

OPERATIONS & ADMINISTRATIVE COMMITTEE AGENDA

Called by: Keith McDonald, Chairman
Members: John Butitta, Jean Crosby,
Paul Arena, Joe Hoffman, Dorothy
Redd, Jaime Salgado

DATE: THURSDAY, JULY 1, 2021
TIME: 5:30 PM
LOCATION: VIRTUAL MEETING – ZOOM
(WINNEBAGO COUNTY YOUTUBE
LIVE)

The Winnebago County Board Chairman has determined that an in-person meeting is not practicable or prudent because of the COVID-19 pandemic.

AGENDA:

- A. Call to Order
- B. Roll Call
- C. Approval of April 15 and May 6, 2021 Minutes
- D. Public Comment – This is the time we invite the public to address the Operations and Administrative Committee with issues and concerns. We ask you to limit your comments to three minutes. Personal attacks or inappropriate language of any sort will not be tolerated. We will allow a maximum of five speakers on a first come basis with sign up at the meeting. Speakers may not address zoning matters which are pending before the ZBA, the Zoning Committee or the County Board. Personnel matters or pending or threatened litigation may not be addressed in open session. An individual may speak a maximum of three times per calendar year on the same topic. This prohibition shall include the repetition of the same topic in a statement on what is purported to be a different topic. After acknowledgement by the chair, please stand and state your name. Thank you.
- E. Resolution Amending the Winnebago County Health Department Soil Boring Fee Schedule
- F. Resolution Approving an Intergovernmental Agreement between the County of Winnebago and Veterans Assistance Commission of Winnebago County
- G. Resolution Adopting Criteria for the Operation of the County's Delinquent Tax Program
- H. Other Matters
- I. Adjournment

**Winnebago County Board
Operations and Administrative Committee Meeting
Virtual Meeting – Zoom
(Winnebago County YouTube Live)**

Thursday, April 15, 2021
5:30 PM

Present:

Keith McDonald, **Chairman**
John Butitta
Jean Crosby
Paul Arena
Joe Hoffman
Dorothy Redd
Jaime Salgado

Others Present:

Joe Chiarelli, County Board Chairman
Pat Thompson, County Administrator
Dave Rickert, Chief Financial Officer
Lafakeria Vaughn, State's Attorney's Office
Ann Johns, Director of Purchasing
Dan Magers, IT Department
Deb Crozier, HR Department
Steve Schultz, County Board Member
Tim Knauf, Gallagher Williams – Manny

AGENDA:

- A. Call to Order
- B. Roll Call
- C. Approval of November 5, December 3 and 17, 2020 and January 7, 2021 Minutes
- D. Public Comment
- E. Update on the Status of the Excess Vacation Balances
- F. Resolution Authorizing the Execution of a Renewal Agreement with Vision Service Plan (VSP) for Voluntary Vision Insurance
- G. Resolution for Approval of Winnebago County Board Chairman Proposed Vehicle Use
- H. Resolution to Approve Telecommunication Service Contract
- I. Resolution Authorizing the Execution of an Agreement with Zero Card for a Voluntary/Supplemental Health Benefit
- J. Resolution Authorizing the Execution of an Agreement with Aura Benefits Program for a Voluntary Identity Guard Plan
- K. Other Matters
- L. Adjournment

Chairman McDonald called the meeting to order at 5:30 PM.

Motion to approve the November 5, December 3 and 17, 2020 and January 7, 2021 Minutes

Moved: Mr. McDonald, Seconded: Mr. Butitta.

Roll call: Mr. Butitta yes, Ms. Crosby yes, Mr. Arena yes, Mr. Hoffman yes and Mr. Salgado yes.

Motion passed by unanimous voice vote.

Public Comment

Chairman McDonald omitted reading the Public Comment section of the Agenda due to no one present to speak.

Update on the Status of the Excess Vacation Balances

- A discussion followed.

Resolution Authorizing the Execution of a Renewal Agreement with Vision Service Plan (VSP) for Voluntary Vision Insurance

Motion by Mr. McDonald and Seconded by Mr. Hoffman.

- A discussion followed.

Roll call: Mr. Butitta yes, Ms. Crosby yes, Mr. Arena yes, Mr. Hoffman yes, Mr. Salgado yes and Mr. McDonald yes.

Motion passed by unanimous voice vote.

Resolution Authorizing the Execution of an Agreement with Zero Card for a Voluntary/Supplemental Health Benefit

Motion by Mr. McDonald and Seconded by Mr. Salgado.

- A discussion followed.

Roll call: Mr. Butitta yes, Ms. Crosby yes, Mr. Arena yes, Mr. Hoffman yes, Mr. Salgado yes and Ms. Redd yes.

Motion passed by unanimous voice vote.

