

**COUNTY OF KENDALL, ILLINOIS  
LAW, JUSTICE, AND LEGISLATION COMMITTEE  
Kendall County Courthouse Jury Assembly Room  
807 W. John Street; Yorkville, IL  
Monday, February 11, 2019– 3:15 p.m.  
Meeting Agenda**

**1. Call to order**

**2. Pledge of allegiance**

**3. Roll call and determination of a quorum:** Tony Giles (Chair), Judy Gilmour, Audra Hendrix, Matthew Prochaska, Robyn Vickers

**4. Approval of the Agenda**

**5. Approval of the January 14, 2019 Meeting Minutes**

**6. Status reports**

- A. Coroner
- B. Circuit Clerk
- C. Court Services
- E. Emergency Management Agency
- F. Public Defender
- G. Sheriff's Office
  - 1. Operations Division
  - 2. Records Division
  - 3. Corrections Division

**7. Old Business**

**8. New Business**

- A. Discussion and Approval of Gateway Foundation, Inc. and KC Drug Court Agreement
- B. Review and Approval of the Mutual Aid Resolution
- C. Discussion and Approval of 2019 ISACo Membership Dues Payment

**9. Public Comment**

**10. New Business part two**

- A. Discussion of an Ordinance Regulating or Prohibiting the Discharge of Firearms in Unincorporated areas (as defined by 55 ILCS 5/5-1117)

**11. Legislative Update**

- A. Discussion of House Bills and Senate Bills
  - 1. HB 1573
  - 2. HB 1448
  - 3. HB 158
  - 4. HB 191
  - 5. SB 108

**12. Chairman's Report/Comments**

- A. Update on meeting location for March and April meetings

**13. Executive Session**

**14. Adjournment**

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

**COUNTY OF KENDALL, ILLINOIS**  
**Law, Justice and Legislation Committee**  
**Monday, January 14, 2019**  
**Meeting Minutes**

**Call to Order and Pledge Allegiance** - Chair Tony Giles called the meeting to order at 3:15p.m. by leading the Pledge of Allegiance.

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

**Others Present:** Sheriff Dwight Baird, Chief Deputy Mike Peters, Circuit Clerk Robyn Ingemunson, Coroner Jacquie Purcell, Chief Judge Robert Pilmer, EMA Director Joe Gillespie, Facilities Director Jim Smiley, State's Attorney Eric Weis, Commander Jason Langston, Public Defender Vicki Chuffo

**Approval of the Agenda** –Member Prochaska made a motion to approve the agenda, second by Member Gilmour. **With four members present voting aye, the motion carried.**

**Approval of Minutes** – Member Vickers made a motion to approve the December 17, 2018 meeting minutes, second by Member Gilmour. **With four members present voting aye, the motion carried.**

**Public Comment** – None

**Status Reports**

**Coroner** –Coroner Purcell reviewed the monthly report with the committee, and reported 27 deaths for December, 26 natural, and 1 pending investigation. Written report provided.

**Circuit Clerk** – Ms. Ingemunson reported they are very short-staffed with 2 clerks in training for civil, 3 clerks in training for criminal and 1 clerk in training for traffic, as well as 3 clerks out on FMLA. Ms. Ingemunson also reported they continue to have issues with the e-file system they have been using since January 2018. Ms. Ingemunson stated they continue having issues with the case-management system and are unable to run reports. Staff has to go in and manually enter each motion to vacate fee, and have covered over 600 cases thus far.

**Court Services** – Alice Elliott provided information on the new contact standards for 2020, and said her office will begin implementing with clients soon. Written documentation provided in packet.

**EMA** – Written report provided. They continued the Siren, STARCOM and WSPY EAS testing.

**Public Defender** – Written report provided.

**Sheriff's Report**

- a. Operations Division – Written report provided.
- b. Records Division – Written report provided.
- c. Corrections Division – Written report provided.

**Old Business** - None

**New Business** - None

**Legislative Update** – No report

**Chairman's Report/Comments**

- A. 2019 Meeting Dates: 2/11, 3/11, 4/8, 5/13, 6/10, 7/8, 8/12, 9/9, 12/9
- B. Months to be determined are October & November, due to County holidays
- C. Meeting location for March & April will not be in Jury Assembly room due to trial dates

**Executive Session** – Not needed

**Adjournment** – Member Vickers made a motion to adjourn the meeting, second by Member Gilmour.  
**With all in agreement, the meeting adjourned at 3:36p.m.**

Respectfully Submitted,

Valarie McClain  
Administrative Assistant and Recording Clerk



**KENDALL COUNTY CORONER**  
————— JACQUIE PURCELL —————

Description	**	Month: January (FY 2019)	Fiscal Year-to- Date	January 2018
Total Deaths		19	46	31
Natural Deaths		19	45	30
Accidental Deaths		0	0	0
Pending		0	0	0
Suicidal Deaths		1	0	1
Homicidal Deaths		0	0	0
Toxicology		0	1	2
Autopsies		0	1	2
Cremation Authorizations		11	28	13
<b>Scenes Responded to:</b>		<b>Transported by Coroner's Office:</b>		<b>External Examinations:</b>
4		0		0

**PERSONNEL/OFFICE ACTIVITY:**

1. On January 2, Coroner Purcell facilitated the 'Lights of Hope' support group for families and friends who have been impacted by an overdose related death.
2. On January 14, Coroner Purcell hosted the quarterly Opioid Study Group.
3. On January 17, Chief Deputy Gotte provided a New Hire Orientation to a KCSO Deputy.
4. Throughout January, a total of 10 hours of community service hours were completed at the Kendall County Coroner's Office.

**FINANCIAL ACTIVITY:**

1. EXPENSES
  1. General Budget Total Expenses: \$955.90
  2. Death Certificate Surcharge Expenditures: \$26.51
  3. Special Fees Expenditures: \$731.28
2. REVENUE
  1. Special Fees Revenue: \$1050.00

————— CARORUM AD CURAM —————

804 W. JOHN STREET, STE A • YORKVILLE, ILLINOIS 60560 • OFFICE 630.553.4200 • FAX 630.553.4116  
CORONER@CO.KENDALL.IL.US

**KENDALL COUNTY  
CLERK OF THE CIRCUIT COURT  
STATISTICAL REPORT**

<b>Case Type</b>	<b>Description</b>	<b>Jan-17</b>	<b>Jan-18</b>	<b>Jan-19</b>
AD	Adoption	1	1	0
CC	Contempt of Court	3	1	1
CF	Criminal Felony	39	35	31
CH	Chancery	39	35	30
CL	Civil Law Vilolation	33	9	9
CM	Criminal Misdemeanor	49	41	47
CV	conservation violation	4	3	0
D	Divorce	36	27	24
DT	DUI	15	20	12
ED	Eminent Domain	4	1	0
F	Family	3	5	3
J	Juvenile	3	0	0
JA	Juvenile Abuse/Neglect	0	0	0
JD	Juvenile Delinquency	11	36	22
L	Law	2	10	5
LM	Law Magistrate	57	69	48
MH	Mental Health	1	0	0
MR	Misc. Remedy	27	20	24
OP	Order of Protection	27	30	23
OV	Ominance Violation	0	0	0
P	Probate	10	14	14
SC	Small Claims	88	124	89
TR	Traffic	529	606	378
TX	Tax	11	5	1
WI	Wills	16	16	8
X1	Misc	3	3	5
<b>TOTALS &gt;&gt;&gt;&gt;&gt;</b>		<b>1011</b>	<b>1111</b>	<b>774</b>

**To:** Kendall County Board \* Law, Justice and Legislation Committee  
**From:** Alice Elliott, Director \* Kendall County Court Services  
**Date:** 02-11-19  
**Re:** Monthly Report

**Juvenile Detention – FY2019 ~ Costs Incurred**

Kendall County Court Services FY2019 Summary - Juvenile Detention					Same Time 2018	Same Time 2017	Same Time FY2016	Same Time FY2015	Same Time FY2014
Month	Total New Admissions	Total Holdovers*	Total Days	Total Cost Incurred					
12/2018	13	6	147	\$17,640.00	\$10,450.00	\$8,690.00	\$15,620.00	\$3,000.00	\$3,400.00
01/2019	10	3	101	\$12,120.00	\$9,020.00	10,560.00	15,180.00	8,400.00	7,600.00
02/2019					\$11,330.00	15,070.00	11,110.00	4,100.00	9,400.00
03/2019					\$21,730.00	9,900.00	3,410.00	2,300.00	4,300.00
04/2019					\$15,960.00	13,640.00	5,940.00	2,400.00	3,000.00
05/2019					\$10,560.00	5,610.00	4,180.00	7,800.00	11,510.00
06/2019					\$7,320.00	6,270.00	11,660.00	5,500.00	13,600.00
07/2019					\$1,1760.00	1,540.00	10,120.00	8,400.00	8,700.00
08/2019					\$12,000.00	3,850.00	11,880.00	7,400.00	6,300.00
09/2019					\$9120.00	9,130.00	2,640.00	16,000.00	11,200.00
10/2019					\$15,120.00	10,780.00	5,610.00	15,440.00	5,600.00
11/2019					\$18,600.00	5,170.00	11,110.00	15,100.00	1,400.00
<b>TOTAL</b>				<b>\$29,760.00</b>	<b>\$152,970.00</b>	<b>\$100,210.00</b>	<b>\$108,460.00</b>	<b>\$95,840.00</b>	<b>\$86,010.00</b>

\*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 2019 (Juvenile Detention):**

Amount Budgeted: \$ 110,000.00  
Amount Expended: \$ 29,760.00  
Amount Remaining: \$ 80,240.00

**Juvenile Board & Care - FY2019 ~ Costs Incurred**

	Number of Minors Placed	Days Paid	Total Monthly Cost Incurred	Total Cost Incurred
12/2018	1	31****	\$5487.00	\$5,487.00
01/2019	1	31***	\$5487.00	\$5487.00
02/2019				
03/2019				
04/2019				
05/2019				
06/2019				
07/2019				
08/2019				
09/2019				
10/2019				
11/2019				
<b>TOTAL</b>				<b>\$10,974.00</b>

**Kendall County Fiscal Year 2019 (Juvenile Board & Care):**

Amount Budgeted: \$ 70,000.00  
Amount Expended: 10,974.00  
Amount Remaining: \$ 59,026.00

\*\* - The parent has been ordered to reimburse the county \$1577.00 per month toward this expense.

