❖ **Public Defender** – Vicky Chuffo provided a written report and stated that things continue to be busy with 209 new cases this month, 1,128 open cases, and an increase in DUI and Juvenile Abuse/Neglect appointments.
- ❖ **State's Attorney** – Mr. Weis reported that Detective Caleb Waltmire of the KC Sheriff's Office has been assigned to the State's Attorney's Office, and will assist in tracking down witnesses, and conducting investigations. The State's Attorney and Sheriff will review the partnership after six-months.

- ❖ **Sheriff's Report**

- a. **Operations Division** – Written report provided. Sheriff Baird stated that the State's Attorney's Office had two investigators several years ago, and that this is an effort to share resources and assist the State's Attorney's Office at no additional cost.

Sheriff Baird reported that his office is also in the process of updating policies based on state law changes that went into effect January 1, 2018.

Sheriff Baird stated that he hosted a "gang talk" in Boulder hill recently, and that Sheriff's Office personnel will assist in the distribution of light bulbs to Boulder Hill residents for use in outdoor lighting on March 10 & 17. The bulbs were purchased by Brian LeClerq in Oswego Township.

Sheriff Baird also updated the committee on recent crimes in the County, and on two squad vehicles involved in accidents recently, one was rear-ended, and one was t-boned by another vehicle. Sheriff Baird and command staff are working on budget adjustments to replace those vehicles as soon as possible.

Sheriff Baird was happy to report that HIDTA approved and paid for a Drone equipped with a high intensity camera and flair system that will be shared by several law enforcement agencies in the County. The Drone will remain at the Sheriff's Office and will be instrumental in search and rescue, lost child and water rescue operations.

- b. **Corrections Division** – Written report provided. Undersheriff Martin contributed the increased medical expenses to five Kendall County inmates.

Undersheriff Martin also reported that the jail will be switching from their current medical company Diamond to Greentree, and hope to see a decrease in costs within the next few months.

c. Records Division – Written report provided

Old Business - None

New Business - None

Legislative Update – Member Prochaska reviewed several bills with the committee including HB 4473, SB 2581, HB 5284, HB 2645, HB 4246, HB 4375, SB 2260, SB 2280, SB 3503 and HB 5807.

Items for the March 21, 2018 County Board meeting agenda - None

Adjournment – Member Hendrix made a motion to adjourn the meeting, second by Member Purcell.
With all in agreement, the meeting adjourned at 3:56p.m.

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Secretary



KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	Month: March 2018	Fiscal Year-to-Date	March 2017
Total Deaths		22	102	21
Natural Deaths		21	96	19
Accidental Deaths		0	1	1
Pending	*	1	3	0
Suicidal Deaths		0	2	1
Homicidal Deaths		0	0	0
Toxicology		2	7	2
Autopsies		2	7	2
Cremation Authorizations		12	60	7

PERSONNEL/OFFICE ACTIVITY:

1. Coroner Purcell attended, on March 1, 2018, an ad hoc committee meeting of the Illinois Coroners and Medical Examiner's Association to revise the forensic autopsy protocol.
2. Coroner Purcell and Chief Deputy Coroner Gotte met, on March 2, 2018, with the nursing director at Heritage Woods to establish death reporting guidelines.
3. Coroner Purcell and Chief Deputy Coroner Gotte met, on March 2, 2018, with the nursing director at the Tiller's Nursing Home to establish death reporting guidelines.
4. Coroner Purcell and Chief Deputy Coroner Gotte attended, on March 12, 2018, a FOIA Informational meeting to discuss the dynamics of new FOIA software.
5. Coroner Purcell and Chief Deputy Coroner Gotte met, on March 13, 2018, with the nursing director at Hillside Nursing Home to establish death reporting guidelines.
6. Coroner Purcell presented, on March 15, 2018, for Operation Impact at Oswego East High School.
7. Coroner Purcell provided quarterly updates at the March finance committee meeting.
8. Coroner Purcell presented, on March 23, 2018, for the Law Enforcement Class at Oswego East High School.
9. The Coroner's Office Quarterly Full Staff Meeting was held on March 28, 2018.