Resolution Authorizing the Execution of an Agreement with Aura Benefits Program for a Voluntary Identity Guard Plan

Motion by Mr. McDonald and Seconded by Mr. Butitta.

- A discussion followed.

Roll call: Mr. Butitta yes, Ms. Crosby yes, Mr. Arena yes, Mr. Hoffman yes, Ms. Redd yes, Mr. Salgado yes and Mr. McDonald yes.

Motion passed by unanimous voice vote.

Resolution for Approval of Winnebago County Board Chairman Proposed Vehicle Use

Motion by Mr. McDonald and Seconded by Mr. Arena.

- A discussion followed.

Roll call: Ms. Crosby yes, Mr. Arena yes, Mr. Hoffman yes, Ms. Redd yes, Mr. Salgado yes, Mr. Butitta yes and Mr. McDonald yes.

Motion passed by unanimous voice vote.

Resolution to Approve Telecommunication Service Contract

Motion by Mr. McDonald and Seconded by Ms. Crosby.

- A discussion followed.

Roll call: Mr. Arena yes, Mr. Hoffman yes, Ms. Redd yes, Mr. Salgado yes, Mr. Butitta yes, Ms. Crosby yes and Mr. McDonald yes.

Motion passed by unanimous voice vote.

Other Matters

None

Motion to Adjourn. Moved: Mr. Salgado, Seconded: Mr. Butitta and Mr. Hoffman.
Motion passed by unanimous voice vote.

Respectfully submitted,

Amy Ferling
Administrative Assistant

Winnebago County Board
Operations and Administrative Committee Meeting
Virtual Meeting – Zoom
(Winnebago County YouTube Live)

Thursday, May 6, 2021
5:30 PM

Present:

Keith McDonald, Chairman
John Butitta
Jean Crosby
Paul Arena
Joe Hoffman
Dorothy Redd
Jaime Salgado

Others Present:

Pat Thompson, County Administrator
Dave Rickert, Chief Financial Officer
Lafakeria Vaughn, State's Attorney's Office
Melinda Macias, Purchasing Dept.
Gus Gentner, IT Dept.
Dan Magers, IT Dept.
Shawn Franks, Facilities
Steve Schultz, County Board Member
Mark Lofgren, RBNH

AGENDA:

- A. Call to Order
- B. Roll Call
- C. Approval of February 4, 2021 Minutes
- D. Public Comment
- E. Resolution Awarding Joint Seal Coating Services
- F. Other Matters
- G. Adjournment

Chairman McDonald called the meeting to order at 5:30 PM.

Motion to approve the minutes of February 4, 2021

Moved: Mr. Salgado, Seconded: Mr. Hoffman.

Roll call: Mr. Butitta yes, Ms. Crosby yes, Mr. Arena yes, Mr. Hoffman yes, Ms. Redd yes, Mr. Salgado yes and Mr. McDonald yes.

Motion passed by unanimous voice vote.

Public Comment

Chairman McDonald omitted reading the Public Comment section of the Agenda due to no one present to speak.

Resolution Awarding Joint Seal Coating Services

Motion by Mr. McDonald and Seconded by Mr. Butitta.

- A discussion followed.

Roll call: Mr. Butitta yes, Ms. Crosby yes, Mr. Arena yes, Mr. Hoffman yes, Ms. Redd yes, Mr. Salgado yes and Mr. McDonald yes.

Motion passed by unanimous voice vote.

Other Matters

None

Motion to Adjourn. Moved: Mr. Salgado, Seconded: Mr. Hoffman.
Motion passed by unanimous voice vote.

Respectfully submitted,

Amy Ferling
Administrative Assistant



W C H D
Winnebago County Health Department

Serving Our Whole Community

Resolution Executive Summary

Prepared By: Winnebago County Health Department
Committee: Operations and Administrative Committee
Committee Date: July 1, 2021
Resolution Title: Resolution Amending the Winnebago County Health Department Soil Boring Fee Schedule
Board Meeting Date: July 8, 2021

Rationale for Soil Boring 2021 Fee Increase

Soil Borings Analysis Services

- Winnebago County Soil & Water Conservation District Fee schedule.
- The fee structure in Winnebago County was last addressed in 2010.
- Researching the fees for the same services in the surrounding area indicates that SWCD fee structure has lagged.
- Recommend that the fee structure be evaluated biannually, to maintain conformity and consistency with the professional standard.