**Items Worthy of notice to the County Board:** Probation is welcoming two new probation officers to replace the two we have recently lost (1 to the Sheriff's Department and 1 to LaSalle County Drug Court). Matt Blackburn comes to us from Indiana Probation as he has recently relocated to the area. Darian Kerr comes to us from DeKalb County Probation but she was originally one of ours through an internship program. Both present with a strong commitment and dedication to the profession and are welcome additions to the team. They will serve the Court and Kendall County to promote long-term behavioral change in the lives of the clients we serve, to the very best of their abilities.

# **Kendall County Emergency Management Agency**

1102 Cornell Lane, Yorkville Illinois 60560

630-553-7500

Joseph T. Gillespie, Director

Tracy Page, Deputy Director

## **EMA Report**

**January 2019**

### **Search and Rescue Activity Report**

January 9 - Missing person search for 37 yoa autistic female for Kendall County Sheriff Police. Three (3) Kendall County EMA personnel attended. J. Gillespie brought out the UCP for the Command Post. Missing person was found deceased by a deputy.

January 12 - Multi Agency Search and Rescue Training in the subject of Cold Weather Survival and Hypothermia. Thirty-Seven (37) Search and Rescue professionals from eight (8) area agencies attended, including six (6) from Kendall County EMA Search and Rescue.

### **Winter Storms**

It was a busy January with cold weather, snow and even freezing rain, as of now, we are looking at ice jams along the Fox River. The river is near flood stage. Emergency Management is continuing to monitor the ice jams in the Fox River and will act accordingly.

Quarterly grant documentation submitted for EMPG and IPRA

Continued with siren testing on the first Tuesday morning of the month

Continued with STARCOM testing first Tuesday morning of the month

Continued with WSPY EAS testing first Tuesday morning of the month

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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 FEBRUARY 11, 2019

VICTORIA CHUFFO, Public Defender

- 134 cases / last month 123 cases - Felony cases

COURTNEY TRANSIER, First Asst. Public Defender

- 184 cases / last month 171 cases - Felony cases

MICHAEL MONTGOMERY, Asst. Public Defender

- 321 cases / last month 336 cases - Felony/ Juvenile cases

LINDSEY LACHANSKI, Asst. Public Defender

- 408 cases/ last month 395 cases -  
Misdemeanor/Traffic/Juvenile cases

JESSICA DEETS, Asst. Public Defender

- 380 case/ last month 362 cases -  
Misdemeanor/Traffic/Juvenile cases

My office has been appointed a total of 192 new cases between January 14, 2019 and February 11, 2019. The Kendall County Public Defender's Office currently has 1,427 open cases as of today's date; February 11, 2019. The Public Defender appointments for driving under the influence and civil law violations have increased since last month.



# **KENDALL COUNTY SHERIFF'S OFFICE**

## **MONTH-END REPORT**



**JANUARY**

**2019**

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**OPERATIONS DIVISION**

<b>POLICE SERVICES</b>	<b>January-18</b>	<b>January-19</b>
Calls for Service	701	954
Police Reports	391	296
Total Arrests	91	58
Cannabis Civil Law Citations Issued	7	1
Ordinance Citations Issued	0	0

<b>TRAFFIC SERVICES</b>	<b>January-18</b>	<b>January-19</b>
Traffic Contacts	762	416
Traffic Citations Issued	286	151
DUI Arrests	6	7

<b>TRAFFIC CRASH INVESTIGATIONS</b>	<b>January-18</b>	<b>January-19</b>
Property Damage	81	65
Personal Injury	8	8
Fatalities	0	0
<b>TOTAL CRASH INVESTIGATIONS</b>	<b>89</b>	<b>73</b>

<b>VEHICLE USAGE</b>	<b>January-18</b>	<b>January-19</b>
Total Miles Driven by Sheriff's Office	62,199	55,479
Vehicle Maintenance Expenditures	\$5,367.08	\$1,180.75
Fuel Expenditures	\$12,525.71	\$8,663.12
Fuel Gallons Purchased	5,385	4,827
Squad Damage Reports	1	0

<b>AUXILIARY DEPUTIES</b>	<b>January-18</b>	<b>January-19</b>
Ride-A-Long Hours	0	0
Auxiliary Hours	48	17.5
<b>TOTAL AUXILIARY HOURS</b>	<b>48</b>	<b>17.5</b>

<b>EVIDENCE/PROPERTY ROOM</b>	<b>January-18</b>	<b>January-19</b>
New Items into Property Room	245	46
Disposal Orders Processed	0	85
Items Disposed Of	15	31
DVD/VHS Copy Requests	70	87
Items Sent to Crime Lab for Processing	12	9
Pounds of Prescription Meds Collected from Drop Box Program	8	25

<b>INVESTIGATIONS/COPS ACTIVITIES</b>	<b>January-18</b>	<b>January-19</b>
Total Cases Assigned (Patrol/Invest)	48	21
Total Cases Closed (Patrol/Invest)	11	37
Total Current Open Cases (Patrol/Invest)	170	140
Community Policing Meetings/Presentations	24	36

**RECORDS DIVISION**

<b>SHERIFF SALES</b>	<b>January-18</b>	<b>January-19</b>
Sales Scheduled	27	44
Sales Cancelled	18	22
Sales Conducted	9	22

<b>CIVIL PAPERWORK</b>	<b>January-18</b>	<b>January-19</b>
Papers Filed/Received		171
Papers Served/Executed	173	140

<b>REPLEVINS/LEVY</b>	<b>January-18</b>	<b>January-19</b>
Replevin/Levy Scheduled	0	1
Replevin/Levy Conducted	0	1

<b>SUBPOENA/FOIA REQUESTS</b>	<b>January-18</b>	<b>January-19</b>
Accident Reports	80	27
Background Checks	19	13
Incidents	78	77
Subpoenas	5	3
<b>TOTAL REQUESTS</b>	<b>182</b>	<b>120</b>

<b>WARRANTS</b>	<b>January-18</b>	<b>January-19</b>
Total Warrants on File	1,432	1,430
New Warrants Issued	136	115
Total Warrants Served	96	80
Warrants Quashed	41	27

<b>EVICCTIONS</b>	<b>January-18</b>	<b>January-19</b>
Evictions Scheduled for Month	21	13
Evictions Cancelled	9	7
Evictions Conducted	12	6

<b>FEES</b>	<b>January-18</b>	<b>January-19</b>
Civil Process Fees	\$7,449.65	\$7,822.97
Sheriff Sales Fees	\$7,800.00	\$10,200.00
Records Fees/Fingerprinting	\$372.55	\$425.00
Bond Processing Fees	\$1,037.20	\$700.61
<b>TOTAL FEES COLLECTED</b>	<b>\$16,659.40</b>	<b>\$19,148.58</b>

## ***CORRECTIONS DIVISION***

<b>JAIL POPULATION</b>	<b>January-18</b>	<b>January-19</b>
New Intake Bookings	263	198
Inmates Released	251	188
Federal Inmate ADP	10	73
Kendall County Inmate ADP	72	56
Other Jurisdictions Inmate ADP	82	8
Average Daily Population	147	137

<b>JAIL MEALS</b>	<b>January-18</b>	<b>January-19</b>
Number of Meals Prepared Consolidated Food	12,985	12,220
Price Per Meal	\$1.22	\$1.27

<b>INMATE TRANSPORTS</b>	<b>January-18</b>	<b>January-19</b>
To and From Kendall County Courthouse	135	84
Other County Court Transports	8	10
Out of County Prisoner Pickups	29	11
To I.D.O.C	8	3
Medical/Dental Transports	12	8
Court ordered medical transports	2	0
Juvenile To and From Youth Homes/Courts	8	10
Federal Transports	10	84
<b>TOTAL INMATE TRANSPORTS</b>	<b>212</b>	<b>210</b>

<b>INMATE WORK CREWS</b>	<b>January-18</b>	<b>January-19</b>
Number of Inmates	12	0
Number of Locations	6	0
<b>TOTAL HOURS WORKED</b>	<b>18</b>	<b>0</b>

<b>REVENUE</b>	<b>January-18</b>	<b>January-19</b>
Amount Invoiced for Inmates Housed for Other Juris.	\$103,740.00	\$15,420.00
Amount Invoiced for Federal Housing	\$17,475.00	\$170,550.00
Amount Invoiced for Federal Court Transport	\$2,523.34	\$13,084.08
Amount Invoiced for Federal Medical Transport	\$0.00	\$969.26
<b>TOTAL INVOICED</b>	<b>\$123,738.34</b>	<b>\$200,023.34</b>

<b>MEDICAL BILLING</b>	<b>January-18</b>	<b>January-19</b>
Medical Contractual Services	\$15,479.83	\$15,380.78
Prescriptions	\$15,040.55	\$1,425.72
Medical	\$502.04	\$90.22
Dental	\$0.00	\$0.00
Emergency Medical Services	\$0.00	\$0.00
Medical Supplies	\$1,405.95	\$272.32
<b>TOTAL MEDICAL BILLING</b>	<b>\$32,428.37</b>	<b>\$17,169.04</b>

<b>Outstanding FTA Fees</b>	<b>January-18</b>	<b>January-19</b>
FTA Fees- Outstanding	\$75.00	\$75.00

<b>Sex Offender / Violent Offenders Against Youth Registrations</b>	<b>January-18</b>	<b>January-19</b>
Sex Offender Registrations	6	7
Sex Offender - Address Verifications Completed	4	3
Sex Offender - Address Verification Attempted	8	5
<b>Total # of Sex Offenders- Jurisdiction/Entire County</b>	<b>33/70</b>	<b>29/69</b>
Violent Offenders Against Youth Registrations	1	1
VOAY - Address Verification Completed	0	0
VOAY - Address Verification Attempted	0	1
<b>Total # of VOAY- Jurisdiction/Entire County</b>	<b>2/11</b>	<b>3/14</b>