CARORUM AD CURAM

Kendall County Emergency Management Agency

1102 Cornell Lane, Yorkville Illinois 60560

630-553-7500

Joseph T. Gillespie, Director

Tracy Page, Deputy Director

EMA Report

March 2018

1. March 1 and March 8, Search and Rescue Initial Operations course was given to four (4) classes of sixty-nine (69) KCSO deputies total.
2. March 10 we had a multi-agency Search and Rescue training on UTM at the Plano Police Department and it was attended by thirty-seven (37) search and rescue professionals from nine (9) area agencies.
3. March 13 received WebEOC Training
4. March 17 we participated in a recovery search for a 22 year old female at Mallard Lake Forest Preserve in Hanover Park. This search was attended by five (5) KCEMA Search and Rescue members. Missing/Possibly deceased person was not found.
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 APRIL 9, 2018

VICTORIA CHUFFO, Public Defender

- 99 cases / last month 99 cases - Felony cases

COURTNEY TRANSIER, First Asst. Public Defender

- 178 cases / last month 154 cases - Felony cases

MICHAEL MONTGOMERY, Asst. Public Defender

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

REID SEAGREN, Asst. Public Defender

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

CHRISTOPHER WARBOLD, Asst. Public Defender

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

My office has been appointed a total of 185 new cases between March 12, 2018 and April 9, 2018. The Kendall County Public Defender's Office currently has 1,254 open cases as of today's date; April 9, 2018. The Public Defender appointments over all categories of offenses have stayed about the same from last month. My office has been appointed to the second Sexually Violent Persons commitment filed in our county to date.

KENDALL COUNTY SHERIFF'S OFFICE

MONTH-END REPORT



MARCH

2018

OPERATIONS DIVISION

POLICE SERVICES	March-17	March-18
Calls for Service	646	609
Police Reports	332	313
Total Arrests	120	97
Cannabis Civil Law Citations Issued		6
Ordinance Citations Issued		2
TRAFFIC SERVICES	March-17	March-18
Traffic Contacts	356	1149
Traffic Citations Issued	187	296
DUI Arrests	4	3
TRAFFIC CRASH INVESTIGATIONS	March-17	March-18
Property Damage	41	30
Personal Injury	4	8
Fatalities	1	0
TOTAL CRASH INVESTIGATIONS	46	38
VEHICLE USAGE	March-17	March-18
Total Miles Driven by Sheriff's Office	60,778	66,041
Vehicle Maintenance Expenditures	\$4,235.48	\$2,970.40
Fuel Expenditures	\$10,251.86	\$10,757.43
Fuel Gallons Purchased	4,987	4,674
Squad Damage Reports	0	0
AUXILIARY DEPUTIES	March-17	March-18
Ride-A-Long Hours	0	0
Auxiliary Hours	57.5	45.5
TOTAL AUXILIARY HOURS	57.5	45.5
EVIDENCE/PROPERTY ROOM	March-17	March-18
New Items into Property Room	122	116
Disposal Orders Processed	32	0
Items Disposed Of	37	14
DVD/VHS Copy Requests	24	66
Items Sent to Crime Lab for Processing	9	8
Pounds of Prescription Medication Collected from Drop Box Pr	45.75	33
COURT SECURITY	March-17	March-18
Entries	16,892	13,795
Items X-rayed	5,926	5,615
Bond Call	47	51
Kendall Prisoners	92	102
Other Prisoners	39	42
Arrests made at Courthouse	31	24
Contraband Refused	101	88

INVESTIGATIONS/COPS ACTIVITIES	March-17	March-18
Total Cases Assigned (Patrol/Invest)	32	34
Total Cases Closed (Patrol/Invest)	23	50
Total Current Open Cases (Patrol/Invest)	134	145
Community Policing Meetings/Presentations	32	33

CORRECTIONS DIVISION

JAIL POPULATION	March-17	March-18
New Intake Bookings	252	229
Inmates Released	231	215
Average Daily Population	145	165
Kendall County Inmate ADP		73

JAIL MEALS	March-17	March-18
Number of Meals Prepared Consolidated Food	12,614	14,823
Price Per Meal	\$1.20	\$1.20

INMATE TRANSPORTS	March-17	March-18
	6	
To and From Kendall County Courthouse	100	104
Other County Court Transports	9	5
Out of County Prisoner Pickups	33	18
To I.D.O.C	4	12
Medical/Dental Transports	4	10
Court ordered medical transports	0	0
Juvenile To and From Youth Homes/Courts	10	10
Federal Transports	15	29
TOTAL INMATE TRANSPORTS	175	188

INMATE WORK CREWS	March-17	March-18
Number of Inmates	4	8
Number of Locations	2	4
Total Hours Worked	6	12

OUT OF COUNTY HOUSING	March-17	March-18
Number of Inmates Housed for Other Jurisdictions	84	98
Amount Invoiced for Inmates Housed for Other Jurisdictions	\$100,920.00	\$126,060.00

