



# WINNEBAGO COUNTY

— ILLINOIS —

## REVISED AGENDA

Winnebago County Courthouse  
400 West State Street, Rockford, IL 61101  
County Board Room, 8<sup>th</sup> Floor

Thursday, February 8, 2024  
6:00 p.m.

1. Call to Order ..... Chairman Joseph Chiarelli
2. Invocation and Pledge of Allegiance.....Tim Nabors
3. Agenda Announcements ..... Chairman Joseph Chiarelli
4. Roll Call ..... Clerk Lori Gummow
5. Awards, Presentations, Public Hearings and Public Participation
  - A. Awards – None
  - B. Presentations – None
  - C. Public Hearings – None
  - D. Public Participation – **Jacqueline Hawkins, Crimes Against Children at Winnebago County Juvenile Detention Center, Pro**
6. Approval of Minutes ..... Chairman Joseph Chiarelli
  - A. Approval of January 11, 2024 minutes
  - B. Layover of January 25, 2024 minutes
7. Consent Agenda.....Chairman Joseph Chiarelli
  - A. Raffle Report
  - B. Auditor’s Report
8. Appointments (Per County Board rules, Board Chairman appointments require a 30-day layover unless there is a suspension of the rule)
  - A. Winnebago County Administrative Hearing Officer – Kimberly A. Kovanda
  - B. **Harlem Roscoe Fire Protection District, Annual Compensation: Not to exceed \$1,500 per year, plus 50% if ambulance service**
    1. **Al Bach (Reappointment), Roscoe, Illinois, to serve a 3-year term, May 2024 to May 2027**

- C. Win-Bur-Sew Fire Protection District, Annual Compensation: Not to exceed \$1,500 per year, plus 50% if ambulance service
  - 1. Mike Marsh (New Appointment), Winnebago, Illinois, to fulfill the remainder of a term vacated by Loren Gambrel to expire May 2026

**9. Reports of Standing Committees.....Chairman Joseph Chiarelli**

- A. Finance Committee..... **John Butitta, Committee Chairman**
  - 1. Committee Report
- B. Zoning Committee .....**Jim Webster, Committee Chairman**  
 Planning and/or Zoning Requests:
  - 1. Committee Report
- C. Economic Development Committee.....**John Sweeney, Committee Chairman**
  - 1. Committee Report
  - 2. Resolution Authorizing an Intergovernmental Cooperation Agreement Between the County of Winnebago and the Village of New Milford for Extension of Watermain on Baxter Road (Section 22-00714-00-MS)
  - 3. Resolution Electing to Opt-In to the Illinois Electronics Recycling Program for Program Year 2025
- D. Operations and Administrative Committee.....**Keith McDonald, Committee Chairman**
  - 1. Committee Report
- E. Public Works Committee .....**Dave Tassoni, Committee Chairman**
  - 1. Committee Report
- F. Public Safety and Judiciary Committee.....**Brad Lindmark, Committee Chairman**
  - 1. Committee Report

**10. Unfinished Business .....Chairman Joseph Chiarelli**

**Appointment read in on November 30, 2023**

- A. NiReach (Winnebago County Housing Authority), Annual Compensation: None
  - 1. Frank Gambino (New Appointment), Rockford, Illinois, to serve the remainder of a 5-year term, September 2019 to September 2024

**Finance Committee**

- A. Ordinance to Abate the 2012C State Income Tax Alternate Bond Property Tax Levy for the year 2023 Payable 2024 Laid Over from January 25, 2024 Meeting
- B. Ordinance to Abate the 2016E Public Safety Sales Tax Alternative Bond Property Tax Levy for the Year 2023 Payable 2024 Laid Over from January 25, 2024 Meeting
- C. Ordinance to Abate the 2017C Tort Property Tax and Quarter Cent Sales Tax Alternative Bond Property Tax Levy for the Year 2023 Payable 2024 Laid Over from January 25, 2024 Meeting

- D. Ordinance to Abate the tax hereto levied for the year 2023 payable 2024 to pay the principal of and interest on Taxable General Obligation Bonds (Alternative Revenue Source) Series 2018 of Winnebago County, Illinois Laid Over from January 25, 2024 Meeting
- E. Ordinance to Abate the 2020A Alternative Revenue Bond Property Tax Levy for the Year 2023 Payable 2024 Laid Over from January 25, 2024 Meeting
- F. Ordinance to Abate the 2020B Alternative Revenue Bond Property Tax Levy for the Year 2023 Payable 2024 Laid Over from January 25, 2024 Meeting
- G. Ordinance to Abate the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021A Bond Property Tax Levy for the Year 2023 Payable 2024 Laid Over from January 25, 2024 Meeting
- H. Ordinance to Abate the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021B Bond Property Tax Levy for the Year 2023 Payable 2024 Laid Over from January 25, 2024 Meeting
- I. Ordinance to Abate the General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source), Series 2022 Bonds Property Tax Levy for the Year 2023 Payable 2024 Laid Over from January 25, 2024 Meeting
- J. Ordinance to Abate Special Tax Roll for 2023 Levy Year for Properties within the Special Service Area for the I-39/Baxter Road County Water District Project Laid Over from January 25, 2024 Meeting

**11. New Business.....Chairman Joseph Chiarelli  
(Per County Board rules, passage will require a suspension of Board rules).**

**12. Announcements & Communications ..... Clerk Lori Gummow**  
A. Correspondence (see packet)

**13. Adjournment .....Chairman Joseph Chiarelli**

**Next Meeting: Thursday, February 22, 2024**

**Awards,  
Presentations,  
Public Hearings  
and Public Participation**

# **Approval of Minutes**

**REGULAR ADJOURNED MEETING  
WINNEBAGO COUNTY BOARD  
JANUARY 11, 2024**

1. Chairman Chiarelli Called to Order the Regular Adjourned Meeting of the Winnebago County Board for Thursday, January 11, 2024 at 6:00 p.m.
2. Board Member McCarthy gave the invocation and led the Pledge of Allegiance.
3. Agenda Announcements: None
4. Roll Call: 19 Present. 1 Absent. (Board Members Arena, Booker, Butitta, Crosby, Fellars, Goral, Guevara, Hanserd, Hoffman, Lindmark, McCarthy, McDonald, Nabors, Penney, Salgado, Scrol, Sweeney, Thompson and Webster. (Board Member Tassoni was absent.)

**AWARDS, PRESENTATIONS, PUBLIC HEARINGS, PUBLIC PARTICIPATION, and PROCLAMATIONS**

5. Awards - None
- Presentations - Michael Dunn Jr. and Eric Setter-Agent for the Winnebago County Trustee Program. Discussion by Chief Operations Officer/Director of Development Services Dornbush, Chairman Chiarelli, and Board Members Arena, Penney, Goral and Webster
- Public Hearings - None
- Public Participation- None

**APPROVAL OF MINUTES**

6. Chairman Chiarelli entertained a motion to approve the Minutes. Board Member Guevara made a motion to approve County Board Minutes of November 30, 2023 and layover County Board Minutes of December 14, 2023, seconded by Board Member Thompson. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)

**CONSENT AGENDA**

7. Chairman Chiarelli entertained a motion to approve the Consent Agenda for January 11, 2024. Board Member Thompson made a motion to approve the Consent Agenda which includes the Raffle Report and Auditor's Report, seconded by Board Member Guevara. Motion was approved by a voice vote. (Board Member Tassoni was absent.)