Statement of Request

- The Winnebago County Soil & Water Conservation District (SWCD) has informed WCHD that their soil boring service fees will be increasing to cover cost incurred.
- SWCD new fee structure was implemented when passed by County.
- This request has prompted WCHD to propose an increase to their soil-boring fee to cover SWCD fee increases.
- Requirement of Private Sewage Disposal Code (Sec. 86-78 - Determining suitability and sizing) to exclusively utilize their soil analysis services:
 - The county soil survey, prepared by the Natural Resource Conservation Service, US Department of Agriculture and an ISCA or SSSA approved soil scientist/classifier from the Winnebago County Soil and Water Conservation District, shall be the official sources of information about the soils of the county.
- Winnebago County SWCD services are essential for the WCHD's septic program. Their soil analysis service provides us the ability to determine what type and size of septic system to ensure groundwater protection.
- In addition to the fee increase, SWCD is requesting that all soil services per property (new &/or repair) should be the same fee instead of having different cost for each type of application.

Staff Recommendations

- WCHD staff is in favor of the soil boring fee increase.
- Staff is suggesting a term be put in place so both agencies can review/revise their scope of work, compensations, etc.

Cost Comparison

Initial Borings	SWCD	WCHD	Total
Current - Repair	\$ 250.00	\$ 103.00	\$ 357.00
Current - New	\$ 275.00	\$ 122.00	\$ 393.00
Proposed - All Applications	\$ 325.00	\$ 150.00	\$ 475.00

Supplemental Borings	SWCD	WCHD	Total
Current	\$ 75.00	\$ 75.00	\$ 150.00
Proposed	\$ 175.00	\$ 175.00	\$ 350.00

**RESOLUTION
OF THE
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS**

2021 CR

SUBMITTED BY: OPERATIONS AND ADMINISTRATIVE COMMITTEE

**RESOLUTION AMENDING THE WINNEBAGO COUNTY HEALTH DEPARTMENT
SOIL BORING FEE SCHEDULE**

WHEREAS, the County Board of the County of Winnebago, Illinois, desires to amend the Winnebago County Health Department (WCHD) Soil Boring fee schedule for the soil boring/septic suitability program with the Winnebago County Soil & Water Conservation District (SWCD); and

WHEREAS, the Winnebago County SWCD informed the WCHD that their soil boring service fees were increasing as of March 1, 2021, which prompted the WCHD to review its soil boring fees to align with Winnebago County SWCD, which have not been addressed since 2010; and

WHEREAS, pursuant to Section 86-78 of the County of Winnebago Code of Ordinances, the Winnebago County SWCD services are essential for the WCHD's septic program because it provides the WCHD the ability to determine what type and size of septic system to ensure groundwater protection; and

WHEREAS, on February 16, 2021, the Winnebago County Board of Health (BOH) recommended approval of the new WCHD Soil Boring fee increases, with further consideration by the Winnebago County Board; and

WHEREAS, the WCHD and Board of Health recommend increasing the fees as follows:

Initial Soil borings:	Old Fee (SWCD/WCHD)	New Proposed Fee (SWCD/WCHD)
New Construction:	\$275/\$122	\$325/\$150
Repair/Replacement:	\$250/\$103	\$325/\$150
Supplemental Borings:	\$75/\$75	\$175/\$175

WHEREAS, the BOH is recommending an amended fee schedule to align with the Winnebago County SWCD fee increases and to maintain this essential service for the County.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Winnebago, Illinois, that the above listed WCHD Soil Boring fee increases are approved.

BE IT FURTHER RESOLVED, that this Resolution shall be in full force and effect immediately upon its adoption.

BE IT FURTHER RESOLVED, that the Clerk of the County Board is hereby authorized and directed to prepare and deliver certified copies of this Resolution to the County Administrator, County Chief Financial Officer, Director of Purchasing, County Auditor, Finance Director and the Public Health Administrator.

Respectfully submitted,
OPERATIONS AND ADMINISTRATIVE COMMITTEE

AGREE

DISAGREE

Keith McDonald, Chairman

Keith McDonald, Chairman

John Butitta, Vice Chairperson

John Butitta, Vice Chairperson

Dorothy Redd

Dorothy Redd

Paul Arena

Paul Arena

Joe Hoffman

Joe Hoffman

Jean Crosby

Jean Crosby

Jamie Salgado

Jamie Salgado

The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois this ____ day of _____, 2021.

Joseph Chiarelli, Chairman of the
County Board of the
County of Winnebago, Illinois

ATTEST:

Lori Gummow, Clerk of the
County Board of the
County of Winnebago, Illinois



Resolution Executive Summary

Prepared By: Lafakeria Vaughn
Committee: Operations and Administrative Committee
Committee Date: July 1, 2021
Resolution Title: Resolution Approving an Intergovernmental Agreement between the County of Winnebago and Veterans Assistance Commission of Winnebago County
County Code: Not Applicable
Board Meeting Date: July 8, 2021

Budget Information:

Was item budgeted? N/A	Appropriation Amount: N/A
If not, explain funding source:	
ORG/OBJ/Project Code: N/A	Budget Impact: N/A

Background Information: The prior Intergovernmental Agreement (IGA) with the Veterans Assistance Commission of Winnebago (VAC) expired in June 2020. The Illinois Military Veterans' Assistance Act, codified as 330 ILCS 45/0.01, *et seq.* (Act) creates and regulates the authority of the VAC. The County of Winnebago has a maximum real estate tax rate for the VAC of not to exceed .04% of the assessed value annually on all taxable property of the County, for the sole purpose of providing assistance to military veterans and their families pursuant to the Act and the Counties Code 55 ILCS 5/5-2006. The major terms and conditions of the prior IGA will remain the same, with the inclusion of additional details related to the duties of the VAC.