FEDERAL INMATES	March-17	March-18
Number of Federal Inmates Housed	13	23
Amount Invoiced for Housing	\$23,775.00	\$35,850.00
Amount Invoiced for Court Transport	\$4,044.55	\$7,038.23
Amount Invoiced for Medical Transport	\$132.67	\$123.05

MEDICAL BILLING	March-17	March-18
Medical Contractual Services	\$14,291.12	\$15,005.64
Prescriptions	\$4,534.08	\$4,012.93
Medical	\$1,550.57	\$549.37
Dental	\$0.00	\$0.00
Emergency Medical Services	\$817.34	\$0.00
Medical Supplies	\$684.78	\$344.74
TOTAL MEDICAL BILLING	\$21,877.89	\$19,912.68

Outstanding FTA Fees	March-17	March-18
FTA Fees- Outstanding	\$150.00	\$300.00

Sex Offender / Violent Offenders Against Youth Registrations	March-17	March-18
Sex Offender Registrations	11	8
Sex Offender - Address Verifications Completed	11	6
Sex Offender - Address Verification Attempted	37	8
Total # of Sex Offenders- Jurisdiction/Entire County	36/74	34/69
Violent Offenders Against Youth Registrations	0	1
VOAY - Address Verification Completed	0	0
VOAY - Address Verification Attempted	0	0
Total # of VOAY- Jurisdiction/Entire County	4/15	5/11

RECORDS DIVISION

SHERIFF SALES	March-17	March-18
Sales Scheduled	32	43
Sales Cancelled	17	20
Sales Conducted	15	23

CIVIL PAPERWORK	March-17	March-18
Papers Filed/Received		261
Papers Served/Executed	186	222

REPLEVINS/LEVY	March-17	March-18
Replevin/Levy Scheduled	0	2
Replevin/Levy Conducted	0	2

SUBPOENA/FOIA REQUESTS	March-17	March-18
Accident Reports	30	34
Background Checks	24	21
Incidents	98	85
Subpoenas	5	1
Total Requests	157	141

WARRANTS	March-17	March-18
Total Warrants on File	1,385	1,393
New Warrants Issued	128	121
Total Warrants Served	131	109
Warrants Quashed	74	31

EVICTIIONS	March-17	March-18
Evictions Scheduled for Month	26	14
Evictions Cancelled	14	12
Evictions Conducted	12	2

FEES	March-17	March-18
Civil Process Fees	\$6,517.00	\$11,592.50
Sheriff Sales Fees	\$11,400.00	\$11,964.50
Records Fees/Fingerprinting	\$339.15	\$165.00
Bond Processing Fees	\$1,249.11	\$1,118.58
Total Fees	\$19,505.26	\$24,840.58

KCSO TRAINING

CORRECTIONS DIVISION	March-17	March-18
NATURE OF TRAINING		
Web-Based Training		45
ILEAS Conference		16
Instructor Development Course		80
Gang Specialist Course		40
BLS CPR Instructor Recertification		4
Search and Rescue Training		119
CPR Certification		93
Communicable Diseases		16
CERT Training		36
TOTAL HOURS	970	449

OPERATIONS DIVISION	March-17	March-18
NATURE OF TRAINING		
Web-Based Training		47.5
ILEAS Conference		48
Northwestern Crash Investigations 1		160
Firearms Instructor Course		40
Gang Specialist Course		40
Footware Impression Evidence Workshop		8
Advanced Homicide Investigations IPTM		48
Use of Force Report Writing for Supervisors		8
Juvenile Officer Certification Course		80
Police Academy		176
Search and Rescue Training		119
Single Officer Response 3rd Phase		108.5
Illinois General Explosives Recognition and Requirements		8
Mental Health First Aid for Public Safety		8
TOTAL HOURS	797.75	899

COURT SECURITY		March-17	March-18
NATURE OF TRAINING			
Web-Based Training			10
Room Clearing/Emergency Repsonse			15
TOTAL HOURS		139	25
CORRECTIONS/OPERATIONS COMBINED		March-17	March-18
NATURE OF TRAINING			
SRT		24	64
TOTAL HOURS		24	64
RECORDS DIVISION		March-17	March-18
NATURE OF TRAINING			
Communicable Diseases			2
CPR			15
TOTAL HOURS		12	17
AUXILIARY		March-17	March-18
Meeting/Training Hours		14	65.25
TOTAL HOURS		14	65.25

County of Kendall, Illinois
Resolution 18 – _____

PROCLAMATION DECLARING OPPOSITION OF HB 2628

WHEREAS, the Illinois House has introduced HB 2628 that would amend the Juvenile Court Act (“Act”) of 1987 to provide that persons under 21 years of age (rather than under 18 years of age) who commit misdemeanor offenses are subject to the proceedings under the “Act” for delinquent minors; and