## APPOINTMENTS

8. **Appointments (Per County Board rules, Board Chairman Appointments require a 30-day layover unless there is a suspension of the rule).**

## REPORTS FROM STANDING COMMITTEES

### FINANCE COMMITTEE

9. No Report.

### ZONING COMMITTEE

10. Board Member Webster read in for the first reading of Z-04-23 A Map Amendment to Rezone 2.41+- Acres from the RA, Rural Agricultural Residential District (a Sub-District of the RA District) to the RE, Rural Estate District (a Subdistrict of the RA District) for the property that is commonly known as 3176 Freeport Road, Rockton, IL 61072, in Rockton Township, District 2, to be laid over. Board Member Webster made a motion to suspend the rules, seconded by Board Member Thompson. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.) Board Member Webster made a motion to approve, seconded by Board member Guevara. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)

Board member Webster announced the next Zoning Board of Appeals meeting is tentatively scheduled for Tuesday, February 13, 2024 and the next Zoning Committee meeting is tentatively scheduled for Wednesday, February 21, 2024.

### ECONOMIC DEVELOPMENT COMMITTEE

11. Board Member Sweeney made a motion to approve a Resolution Granting Authority to the Winnebago County Board Chairman to Execute the Documents Necessary to Complete a Loan for \$65,000 from the Revolving Loan Fund to Xcel Foam and Packaging, LLC, seconded by Board Member Hanserd. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)
12. Board Member Sweeney made a motion to approve a Resolution Granting Authority to the Winnebago County Board Chairman to Execute the Documents Necessary to Complete a loan for \$50,000 from the Revolving Loan Fund to Rogue Event Rentals, LLC, seconded by Board Member Hanserd. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)

### OPERATIONS & ADMINISTRATIVE COMMITTEE

13. Board Member McDonald made a motion to approve a Resolution Authorizing the Execution of a Memorandum of Understanding for Information Technology Support Services for the Northern Illinois Training Advisory Board, seconded by Board Member Guevara. Motion was approved by a unanimous vote of all members present. (Board member Tassoni was absent.)
14. Board Member McDonald made a motion to approve a Resolution Authorizing the Execution of an Intergovernmental Agreement for Information Technology Support Services Between the County of Winnebago, Illinois and the Rockford Housing Authority, seconded by Board Member Hoffman. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)
15. Board Member McDonald made a motion to approve a Resolution Awarding Fence Repair at Juvenile Detention Center Using CIP PSST 2023 Funds, seconded by Board Member McCarthy. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)
16. Board Member McDonald made a motion to approve a Resolution Awarding Tile and Grout Repairs at Juvenile Detention Center Using CIP PSST 2023 Funds, seconded by Board Member Hoffman. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)

#### **PUBLIC WORKS COMMITTEE**

17. Board Member Webster made a motion to approve (23-040) an Ordinance Establishing Speed Zone on Cunningham Road from Lamson Drive to Falconer Road, seconded by Board Member Booker. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)
18. Board Member Webster made a motion to approve (23-041) a Resolution Authorizing an Annual Professional Agreement with Geocon Professional Services for Geotechnical Engineering, Materials Engineering, Testing and Other Related Services, seconded by Board Member Thompson. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)
19. Board Member Webster made a motion to approve (23-042) a Resolution Authorizing an Intergovernmental Cooperation Agreement between Winnebago County and Region 1 Planning Council for Implementation of a Section 319 US EPA Grant, seconded by Board Member McCarthy. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)
20. Board Member Webster made a motion to approve (23-043) a Resolution Permitting the Relocation of a Right-In/Right-Out Access on Perryville Road and Granting Full Access to Nimtze Road East of Perryville Road, seconded by Board Member Guevara. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)

#### **PUBLIC SAFETY AND JUDICIARY COMMITTEE**



21. Board Member Lindmark made a motion to approve a Resolution Authorizing the Use of Propertyroom.com to Auction Items Stored in Evidence that have been Approved to be Auctioned or Destroyed, seconded by Board Member Guevara. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)
22. Board Member Lindmark made a motion to approve a Resolution Authorizing the Execution of an Intergovernmental Agreement Between the County of Winnebago, Illinois and the Illinois Department of Children and Family Services (DCFS), seconded by Board Member Hoffman. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)
23. Board Member Lindmark made a motion to approve a Resolution Authorizing Independent Contractor Agreement for Services with Tommy Meeks as a Winnebago County Community Liaison, seconded by Board Member Webster. Discussion by Board Member Nabors. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)
24. Board Member Lindmark made a motion to a approve a Resolution Authorizing Agreement Between the County of Winnebago, Illinois, the 17<sup>th</sup> Judaical Circuit Court and Remedies Renewing Lives, Inc., seconded by Board Member Hanserd. Discussion by Board Member Hanserd. Discussion by Board Member Nabors. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)
25. Board Member Lindmark made a motion to approve a Resolution Authorizing Agreement Between the County of Winnebago, Illinois, and Rosecrance, Inc. for Court-Ordered Assessments Program, seconded by Board Member McCarthy. Discussion by Board Members Nabors and Arena. Motion was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.)

#### UNFINISHED BUSINESS

26. None.

#### NEW BUSINESS

27. **(Per County Board rules, passage will require a suspension of Board rules).**
  - A. Resolution Awarding State Lobbyist/Consulting Services  
Board Member Salgado made a motion to suspend the rules, seconded by Board Member Guevara. Motion to suspend was approved by a unanimous vote of all members present. (Board Member Tassoni was absent.) Board Member Salgado made a motion to approve the Resolution, seconded by Board Member Fellars. Discussion by Board Members Salgado, Webster, Crosby, and McCarthy. Motion was approved by a voice vote. (Board Member Webster voted no.) (Board Member Tassoni was absent.)