<b>COURT SECURITY</b>	<b>January-18</b>	<b>January-19</b>
Entries	14,260	12,200
Items X-rayed	5,087	4,680
Bond Call	54	43
Kendall Prisoners	137	65
Other Prisoners	49	28
Arrests made at Courthouse	35	20
Contraband Refused	88	67

## **KCSO TRAINING**

<b>CORRECTIONS DIVISION</b>	<b>January-18</b>	<b>January-19</b>
<b>NATURE OF TRAINING</b>		
Web Based Training		46.75
Taser Certifications		170
New World 2019 Corrections Update		68
40 Hour First Line Supervisory Skills		40
CERT Training		32
<b>TOTAL HOURS</b>	<b>533</b>	<b>356.75</b>

<b>OPERATIONS DIVISION</b>	<b>January-18</b>	<b>January-19</b>
<b>NATURE OF TRAINING</b>		
40 Hour Traffic Crash Investigations Course		40
ALICE Instructor Recertification		1
Annual Shotgun Qualifications		136.5
Illinois State Police STIC Fellowship		80
ICAC Online Investigations: Tools, Tips and Techniques		32

First Responder Decision		8
Web based training		43.25
Basics of Property and Evidence Room		8
Police Executive Role in the 21st Century		40
Suburban Law Enforcement Academy		304
Northwestern School of Police Staff and Command		80
Wide Area Search Training		24
Taser Certifications		126
<b>TOTAL HOURS</b>	<b>606</b>	<b>922.75</b>

<b>COURT SECURITY</b>		<b>January-18</b>	<b>January-19</b>
	<b>NATURE OF TRAINING</b>		
Web Based Training			10.5
Taser Certification			3.5
<b>TOTAL HOURS</b>		<b>63</b>	<b>14</b>

<b>CORRECTIONS/OPERATIONS COMBINED</b>		<b>January-18</b>	<b>January-19</b>
	<b>NATURE OF TRAINING</b>		
SRT		64	32
<b>TOTAL HOURS</b>		<b>64</b>	<b>32</b>

<b>RECORDS DIVISION</b>		<b>January-18</b>	<b>January-19</b>
	<b>NATURE OF TRAINING</b>		
<b>TOTAL HOURS</b>		<b>15</b>	<b>0</b>

<b>AUXILIARY</b>		<b>January-18</b>	<b>January-19</b>
	<b>NATURE OF TRAINING</b>		
Policy, Guidance, and Directive training			11.25
<b>TOTAL HOURS</b>		<b>48</b>	<b>11.25</b>

## AGREEMENT

### **Gateway Foundation, Inc. and the Kendall County Drug Court**

This Agreement, made and entered into this \_\_\_\_\_, by and between the COUNTY OF KENDALL, a body corporate and politic (hereinafter referred to as "COUNTY"), the KENDALL COUNTY DRUG COURT (hereinafter referred to as KCDC), and GATEWAY FOUNDATION, INC. (hereinafter referred to as "PROVIDER"). For and in consideration of the mutual promises set forth herein, the parties agree as follows:

1. SCOPE OF SERVICES

PROVIDER shall perform the tasks outlined in Attachment A, "Scope of Services to Be Provided" (hereinafter referred to as "SERVICES"). The additional provisions identified in Attachment A are attached hereto and made a part of this Contract, as if fully set forth herein.

2. TERM OF AGREEMENT

The term of this Agreement will commence as of the date hereof and continue, unless earlier terminated in accordance herewith, for one year.

3. TERMINATION OF AGREEMENT

Notwithstanding any other provision, hereof, either party may terminate this Agreement at any time upon thirty (30) days prior written notice to the other party. In the event that this Agreement is so terminated, the PROVIDER shall be paid for services provided prior to termination, and for the completion of services for clients that began treatment prior to termination or expiration hereunder consistent with the terms set forth under Attachment A.

4. COMPENSATION

The COUNTY will pay PROVIDER the rate of \$263.00 per day for participant's eligible for and actually receiving Residential treatment; in no event shall the rates for services be lower than the current SUPR/Medicaid rates. The Parties agree to meet in good faith to revise the contract rates in the event the rates for service are lower than the current SUPR/Medicaid rates. Notwithstanding the County's obligations hereunder, if the participant is currently covered by Medicaid, private medical insurance, or other insurance, Medicaid, private insurance, or other insurance will be billed first for covered services, subject to applicable law. The County of Kendall funds will be available for those KCDC participants who have no third party coverage or who have exhausted such third party benefits.

5. INDEMNIFICATION

Provider shall indemnify, hold harmless and defend the COUNTY, KCDC, their past, present and future elected officials, department heads, employees, insurers, and agents (hereinafter collectively referred to as "Releasees") from and against all liability, claims, suits, causes of action, demands, proceedings, set-offs, liens, attachments, debts, expenses, judgments, or other liabilities including costs, reasonable fees and expense of defense, arising from any loss, damage, injury, death, or loss or damage to property, of whatsoever kind or nature as well as for any breach of any covenant in the Agreement or ancillary documents and any breach by PROVIDER of any representations or warranties made pursuant to this agreement (collectively, the "Claims"), which result from the duties and obligations of the PROVIDER.

Nothing contained herein shall be construed as prohibiting Releasees from defending through the selection and use of their own agents, at its sole cost and expense, attorneys and experts, any

claims, suits, demands, proceedings and actions brought against them. Pursuant to 55 ILCS 5/3-9005, no attorney may be assigned to represent the COUNTY or its Releasees pursuant to this Section of the Agreement unless the attorney has been approved in writing by the Kendall County State's Attorney. Releasees' participation in their defense shall not remove PROVIDER's duty to indemnify, defend, and hold Releasees harmless, as set forth above. Releasees do not waive their defenses or immunities under the Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/1 et seq.) by reason of this indemnification provision. Indemnification shall survive the termination of this Agreement. Provider shall have no obligation to indemnify, defend or hold harmless KCDC Indemnitees for claims caused by the negligent or willful misconduct of KCDC Indemnitees.

6. NO PERSONAL LIABILITY

No official, director, officer, agent or employee of the COUNTY, the KCDC or PROVIDER shall be charged personally or held contractually liable under any term or provision of this Agreement or because of their execution, approval or attempted execution of this Agreement.

7. INSURANCE

The PROVIDER shall maintain policies of Worker's Compensation, General Liability and professional liability insurance, which shall be deemed as primary coverage for PROVIDER and its officers, employees, agents, independent contractors and volunteers, and the COUNTY and the KCDC shall be named as additional insureds with respect to all liability coverage. PROVIDER shall provide to KCDC and COUNTY a current Certificate of Insurance in minimum coverage of \$1,000,000 per occurrence and \$3,000,000 aggregate. The Certificate of Insurance shall include contractual obligation assumed by the PROVIDER under Article 5, entitled "Indemnification" and shall reference the COUNTY and the KCDC as additional insureds. Further, all liability and workers' compensation policies must include a waiver of subrogation in favor of the COUNTY and KCDC.

This insurance shall apply as primary insurance with respect to any other insurance or self-insurance programs afforded to the KCDC and COUNTY, unless there is another third party providing insurance and then that third party's insurance will be primary. There shall be no endorsement or modification of this insurance to make it excess over other available insurance, alternatively, if the insurance states that it is excess or prorated, it shall be endorsed to be primary with respect to the KCDC and COUNTY.

8. NONDISCRIMINATION

PROVIDER, its officers, employees, and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations.

In all hiring or employment made possible or resulting from this Agreement, there shall be no discrimination against any employee or applicant for employment because of sex, age, race, color, creed, national origin, marital status, or the presence of any sensory, mental or physical handicap, unless based upon a bona fide occupational qualification, and this requirement shall apply to, but not be limited to, the following: employment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship.

No person shall be denied or subjected to discrimination in receipt of the benefit of any services or activities made possible by or resulting from this Agreement on the grounds of sex, race, color, creed, national origin, marital status, or the presence of any sensory, mental or physical handicap. Any violation of this provision shall be considered a violation of a material provision of this Agreement and shall be grounds for cancellation, termination or suspension, in whole or in part, of the Agreement by the COUNTY and KCDC.

9. DELEGATIONS AND SUBCONTRACTORS

Any assignment, delegation or subcontracting shall be subject to all the terms, conditions and other provisions of this Agreement and the PROVIDER shall remain liable to the COUNTY with respect to each and every item, condition and other provision hereof to the same extent that the PROVIDER would have been obligated if it had done the work itself and no assignment, delegation or subcontract had been made. Any assignment, delegation, or subcontracting of any interest under this Agreement shall require the COUNTY's and the KCDC's advance written approval.

10. NO CO-PARTNERSHIP OR AGENCY

The relationship between the parties is that of a buyer and seller of services and as such the PROVIDER is an independent contractor of the COUNTY and KCDC in the performance of the Work. This Agreement shall not be construed so as to create a partnership, joint venture, employment or other agency relationship between the parties hereto. The PROVIDER is not an employee or the agent of the COUNTY or of the KCDC for any purpose.

PROVIDER understands and agrees that PROVIDER is solely responsible for paying all wages, benefits and any other compensation due and owing to PROVIDER's officers, employees, and agents for the performance of services set forth in the Agreement. PROVIDER further understands and agrees that PROVIDER is solely responsible for making all required payroll deductions and other tax and wage withholdings pursuant to state and federal law for PROVIDER's officers, employees and/or agents who perform services as set forth in the Agreement. PROVIDER also acknowledges its obligation to obtain appropriate insurance coverage for the benefit of PROVIDER, PROVIDER's officers, employees and agents and agrees that COUNTY and KCDC are not responsible for providing any insurance coverage for the benefit of PROVIDER, PROVIDER's officers, employees and agents.

11. HEADINGS

The headings of the several paragraphs of this Agreement are inserted only as a matter of convenience and for reference in no way are they intended to define, limit or describe the scope of intent of any provision of this Agreement, nor shall they be construed to affect in any manner the terms and provisions hereof or the interpretation or construction thereof.

12. MODIFICATION OR AMENDMENT

This Agreement and its attachments constitutes the entire Agreement of the parties on the subject matter hereof and may not be changed, modified, discharged or extended except by written amendment duly executed by the parties. Each party agrees that no representations shall be binding upon the other parties unless expressed in writing herein or in a duly executed amendment hereof.