WHEREAS, Kendall County supports efforts to reform juveniles and reduces recidivism; and

WHEREAS, HB2628 is well intentioned, but would incur significant new costs in providing services as required by the “Act” for the new population between 18 and 21 years of age; and

WHEREAS, the State of Illinois is not providing new funds to cover the expanded juvenile population that would require services; and

WHEREAS, Kendall County opposes all unfunded mandates from the State of Illinois;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to not pass HB 2628; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

County of Kendall, Illinois
Resolution 18 – _____

PROCLAMATION DECLARING OPPOSITION OF HB 4556

WHEREAS, the Illinois House has introduced HB 4556 that would amend the Sexually Dangerous Persons Act (“Act”) to provide 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.

WHEREAS, it would provide that the Director of Corrections, as guardian, shall only be responsible for costs of providing care and treatment of sexually dangerous persons while he or she is committed in a facility of the Department of Corrections.

WHEREAS, it would provide that if a sexually dangerous person is released subject to conditions ordered by a court, the Director shall not be responsible for any costs of the sexually dangerous person, including, but not limited to, care, treatment, medical expenses, living expenses, and supplemental income and rent.

WHEREAS, it provide that the Director shall still provide supervision over the sexually dangerous person through parole agents if ordered; and

WHEREAS, Kendall County supports efforts to safe guard communities from sexually dangerous persons; and

WHEREAS, HB 4556 is well intentioned, but would incur significant new costs in providing services as required by the “Act”; and

WHEREAS, the State of Illinois is not providing new funds to cover the additional required services; and

WHEREAS, Kendall County opposes all unfunded mandates from the State of Illinois;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to not pass HB 4556; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

County of Kendall, Illinois
Resolution 18 – _____

PROCLAMATION DECLARING OPPOSITION OF HB 4581

WHEREAS, the Illinois House has introduced HB 4581 that would amend the the Children and Family Services Act to provides that the Illinois Juvenile Justice Commission in its annual submission of recommendation to the Governor and General Assembly shall include recommendations regarding the inclusion of emerging adults into a developmentally appropriate justice system, reducing recidivism, and preventing deeper criminal involvement. Amends the Juvenile Court Act of 1987; and

WHEREAS, provides in the Article concerning delinquent minors that on and after January 1, 2019, "delinquent minor" includes a minor who prior to his or her 19th birthday has committed a misdemeanor offense and has violated or attempted to violate, regardless of where the act occurred, a federal law or State law, or county or municipal ordinance; and

WHEREAS, provides that on and after January 1, 2021, "delinquent minor" includes a minor who prior to his or her 21st birthday has committed a misdemeanor offense and has violated or attempted to violate, regardless of where the act occurred, a federal law or State law or county or municipal ordinance; and

WHEREAS, Provides that the changes made by the amendatory Act apply to violations or attempted violations committed on or after the effective of the amendatory Act; and

WHEREAS, Kendall County supports efforts to reform juveniles and reduces recidivism; and

WHEREAS, HB4581 would incur significant new costs in providing services as required by the "Act": in 2016 the additional costs would have been \$407,625.00, and in 2017 additional costs would have \$435,625.00; and

WHEREAS, the State of Illinois is not providing new funds to cover the expanded juvenile population that would require services; and

WHEREAS, Kendall County opposes all unfunded mandates from the State of Illinois;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to no pass HB 4581; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

County of Kendall, Illinois
Resolution 18 – _____

PROCLAMATION DECLARING OPPOSITION OF HB 5489

WHEREAS, the Illinois House has introduced HB 4556 that would amend the Illinois Vehicle Code to provide that the Secretary of State shall issue distinctive registration plates for non-highway vehicles.

WHEREAS, it would provide that the Secretary shall issue these plates only to non-highway vehicles that are insured and have brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear, a headlight that emits a white light, a tail lamp that emits a red light, brake lights, and turn signals.

WHEREAS, it would provide that every owner of a non-highway vehicle that drives upon a roadway with a posted speed limit of 35 miles per hour or less shall pay the Secretary an annual registration fee of \$76. Provides that the registration fee shall be distributed as follows: \$1 to the State Treasurer, for deposit into the State Police Service Fund; \$30 to the State Treasurer, for deposit into the Road Fund; and \$45 to the Treasurer of the county of residence of the owner of the non-highway vehicle, for deposit into the road fund of the county.