#### ANNOUNCEMENTS & COMMUNICATION

28. County Clerk Gummow submitted the Items Listed Below as Correspondence which were "Placed on File" by Chairman Chiarelli:
- A. County Clerk Gummow submitted from the United States Nuclear Regulatory Commission the following:
    - a. Byron Station, Unit No. 1, Relief from the Requirements of the ASME Code (EPID L-2023-LLR-0049)
    - b. Byron Station, Unit Nos. 1 and 2-Exemption from Select Requirements of 10 CFR Part 73 (EPID L-2023-LLE-0027 [Security Notifications, Reports, and Recordkeeping and Suspicious Activity Reporting])
    - c. Braidwood Station, Units 1 and 2, and Byron Station, Unit Nos. 1 and 2-Issuance of Amendment Nos. 234, 234, 234, and 234 Regarding Adoption of TSTF-370 (EPID L-2023-LLA-0087)
    - d. Summary of December 11, 2023, Presubmittal Meeting between the U.S. Nuclear Regulatory Commission and Constellation Energy Generation, LLC, Regarding Deletion of Technical Specification 5.6.5.b.5 (EPIDCL-2023-LRM-0099)
    - e. Federal Register/Vol. 88, No. 246/Tuesday, December 26, 2023/Notices
    - f. Federal Register/Vol. 89, No. 1/Tuesday, January 2, 2024/Notices
  - B. County Clerk Gummow submitted from Theresa Grennan, Chief Deputy Winnebago County Treasurer the following:
    - a. Winnebago County Treasurer Bank Balances –November, 2023
    - b. Investment Report - as of December 1, 2023

**CLOSED SESSION**


29. Chairman Chiarelli entertained a motion to go into Closed Session to discuss Pending Litigation. Board Member Guevara made a motion to close the meeting pursuant to the provisions of Section 2C-11 of the Illinois Open Meeting Act 5 ILCS 120/2 (c)(11), seconded by Board Member Sweeney. The motion was approved by a roll call vote of 19 yes votes. (Board Member Tassoni was absent.) The Meeting closed at 6:55 p.m.
30. Chairman Chiarelli entertained a motion return to the Regular Adjourned County Board Meeting. Board Member Webster made a motion to return to the Regular Adjourned County Board Meeting, seconded by Board Member Thompson. Motion was approved by a roll call vote of 17 yes votes. (Board Members Fellars, Guevara and Tassoni were absent.)

31. The Meeting reconvened at 7:43 p.m. Chairman Chiarelli announced that no action was taken during the Closed Session.

**ADJOURNMENT**

32. Chairman Chiarelli entertained a motion to adjourn. County Board Member Webster moved to adjourn the meeting, seconded by Board Member Thompson. Motion was approved by a voice vote. (Board Members Fellars, Guevara, and Tassoni were absent.) The meeting was adjourned at 7:44 p.m.

Respectfully submitted,

  
Lori Gummow  
County Clerk  
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**REGULAR ADJOURNED MEETING  
WINNEBAGO COUNTY BOARD  
JANUARY 25, 2024**

1. Chairman Chiarelli Called to Order the Regular Adjourned Meeting of the Winnebago County Board for Thursday, January 25, 2024 at 6:00 p.m.
2. Board Member McDonald gave the invocation and led the Pledge of Allegiance.
3. Agenda Announcements: None
4. Roll Call: 19 Present. 1 Absent. (Board Members Arena, Booker, Butitta, Crosby, Fellars, Goral, Guevara, Hanserd, Hoffman, Lindmark, McCarthy, McDonald, Nabors, Penney, Salgado, Sweeney, Tassoni, Thompson and Webster. (Board Member Scrol was absent.)

**AWARDS, PRESENTATIONS, PUBLIC HEARINGS, PUBLIC PARTICIPATION, and PROCLAMATIONS**

5. Awards - None
- Public Participation- Jacqueline Hawkins, Crimes Against Children – Report of Illinois Department of Juvenile Justice, Pro
- Public Hearings - None
- Presentations - Director of Court Services Debbie Jarvis, Update of the Juvenile Detention Center. Discussion by Chairman Chiarelli and Board Members Sweeney, Nabors, Webster, Guevara, Booker, Hanserd, Penney, Arena, Lindmark, Salgado, Hoffman, Goral, and Fellars.

**APPROVAL OF MINUTES**

6. Chairman Chiarelli entertained a motion to approve the Minutes. Board Member Guevara made a motion to approve County Board Minutes of December 14, 2023 and layover County Board Minutes of January 11, 2023, seconded by Board Member Thompson. Motion was approved by a unanimous vote of all members present. (Board Member Scrol was absent.)

**CONSENT AGENDA**

7. Chairman Chiarelli entertained a motion to approve the Consent Agenda for January 25, 2024. Board Member Guevara made a motion to approve the Consent Agenda which includes the Raffle Report and Auditor's Report, seconded by Board Member Thompson. Motion was approved by a voice vote. (Board Member Scrol was absent.)

## APPOINTMENTS

8. **Appointments (Per County Board rules, Board Chairman Appointments require a 30-day layover unless there is a suspension of the rule).**
- A. Winnebago County Sheriff's Merit Commission, Annual Compensation: \$55 per meeting, not to exceed \$600 per year
1. Michael Purin (Reappointment), Caledonia, Illinois, 6-year term, December 2020 to December 2026
  2. Michael Tulley (Reappointment), Rockford, Illinois, 6-year term, December 2020 to December 2026
  3. Ryan Fritz (Reappointment), Rockford, Illinois, 6-year term, December 2020 to December 2026
- B. Winnebago County Liquor Commission, Annual Compensation: none
1. Kevin McCarthy (Reappointment), Rockford, Illinois, 1-year term, January 2024 to January 2025
  2. Michael Thompson (Reappointment), Loves Park, Illinois, 1-year term, January 2024 to January 2025
- C. Cherry Valley Fire Protection District, Annual Compensation: \$4,500
1. Steve Schwartz (New Appointment), Cherry Valley, Illinois, to fulfill the remainder of a 3-year reappointment, May 2021-May 2024

## REPORTS FROM STANDING COMMITTEES

### FINANCE COMMITTEE

9. Board Member Butitta made a motion to approve a Resolution Authorizing Execution of the Charter Communications Cable Television Franchise Agreement Amendment, seconded by Board Member Hoffman. Motion was approved by a unanimous vote of all members present. (Board Member Scrol was absent.)
10. Board Member Butitta read in for the first reading of Agenda Items 3. Thru 12. (as listed below.)
3. Ordinance to Abate the 2012C State Income Tax Alternate Bond Property Tax Levy for the year 2023 Payable to be Laid Over.
  4. Ordinance to Abate the 2016 E Public Safety Sales Tax Alternative Bond Property Tax Levy for the Year 2023 Payable 2024 to be Laid Over.

5. Ordinance to Abate the 2017C Tort Property Tax and Quarter Cent Sales Tax Alternative Bond Property Tax Levy for the Year 2023 Payable 2024 to be Laid Over
6. Ordinance to Abate the tax hereto levied for the year 2023 payable 2024 to pay the principal of and interest on Taxable General Obligation Bonds (Alternative Revenue Source) Series 2018 of Winnebago County, Illinois to be Laid Over.
7. Ordinance to Abate the 2020A Alternative Revenue Bond Property Tax Levy for the Year 2023 Payable 2024 to be Laid Over.
8. Ordinance to Abate the 2020B Alternative Revenue Bond Property Tax Levy for the Year 2023 Payable 2024 to be Laid Over.
9. Ordinance to Abate the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021A Bond Property Tax Levy for the Year 2023 Payable to be Laid Over.
10. Ordinance to Abate the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021B Bond Property Tax Levy for the Year 2023 Payable 2024 to be Laid Over.
11. Ordinance to Abate the General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source), Series 2022 Bonds Property Tax Levy for the Year 2023 Payable 2024 to be Laid Over.
12. Ordinance to Abate Special Tax Roll for 2023 Levy Year for Properties within the Special Service Area for the I-39/Baxter Road County Water District Project to be Laid Over.