Recommendation: Staff concurs

Contract/Agreement: Intergovernmental Agreement with the Veterans Assistance Commission of Winnebago County

Legal Review: Legal review conducted by States Attorney's Office

Follow-Up: N/A

**RESOLUTION
OF THE
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS**

2021 CR _____

SUBMITTED BY: OPERATIONS AND ADMINISTRATIVE COMMITTEE

**RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN
THE COUNTY OF WINNEBAGO AND VETERANS ASSISTANCE COMMISSION OF
WINNEBAGO COUNTY**

WHEREAS, the County of Winnebago (County) and Veterans Assistance Commission of Winnebago County (VAC) are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, as specified at 5 ILCS 220/1 *et seq.* and are authorized by Article 7, Section 10 of the Constitution of the State of Illinois to cooperate for public purposes; and

WHEREAS, at all pertinent times hereto, there was in effect in the State of Illinois a certain statute, commonly known as the Illinois Military Veterans' Assistance Act, codified as 330 ILCS 45/0.01, *et seq.* (hereinafter referred to as the "ACT") which in pertinent part creates and regulates the authority of the Veterans' Assistance Commissions throughout the State of Illinois, including but not limited to the VAC; and

WHEREAS, Sections 2 and 9 of the ACT [codified as 330 ILCS 45/2 and 9] provide that the VAC shall have the authority to provide financial assistance "For the assistance of military veterans, who served in the Armed Forces of the United States, whose last discharge from the service was honorable to be eligible for assistance, their families, and the families of deceased veterans with service as described in this Section who need assistance"; and

WHEREAS, at the current time, as well as for the lasts several years, there has been in effect in the COUNTY a maximum real estate tax rate for the VAC of not to exceed .04% of the assessed value annually on all taxable property of the COUNTY, for the sole purpose of providing assistance to military veterans and their families pursuant to such ACT and the Illinois Counties Code, codified as 55 ILCS 5/1-1001, *et seq.*; and

WHEREAS, the VAC and the COUNTY have reviewed and adopted regulations for disbursement of benefits to the eligible claimants of COUNTY through the VAC, in accordance with the provisions of the aforesaid statutes; and

WHEREAS, the COUNTY and VAC seek to fulfill their respective responsibilities as set forth in the aforesaid statutes and as provided in the Agreement.

NOW, THEREFORE BE IT RESOLVED, by the County Board of the County of Winnebago, Illinois that Joseph Chiarelli, the Winnebago County Board Chairman, is authorized and directed to execute the Intergovernmental Agreement between the County of Winnebago and the Veterans Assistance Commission of Winnebago County, in substantially the same form as the Agreement attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect immediately upon its adoption.

BE IT FURTHER RESOLVED that the Clerk of the County Board is hereby authorized and directed to prepare and deliver certified copies of this Resolution to the County Administrator, the Chief Financial Officer, and the County Treasurer.

Respectfully submitted,
OPERATIONS AND ADMINISTRATIVE COMMITTEE

AGREE

Keith McDonald, Chairman

John Butitta, Vice Chairman

Jean Crosby

Paul Arena

Joe Hoffman

Dorothy Redd

Jaime Salgado

DISAGREE

Keith McDonald, Chairman

John Butitta, Vice Chairman

Jean Crosby

Paul Arena

Joe Hoffman

Dorothy Redd

Jaime Salgado

The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois this _____ day of _____, 2021.

Joseph Chiarelli, Chairman of the
County Board of the
County of Winnebago, Illinois

ATTEST:

Lori Gummow, Clerk of the
County Board of the
County of Winnebago, Illinois

INTERGOVERNMENTAL COOPERATION AGREEMENT
BETWEEN
COUNTY OF WINNEBAGO
AND
THE VETERANS ASSISTANCE COMMISSION
OF WINNEBAGO COUNTY

This Intergovernmental Agreement (hereinafter referred to as “this Agreement”) is made and entered into this _____ day of _____, 2021, by and between the County of Winnebago, a body politic and corporate, (hereinafter, "COUNTY") and the Veterans Assistance Commission of Winnebago County (hereinafter, "VAC"), a local governmental unit established under the Military Veterans Assistance Act (330 ILCS 45/0.01 *et. seq.*).