WHEREAS, it finally provides that vehicles with a registration plate may be operated on any street, highway, or roadway where the posted speed limit is 35 miles per hour or less or any county highway where the posted speed limit is 55 miles per hour or less and may make a direct crossing upon or across certain roads; and

WHEREAS, Kendall County takes steps to ensure the safety of its citizens; and

WHEREAS, Kendall County takes steps to provide for the greatest quality of life for all of its citizens; and

WHEREAS, HB 5489 would endanger the health and safety of citizens driving the non-highway vehicles at near highway speeds; and

WHEREAS, HB 5489 would allow non-highway vehicles to disrupt the flow of traffic on all roads in Kendall County;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to not pass HB 5489; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

County of Kendall, Illinois
Resolution 18 – _____

PROCLAMATION DECLARING SUPOORT FOR HB 4584

WHEREAS, the Illinois House has introduced HB 4584 that would amend the State Finance Act, the Motor Fuel Tax Law, the Emergency Telephone System Act, the Riverboat Gambling Act, and the Video Gaming Act to provide 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; and

WHEREAS, the State of Illinois has been delinquent in its duty to create a budget and appropriate funds; and

WHEREAS, the funds are required by law to perform necessary services at the local government level;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the County of Kendall asks the Illinois General Assembly to pass HB 4584; and

BE IT FURTHER RESOLVED; that the County Board directs the County Administrator to transmit suitable copies of this Resolution to the Governor of the State of Illinois, Speaker and Minority Leader of the Illinois State House of Representatives, to the President and Minority Leader of the Illinois State Senate, to all members of the General Assembly representing any portion of Kendall County, the sponsor and chief co-sponsor of HB 4584, and to the Executive Directors of Metro Counties, United Counties Council of Illinois, and the Illinois Association of County Board Members and Commissioners.

PRESENTED and ADOPTED by the County Board, this _____ day of _____ 2018.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder



UCCI Legislative Tracking

100th General Assembly

SENATE

- SB0426 – RECORDING FEES**
Amends the Counties Code. Makes a technical change in a Section concerning the short title. Senate Floor Amendment 1 proposes a total rewrite of how County Recorder's fees are established and the amounts charged to citizens.
- Status: Placed on Calendar Order of 3rd Reading
- SB0486 – REVENUE-TECH**
Amends the Simplified Municipal Telecommunications Tax Act. Senate Floor Amendment 1 makes changes to how solar operations can avoid property taxes.
- Status: Placed on Calendar Order of 3rd Reading
- SB2591 – AGR-RENEWABLE ENERGY FACILITY**
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.
- Status: Assigned to Senate Energy and Public Utilities Committee
- SB2638 – LOCAL GOVT ACCCOUNT AUDITS**
Provides that an audit report based on the governmental unit's selection of the accrual, cash, or modified cash basis of accounting meets all requirements for conformity with generally accepted accounting principles, including the certification of the accountant or accountants making the audit that the audit has been performed in compliance with generally accepted auditing standards. Effective immediately.
- Status: Calendar Order of 2nd Reading (April 10, 2018)

HB4104- MUNI CD-AUDIT REPORT STANDARDS

Provides that audit reports reporting on the financial position and results of financial operations for each fund of the municipality shall be consistent with either the accrual or cash basis of accounting depending upon the system followed by each municipality and shall otherwise be in accordance with generally accepted accounting principles (currently, shall be in accordance with generally accepted accounting principles, insofar as possible).

Status: House Government Transparency Committee Hearing on April 9, 2018 at 3PM; Capitol 118

HB4163- EQUAL PAY ACT-WAGE HISTORY

Prohibits an employer from: (i) screening job applicants based on their wage or salary history, (ii) requiring that an applicant's prior wages satisfy minimum or maximum criteria, and (iii) requesting or requiring as a condition of being interviewed or as a condition of continuing to be considered for an offer of employment that an applicant disclose prior wages or salary. Prohibits an employer from seeking the salary, including benefits or other compensation or salary history, of a job applicant from any current or former employer, with some exceptions. Limits defenses. Provides for penalties and injunctive relief.

Status: Referred to Senate Assignments Committee

HB4242- FOIA-HARRASSMENT SETTLEMENTS

Provides that a county shall provide notice to the public if the county enters into a severance agreement with an employee or contractor accused of sexual harassment or sexual discrimination. Provides that no more than 72 hours after the county makes a payment under the severance agreement, the county shall publish on its Internet website and cause to be published, for a period of not less than 7 days, in the newspaper of general circulation having the largest circulation within the jurisdiction of the county the following information: (1) the name of the person receiving the payment; (2) the amount of the payment; and (3) the fact that the person receiving the payment has been accused of sexual harassment or sexual discrimination, as the case may be.