13. COMPLIANCE WITH LAWS

Notwithstanding any other provision of this Agreement it is expressly agreed and understood that in connection with the performance of this Agreement that the PROVIDER shall comply with all

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applicable Federal, State, Municipal, and other requirements of law, including but not limited to, any applicable requirements regarding prevailing wages, minimum wage, workplace safety and legal status of employees. Without limiting the foregoing, PROVIDER hereby certifies, represents and warrants to the COUNTY and KCDC that all PROVIDER's employees and/or agents who will be providing services with respect to this Agreement shall be legal residents of the United States. PROVIDER shall also at its expense secure all permits and licenses, pay all charges and fees and give all notices necessary and incident to the due and lawful performance of the SERVICES provided by this Agreement. The COUNTY and KCDC shall have the right to audit any records in the possession or control of the PROVIDER necessary to determine the PROVIDER's compliance with the provisions of this paragraph. In the event that the KCDC and/or COUNTY proceeds with such an audit the PROVIDER shall make available to the KCDC and/or COUNTY the PROVIDER relevant records in the possession of PROVIDER at no cost to the KCDC and/or COUNTY. Such audit shall be performed during office hours, upon reasonable notice to PROVIDER, and such audit shall not be requested on more than an annual basis. PROVIDER shall pay any necessary and reasonable costs associated with any such audit.

As a healthcare service provider, Gateway is subject to various federal, state and local statutes, laws, ordinances and regulations, including, without limitation, the Healthcare Insurance Portability and Accountability Act of 1996, as amended ("HIPAA"), and the federal Confidentiality of Substance Use Disorder Patient Records regulations, found at Title 42 of the Code of Federal Regulations (CFR), part 2 ("42 CFR part 2") and federal and state HIV & AIDS confidentiality statutes, laws and regulations. KCDC acknowledges that Gateway's client information is protected under applicable federal and state statutes, laws, and regulations and may be disclosed only in accordance with such applicable federal and state statutes, laws, and regulations. Prior to the release of any client information, Gateway will obtain signed client authorization when required by any applicable law.

Both parties affirm no COUNTY officer or elected official has a direct or indirect pecuniary interest in PROVIDER or this Agreement, or, if any COUNTY officer or elected official does have a direct or indirect pecuniary interest in PROVIDER or this Agreement, that interest, and the procedure followed to effectuate this Agreement has and will comply with 50 ILCS 105/3.

#### 14. CHOICE OF LAW AND VENUE

This Agreement shall be construed in accordance with the law and Constitution of the State of Illinois and if any provision is invalid for any reason such invalidations shall not render invalid other provisions which can be given effect without the invalid provision. The parties agree that the venue for any legal proceedings between them shall be the Circuit Court of Kendall County, Illinois, Twenty-Third Judicial Circuit, State of Illinois.

For the County of Kendall:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

The COUNTY OF KENDALL

By:

\_\_\_\_\_  
Scott R. Gryder  
County Board Chairman  
County of Kendall, Illinois

**PROVIDER:**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Gateway Foundation, Inc.

By: \_\_\_\_\_  
Thomas P. Britton  
President and CEO  
Gateway Foundation, Inc.

For the KCDC:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Kendall County Drug Court

By: \_\_\_\_\_  
Melissa Burian  
Drug Rehabilitation Court Coordinator  
Kendall County Drug Court

## ATTACHMENT A

### SCOPE OF SERVICES TO BE PROVIDED BY THE GATEWAY FOUNDATION, INC., LAKE VILLA, CHICAGO INDEPENDENCE AND AURORA FACILITIES TO THE KENDALL COUNTY DRUG COURT

Gateway Foundation, Inc. agrees to do the following to assist the Kendall County Drug Court:

- 1) Provide comprehensive assessment and residential treatment for Kendall County Drug Court (hereinafter "KCDC") participants who need residential substance abuse services.
- 2) Provide a substance abuse assessment report to the KCDC for each referral within 5 business days of admission.
- 3) Provide individual, group and/or family therapy services in a residential setting that are culturally competent and evidence-based. The frequency of individual and family therapy will be provided on an individual basis.
- 4) Submit a treatment plan for each participant to the KCDC Coordinator, or designee, during the first two weeks of treatment by email or fax, along with the primary treatment provider's name and contact information.
- 5) Once a treatment plan has been implemented, submit treatment progress updates and reports, in written form via email or fax to the KCDC Coordinator, or designee, at least 24 hours prior to each court date. Gateway would request one week notice of each court date.
- 6) Notify the KCDC Coordinator, or designee, via phone or email within 48 hours of occurrence, if the PROVIDER has issues or concerns with the participant between court dates.
- 7) Maintain direct and consistent communication either by phone or email between the PROVIDER and the KCDC Coordinator, or designee.
- 8) Provide additional treatment updates as requested by the KCDC Coordinator, or designee. These shall be provided within 48 hours of request. Information deemed critical by the treatment provider shall be shared with the KCDC Coordinator, or designee, immediately.
- 9) Provide a discharge plan including potential referrals to halfway houses within one (1) week of admission to residential treatment.
- 10) Provide a comprehensive discharge summary to the KCDC Coordinator, or designee, within 48 hours of discharge from residential treatment.
- 11) Provide notification to the KCDC staff when a participant leaves treatment against medical advice (hereinafter "AMA") as soon as this information is available. If a participant leaves Gateway AMA, Gateway shall bill the KCDC only for the time that the participant was actually in the facility. Priority for re-admission will be given to KCDC participants who leave the facility AMA and return within 24 hours (following Gateway procedures). If a KCDC participant is terminated by Gateway due to behavioral violations of the program he/she will not be allowed to return to treatment.
- 12) Provide a treatment plan for those KCDC participants who receive medically-assisted treatment including alternatives that have been tried, potential end-date and treatment protocols.
- 13) Request required information from the KCDC staff when completing assessments with KCDC participants in order to insure that accurate and complete information about the participant is used in the assessment.
- 14) Provide information regarding KCDC participant evaluations in writing to the KCDC Coordinator, or designee, upon receipt of appropriate releases of information signed by the KCDC participant.
- 15) No treatment provider or counselor shall have any discussion with any KCDC participant regarding potential sanctions or incentives that the Court may implement.

- 16) No treatment provider or counselor shall advise the KCDC participants of any information regarding the KCDC unless the information was already openly discussed in the KCDC with the participant.
- 17) Submit monthly invoices in a format agreed upon by PROVIDER and the KCDC.

**Kendall County Drug Court agrees to do the following to assist Gateway Foundation, Inc.:**

- 1) Provide necessary Judicial and community supervision for all KCDC participants.
- 2) Refer appropriate KCDC participants for treatment.
- 3) Discuss treatment reports provided by PROVIDER at weekly staff meetings.
- 4) Inform KCDC participants of the KCDC's willingness and ability to pay for services (as detailed below).
- 5) Provide any other pertinent information related to the participant's involvement with the KCDC relevant to treatment decisions.
- 6) Pay authorized residential treatment at the rate of \$263.00 per day for participants eligible for residential treatment at the PROVIDER's Lake Villa, Chicago Independence, and Aurora facility.
- 7) If the KCDC participant is currently covered by Medicaid, private medical insurance, or other insurance, Medicaid, Private insurance, or the other insurance will be billed first for covered services. The County of Kendall funds will be available for those KCDC participants who have no third party coverage.
- 8) All payments will be made to PROVIDER in accordance with the Illinois Local Government Prompt Payment Act, as amended (50 ILCS 505/1 et seq.).

**A RESOLUTION AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT WITH THE  
ILLINOIS CORONERS AND MEDICAL EXAMINER'S ASSOCIATION**

**WHEREAS**, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and,

**WHEREAS**, the "Intergovernmental Cooperation Act", 5 ILCS 220/1 et seq., provides that any power or powers, privileges or authority exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government; and,

**WHEREAS**, Section 5 of the Intergovernmental Cooperation Act, 5 ILCS 220/5, provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, provided that such contracts shall be authorized by the governing body of each party to the contract; and,

**WHEREAS**, the Kendall County Coroner wishes to prepare for potential emergencies which may require they provide aid and assistance to other county coroners or that the Kendall County Coroner may request aid and assistance from other county coroners; and,

**WHEREAS**, the objective of preparing for these emergencies can be furthered by the establishment of a state-wide mutual aid and assistance system between and among the county coroners of this state by and through the Illinois Coroners and Medical Examiner's Association;

**NOW, THEREFORE, BE IT RESOLVED**, by the County Board of Kendall County, Illinois, that the County board Chairman and County Coroner be authorized to enter into this intergovernmental agreement that authorizes Kendall County Coroner's participation in the Illinois Coroner's and Medical Examiner's mutual aid agreement effective upon the approval of this resolution.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Kendall County Board Chairman

Attest:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Law, Justice & Legislation Committee Members

Respectfully submitted,  
Law, Justice & Legislation Committee

\_\_\_\_\_  
Law, Justice & Legislation Committee, Chairman

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# Illinois State Association of Counties

January 14, 2019

The Honorable Scott Gryder  
Chairman, Kendall County Board  
111 West Fox Street  
Yorkville, IL 60560

Dear Chairman Gryder,

Thank you for Kendall County's membership in the Illinois State Association of Counties (ISACo) during 2018. This letter is intended to request your continued membership and support in 2019.

As a newly-formed organization, I'm pleased to report that ISACo has made substantial progress over the last few months to lay the foundation for the dynamic and influential organization we are becoming. Since the end of October 2018, ISACo has:

- retained the services of an executive director and administrative assistant
- opened and furnished an office in Springfield just blocks from the Statehouse
- launched a website ([www.isacoil.org](http://www.isacoil.org))
- provided legislative representation for counties during the 2018 fall Veto Session
- convened two meetings of the Board of Directors and elected officers for 2019-2020
- adopted formal legislative statements to guide our advocacy efforts
- published a report identifying new laws enacted in 2018 of interest to counties
- received Board approval for the creation of a Legislative Committee
- adopted a protocol for reviewing and determining positions on legislation of interest to counties

We are excited about the progress made in a short period of time and are ready to build on this success in 2019 with aggressive legislative advocacy, greater membership input on issues that matter and educational opportunities for county officials and their staffs. Your continued membership and investment in our success and growth is necessary to make all of this possible.