### **ZONING COMMITTEE**

11. No Report.

### **ECONOMIC DEVELOPMENT COMMITTEE**

12. Board Member Sweeney announced the next Economic Development Committee will meet Monday, January 29<sup>th</sup> at 5:30 p.m.

### **OPERATIONS & ADMINISTRATIVE COMMITTEE**

13. Board Member McDonald made a motion to approve a Resolution Awarding Jury Box Construction Using CIP 2023 PSST Funds, seconded by Board Member Guevara. Motion was approved by a unanimous vote of all members present. (Board Member Scrol was absent.)

14. Board Member McDonald made a motion to approve a Resolution Awarding Purchase of Detective Squad for Sheriffs Office Using CIP 2024 Funds, seconded by Board Member McCarthy. Motion was approved by a unanimous vote of all members present. (Board Member Scrol was absent.)

### **PUBLIC WORKS COMMITTEE**

15. Board Member Tassoni made a motion to approve (24-001) Resolution Authorizing a Joint Funding Agreement with The State of Illinois for Latham Road Resurfacing from Owen Center Road to IL-2 and for Appropriating RBI Funds, seconded by Board Member Hanserd. Motion was approved by a unanimous vote of all members present. (Board Member Scrol was absent.)
16. Board Member Tassoni read in for the first reading of (24-002) Ordinance Amending Chapter 82 of the Winnebago County Code Designating Latham Road (C.H. 17) from Meridian Road (CH 24) to IL-2 and Owen Center Road (C.H. 13) from Riverside Boulevard (C.H. 55) to Latham Road (C.H. 17) as Class II Truck Routes. Board Member Tassoni moved to approve, seconded by Board Member Hanserd. Board Member Tassoni made a motion to suspend the rules, seconded by Board Member Guevara. Motion to suspend was approved by a unanimous vote of all members present. (Board Member Scrol was absent.) Board Member Tassoni made a motion to approve the Ordinance, seconded by Board Member Hanserd. Motion was approved by a unanimous vote of all members present. (Board Member Scrol was absent.)
17. Board Member Tassoni made a motion to approve (24-003) Resolution Authorizing a Structural Engineering Agreement with Willett Hofmann & Associates, Inc. for Bridge Load Rating as Part of the Centralized Agency Permitting System (CAPS), seconded by Board Member Thompson. Motion was approved by a unanimous vote of all members present. (Board Member Scrol was absent.)

### **PUBLIC SAFETY AND JUDICIARY COMMITTEE**

18. No Report.

### **UNFINISHED BUSINESS**

19. Appointments read in on December 14, 2023

Board Member Guevara made a motion to approve the Appointments A. and B. (as listed below.), seconded by Board Member Booker. Motion was approved by a unanimous vote of all members present. (Board Member Scrol was absent.)

A. North Park Fire Protection District, Annual Compensation: not to exceed \$1,500

1. Timothy Freiberg (New Appointment), Rockford, Illinois, 3-year term, November 2023 to November 2026

B. Winnebago County Sheriff's Merit Commission, Annual Compensation: \$55 per meeting, not to exceed \$600 per year

1. Danielle Schlichting (New Appointment), Caledonia, Illinois, 6-year term, December 2023 to December 2029
2. Kevin Gulley (New Appointment), Leaf River, Illinois, 6-year term, December 2023 to December 2029

### NEW BUSINESS

20. **(Per County Board rules, passage will require a suspension of Board rules).**

### ANNOUNCEMENTS & COMMUNICATION

21. County Clerk Gummow submitted the Items Listed Below as Correspondence which were "Placed on File" by Chairman Chiarelli:
- A. County Clerk Gummow submitted from Theresa Grennan, Chief Deputy Winnebago County Treasurer the following:
    - a. Collateralization Report – December 31, 2023
    - b. Investment Report - as of December 31, 2023
    - c. Winnebago County Treasurer Bank Balances –December, 2023

### ADJOURNMENT

22. Chairman Chiarelli entertained a motion to adjourn. County Board Member Webster moved to adjourn the meeting, seconded by Board Member Guevara. Motion was approved by a voice vote. (Board Member Scrol was absent.) The meeting was adjourned at 7:49 p.m.

Respectfully submitted,



Lori Gummow  
County Clerk  
ar



# **CONSENT AGENDA**

## RAFFLE APPLICATION REPORT

Presently the County Clerk's office has Raffle Applications submitted by  
4 different organization for 4 Raffles.

All applying organizations have complied with the requirements of the Winnebago  
 County Raffle Ordinance. All fees have been collected, bonds received and all  
 individuals involved with the raffles have received the necessary Sheriff's  
 Department clearance.

The Following Have Requested A Class A, General License				
LICENSE #	# OF RAFFLES	NAME OF ORGANIZATION	LICENSE DATES	AMOUNT
31053	1	Rockford Cosmopolitan Club	02/10/2024-03/21/2024	\$10,600.00
31054	1	Rockford Lions Club	03/01/2024-06/16/2024	\$10,000.00
31055	1	Ralston Elementary PTO	02/12/2024-03/01/2024	\$2,800.00

The Following Have Requested A Class B, MULTIPLE (2, 3 OR 4) LICENSE				
LICENSE #	# OF RAFFLES	NAME OF ORGANIZATION	LICENSE DATES	AMOUNT

The Following Have Requested A Class C, One Time Emergency License				
LICENSE #	# OF RAFFLES	NAME OF ORGANIZATION	LICENSE DATES	AMOUNT

The Following Have Requested A Class D,E,& F Limited Annual License

LICENSE #	# OF RAFFLES	NAME OF ORGANIZATION	LICENSE DATES	AMOUNT
31056	1	Kishwaukee Valley A.B.A.T.E	03/28/2024-03/28/2024	\$4,999.00

This concludes my report,

Deputy Clerk Lisa Nolley

LORI GUMMOW  
 Winnebago County Clerk

Date 8-Feb-24

RESOLUTION

TO THE HONORABLE COUNTY BOARD OF WINNEBAGO COUNTY:

Your County Auditor respectfully submits the following summarized report of the claims to be paid and approved:

	<u>FUND NAME</u>		<u>RECOMMENDED FOR PAYMENT</u>
001	GENERAL FUND	\$	537,781
101	PUBLIC SAFETY TAX	\$	807,494
103	DOCUMENT STORAGE FUND	\$	18,233
106	RECORDERS DOCUMENT FEE FUND	\$	6,733
114	911 OPERATIONS FUND	\$	51,891
115	PROBATION SERVICE FUND	\$	790
116	HOST FEE FUND	\$	4,500
120	DEFERRED PROSECUTION PROGRAM	\$	32,917
126	LAW LIBRARY	\$	3,688
131	DETENTION HOME	\$	15,443
155	MEMORIAL HALL	\$	2,998
161	COUNTY HIGHWAY	\$	92,476
163	FEDERAL AID MATCHING FUND	\$	10,688
164	MOTOR FUEL TAX FUND	\$	19,628
165	TOWNSHIP HIGHWAY FUND	\$	8,362
169	HIGHWAY REBUILD IL GRANT	\$	5,558
185	HEALTH INSURANCE	\$	330,137
194	TORT JUDGMENT & LIABILITY	\$	208,891
196	MENTAL HEALTH TAX FUND	\$	1,279,027
301	HEALTH GRANTS	\$	179,346
302	SHERIFF'S DEPT GRANTS	\$	114,358
304	PROBATION GRANTS	\$	14,101
309	CIRCUIT COURT GRANT FUND	\$	107,754
313	AMERICA RESCUE PLAN	\$	193,420
314	CJCC GRANTS FUND	\$	20,073
401	RIVER BLUFF NURSING HOME	\$	272,079
410	ANIMAL SERVICES	\$	50,678
420	555 N COURT OPERATIONS FUND	\$	18,212
430	WATER FUND	\$	168
501	INTERNAL SERVICES	\$	8,583
710	ANIMAL SERVICES DONATION FUND	\$	19,622
743	CAPITAL PROJECTS FUND	\$	2,480
751	POLICE TRAINING CENTER PROJECT	\$	13,939
	TOTAL THIS REPORT	\$	<u>4,452,048</u>

The adoption of this report is hereby recommended:



William Crowley, County Auditor

ADOPTED: This 8th day of February 2024 at the City of Rockford, Winnebago County, Illinois.

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

ATTEST:

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

# Appointments

**CICERO, FRANCE & ALEXANDER, P.C.**  
**A Professional Corporation**  
**Attorneys at Law**  
**6323 East Riverside Boulevard**  
**Rockford, IL 61114**

November 8, 2023

**VIA HAND DELIVERY**

Patrick Thompson, County Administrator  
404 Elm Street, Suite 533  
Rockford, Illinois 61101  
[PThompson@admin.wincoil.gov](mailto:PThompson@admin.wincoil.gov)

Dear Administrator Thompson:

I am writing to express my interest in the position of Winnebago County Code Hearing Officer.

Dating back to 2006 as an intern in the Winnebago County State's Attorney's Office, I have had an interest in serving Winnebago County. Since then, I have had the opportunity to obtain the skills and experience necessary to preside over administrative hearings and administratively adjudicate various county code violations regulating animal control, public nuisances, health and sanitation, building code violations, zoning, and impounded property.

For the last two and half months, I have presided over the Winnebago County Code Hearings as interim Hearing Officer. In doing so, I have not only gained the requisite knowledge of the applicable County Ordinances and statutes, but I have gained invaluable experience in presiding over administrative hearings. In addition, I have served on arbitration panels in the 17<sup>th</sup> Judicial Circuit Court and have acquired experience in weighing evidence presented in contested matters. Based on the above, along with my other legal experience, I feel that I am qualified to continue to competently preside over administrative code hearings for the County of Winnebago.

Thank you in advance for considering me for this position.

Sincerely,



Kimberly A. Kovanda  
6323 East Riverside Blvd.  
Rockford, Illinois 61114  
(815) 289-6276  
[kak@cicerofrance.com](mailto:kak@cicerofrance.com)  
ARDC #: 6313274

# Kimberly Kovanda

10065 Haas Rd. Rockton, Illinois 61072 • (815) 289-6276 • kakovanda1@gmail.com

## EDUCATION

### Chicago-Kent College of Law, Chicago, IL

*Juris Doctor*, May 2013

- Child and Family Law Society

### Florida State University, Tallahassee, FL

*Bachelor of Arts in Political Science, Magna Cum Laude*, May 2010

- President's List (4.0 GPA) 2 semesters, Dean's List 5 semesters
- National Society of Collegiate Scholars

## LEGAL EXPERIENCE

### Cicero, France & Alexander, P.C.

*Associate*, July 2016 - present

- Drafted pleadings and dispositive motions
- Engaged in extensive discovery, both written and oral
- Prepared for trials and arbitration hearings, including evidentiary motions and witness preparation
- Prepared written appellate briefs on behalf of several appellees

### Heyl, Royster, Voelker & Allen

*Associate*, May 2014 – July 2016

- Second chair in multimillion-dollar federal civil rights trial
- Prepared for trials, including drafting motions in *limine*, evidentiary motions and witness preparation
- Drafted pleadings and dispositive motions, and prepared discovery responses
- Conducted several party depositions and expert witness consultations

### Mandel, Lipton, Roseborough, and Sharma Ltd.

*Associate*, November 2013- May 2014

- Prepared for and participated in several hearings and pre-trial conferences
- Prepared clients for evidentiary hearings
- Drafted pleadings, marital settlement agreements, and custody agreements

*Law Clerk*, May 2012- October 2013

- Drafted pleadings and motions for judicial proceedings
- Prepared and answered discovery requests

### Illinois Criminal Justice Information Authority, Chicago, IL

*Legal Intern*, July 2011- October 2011

- Attended meetings of the Illinois Motor Vehicle Theft Prevention Council and reviewed proposed grants to ensure compliance with relevant legislation
- Researched and drafted definition of "human subjects research" for use by all Illinois Internal Review Boards
- Researched and drafted memorandum regarding privacy issues in implementing statewide electronic records database

### Law Office of Teresita Marsal-Avila, Chicago, IL

*Legal Intern*, June 2011- August 2011

- Researched licensing of street peddlers and drafted proposed amendments to the Chicago Municipal Code
- Assisted the Little Village Chamber of Commerce in preparing a presentation to the Zoning Board of Appeals
- Researched title and ownership issues regarding property occupied by the Chamber of Commerce

### Winnebago County State's Attorney Office, Rockford, IL

*Intern*, May 2006 - July 2006, May 2007- July 2007

- Drafted subpoenas for multiple cases and answered discovery requests
- Assisted prosecutors in multiple divisions including juvenile, domestic violence, misdemeanor, and civil

### III. RFQ REQUIRED SUBMISSIONS

- a) See Cover Letter page 1.
- b) See Resume page 2.
- c) Professional References:
  - Judge Erik Jacobs  
Winnebago County Circuit Judge  
815-319-4813  
[ejacobs@17thcircuit.illinoiscourts.gov](mailto:ejacobs@17thcircuit.illinoiscourts.gov)
  - Attorney Chantel Bielskis  
Cicero, France & Alexander, P.C.  
815-226-7700  
[cb@cicerofrance.com](mailto:cb@cicerofrance.com)
  - Holly Nash  
Executive Director, Winnebago County Bar Association  
[director@wcbarockford.org](mailto:director@wcbarockford.org)  
815-262-8255
- d) See Certificate of Good Standing attached.
- e) I have no potential conflicts.
- f) See a copy of my ARDC card attached.
- g) I would propose a rate of compensation of \$150 per hour.
- h) I have no other documentation to submit.



# Certificate of Admission To the Bar of Illinois

I, Cynthia A. Grant, Clerk of the Supreme Court of Illinois, do hereby certify that

Kimberly Anne Kovanda

has been duly licensed and admitted to practice as an Attorney and Counselor at Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on 10/31/2013 and is in good standing, so far as the records of this office disclose.