Status: Referred to Senate Assignments Committee

HB4295- CMS-STATE EMPLOYEE LOCATION

Requires the Director of Central Management Services to direct the relocation to Sangamon County of all State employment positions under the Personnel Code that are not required by their nature or function to be located in a specific geographic area. Requires the Director to direct all new State employment positions which may be created under the Personnel Code, and which are not required by their nature or function to be located in a specific geographic area, to be located in Sangamon County. Requires the Director to determine a geographic location for each State employment position and, if it is other than

Sangamon County, the reason for it to be in that geographic location. Provides that in determining whether to locate or relocate a State employment position to Sangamon County, the Director shall consult the Director of any affected State agency as to whether the nature or function of a position requires it to be located in a specific geographic area of the State, and if no such geographic necessity exists, that position shall be located or relocated to Sangamon County. Provides that the rights of employees and the State and its agencies under the Personnel Code and applicable collective bargaining agreements with respect to the relocation of current State employee position holders shall not be affected. Provides that the provisions regarding location or relocation of a position to Sangamon County shall apply only to State employment positions that become vacant or are created on or after the effective date of this amendatory Act.

Status: Assigned to the House Executive Committee

HB4365- PROMPT PAYMENT-PUBLIC UTILITIES

Provides that utility services provided to the State by a unit of local government are subject to the provisions of the ACT.

Status: Assigned to House Revenue & Finance Committee; Growth, Reform & Fairness Subcommittee

HB4375- LOCAL GOVERNMENT EMAIL ACT

Creates the Local Government Email Act. 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 unit of 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 unit of local government or school district. Provides that 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. Provides that 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 unit of local government or school district if the email is in connection with the transaction of public business. Provides that 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. Effective immediately.

Status: Assigned to House Executive Committee

HB4429

POKER RUNS-MULTIPLE COUNTIES

Provides that a county may pass an ordinance prohibiting the conduct of poker runs within the county's boundaries. Provides that a county that has prohibited poker runs is not required to establish a system for the licensing of organizations to operate poker runs. Provides that a license for a poker run authorizes the licensee to conduct the poker run at locations within the county with jurisdiction over the key location and at locations within any other county that licenses poker runs. Provides that a poker run conducted at locations in multiple counties is only required to be licensed by the county with jurisdiction over the key location. Removes provisions providing that the governing bodies of 2 or more adjacent counties may contract to jointly establish a licensing system for organizations to operate poker runs. Effective immediately.

Status: Referred to House Rules Committee

HB4430

LIQUOR-RAFFLE VIOLATIONS

Provides that no license of any kind issued by the Illinois Liquor Control Commission or a local liquor control commission shall be issued to a person who, in violation of a specified provision of the Raffles and Poker Runs Act, sells raffle tickets in a physical location that is outside the jurisdiction of the local authority that licensed the raffle or a person who, in violation of a specified provision of the Raffles and Poker Runs Act, sells raffle tickets in a manner that violates the terms of the local license that authorized the raffle. Provides that the prohibition may not be used to initiate an investigation by the State Commission or a local liquor control commission against a license holder who sells raffle tickets inside the jurisdiction of the local authority that licensed the raffle in a manner that is in compliance with State law and local ordinance. Makes other changes. Effective immediately.

Status: Referred to House Rules Committee

HB4556

SEXUALLY DANGEROUS PERSON-COST

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. Provides that the Director of Corrections, as guardian, shall only be responsible for costs of providing care and treatment of sexually dangerous persons while he or she is committed in a facility of the Department of Corrections. Provides that if a sexually dangerous person is released subject to conditions ordered by a court, the Director shall not be responsible for any costs of the sexually dangerous person, including, but not limited to, care, treatment, medical expenses, living expenses, and supplemental income and rent. Provides that the Director shall still provide supervision over the sexually dangerous person through parole agents if ordered.

Status: Assigned to the House Judiciary-Criminal Committee

HB4584

USE/OCC-MOTOR FUEL-LOCAL GOV

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. Effective immediately.

Status: Referred to House Rules Committee

HB5489

LICENSE PLATES NON-HWY VEH

Provides that the Secretary of State shall issue distinctive registration plates for non-highway vehicles. Provides that the Secretary shall issue these plates only to non-highway vehicles that are insured and have brakes, a steering apparatus, tires, a rearview mirror, red reflectorized warning devices in the front and rear, a slow moving emblem on the rear, a headlight that emits a white light, a tail lamp that emits a red light, brake lights, and turn signals. Provides that every owner of a non-highway vehicle that drives upon a roadway with a posted speed limit of 35 miles per hour or less shall pay the Secretary an annual registration fee of \$76. Provides that the registration fee shall be distributed as follows: \$1 to the State Treasurer, for deposit into the State Police Service Fund; \$30 to the State Treasurer, for deposit into the Road Fund; and \$45 to the Treasurer of the county of residence of the owner of the non-highway vehicle, for deposit into the road fund of the county. Provides that vehicles with a registration plate may be operated on any street, highway, or roadway where the posted speed limit is 35 miles per hour or less or any county highway where the posted speed limit is 55 miles per hour or less and may make a direct crossing upon or across certain roads.