RECITALS

WHEREAS, the COUNTY and VAC are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, as specified at 5 ILCS 220/1, *et seq.*, and are authorized by Article 7, Section 10 of the Constitution of the State of Illinois to cooperate for public purposes; and

WHEREAS, at all pertinent times hereto, there was in effect in the State of Illinois a certain statute, commonly known as the Illinois Military Veterans’ Assistance Act, codified as 330 ILCS 45/0.01, *et seq.* (hereinafter referred to as the “ACT”) which in pertinent part creates and regulates the authority of the Veterans’ Assistance Commissions throughout the State of Illinois, including but not limited to the VAC; and

WHEREAS, Sections 2 and 9 of the ACT [codified as 330 ILCS 45/2 and 9] provide that the VAC shall have the authority to provide financial assistance “For the assistance of military veterans, who served in the Armed Forces of the United States, whose last discharge from the service was honorable to be eligible for assistance, their families, and the families of deceased veterans with service as described in this Section who need assistance”; and

WHEREAS, Section 10 of the ACT [codified as 330 ILCS 45/10] provides, in pertinent part, as follows: “The superintendent, designated Superintendent of Veterans Assistance of the county, shall, under the direction of the commission, have charge of and maintain an office in the county building or other central location, to be used solely by the commission for carrying on its assistance work. The county shall provide the office and furnish all necessary supplies, including telephone, printing, stationery and postage therefor The county board shall also provide funds to the commission to reimburse the superintendent, officers, delegates and employees for certain expenses which are approved by the commission.”; and

WHEREAS, at the current time, as well as for the lasts several years, there has been in effect in the COUNTY a maximum real estate tax rate for the VAC of not to exceed .04% of the assessed value annually on all taxable property of the COUNTY, for the sole purpose of providing assistance to military veterans and their families pursuant to such ACT; and

WHEREAS, at all times relevant hereto there was in effect in the State of Illinois, a certain statute, commonly known as the Illinois Counties Code [codified as 55 ILCS 5/1-1001, *et seq.*] which provides in pertinent part, as follows: “Sec. 5-2006. Tax for veterans assistance commission. The county board of each county having a population of less than 3 million in which there is a Veterans Assistance Commission as provided in Section 9 of the Military Veterans Assistance Act may levy a tax of not to exceed .03% of the assessed value annually on all taxable property of the county, for the purpose of providing assistance to military veterans and their families pursuant to such Act. The proceeds of any tax so levied shall be used exclusively for the assistance purposes authorized thereunder, and a portion of the proceeds of said annual real estate taxes may be expended for the salaries or expenses of any officers or employees of the VAC or for any other expenses incident to the administration of such assistance.

This tax shall be in addition to all other taxes which the county is authorized to levy on the aggregate valuation of the property within the county and shall not be included in any tax limitation of the rate upon which taxes are required to be extended, but shall be excluded therefrom and in addition thereto. The tax shall be levied and collected in like manner as the general taxes of the county, and, when collected, shall be paid into a special fund in the county treasury and used only as herein authorized.”; and

WHEREAS, at all times relevant hereto there was in effect in the State of Illinois a certain statute commonly known as The Illinois Public Aid Code, and Section 12-21.13 of said Public Aid Code requires that the County annually levy for VAC Purposes a real estate tax equal to an amount “which, when added to the unobligated balance available for such purpose at the close of the preceding fiscal year will equal .02% of the last known assessed value of the taxable property in the county”; and

WHEREAS, the VAC and the COUNTY have reviewed and adopted regulations for disbursement of benefits to the eligible claimants of COUNTY through the VAC, in accordance with the provisions of the aforesaid statutes; and

WHEREAS, the Act provides for the oversight and distribution of benefits to eligible Veterans, and provides requirements to support salaries, office space, and necessary supplies for the VAC office, and

WHEREAS, the COUNTY and VAC seek to fulfill their respective responsibilities as set forth in the aforesaid statutes.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein the COUNTY and the VAC agree as follows:

1. BUDGET

- A. The VAC shall annually present a budget to the COUNTY that represents the planned expenditures for the upcoming fiscal year in accordance with the budget schedule as followed by COUNTY departments except as may be otherwise authorized or required by State Statute. The COUNTY annual real estate tax levy for VAC purposes shall comply with Section 12-21.13 of the Illinois Public Aid Code (codified as 305 ILCS 5/12-21.13), if applicable. The County shall levy for assistance to military veterans and their families, within the time that such levy is authorized to be made, a tax of an amount which, when added to the unobligated balance available for such purpose at the close of the preceding fiscal year will equal .02% of the last known assessed value of the taxable property in the county. If, however, at the latest date in the year on which the aforesaid taxes are authorized to be levied there is in the unobligated balance of the VAC an amount equal to .02%, of the last known total equalized value of all taxable property in the governmental unit, then no real estate tax need be levied in that year in order for the local governmental unit to qualify for State funds.
- B. The COUNTY shall approve or disapprove of said VAC's annual property tax levy. The VAC shall approve a budget within the tax levy set in the COUNTY budget.
- C. Should there be a disagreement between the COUNTY and the VAC for the total amount of expenditures the VAC submits to the COUNTY for the upcoming year, the VAC and COUNTY mutually agree to work together in good faith to resolve such disagreements, in order to fully carry out the purpose and intent of the ACT.
- D. Once approved by the COUNTY, the VAC Budget and accompanying revenues for the fiscal year shall not be altered unless the VAC first votes to make such change and thereafter said change is approved by the COUNTY through the budget amendment process.
- E. The COUNTY shall continue to account for the funds spent and received in the Veterans Assistance Fund. There are two main line item appropriations in the COUNTY budget for VAC purposes: (A) Other Professional Services which pays the VAC's operational expenses and (B) Veterans' Assistance Payments. The COUNTY shall make the Veterans' Assistance Payments to the vendors. Any uses of the Veterans Assistance Fund outside of the VAC budget shall require approval by the VAC and the COUNTY. The Veterans Assistance Fund balance should be managed, by consent of the parties, so as not to exceed one (1) year's annual projected budget or less than 25% of one (1) year's annual projected budget. The COUNTY may retain a reasonable fund balance (within the parameters above) to account for contingent payables under Section IV, payment and audit procedures to follow. Likewise, the VAC may retain (in their account) a reasonable amount for future capital expense or for contingent administrative expenses. Requested allocations from the Veterans Assistance Fund balance by the Superintendent to the COUNTY shall be approved by the VAC prior to said requests.

- F. The COUNTY shall distribute the allotment for Other Professional Services from the County budget to the VAC in four increments upon written request from the VAC Superintendent to the COUNTY at the beginning of each fiscal quarter. (October, January, April and July). The parties hereto recognize that an Illinois state statute (330 ILCS 45/10) requires that “[T]he county shall provide the office and furnish all necessary supplies, including telephone, printing, stationery and postage therefor.” In order to implement the provisions of the above-cited statute, the COUNTY’s allotment for Other Professional Services paid to the VAC shall be funded by the COUNTY’s funds and shall not be funded by the receipts of the VAC’s annual real estate taxes.

2. COUNTY RESPONSIBILITIES

- A. At no costs to the VAC, the COUNTY shall provide the VAC with reasonable and adequate office space in 555 North Court Street, Rockford, Illinois. Such office shall be for the exclusive use of the VAC in the carrying out of its duties and shall be clearly marked as being the office of the “Veterans Assistance Commission of Winnebago County”. In accordance with the ACT (330 ILCS 45/10, as amended) the COUNTY shall not charge the VAC any rent for said office.
- B. At no cost to the VAC, the COUNTY shall also provide to the VAC all office supplies and furnishings, IT support, purchasing services as requested, printing services, and postage to the extent provided for by the ACT. In accordance with the ACT (330 ILCS 45/10, as amended) the COUNTY shall not charge the VAC for the costs of the above items and services. Any goods provided by the COUNTY for VAC use shall be made in accordance with all applicable laws of the State. The monies from the VAC’s annual real estate taxes shall not fund the purchases and payments described in this Paragraph (B).
- C. The COUNTY shall not be required to indemnify the VAC for attorney's fees or damages arising out of civil litigation or be responsible for punitive damages assessed against the VAC, its agents, officers, or employees except as may be required under a Contributory negligence theory.

3. VAC RESPONSIBILITIES

The statutory function of the VAC is to provide financial assistance to needy Veterans, the needy surviving spouse of a Veteran, and the minor children of a Veteran not in the Veteran’s custody. Eligibility for financial assistance is done in accordance with written standards approved by the VAC. Financial assistance may only be approved for basic living expenses such as food, shelter, utilities, personal needs, transportation, and independent living expenses. The Veterans Assistance Program consists of interim financial assistance and should not be considered an on-going financial supportive program over any considerable period of time.

In addition to these statutory responsibilities, the VAC provides:

- A. *VA Claims Representation*: Assist Veterans and their family members in the filing of claims for various programs authorized by the United States Government and maintained by the US Department of Veterans Affairs. VAC Veterans Service Officers are recognized by the VA General Counsel to present and prosecute claims submitted on behalf of Veterans and eligible family members. These programs include Disability Compensation, Pension, Dependents Indemnity Compensation, Headstones, and College programs. Success of this function results in reducing the clients need for financial assistance under the VAC's mandatory function and reduces the need for other County funded and non-funded social services.
- B. *Transportation*: Transport eligible Veterans to and from the Madison VA Medical Center and local transportation to VA scheduled appointments in support of the Mission Act at no cost to the Veteran. Transportation may be limited by available resources.
- C. *Advocacy Services*: Provide Advocacy services include representing, and/or working closely with, and/or applying to the proper local, state or federal agencies or local intervention with vendors such as landlords or utility companies, to procure benefits and ensure the rights and benefits that each Veteran is entitled to have been granted to the Veteran, surviving spouse, and/or dependent.
- D. *Referral Services*: Work with many local government and social service agencies to provide VAC clients with valuable services helpful to their specific need.
- E. Ensure that all of VAC's records are maintained in accordance with applicable federal, state, and local requirements.
- F. Coordinate with the Administrators of General Assistance for each Township to ensure that all eligible veterans and family members can access programs and services of either entity.
- G. Comply with the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) and Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*). In accordance with those statutes, the VAC shall maintain their own FOIA officer and OMA designees. Any litigation arising out of the VAC's action with respect to these Acts shall be the responsibility of the VAC. At no time shall the COUNTY indemnify the VAC for attorney's fees, court costs, or damages arising out of such litigation, unless otherwise so ordered by a court of competent jurisdiction.
- H. Be responsible for procuring the services of an Illinois licensed attorney to serve as legal counsel for the VAC. The VAC shall be responsible for the payment of fees for any legal services accrued through the course of administering services under the Act and shall budget for such legal representation accordingly. The VAC acknowledges that the Winnebago County (Illinois) State's Attorney's Office shall not provide any legal counsel or representation to the VAC, and that under no circumstances shall the COUNTY indemnify the VAC for the cost of any legal representation or the costs incurred as a result of litigation in which the VAC is involved, except as otherwise so ordered by a court of competent jurisdiction.

4. PAYMENT AND AUDIT PROCEDURES

- A. Payment of Vouchers: Amounts to be paid by the COUNTY for assistance provided in connection with this Agreement shall be processed through the regular Accounts Payable system of the COUNTY.
1. All vouchers submitted for payment by the VAC shall meet the requirements of the COUNTY accounts payable system.
 2. All assistance vouchers submitted through the accounts payable system must be accompanied by a signed statement of claim and/or original.
 3. The COUNTY shall reimburse, through the voucher process, any assistance or emergency claims paid directly by the VAC.
- B. The VAC may budget and contract for an independent audit at such times that it deems necessary. Should the VAC procure such an audit, it will provide the COUNTY with a copy of the final Audit report upon its approval and acceptance by the VAC. Further, during the term of this agreement, the Winnebago County Auditor's Office shall conduct a limited scope internal audit of the VAC. The scope of this audit shall be limited to evaluating and providing recommendations relating to the internal controls of the administrative function of the VAC and compliance testing of the eligibility of veterans receiving benefits. The VAC agrees to cooperate in this process.

5. GENERAL PROVISIONS

- A. TERM: This Agreement shall be in full force and effect commencing on the ____ day of ____, 2021 for a period of four years. This Agreement may be terminated by either party with or without cause by providing sixty (60) days written notice to the other party.
- B. AMENDMENTS: A meeting between the COUNTY and the VAC shall be held annually to review this Agreement and discuss any changes required to effectuate the purpose and intent of the ACT. Any amendments to this Agreement must be made in writing and approved by the authorizing officials of the COUNTY and the VAC. Additionally, annually the VAC shall make a presentation to the COUNTY on the current functions, services and funding of the VAC.
- C. It is mutually acknowledged by both parties that the VAC is a non-Home Rule unit of local government of the State of Illinois separate and apart from the COUNTY, and that persons engaged in the administration of veterans benefits are employees of the VAC and not of the COUNTY.
- D. The Superintendent and other employees of the VAC are employees of the VAC and are not employees of the COUNTY. The VAC Superintendent and employees required to administer the VAC program shall receive compensation and benefits from the VAC as provided for in the ACT. The VAC shall be responsible for paying from its Operational Expenses portion of its budget the Workers' Compensation insurance in accordance with statutory requirements.