828 South Second Street, Suite 102, Springfield, IL 62704  
(217) 679-3368 [www.isacoil.org](http://www.isacoil.org)

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Per ISACo's dues structure, Kendall County is asked to contribute \$7,871.42 to renew membership in 2019. ISACo dues must be received by April 15, 2019. Dues can be sent to the address below:

Illinois State Association of Counties  
828 S. Second Street, Suite 102  
Springfield, IL 62704

Once again, thank you for your continued support of ISACo's mission and vision. Please feel welcome to contact me at (217) 679-3368 with any questions or if I can otherwise be of service.

Respectfully,



Joe McCoy  
Executive Director  
Illinois State Association of Counties

# ISACo Dues Structure

1. Base membership - \$300. + \$.006 per resident
2. Cook and Collar Counties Caucus - \$25 per 1,000 residents
3. Large County Caucus - \$35 per 1,000 Residents

Base ISACo Membership	\$ 988.42
Cook and Collar Caucus	\$ 2,868.40
Large County Caucus	\$ 4,015.76
<b>Total</b>	<b>\$ 7,872.58</b>



(55 ILCS 5/5-1117) (from Ch. 34, par. 5-1117)  
Sec. 5-1117. Discharge of firearms.

(a) The county board of any county may, by ordinance, regulate or prohibit within unincorporated areas the discharge of firearms in any residential area where such discharge is likely to subject residents or passersby to the risk of injury. However, such an ordinance shall not limit the right to discharge a firearm for the lawful defense of persons or property, or in the course of making a lawful arrest, when such use of force is justified under Article 7 of the Criminal Code of 2012.

(b) For the purposes of this Section, a "residential area" is any area within 300 yards of at least 3 single or multi-family residential structures.

(Source: P.A. 97-1150, eff. 1-25-13.)

## McHenry County Firearms Discharge Ordinance

### **Preamble**

WHEREAS, pursuant to 55 ILCS 5/5-1117 counties may by ordinance, regulate or prohibit within unincorporated areas the discharge of firearms in any residential area where such discharge is likely to subject residents or passersby to the risk of injury; and

WHEREAS, this County Board finds that the discharge of firearms within residential areas subjects residents and passersby to the risk of injury and tends to have a detrimental effect on the health, safety and welfare of the residents of McHenry County; and

WHEREAS, this County Board desires to prevent the discharge of firearms in a manner that would endanger the public, while maintaining the rights of the citizens of McHenry County.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF MCHENRY, ILLINOIS, as follows:

### **Article 1 - General**

**Section 1. Title.** This Ordinance shall be known as the McHenry County Firearms Discharge Ordinance, hereinafter referred to as the "Ordinance."

**Section 2. Purpose.** The purposes of this Ordinance are to: 1) regulate the discharge of firearms in unincorporated McHenry County in order to promote the health, safety, and welfare of the citizens of McHenry County; 2) prevent the discharge of firearms in a manner that would endanger others; and 3) to maintain the rights of the citizens of McHenry County.

**Section 3. Jurisdiction and Applicability.** The provisions of this Ordinance shall apply to unincorporated areas (those areas which are *not* located within the corporate limits of any city, village, or incorporated town) of McHenry County, Illinois.

#### **Section 4. Definitions.**

"Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding,

1. Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter or which has a maximum muzzle velocity of less than 700 feet per second;
  2. Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels breakable paint balls containing washable marking colors;
  3. Any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; and
  4. Any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition.
-

**“Residential Area”** means any area within 300 yards of at least 3 single or multi-family residential structures including any single or multi-family residential structures located on the same lot or parcel of land as the firearm discharge.

## **Article 2 – Regulation**

**Section 1. Discharge of Firearms.** The discharge of firearms in any residential area where such discharge is likely to subject residents or passersby to the risk of injury is prohibited within unincorporated areas of McHenry County, unless such discharge of firearms complies with the following standards:

- a. The shooting area shall be arranged and provide a safety area and lateral and backstop berms in accordance with National Rifle Association standards.
- b. The discharge of firearms shall occur only between sunrise and sunset.
- c. ~~The discharge of firearms on any property shall be limited to not more than two (2) hours per day. Day shall mean a twenty-four hour period extending from 12:00 AM to 11:59 PM.~~
- d. ~~The discharge of firearms on any property shall be limited to not more than six (6) hours per week. Week shall mean a seven (7) day period extending from Monday at 12:00 AM through Sunday at 11:59 PM.~~
- e. ~~The discharge of firearms shall not occur in conjunction with any business or commercial activity conducted on or off the property.~~

**Section 2. Exclusions.** This ordinance shall not prohibit the discharge of firearms for the following purposes:

- a. For the lawful defense of persons or property.
- b. In the course of making a lawful arrest, when such use of force is justified by law.
- c. Legal hunting in accordance with the Illinois Wildlife Code.
- d. Shooting on property zoned and approved for the operation of a commercial outdoor shooting range when such discharge occurs within the parameters specified for such approved use.

## **Article 3 – Enforcement and Penalties**

**Section 1. Enforcement Agencies.** This Ordinance may be enforced by the McHenry County Sheriff's Office.

**Section 2. Complaints.** Any property owner, property occupant, public agency, or other person impacted by the discharge of firearms as regulated by this Ordinance may file a complaint with the McHenry County Sheriff's Office. The Sheriff's Office may investigate the complaint to determine the validity of the complaint and identify the responsible party.

**Section 3. Burden of Proof.**

- a. The burden of proof for all affirmative defenses under this ordinance shall be on the defendant. Affirmative defenses include but are not limited to proving an exception to the definition of “firearm” as listed in Article 1, Section 4 of this ordinance or proving that the discharge of a firearm was in accordance with Article 2, Section 1 of this ordinance or

proving that the discharge of a firearm was not prohibited under Article 2, Section 2 of this ordinance.

- b. For all other elements of the violation, McHenry County shall have the burden of proof.
- c. The standard for proving all elements of affirmative defenses to the violation shall be proof by a preponderance of the evidence.

**Section 4. Assessment of Fines.** Any individual who is convicted by a court of competent jurisdiction of violating this Ordinance shall be subjected to a fine of \$50 to \$1,000 per offense. The fine shall be determined by the level to which the conduct of the violator has caused a risk of injury to others. Each instance of the discharge of a firearm in violation of this ordinance may be considered a separate offense and any fine or fines for these separate offenses shall be assessed in accordance with applicable State of Illinois statutes.

**Section 5. Injunctive or Equitable Relief.** This ordinance may serve as the basis for injunctive or other equitable relief. Nothing in this ordinance shall serve to limit the relief that may otherwise be attained at law.

#### **Article 4 - Interpretation and Conflict**

**Section 1. Interpretation.** The language set forth in the text of this Ordinance is interpreted in accordance with the following rules of construction:

- A. The singular number includes the plural, and the plural the singular.
- B. The present tense includes the past and future tenses, and the future tense includes the present.
- C. The words "must" and "shall" are mandatory. The term "may" is permissive.
- D. The terms "must not," "shall not" and "may not" are prohibiting.
- E. The masculine gender includes the feminine and neuter.
- F. Whenever a defined word or term appears in the text of this Ordinance, its meaning is construed as set forth in the definition. Words not defined are interpreted in accordance with the definitions considered to be normal dictionary usage.

**Section 2. Separability, Partial Invalidity.** The provisions of this Ordinance shall be separable. In the event any section, clause or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of the Ordinance not specifically included in said decision, it being the intent of this County Board that this Ordinance would have been approved without such invalid provisions, clauses or sections.

**Section 3. Conflict.** If the provisions of this Ordinance conflict with provisions found in any other adopted ordinance(s) or regulation(s) of the county, or with any federal or State of Illinois law, the more restrictive provision of ordinance or law will control. The inclusion of provisions in this Ordinance that are also contained in other McHenry County ordinances or regulations does not negate the ability of the County to enforce the provisions under the terms and authority of these other ordinances or regulations.

**Section 4. Effective Date.** This Ordinance shall be in full force and effect ~~immediately upon its~~ ninety (90) days following adoption by the McHenry County Board.