IN WITNESS WHEREOF, I have hereunto  
subscribed my name and affixed the  
seal of said Court, this 3rd day of  
November, 2023.

*Cynthia A. Grant*

Clerk,  
Supreme Court of the State of Illinois



**COUNTY OF WINNEBAGO, ILLINOIS**  
**REQUEST FOR QUALIFICATIONS: ADMINISTRATIVE HEARING OFFICER**

**ISSUED: October 25, 2023**

**OVERVIEW**

The County of Winnebago, Illinois (“the County”) is requesting qualifications from experienced attorneys to serve as an administrative hearing officer pursuant to a professional services agreement with the County. The hearing officer’s services will primarily relate to presiding over proceedings arising from code and ordinance violations of the Winnebago County Code of Ordinances and animal control cases from certain municipalities within the County. Qualified candidates are invited to submit a response to this Request for Qualifications by providing the information described in Section III below.

**I. SCOPE OF SERVICES**

The administrative hearing officer shall attend and preside over all proceedings arising from code and ordinance violations as described in Paragraph (a)(i-vi) of this Section. The hearings are typically held bi-weekly: the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month on the 8<sup>th</sup> Floor of the Winnebago County Courthouse, 400 W. State Street, Rockford, Illinois 61101.

The Administrative Hearing Officer shall have the duty, authority and jurisdiction to:

- a. Preside over administrative hearings concerning any County code and ordinance violations that pertains to or regulates any of the following:
  - i. animal control *{and cited animal code violations from certain municipalities within the County}*;
  - ii. the definition, identification and abatement of public nuisances;
  - iii. the accumulation, disposal, and transportation of garbage, refuse and other forms of solid waste;
  - iv. the construction and maintenance of buildings and structures;
  - v. sanitation practices;
  - vi. zoning; or
  - vii. towing/impoundment.
  
- b. Postpone or continue an alleged violator's hearing to a later hearing date;

- c. Accept or reject any agreed order, continuance, or other agreed disposition presented by the parties;
- d. Administer oaths and affirmations;
- e. At the request of any party or on the hearing officer's own motion, issue subpoenas directing witnesses to appear and give relevant testimony at the hearing, or directing the production of relevant books, records, or other information, but only if the hearing officer determines the subpoenaed information is necessary to present relevant evidence that relates to a contested issue in the case;
- f. Hear testimony and accept evidence from the code enforcement officer, the respondent, and all interested parties relevant to the existence of a code violation;
- g. Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
- h. Issue and sign written findings and a decision order stating whether a code violation exists;
- i. Impose penalties consistent with applicable code provisions and assess costs reasonably related to instituting the proceedings upon finding the respondent liable for the charged violation; and
- j. Any and all additional duties identified in Chapter 4 of the Winnebago County Code of Ordinances.

## II. QUALIFIED CANDIDATES

Qualified candidates shall meet or exceed the following requirements:

- a) Licensed to practice law in the state of Illinois for a minimum of three (3) years;
- b) Law license must be presently in active status and in good standing with the Attorney Registration and Disciplinary Commission of the Illinois Supreme Court;
- c) Possess a working knowledge of the relevant provisions of the Winnebago County Code of Ordinances that are set forth in Section I (a) of this Request for Qualifications;

- d) Possess a working knowledge of standard courtroom practices and procedures;
- e) Possess excellent oral and written communications skills;
- f) Possess a working knowledge and understanding of administrative hearings and procedures;
- g) Possess the ability to deal tactfully with the general public, attorneys and county staff;
- h) Possess the ability to analyze and interpret laws, rules and policies and logically apply them to cases under review;
- i) Possess the ability to conduct formal hearings and obtain and analyze necessary evidence; and
- j) Additionally, qualified candidates must not have any personal, financial, or business relationships that, in the judgment of the County Administrator, may give rise to an actual or apparent conflict of interest. If none exist, state so in the response.

### **III. REQUIRED SUBMISSIONS**

The response to this Request for Qualifications must include at least the following information and be in a sealed envelope (unless sent by electronic mail), clearly marked as ***“RFQ Response– Administrative Hearing Officer”***.

- a) A Cover Letter directed to the County Administrator, identifying why the candidate is interested in the position; why the applicant should be considered as qualified to perform the duties as outlined and also the candidate’s Attorney Registration & Disciplinary Commission identification number, the candidate’s relevant experience and qualifications, and the candidate’s name, address, phone, email and website (where applicable);
- b) A detailed resume or *curriculum vitae*, showing professional experience, previous employment, and educational background, including any prior judicial and/or other adjudicatory experience, if any;
- c) The names of three (3) professional references, including for each reference: name of employer, title, email address, and phone number. Two (2) of the references shall be from attorneys or judges, and one (1) of the references shall be from a non-attorney, non-judicial, professional contact;

- d) A Certificate of Good Standing issued by the Clerk of the Illinois Supreme Court within the preceding forty-five (45) days from submission of qualifications;
- e) A listing of any potential conflicts of interest that could affect the candidate's ability to adjudicate issues for the County;
- f) Copy of current Attorney Registration & Disciplinary Commission card;
- g) The hourly rate proposed for the scope of the work, and any other associated costs (if any); and
- h) Any additional documentation that is relevant to this RFQ.

**IV. DEADLINE FOR RECEIPT OF QUALIFICATIONS:**

November 9, 2023, by 2:00 P.M. (CST)

- a. RFQ responses shall be sent via electronic mail, first class mail or hand delivery to:

[Purchasing@purchasing.wincoil.gov](mailto:Purchasing@purchasing.wincoil.gov) or

County of Winnebago, Illinois, Attn: Patrick Thompson, County Administrator, 404 Elm Street, Suite 533, Rockford, Illinois 61101.

- b. All submittals must be clearly marked "RFQ – Administrative Hearing Officer." **Qualified submittals will be accepted until the specific date and time above, late delivery will be refused.**
- c. Any questions and/or inquiries concerning this RFQ and hard copies of this document are available by contacting:

Patrick Thompson, County Administrator, at (815) 319-4225 or via email [PTHompson@admin.wincoil.gov](mailto:PTHompson@admin.wincoil.gov), OR

Lafakeria Vaughn, Chief of Civil Bureau, at (815) 319-4799 or via email [LVaughn@sao.wincoil.gov](mailto:LVaughn@sao.wincoil.gov).

**V. EVALUATION OF RESPONSES AND CANDIDATES**

All complete responses will be evaluated by the County Administrator or his designee(s), who will have the sole discretion to determine which, if any, respondents will be interviewed. The evaluation of candidates may include interviews with relevant County staff as well as with the County Administrator and Winnebago County Board Chairman. The County will evaluate and select the firm and/or

attorney based on qualifications, experience and performance with similar legal matters, references, ability to provide timely services, and estimated fees and expenses. The evaluation process may also include contacting the references listed by the candidate and/or any current or former employer listed on the candidate's resume/*curriculum vitae*. The final selection of the Administrative Hearing Officer will be subject to approval by the Winnebago County Board.