Status: Transportation: Vehicles & Safety Committee Hearing on April 10, 2018 at 10AM; Capitol 115

HB5284

PROP TX-SOLAR ENERGY VALUATION

Changes the definition of "solar energy system". Defines "allowance for physical depreciation", "commercial solar energy system", "commercial solar energy system real property cost basis", "ground installation", "trending factor", and "trended real property cost basis". Provides the equation for the fair cash value of commercial solar energy systems in counties with fewer than 3,000,000 inhabitants. Provides exemptions for specific commercial solar energy systems property. Provides that the owner of the land the ground installation commercial solar energy system is constructed upon may request a metes and bounds survey description of the area and provides the procedures for such a request. Provides the equation for the fair cash value per acre of a parcel of land where a commercial solar energy system is installed. Provides that any real property assessed as farmland in the year prior to valuation shall return to being assessed as farmland in the year after the commercial solar energy system has been removed and the property is returned to farm use. Effective immediately.

Status: House Revenue & Finance Committee Hearing on April 11, 2018 at 3PM; Capitol 122B

Counties at the Capitol

March 21, 2018 • www.ilcounty.org

The General Assembly is adjourned until April 9, 2018, when the House returns to session. The Senate reconvenes the following day on April 10. The Third Reading deadline for each chamber to move bills over to the opposite chamber is April 27. This report highlights bills of priority being tracked by the IACBM, as well as new amendments.

SB 2260 (Tracy) – OPPOSE
State Revenue Sharing Act – Schools
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. The total amount of additional distributions shall not exceed \$4,353,136. **NOTE: The money would be taken away from other units of local government, including counties.**

SB 2544 (Cullerton) Yingling
Counties Code – Local Government Reduction and Efficiency Division
Status: Passed Senate 49-0-0 / Arrived In House

Requires the person conducting the required audit of a unit proposed for dissolution to report the findings to the county board within 30 days or as soon as is practical after 30 days. Once the audit is returned, the county board may adopt an ordinance authorizing dissolution not less than 80 days (rather than 150 days) following the court's appointment of a trustee-in-dissolution (rather than after the effective date of the ordinance).

Also, gives the County Board Chairman the ability to proceed with the dissolution after the petition process and the referendum process.



SB 2581 (Mulroe) Gabel – SUPPORT
Juvenile Court Detention Hearings
Status: Passed Senate 49-0-0 / Arrived In House

Requires a full judicial, detention hearing within 48 hours of a juvenile's confinement (no exception for weekends and holidays). Requires the Administrative Office of the Illinois Courts to develop and validate a new, statewide detention screening instrument to be used for all referrals. Allows for secure video detention hearings by closed circuit television and video conference upon approval by administrative order of the Chief Circuit Judge. **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.**



SB 2514 (Mulroe)
Smoke Free Illinois – Civil Penalties
Status: Senate 3rd Reading
Gives state law enforcement agencies power to enforce smoking violations under the Smoke Free Illinois Act (rather than just local law enforcement agencies).

Rural hospitals protected from financial distress under deal

The six critical access hospitals that serve Christian, Macoupin, and Montgomery counties will not experience an interruption in vital federal funds under a bipartisan deal that was reached in Springfield. The deal, signed into law by Gov. Bruce Rauner on March 12, is the framework for modernizing Illinois' \$3.5 billion Medicaid Hospital Assessment Program. The federal government

must sign off on the state's proposal. The deadline is June 30. The assessment program, which ensures access to health care for Medicaid recipients, is fully funded by Illinois hospitals and the federal government. There is no state cost. **Senate Bill 1773 (P.A. 100-0581)** ensures the state will continue to receive federal matching funds to offer services for Medicaid beneficiaries.

SB 2486 (Jones, III)

Public Funds – Corporations

Status: Senate 2nd Reading

Amends the Public Funds Investment Act. Extends the length of maturity in which the obligations of corporations, which are invested by a public entity, reach their threshold. Public entities may invest in obligations of corporations if the obligations mature no later than 3 years from the date of purchase.