**"Residential Areas"**  
as defined by 55 ILCS 5/5-1117

**KENDALL COUNTY**

**- 2018 -**

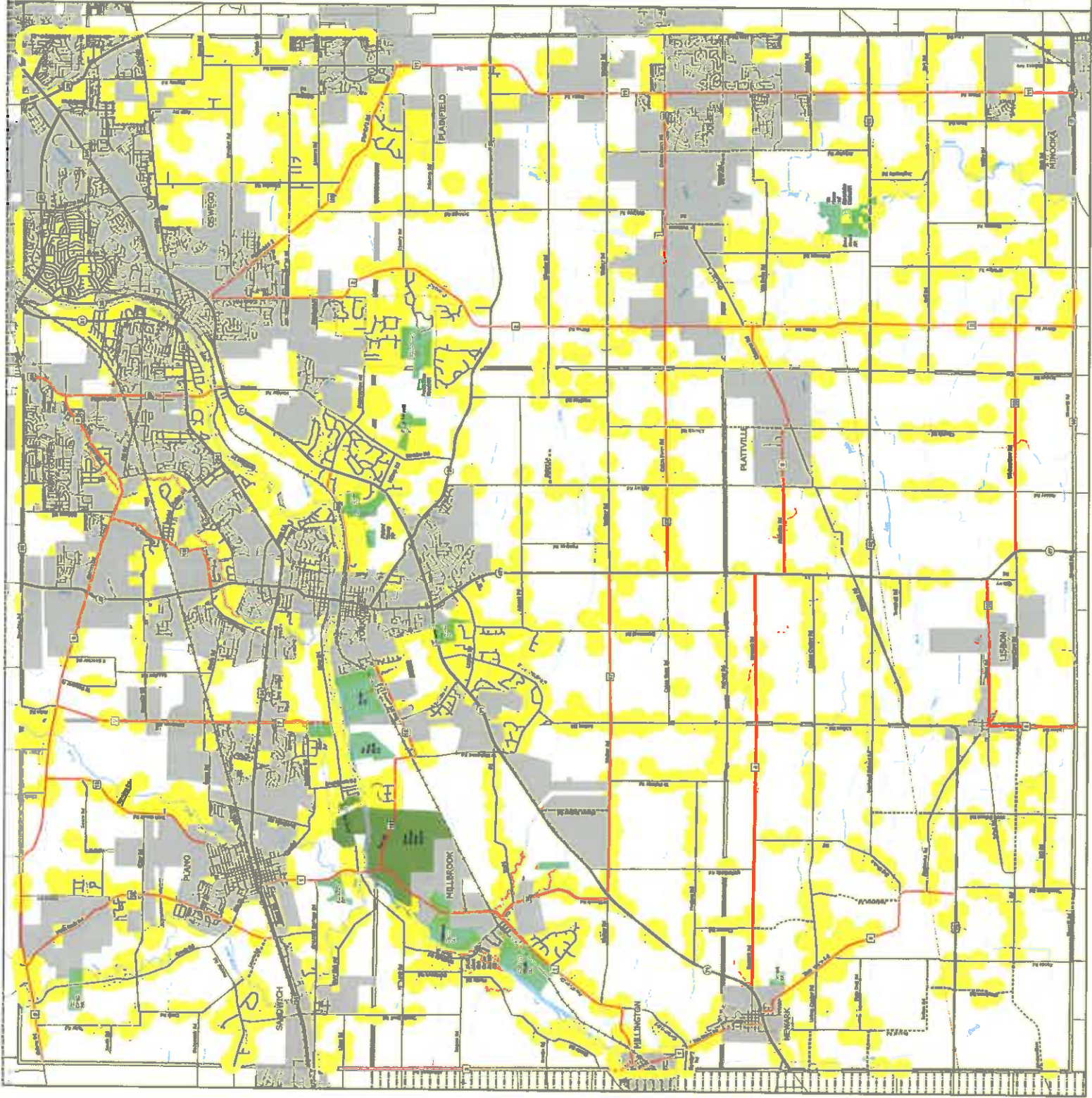
<http://gis.co.kendall.il.us>

**Legend**

- ADJACENT COUNTY
- COUNTY
- INTERSTATE
- STATE
- FEDERAL
- BITUMINOUS
- GRAVEL
- DIRT
- LOCAL
- RAILROAD
- POLITICAL TOWNSHIPS
- COUNTY FOREST PRESERVE
- STATE PARK
- CORPORATE BOUNDARIES
- RESIDENTIAL AREAS - 55 ILCS 5/5-1117: "any area within 200 yards of at least 3 single or multi-family residential structures."



**Kendall County GIS**  
111 West First Street - Room 209  
Yorkville, Illinois 62458-1109  
618.832.6323





# Counties at the Capitol

January 31, 2019 • [www.ilcounty.org](http://www.ilcounty.org)

This report includes House and Senate bills of relevance to local governments introduced in the 101st General Assembly.

*The legislative session has begun in earnest. As of today, there are over 2000 new legislative measures filed. Committees will have until March 22 (Senate) and March 29 (House) to determine which of them to send to the floor for consideration.*

#### **HB 20 (Flowers)**

##### **Minimum Wage Increase**

Amends the Minimum Wage Law. Increases the minimum wage to \$15 per hour on October 1, 2019.

#### **HB 25 (Thapedl)**

##### **Eliminate Racial Profiling Act**

No law enforcement agent or law enforcement agency shall engage in racial profiling. Allows the State or a person injured by racial profiling to enforce the racial profiling provision in a civil action for declaratory or injunctive relief. Requires law enforcement agencies to maintain policies and procedures, designed to eliminate racial profiling, and to certify that in applications for certain federal grant programs.

#### **HB 27 (Thapedl)**

##### **Vocational Academy Opportunity Act**

Creates two vocational academies, one located in Cook County and the other in a downstate county, which shall be residential institutions. Each academy shall be a State agency, funded by State appropriations, private contributions, and endowments. The academies shall be governed by a single Board of Trustees for the collective operation and oversight of the academies.



## DETAILS IN PLAN TO LEGALIZE MARIJUANA

Sen. Heather Steans (D-Cook County) and Rep. Kelly Cassidy (D-Cook County), are leading the effort in the statehouse to legalize recreational marijuana. As currently proposed, the plan would allow legal possession of up to 30 grams of marijuana for Illinois residents age 21 and over, ban public consumption, allow each household to grow up to five plants indoors, outlaw impaired driving, and revoke drivers' licenses from teens caught using cannabis.



**NOTE:** The proposal would allow local governments to opt out. At a recent town hall meeting, Steans and Cassidy further explained their preliminary plan would allow local governments to collect an additional local sales tax.

## Courthouse metal detector bill reintroduced

Rep. La Shawn Ford (D-Cook County) has reintroduced a bill which mandates metal detectors at courthouses. **House Bill 191** creates the Safe Spaces in Public Places Act. As part of his or her duty to maintain the security of a courthouse, a sheriff shall maintain a walk-through metal detector at each point of entry into the courthouse. A courthouse shall ensure that all members of the public, other than employees of the county or individuals who

display proper credentials, who enter the courthouse at a point of entry are subjected to screening by a walk-through metal detector. The bill establishes similar entrance screening requirements for schools, institutions of higher learning, and hospitals.

**NOTE:** While the legislation calls for the Department of State Police to make grants to counties to pay for the detectors, there is no guaranteed appropriation at this time.

**HB 28 (Thapedl)**

**Commercial Distribution Fee Repeal**

Permits any organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code that files a petition for temporary possession of property to also request a court order waiving or extinguishing any county property tax lien or unpaid property taxes if the property has been vacant for at least 3 years.

**HB 44 (Ford)**

**FOIA – Booking Photographs**

Provides that a law enforcement agency may not electronically provide or publish booking photographs unless the photograph is posted to social media to assist in the search for a missing person or to assist in the search for a fugitive.

**HB 152 (Flowers)**

**Public Labor Relations Act**

Provides that any provision in a collective bargaining agreement that would limit the ability of a public employer to investigate the conduct of an employee is declared to be against public policy and unenforceable unless the limitation is otherwise required by State or federal law. Amends the Uniform Peace Officers' Disciplinary Act. Provides that every unit of local government with a law enforcement agency, and every law enforcement agency not part of a local government, shall establish procedures to bypass the requirement that the complaint must be supported by a sworn affidavit against a sworn peace officer.

**HB 183 (Ford)**

**Property Tax – Veterans Exemption**

Provides that property that is used as a qualified residence by a veteran who was a member of the U.S. Armed Forces during World War II is exempt from taxation regardless of the veteran's level of disability.

**HB 195 (Ford)**

**Election Code – Ballot Mailing**

Provides that for the 2020 general primary election, each election authority shall mail to every registered voter within that election authority's jurisdiction a vote by mail ballot. This provision is inoperative the day after the date of the 2020 general primary election.

**HB 221 (Relck)**

**Bail Reform Act**

Provides that notwithstanding any other provision of law to the contrary, a county (excluding Cook County) does not have to comply with the changes made by P.A. 100-0001 (Bail Reform Act of 2017) if the county board adopts a resolution for that purpose on or after the effective date of the amendatory Act. **NOTE:** The Bail Reform Act, attempted to alleviate overcrowding in county jails, and provide a form of relief for those unable to afford the bail amount for minor and nonviolent offenses.

**HB 241 (McDermed)**

**Election Code – School District**

Requires (rather than encourages) a school district to close a school or hold a teachers institute day if the school is chosen as a polling place by the county board or board of election commissioners.

**THE CITIZENS  
EMPOWERMENT ACT**

**HB 307 (McSweeney)**

**Citizens Empowerment Act**

Provides that electors may petition for a referendum at the next general election to dissolve a unit of local government. Sets forth the requirements for the petition, together with the form and requirements for the ballot referendum. Provides for the transfer of all real and personal property and any other assets, together with all personnel, contractual obligations, and liabilities of the dissolving unit of local government to the receiving unit of local government.



**McDermed introduces 'Revolving Door' restrictions for legislators**

In light of yet another Illinois lawmaker leaving their post early for a lobbying firm, Rep. Margo McDermed (R-Mokena) filed legislation to address Illinois' 'revolving door' problem.

Specifically, House Bill 879 provides that a General Assembly member may not be registered as a lobbyist, or make expenditures, receive compensation, or receive reimbursement for actual expenses for lobbying, within a period of one year immediately after termination of the member's most recent term of office or for the remainder of the term of office from which the person resigned, whichever is longer.

"It is ethically dubious that Illinois allows lawmakers to essentially leave the capitol building where their name is on a plaque and then return the next week in a different capacity before the cleaning crew has even had time to remove it," Rep. McDermed said. "Illinois has no shortage of ethics problems and faith in local and state government is at an all-time low. We need to do the right thing and address these serious holes in our ethics laws."

The past two years have seen a slew of retirements and resignations from House and Senate members, a number of whom have notably gone on to join lobbying firms, including most recently, former House Majority Leader Lou Lang. Illinois law restricts state employees from going to work for companies that do business with the state, but lawmakers are not considered state employees and thus have no restrictions that prevent them from becoming a lobbyist immediately upon leaving their elected positions. Illinois is one of only a handful of states that have no mandatory waiting period restrictions on the revolving door between lawmaker and lobbyist.



**HB 248 (McDermed)**

**Firearm Concealed Carry Act**

Permits certain judicial officers, some with written consent required, to carry a concealed firearm to any building, parking area, or portion of a building under the control of an officer of the executive or legislative branch of government, any building designated for matters before a circuit court, appellate court, or the Supreme Court, or any building or portion of a building under the control of the Supreme Court and any building or portion of a building under the control of a unit of local government.

**HB 250 (Walsh)**

**Property Tax Code / Mobile Home Local Services Tax Enforcement Act**

Provides that tax sales need not be held within the county.

## NEWSWORTHY...

### County Board Member as lobbyist prohibition

House Bill 301 sponsored by Rep. David McSweeney (R-McHenry County) provides that no person is eligible to hold office as a county board member, commissioner, or executive if he or she is required to be registered as a lobbyist under the Lobbyist Registration Act. Also, a person required to be registered under the Act, his or her spouse, and his or her immediate family members living with that person may not serve as a member of a county board. **NOTE:** House Bill 292 includes the same language among other provisions.