## VII. TERMS AND CONDITIONS

Any candidate that submits a response to this RFQ agrees to the following:

- A. All submitted responses become the property of Winnebago County, Illinois.
- B. Documents and other information submitted in response to this Request for Qualifications are public records that are subject to any public disclosure requirements under the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) subsequent to the award of the contract, with the exception of any information that is exempt from disclosure under Illinois or federal law.
- C. The County reserves the right to reject any or all responses to this RFQ, waive technicalities and to accept the candidate deemed by the County to be in its best interest.
- D. The County may request clarification to any part of any submitted responses to this RFQ, request additional information as needed and may request interviews with any candidate that submits a response.
- E. The County will not be held responsible for any costs incurred by the candidate including and not limited to: expenses associated with preparing, submitting or handling of any RFQ response, attendance at interview(s) and final contract negotiations.
- F. The County may correct or alter this RFQ at any time. The County will make reasonable attempts to notify any applicant that has submitted a response to this RFQ or has notified the County in writing of their intent to submit a response of any changes made.
- G. After Winnebago County Board approval, the County will enter into an agreement or contract with the selected candidate based on that candidate's submitted response and any other information gathered by the County or provided as part of interviews or meetings with the candidate. Any such agreement or contract shall be reviewed by the Civil Bureau of the Winnebago County State's Attorney's Office. The County anticipates awarding an initial minimum contract for one (1) year, after which the County will have the right to renew for additional one (1) year periods of time.

H. Any such agreement may be terminated by the County for any reason, or no reason at all, with a written notice of at least (thirty) 30 days in advance of any such termination.

I. At the County's sole discretion, the County may conduct a background check of the candidate at the County's sole cost and expense.

J. The approved candidate shall not assign or subcontract any portion of the services to be provided without the written approval of the County.

K. Applicants are advised to adhere to the requirements of this RFQ. Failure to submit all information requested herein or to follow the above instructions may be sufficient grounds for disqualification.

PROFESSIONAL SERVICES AGREEMENT

FOR WINNEBAGO COUNTY ADMINISTRATIVE HEARING OFFICER

This PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is made this \_\_\_\_ day of February, 2024, by and between the County of Winnebago, Illinois (“County”), a body politic and corporate, and Kimberly A. Kovanda, from the law firm of Cicero, France & Alexander, P.C. (“Hearing Officer”). The County and Hearing Officer are collectively referred to herein as “Parties” or individually as a “Party”.

RECITALS

**WHEREAS**, the County seeks the services of an Administrative Hearing Officer pursuant to Chapter 4 (Administrative Code Enforcement Procedures) of the Winnebago County Code of Ordinances to preside over proceedings arising from code violation cases and render decisions regarding the same.

**NOW, THEREFORE**, in consideration of the recitals and the mutual covenants hereinafter set forth, the Parties agree as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein as though fully set forth.

**Section 2. General Scope of Work and Duties.**

- A. The scope of services to be performed by the Hearing Officer are outlined in Exhibit “A”, attached hereto and made a part hereof. This Agreement shall apply only to the Services set forth in the scope of services to be accomplished after the effective date, and prior to the termination, of this Agreement except as may be modified or expanded during the term of this Agreement by mutual written consent of both Parties.
- B. The Hearing Officer shall not perform the function of legal counsel for the County and any input provided by the Hearing Officer regarding processes or forms shall be advisory in nature and all County legal advice shall be provided by the Winnebago County State’s Attorney’s Office.
- C. The Hearing Officer shall immediately notify the County of any and all administrative adjudication, hearing officer or other similar type services contemplated to be provided by the Hearing Officer to other entities. The County shall determine in its’ discretion whether the provision of such services by the Hearing Officer interferes with the Hearing Officer’s duties to be provided pursuant to this Agreement and whether further action is appropriate, up to an including termination of this Agreement.

**Section 3. Representations and Performance of Services.**

- A. The Hearing Officer represents that she is currently, and will maintain updated licensure with the Illinois Attorney Registration and Disciplinary Commission, authorizing her to practice law in the State of Illinois, and is not currently subject to any censure,



suspension or revocation of her license to practice law in the State of Illinois or any other jurisdiction.

- B. The Hearing Officer agrees that she will, at all times, faithfully, industriously, and to the best of her ability, experience, and talents perform all the duties that may be required of and from her pursuant to this Agreement.

**Section 4. County Duties.**

The County shall provide the Hearing Officer with:

- A. Copies of, or full access to, all relevant codes, ordinances, policies, rules and regulations regarding the administrative adjudication towing/impounds and code/ordinance violations;
- B. Reasonable access to all pertinent documents and records for use in rendering administrative adjudication decisions; and
- C. Appropriate facilities to conduct hearings, including stenographic services and administrative support to facilitate the efficient conduct of such hearings.

**Section 5. Term.** This Agreement shall be for a one (1) year term to begin on February \_\_\_\_, 2024 and ending on February \_\_\_\_, 2025, unless terminated earlier in accordance with this Agreement or extended by mutual agreement of the Parties.

**Section 6. Compensation and Payment of Invoices.**

- A. Compensation. The Hearing Officer will be paid at a rate of no more than one hundred and fifty dollars (\$150.00) per hour for the legal services she performs pursuant to this Agreement. Travel time and parking costs shall not be billed.
- B. Invoices.
  - a. Invoices shall be issued each month by Cicero, France & Alexander, P.C. for the services rendered during the immediately preceding month, outlining in detail the services rendered and the time expended.
  - b. Invoices shall be submitted to the Winnebago County State's Attorney's Office, Civil Bureau, 400 West State Street, Suite 804, Rockford, Illinois 61101. Invoices may be submitted by U.S. mail or by electronic mail, [lvaughn@sao.wincoil.gov](mailto:lvaughn@sao.wincoil.gov).
  - c. All invoices shall be paid pursuant to the Local Government Prompt Payment Act, 50 ILCS 505/1 *et seq.*

**Section 7. Relationship of the Parties.**

- A. Independent Contractor. The Hearing Officer is and shall remain for all purposes an independent contractor and shall not be deemed to be an agent or employee of the County for any purpose.
- B. No Fringe Benefits. As an independent contractor, the Hearing Officer shall have no right to any compensation from the County other than the Compensation as set forth in Section 6 (A). In addition, the County shall have no obligation to provide the Hearing Officer with (a) industrial accident, worker's compensation or unemployment insurance; (b) medical insurance or the payment of medical insurance premiums; (c) vacation, sick or holiday pay; (d) payment or withholding of social security or other taxes; or (e) any other benefits that are not, or may from time to time become, available to employees of the County.
- C. No Authority. The Hearing Officer possesses no authority to bind the County for any promise, obligation, agreement or representation unless specifically authorized by the County in writing.
- D. Liabilities. The Hearing Officer shall not contract or incur any liabilities on behalf the County, without specific written authorization from the County.
- E. Mutual Cooperation. The County agrees to cooperate with the Hearing Officer in the performance of the Services, including meeting with the Hearing Officer and providing the Hearing Officer with direction and such non-confidential information that the County may have that may be relevant and helpful to the Hearing Officer's performance of the Services. The Hearing Officer agrees to cooperate with the County in the performance and completion of the Services and with any other individuals engaged by the County to perform in the role of Hearing Officer.