- E. This Agreement represents the entire agreement between the COUNTY and the VAC and supersedes all prior negotiations and representations, whether written or oral. None of the provisions of this Agreement may be waived, changed, or modified except by instruments in writing signed and agreed to by both parties hereto. This Agreement shall not be construed to supersede, waive, or otherwise limit the statutory rights, duties or authority granted to the VAC and the COUNTY under the applicable federal law or state statutes, including, but not limited to, the State of Illinois Military Veterans Assistance Act (330 ILCS 45/0.01 *et seq.*) Nor is this Agreement a waiver by the VAC or the COUNTY of any of the duties or obligations of the COUNTY or the VAC which may have been created as part of the VAC's organization under the ACT.
- F. The laws of the State of Illinois shall govern this Agreement. Venue for the resolution of any disputes or enforcement of any rights pursuant to this Agreement shall be in the 17th Judicial Circuit Court of Winnebago County, Illinois.
- G. The invalidity or enforceability of any of the provisions of this Agreement shall not affect the validity or enforceability of the remainder of this Agreement.
- H. If a dispute arises between the COUNTY and the VAC under the Agreement, each party shall be responsible for its own attorney's fees and court costs.
- I. All notices, approvals, or other communications that either party desires or is required to give to the other party under terms of this agreement, shall be in writing and shall be considered to be properly given (i) if hand delivered by messenger, (ii) if mailed in the United States via certified or registered mail, postage prepaid, return receipt requested, (iii) if telefaxed, telegraphed, or tele-copied during normal business hours, (iv) if delivered by reputable express carrier, prepaid the next business day after delivery to such carrier; or by electronic mail with a return confirmation that the electronic message was received by the user during normal business hours, addressed to such party as follows below. Either party may, at any time, give notice to the other party of a change of name, address, telephone, or facsimile number. Notice shall be given to the parties as follows:

COUNTY: County of Winnebago
ATTN: County Administrator
404 Elm Street
Rockford, Illinois 61101

VAC: Winnebago County Veterans Assistance Commission
ATTN: Superintendent
555 North Court Street
Suite 300e
Rockford, Illinois 62203
Email: VAC@wincoil.us

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first indicated above by their duly authorized representatives.

“COUNTY”

COUNTY OF WINNEBAGO,

an Illinois body politic and corporate

Joseph Chiarelli
Chairman of the County Board of the
County of Winnebago, Illinois

Date: _____

ATTEST:

Lori Gummow
Clerk of the County Board of the
County of Winnebago, Illinois

Date: _____

“VAC”

**VETERANS ASSISTANCE COMMISSION
OF WINNEBAGO COUNTY**

Name:
Title:

Date: _____

ATTEST:

Name:
Title:

Date: _____

**RESOLUTION
OF THE
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS**

2021 CR _____

SUBMITTED BY: OPERATIONS AND ADMINISTRATIVE COMMITTEE

**RESOLUTION ADOPTING CRITERIA FOR THE OPERATION OF THE COUNTY'S
DELINQUENT TAX PROGRAM**

WHEREAS, on October 24, 2019, the Winnebago County Board adopted Resolution 2019 CR 127, authorizing the execution of a contract between the County of Winnebago, Illinois (County) and Region 1 Planning Council (R1PC) for R1PC to act as the County's Agent in the operation of a Delinquent Tax Program; and

WHEREAS, pursuant to the contract, R1PC is responsible for marketing and selling the property to the highest, responsible buyer; and

WHEREAS, after reviewing the current operations of the delinquent tax program, the Operations and Administrative Committee finds it is in the best interests of the citizens and taxing bodies in Winnebago County, Illinois to create additional criteria when evaluating submitted bids on properties under the program; and

WHEREAS, the additional criteria will make prospective buyers ineligible for bidding on properties under the program if they are tax delinquent on other properties they own within Winnebago County, Illinois; and

WHEREAS, this criteria for the Delinquent Tax Program would further support the two specific goals of the County and taxing districts within Winnebago County, Illinois, which are as follows:

1. To recover delinquent real estate taxes for the benefit of all taxing districts having an interest in the particular parcel of real estate, and,
2. In the case of property to which the County of Winnebago, as Trustee, ultimately takes a tax deed pursuant to the Property Tax Code, it will aid in the expeditious transfer of ownership and the return of that property to **a responsible property owner** (*emphasis added*).

NOW, THEREFORE BE IT RESOLVED, by the County Board of the County of Winnebago, Illinois that the Winnebago County Board hereby adopts the criteria for the operation of the County's Delinquent Tax Program, in substantially the same form as set forth herein.

BE IT FURTHER RESOLVED, that this Resolution shall be in full force and effect immediately upon its adoption.

BE IT FURTHER RESOLVED, that the Clerk of the County Board is hereby directed to prepare and deliver a certified copy of this Resolution to the County Administrator, the County Treasurer, and Eric Setter, Land Bank Coordinator, 127 N. Wyman Street, Suite 100, Rockford, Illinois 61101,

Respectfully submitted,
OPERATIONS AND ADMINISTRATIVE COMMITTEE

AGREE

Keith McDonald, Chairman

John Butitta, Vice Chairman

Jean Crosby

Paul Arena

Joe Hoffman

Dorothy Redd

Jaime Salgado

DISAGREE

Keith McDonald, Chairman

John Butitta, Vice Chairman

Jean Crosby

Paul Arena

Joe Hoffman

Dorothy Redd

Jaime Salgado

The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois this ____ day of _____, 2021.

Joseph Chiarelli, Chairman of the
County Board of the
County of Winnebago, Illinois

ATTEST:

Lori Gummow, Clerk of the
County Board of the
County of Winnebago, Illinois