**HB 303 (McSweeney)**

**Local Government Wage Increase Transparency Act**

Provides that "disclosable payment" also includes accumulated sick leave.

**HB 251 (Walsh)**

**Property Tax Code – Notice of Application for Sale**

Provides that the notice of application for judgment and sale may be mailed by first-class mail (currently, registered or certified mail). The envelope containing the notice shall be clearly marked "Notice of Judgment and Sale of Unpaid Property Taxes". Removes a requirement that the county collector must present proof of the mailing to the court along with the application for judgement.

**HB 257 (Ford)**

**Election Code – Vote by Mail Ballot**

Provides that for the 2020 general primary election and each election thereafter, each election authority shall mail to every registered voter within that election authority's jurisdiction a vote by mail ballot. Ballots under the provisions must be sent to voters in a reasonable amount of time before the date of the election. Receipt of a ballot does not prevent a voter from instead casting a ballot in person. The State Board of Elections may adopt any rules necessary to implement the provisions.

**HB 269 (Hoffman)**

**Worker's Compensation Act**

Permits a single commissioner to approve of enforcement actions under provisions of the Act concerning insuring an employer's ability to pay compensation, replacing the current requirement of a panel of 3 commissioners. Makes other changes including raising the maximum allowable penalty for noncompliance with certain insurance requirements. Also, provides that an employer with two or more violations may no longer self-insure or purchase an insurance policy from a private broker for one year or until all penalties are paid.

**HB 270 (Murphy)**

**Retailers Occupation Tax**

Provides that a unit of local government may require a retailer to collect and remit certain use and occupation taxes if the retailer qualifies as a "retailer maintaining a place of business in this State" under certain provisions of the Use Tax Act.

**HB 281 (Guzzardi)**

**Code of Civil Procedure – Debtor Rights Notice**

Provides that a summons issued in an action to collect a debt shall include a separate notice containing specified language regarding debtor rights. The clerk of the court shall cause the notice to be posted in courtrooms or in the hallway in front of courtrooms and be available for distribution in all courtrooms hearing cases involving debt collection matters. Makes other changes.



### Control over county recorder fees

Senate Bill 306 provides that a county board may, by ordinance, assume control over county recorder fees. Upon the adoption of such an ordinance, the county board may reduce any fee charged by the county recorder of deeds to a figure selected by the county board and transfer all or part of a county recorder of deed's budget surplus to the county general fund. County board actions under these provisions have precedence over other formulas or fee schedules used to calculate county recorder fees and any other use of a county recorder of deed's budget surplus.



## IN THE KNOW

### HB 322 (McSweeney)

#### Automated Traffic System

Provides that, after January 1, 2020, no non-home rule unit within the counties of Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will may enact or continue to enforce an ordinance for an automated traffic law enforcement system to enforce violations of intersection traffic control signals.

### HB 323 (McSweeney)

#### Automatic Speed Enforcement

Imposes limits on the power of local governments to use automated speed enforcement systems to provide recorded images of a motor vehicle for the purpose of recording its speed.

### HB 354 (Morrison)

#### Board of Review Compensation

Provides that upon establishing the compensation of board of review employees fixed by the county board, the county shall, at all times, ensure that each of the commissioners on the board of review receives equitable resources and staffing.

### HB 832 (Martwick)

#### Vacancy Fraud Act

Allows a taxing body or representative of a taxing body to file a vacancy fraud complaint with the county board of review if property is receiving vacancy relief and the property owner is not actively attempting to lease, sell, or alter the property.



### HB 833 (Crespo)

#### Senior Citizens Homestead Exemption Amends the Property Tax Code.

Provides that a person who has been granted a senior citizens homestead exemption need not reapply for the exemption.

### HB 289 (McSweeney)

#### Criminal Identification Act

Provides that when a person has been convicted of child abduction, the victim of the offense may request that the State's Attorney of the county in which the conviction occurred file a verified petition with the presiding trial judge at the petitioner's trial to have a court order entered to seal the records of the circuit court clerk in connection with the proceedings of the trial court concerning that offense.

### HB 308 (McSweeney)

#### Local Government Debt Reform Act

Provides that no alternate bonds shall be issued if the issuance of such bonds would create or continue the accumulation of stacked alternate-bonded debt. Provides that provisions concerning stacked alternate-bonded debt do not apply to any transactions or agreements concerning debt that may be in place before the effective date of this amendatory Act. Stacked alternate-bonded debt" means any debt that contains 2 or more layers, one of which finances another layer; and in which at least one of the 2 or more layers is financed with alternate revenue.

### HB 317 (McSweeney)

#### Property Tax Code – PTELL Expansion

Provides that, beginning with the 2019 levy year, the Property Tax Extension Limitation Law (PTELL) applies to all taxing districts, including home rule units. Provides that, beginning with the 2019 levy year, the extension limitation under the PTELL is 0% or the rate of increase approved by the voters. Preempts home rule. Amends the State Mandates Act to require implementation without reimbursement.

### HB 320 (McSweeney)

#### Property Tax Code – PTELL

Provides that, beginning with the 2019 levy year, PTELL applies to all taxing districts, including home rule units. Provides that, for the 2019 levy year, the limiting rate under the PTELL shall be calculated by reducing the district's 2016 aggregate extension by 5%; for the 2020 levy year, the limiting rate under PTELL shall be calculated by reducing the district's 2018 aggregate extension by 10%; beginning with the 2021 levy year, the extension limitation is 0%.

## Rep. McSweeney refiles township consolidation bill

Rep. David McSweeney has re-filed an almost identical local government consolidation bill after his previous bill was vetoed by Gov. Bruce Rauner just before he left office. House Bill 348 allows for the consolidation of townships in McHenry County as well as the abolishment of any road district within the county and in neighboring Lake County that manages less than 15 miles of road. It limits extensions of specified property tax levies to 90% of the original property tax levy and within the boundaries of the dissolved township. Gov. Rauner took issue with the bill's focus on McHenry and Lake counties and recommended a statewide expansion of the legislation's terms.

McHenry County Board members have raised concerns about the proposed township consolidation legislation. Rep. Steven Reick (R-McHenry County) also criticized McSweeney's prior bill. Reick said it was irresponsibly crafted and would have actually resulted in higher taxes for some people. McSweeney said he aims to pass House Bill 348 in April.

*Rep. Grant Wehrli (R-Naperville) has filed HB 360 which provides for the dissolution of townships and road districts in DuPage County.*

## Gordon-Booth introduces bill to create Peoria County Land Bank

Rep. Jehan Gordon-Booth is sponsoring legislation which creates a new Division in the Counties Code. **House Bill 842** creates the Peoria County Land Bank Authority pilot program with the purpose to use available resources to facilitate the return of vacant, abandoned, and tax-delinquent properties to productive use in order to combat community deterioration, create economic growth, and stabilizing the housing and job market.

The Authority will be an agency of and funded by Peoria County and the Authority's Board of Directors will be accountable to the Peoria County Board. The legislation allows for the hiring of an Executive Director and other staff. Under the established pilot program, Peoria County will be required to report annually to the General Assembly of the Authority's effectiveness in meeting the Authority's purposes.



## IN THE KNOW

### HB 927 (Tarver)

**Juvenile Court Act – Expungement**  
Provides that all juvenile law enforcement records and juvenile court records are subject to automatic expungement if the underlying charge was not a crime of violence as defined in the Crime Victims Compensation Act. The clerk shall deliver a certified copy of the expungement order to the Department of State Police and the arresting agency. The expungement shall be completed within 14 business days after the receipt of the expungement order.

### HB 933 (McSweeney)

**Counties Code – Local Libraries**  
Provides that local libraries may not possess securities or financial assets in a fiscal year in excess of 200% of the total revenue (during the preceding fiscal year) of the local library. If a local library possesses securities or financial assets in excess of 200% of the total revenue, then it must reduce its property tax levy to ensure that the securities or financial assets plus revenue does not exceed 200% of the total revenue.

### HB 1443 (Hoffman)

**Public Officer Simultaneous Tenure**  
Provides that it is lawful for a person to hold the office of county board member and the office of park district commissioner, simultaneously, in counties of less than 300,000 population.

### HB 872 (Greenwood)

**Senior Citizens Assessment Freeze Homestead Exemption**  
Beginning in assessment year 2019, the taxpayer's household income shall be reduced by any amounts paid as Medicare premiums.

### HB 873 (Greenwood)

**Metro East Development Act**  
States legislative findings for the need to create a Metro East Development Authority, including the need to develop and revitalize depressed areas of the Metro East. Defines "Metro East" as Madison, Monroe, Randolph, and St. Clair counties. Provides for the creation of the Authority, including the appointment of 12 members by the chairperson

of each Metro East county; by the directors of the Department of Commerce and Economic Opportunity, the Illinois Housing Development Authority, and the Illinois Development Finance Authority; and by the Governor.

### HB 902 (Ammons)

**Cannabis Legalization Equity Act**  
Legalizes marijuana use, manufacture and distribution in the state, treating the substance like alcohol.

### HB 925 (Didech)

**Mobile Home Local Services Tax**  
The penalty for delinquent local services taxes shall not exceed the lesser of \$100 or 50% of the original tax imposed (currently, \$100).

## House parliamentary rules adopted

As the legislature returned to action in Springfield on January 29th, the first order of business to receive consideration was **House Resolution 59**. The House Resolution is the first order of business because it establishes the parliamentary rules by which the Chamber will operate for the 101st General Assembly. Several House Republicans spoke against the procedures that govern the lawmaking process as giving House Speaker Michael Madigan too much power. House Republicans introduced their own proposal, **House Resolution 62**, to address some of the concerns that exist on issues of transparency and public access to amendments to legislation, but it was not considered. **House Resolution 59** was adopted on a vote of 73-42-0.



**HB 1148 (West)**

**Property Tax Code – Owner Occupied**  
Provides for a property tax abatement for property located in a taxing district that: (i) is owner-occupied; (ii) is the owner's primary residence; and (iii) meets the criteria of a residential home ownership incentive program adopted by the taxing district.