NOTE: *Aims to allow local governments to increase their return on the investments that statute currently provides for.*

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. 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 2923 (Clayborne)

Township Code – Local Payout Attestations

Status: Senate 2nd Reading

Amends the Public Graveyards Act and the Township 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. **NOTE:** *This legislative proposal is an initiative of the Township Officials of Illinois (TOI) and addresses transparency and accountability.*

IN THE KNOW...

Audit standards for local government

The IACBM has been involved in ongoing discussions with the Comptroller's Office regarding Local Government Cash Basis Financials. Four bills have been introduced in both the House and Senate that provide a remedy to enable local governments to continue using cash basis accounting. In particular, **SB 2638** clarifies cash basis accounting and allows counties to use their normal cash flow for GAAP accounting.



In addition to the legislative remedies, the Comptroller's Office has developed "draft" language which is currently under review by various stakeholders, including the Illinois CPA Society. The language appears to grandfather those governmental units using cash basis accounting and allow them to continue using cash basis accounting for future audits. This is a significant concession by the Comptroller's Office, and we appreciate their willingness to continue to work with our legislative staff on a path to resolution. In the meantime, we will continue to keep you informed of any developments.

SB 3080 (Steans) – OPPOSE

Community Water Systems – Lead Removal

Status: Senate 2nd Reading

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. Mandates 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.

SB 3503 (Sims) – OPPOSE

Counties Code – Lactation Rooms

Status: Senate 2nd Reading

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. **NOTE:** *This bill is a mandate. The Legislative Committee based its position on the potential need for renovation of courthouses to comply and associated costs. In our conversations with an ACLU representative, it was indicated that renovation is not required. An unused room can become a court's lactation room and partitions can convert open space into a private "lactation area". Discussions are ongoing.*

FEMA begins flood damage assessments

The Federal Emergency Management Agency (FEMA) joined state officials to conduct damage assessments in Iroquois, Kankakee and Vermillion counties this week.

Gov. Bruce Rauner and his team at the Illinois Emergency Management Agency submitted the request for federal support after the three counties experienced severe flooding in February. County officials conducted initial damage assessments and found that 126 homes were destroyed or suffered major damage. Another 850 homes were also impacted by flood waters. The assessments will continue until complete.



IN THE KNOW

HB 4242 (McSweeney) Cullerton FOIA – Harassment Settlements Status: Passed House 106-0-0

When a local government enters a severance agreement with an employee or contractor because the employee or contractor was found to have engaged in sexual harassment or sexual discrimination, 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 approval of the severance agreement.

**HB 4271 (Halbrook) – SUPPORT
Counties Code – Auxillary Deputies
Status: House 2nd Reading**
County authorities may (rather than shall) require that all auxillary deputies be residents of the county served by them.

**HB 4375 (Breen) – OPPOSE
Local Government Email Act
Status: House 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 an employee, staff member, trustee, board member, elected official, or officer of a unit of local government are public records regardless if the emails are sent or received on a personal or unit-provided email address.



**HB 5284 (Lang) – SUPPORT
Standardized Valuation of Solar Farms
Status: Property Tax Subcommittee**
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.

HB 4594 (Andersson) Criminal and Traffic Assessment Act Status: House 2nd Reading

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. Provides that a defendant may petition the court for full or partial waiver of court assessments imposed under the Criminal and Traffic Assessment Act. The court shall grant a full or partial waiver if specified conditions are met.



HB 4748 (Fortner) Rezin – NEUTRAL County Stormwater Management Status: Passed House 101-0-0 / Arrived in Senate

Authorizes counties containing all or a part of an urbanized area (rather than only 9 specified counties) 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. A county's minimum standards for floodplain and stormwater management should have an emphasis on the use of cost-effective solutions to flooding problems. The stormwater management plans shall evaluate flooding problems caused by urban flooding. Defines "urban flooding". Provides that a stormwater management planning committee may make grants to units of local government, not-for-profit organization, and landowners under specified conditions. A municipality receiving grant moneys must have adopted an ordinance requiring actions consistent with the stormwater management plan. Makes similar changes to provisions regarding DuPage and Peoria counties.



**Join us at the upcoming IACBM regional meetings for a
comprehensive legislative discussion!**
Register at www.ilcounty.org

The imposed deadline for moving bills out of committee in their chamber of origin is April 13. This report includes legislation of priority status, but is not all-inclusive. Any significant local government measures advanced from either chamber will be included in future reports. For a more complete list of bills being tracked by the association visit our website at www.ilcounty.org

Additional bill positions will be reported upon action by the IACBM Legislative Committee. The General Assembly is scheduled to adjourn on May 31, 2018.