**HB 1449 (Bennett)**

**Counties Code – Zoning Division**  
Provides that a county board may, by majority vote (rather than by ordinance) and without a further public hearing, deny, grant, or grant subject to conditions a proposed special use on receiving the report from the board of appeals (rather than the board may adopt a proposed special use on receiving the report or it may refer the proposal back to the board of appeals for further consideration).

## NEWSWORTHY...

### County Chairman Removal

House Bill 1495 sponsored by Rep. Tom Weber (R-Lake County) amends the Counties Code to provide that a chairman of a county board who is chosen by the board may be removed, with or without cause, upon a motion adopted by an affirmative vote of four-fifths of the board. Upon adoption of a motion to remove the chairman: (i) the chairman position becomes vacant and the former chairman's compensation shall be prorated to the date the motion was approved; (ii) the vice-chairman immediately assumes the duties of



chairman without chairman compensation; and (iii) a new chairman shall be elected at the next regularly scheduled county board meeting. **NOTE: A chairman removed maintains his/her status as a member of the county board.**

**HB 1476 (McComble)**

**Local Government Continuing 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.

**HB 1566 / HB 1567 / HB 1568 (Durkin)**

**Illinois Pension Code – IMRF Merger**  
Merges all Article 3 police officers' pension funds and Article 4 firefighters' pension funds into the Illinois Municipal Retirement Fund (IMRF) on January 1, 2021. Creates a Transition Board responsible for planning, overseeing, and administering the consolidation. HB 1568 moves the investment power for eligible downstate police and firefighter pension funds that have net assets in trust that exceed an amount equal to 3 months of current liabilities to the IMRF Board of Trustees.

**HB 1573 (DeLuca)**

**Tax Compliance and Administration Fund Transfers**  
Amends the Counties Code and Illinois Municipal Code among others. Provides that the amounts transferred into the Tax Compliance and Administration Fund shall be reduced from 1.5% to 1%.

**SB 39 (Mulroe)**

**Property Tax Code – Police and Firefighter Exemption**  
Creates a homestead exemption in the amount of a reduction of \$5,000 from the equalized assessed value of property of police officers and firefighters with duty-related disabilities.

**SB 62 (Castro)**

**Counties Code – Recorder's Division**  
Modifies how a county recorder determines if a lien is an expired lien under a county's demand and referral program by providing that a lien is expired if a suit to enforce the lien has not been commenced or a counterclaim has not been filed by the lienholder within 2 years after the completion date of the contract as specified in the recorded mechanics lien. The 2-year period shall be increased to the extent that an automatic stay under provisions of the U.S. Bankruptcy Code stays a suit or counterclaim to foreclose the lien or, if a work completion date is not specified in the recorded lien, then the work completion date is the date of recording of the mechanics lien.



### Lightford continues fight for \$15 wage

Majority Leader Kimberly Lightford (D-Cook County) tackles raising the minimum wage as a priority issue to start the spring legislative session. Senate Bill 1 is currently being negotiated with the goal of raising the minimum wage in Illinois to \$15 per hour. The Senate Labor Committee held a hearing on the minimum wage in Illinois on Wednesday to discuss the current proposal. Panels discussed the need for raising the minimum wage as well as pay for tip workers, the youth subminimum wage and support for small businesses.



**SB 63 (Van Pelt)**

**Juvenile Court Act – Legal Counsel**  
Provides that the Chief Judge of each judicial circuit may establish a Justice for Juveniles Program, which would require that juveniles arrested or detained for eligible offenses be represented by legal counsel throughout the entire custodial interrogation of the juvenile.

**SB 66 (Van Pelt)**

**Law Enforcement Gang Database**  
Provides that each law enforcement agency that maintains a gang database or has access to a shared gang database shall have a policy regarding those databases. Specifies required policy provisions.

**SB 67 (Morrison)**

**Election Code – School Polling Place**  
Provides that a school building may not be used as a polling place if such a use is impossible or inconvenient as determined by a vote of the school board controlling the school building (rather than requiring a school district to make a school available as a polling place if the county board or board of election commissioners chooses a school to be a polling place).

**SB 70 / SB 71 (Manar)**

**Income Tax Credit – Tornadoes**  
Provides a tax credit to each taxpayer who owns qualified real property located in a county in Illinois that was declared a State disaster area by the Governor due to tornadoes in 2018.

**SB 81 (Morrison)**

**Property Tax Code – Assessments**  
Provides that, for assessment years following the next general assessment after the effective date of the amendatory Act, no increase in assessment may exceed 20% per year. Provides exceptions if: (1) the property is sold, transferred, or conveyed during the taxable year; (2) significant improvements were made to the property; (3) a homestead exemption or other preferential method of assessment was removed with respect to that property during the taxable year; or (4) the increase was due to an equalization factor imposed by the township, county, or Department of Revenue.

**SB 105 (Sandoval)**

**Illinois Vehicle Code – 8,000 Pounds**  
Repeals a provision providing for the collection of an annual commercial distribution fee on vehicles of the second division weighing more than 8,000 lbs.

**SB 120 (Anderson)**

**Public Duty Rule Codification**  
Provides that a local governmental entity and its employees owe no duty of care to individual members of the general public to provide governmental services.

**SB 124 (McConchie)**

**Property Tax Code – Board of Review**  
Upon establishing the compensation of board of review employees fixed by the county board, the county shall, at all times, ensure that each of the commissioners on the board of review receives equitable resources and staffing.

**SB 140 (Bertino-Tarrant)**

**Senior Homestead Exemption**  
Provides that a person who has been granted a senior citizens homestead exemption need not reapply for the exemption.

**OPIOID ALTERNATIVE  
PILOT PROGRAM BEGINS**



Beginning today, Jan. 31, the Opioid Alternative Pilot Program will start accepting patients, allowing patients over the age of 21 prescribed opioids temporary access to medical cannabis as an alternative treatment.

Under the program, patients will obtain a physician's certification that they have a condition for which an opioid could be prescribed. They may then take that to a dispensary to receive medical cannabis for a fixed period of time. The Illinois Department of Public Health's rules regulating the program can be found on their website at [www.dph.illinois.gov](http://www.dph.illinois.gov).

**State to provide millions in property tax relief for Lake County homeowners**

Homeowners and small businesses across Lake County will see decreases in their property tax bills under a new state grant program that seeks to provide relief to school districts in high-taxed areas.

The Property Tax Relief Grant was included in the historic school funding reform law that has already provided millions of dollars in new state funds to school districts that need it the most. In the first year alone, schools in the 31st Senate District received \$8.5 million in additional state funding.

"For years, Lake County has had to rely heavily on property taxes to ensure our children have access to the best education possible," Sen. Melinda Bush (D-Lake County) said. "As promised, the new school funding law is changing the way we fund our schools by increasing state support and relieving some of the local tax burden."

In order to receive the state grant, eligible school districts must submit an abatement resolution to their county clerks by March 30. The Illinois State Board of Education (ISBE) will then distribute the grants once receiving all abatement certificates.

More information on the Property Tax Relief Grant and a listing of each eligible school district can be found at [www.ISBE.net/proptaxrelief](http://www.ISBE.net/proptaxrelief).



## IN THE KNOW

### SB 146 (Tracy)

#### Tax Compliance Fund

Amends the State Finance Act, Counties Code, Illinois Municipal Code, Metro-East Park and Recreation District Act, Local Mass Transit District Act, Regional Transportation Authority Act, and Water Commission Act of 1985. Provides that the amounts transferred into the Tax Compliance and Administration Fund shall be reduced from 1.5% to 1%.

### SB 158 (Bartickman)

#### Property Tax – Hazardous Waste

Provides that, if the property contains a hazardous substance, hazardous waste, or an underground storage tank, the court may order the holder of the certificate of purchase to assign the certificate to the county collector upon request of the county collector. The county collector may further assign the certificate to the county, acting as trustee for taxing districts, or to a taxing district having an interest in the taxes sold.

### SB 177 (Harris)

#### Motor Fuel Tax – Enterprise Program

Provides that no municipality, county, or road district that received motor fuel tax distributions totaling more than \$1,000,000 in the previous State fiscal year shall receive a future distribution of motor fuel tax moneys unless they implement a business enterprise program setting goals for the inclusion of minority, veteran, and female-owned businesses in the procurement of contracts.

### SB 196 (Bush)

#### Open Meetings Act

Allows a public body to hold a closed



## Private sector examination of state agencies

Rep. Dan Ugaste (R-Kane County) stood alongside colleagues in the House of Representatives on January 29th urging lawmakers to authorize a private sector “deep dive” into state agency spending so that opportunities for cost savings and greater efficiencies can be identified. Steve Reick (R-McHenry County), is the Chief Sponsor of House Joint Resolution 06 and House Bill 275, a bipartisan attempt to provide optimal government services in this state as efficiently as possible.

Specifically, HJR 06 provides the legislative intent for the establishment of a Commission and points to the State’s obligation to provide public services necessary to ensure that Illinoisans can live in dignity and safety. HB 275 creates the Commission on Fiscal Responsibility and Reform Act. This Commission would be privately funded by soliciting contributions to be made to a 501(c)(4) social welfare organization as Commission members would not be paid, and results would be presented to the Governor and the General Assembly by October 1, 2020.

meeting to consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, independent contractors, or volunteers (currently, only specific employees) of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee, independent contractor, or volunteer of the public body or against legal counsel for the public body to determine its validity.

### SB 198 (Fine)

#### Highway Code – MFT Fund Use

Provides that a county board of any county, any township, or any municipality may use motor fuel tax funds allotted to it for the operation costs of any public transportation service, for capital improvements designed to improve or enhance pedestrian, bicycle, or transit mobility, or for infrastructure used to support publicly or privately owned electric vehicles.

The IACBM Legislative Committee is charged with structuring and overseeing the Association’s legislative program. The Committee is scheduled to convene next week to review and take action on legislative measures filed to date in addition to member county policy platforms. Positions taken by the Committee will appear in the next edition of “Counties at the Capitol”. The Legislative Committee members’ biographies are available on our website at [www.ilcounty.org](http://www.ilcounty.org).



[www.ilcounty.org](http://www.ilcounty.org)