**Section 8. Indemnification.**

- A. To the fullest extent permitted by Illinois law, the Hearing Officer shall indemnify, defend and hold harmless the County, its officers, officials, agents, employees, and representatives from all claims, demands, lawsuits, actions, costs (including litigation expenses and attorneys' fees) of any kind, caused by, resulting from, arising out of or occurring in connection with the Hearing Officer's performance of the Services under this Agreement, but only to the extent caused by the negligent act, misconduct or omission of the Hearing Officer or anyone or entity directly or indirectly employed by the Hearing Officer for whose acts Hearing Officer may be liable.
- B. To the fullest extent permitted by Illinois law, the County shall indemnify, defend and hold harmless the Hearing Officer from all claims, demands, lawsuits, actions, costs (including litigation expenses and attorneys' fees) of any kind, caused by, resulting from,

arising out of or occurring in connection with the County's performance of the Services under this Agreement, but only to the extent caused by the negligent act, misconduct or omission of the County or anyone or entity directly or indirectly employed by the County for whose acts the County may be liable.

**Section 9. Termination.**

- A. The County may terminate this Agreement at any time and for any reason prior to the expiration of the term of this Agreement by giving written notice to the Hearing Officer pursuant to the provisions of Section 11 below.
- B. The Hearing Officer may terminate this Agreement by giving thirty (30) days prior written notice to the County.
- C. This Agreement shall terminate immediately upon the occurrence of any of the following events:
  - 1. The Parties may terminate this Agreement upon mutual written agreement;
  - 2. The Hearing Officer's inability to perform the services set forth herein for any reason, including without limitation, the death, mental incapacity or physical disability of the Hearing Officer; and
  - 3. The Hearing Officer's failure or refusal to faithfully or diligently perform the services set forth herein or the provisions of this Agreement.
- D. If this Agreement is terminated pursuant to this Section 9, the Hearing Officer shall be compensated for all work completed up to the termination date of this Agreement as provided herein.

**Section 10. Assignment.** This Agreement shall not be assigned or transferred by the Hearing Officer or the County without the prior written consent of the other Party.

**Section 11. Notices.** Any noticed required to be given by this Agreement shall be deemed sufficient if made in writing and sent by first class United States mail, by certified mail, return receipt requested, by personal service, or by email to the persons and addresses indicated below or to such other addresses as either party hereto shall notify the other party of in writing pursuant to the provisions of this subsection:

If to the County:

County of Winnebago  
c/o Joseph V. Chiarelli, Chairman  
404 Elm Street, Suite 533  
Rockford, Illinois 61101

If to the Hearing Officer:

Cicero, France & Alexander, P.C.  
c/o Attorney Kimberly A. Kovanda  
6323 East Riverside Boulevard  
Rockford, Illinois 61114  
Email: [KAK@cicerofrance.com](mailto:KAK@cicerofrance.com)

With a copy to:

Winnebago County State's Attorney's Office  
c/o Lafakeria S. Vaughn, Chief of Civil Bureau  
400 W. State Street, Suite 804  
Rockford, Illinois 61101  
Email: [lvaughn@sao.wincoil.gov](mailto:lvaughn@sao.wincoil.gov)

**Section 12. Confidentiality.** The Hearing Officer shall not reveal any confidential or sensitive information of the County provided to the Hearing Officer, including such information contained in any County records or documents, regarding procedures or operation of the County to any person, firm, corporation or other entity during and after the term of this Agreement without the express written consent of the County.

**Section 13. Work Product.** All work produced pursuant to this Agreement shall be the property of the County and shall not otherwise be distributed without the County's permission.

**Section 14. Headings and Titles.** The headings and titles of any provisions of this Agreement are for convenience or reference only and are not to be considered in construing this Agreement.

**Section 15. Counterparts.** This Agreement may be executed in counterparts, each of which shall be considered an original and together shall be one and the same Agreement.

**Section 16. Amendment.** No amendment or modification to this Agreement shall be effective until it is reduced to writing and approved and executed by the County and the Hearing Officer in accordance with all applicable statutory procedures.

**Section 17. Severability.** If any provision in this Agreement, or any section, paragraph, sentence, clause, phrase, word or the application thereof, in any circumstance, is held invalid, this Agreement shall be construed as if such invalid part were never included herein and the remainder of this Agreement shall be and remain valid and enforceable to the fullest extent permitted by law.

**Section 18. Governing Law.** This Agreement shall be interpreted, construed and governed according to the laws of the State of Illinois. Venue of any litigation shall be in the 17<sup>th</sup> Judicial Circuit of Winnebago County, Illinois.

**Section 19. Waiver.** Neither the County nor the Hearing Officer shall be under any obligation to exercise any of the rights granted to them in this Agreement except as it shall determine to be in its best interests from time to time. The failure of the County or the Hearing Officer to exercise at any time any such rights shall not be deemed or construed as a waiver of that right, nor shall the failure void or affect the County's or the Hearing Officer's right to enforce such rights or any other rights.

**Section 20. Freedom of Information Act.** Section 7(2) of the Illinois Freedom of Information Act ("FOIA") (5 ILCS 120/7(2)) requires certain records that qualify as "public records", which have been prepared by and are in the possession of a party who has contracted with the County,

be turned over to the County so that a FOIA requestor can inspect and photocopy the non-exempt portions of the public records pursuant to a FOIA request. The County has a very short period of time from receipt of a FOIA request to comply with the request, and it requires sufficient time to collect and review the records to decide what information is or is not exempt from disclosure. The Hearing Officer acknowledges the requirements of FOIA and agrees to comply with all requests made by the County for public records (as that term is defined by Section 2(c) of FOIA) in the undersigned's possession and to provide the requested public records to the County within two (2) business days of the request being made by the County. The Hearing Officer agrees to indemnify and hold harmless the County from all claims, costs, penalties, losses and injuries (including, but not limited to, attorneys' fees, and other professional fees, court costs and/or arbitration or other dispute resolution costs) arising out of or relating to its failure to provide the public records to the County under this Agreement.

**Section 21. Entire Agreement.** This Agreement sets forth all the covenants, conditions and promises between the Parties, and it supersedes all prior negotiations, statements or agreements, either written or oral, with regard to its subject matter. There are no covenants, promises agreements, conditions or understandings between the Parties, either oral or written, other than those contained in this Agreement.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK-  
SIGNATURE PAGE FOLLOWS]**

**IN WITNESS WHEREOF**, the Parties hereto have caused this Agreement to be executed by their duly authorized officers on the dates written below.

**COUNTY OF WINNEBAGO, ILLINOIS,**  
a body politic and corporate

**ADMINISTRATIVE HEARING OFFICER**

By: \_\_\_\_\_  
Joseph V. Chiarelli  
Chairman of the County Board of the  
County of Winnebago, Illinois

By: \_\_\_\_\_  
Kimberly A. Kovanda  
Cicero, France & Alexander, P.C.

Date: \_\_\_\_\_, 2024.

Date: \_\_\_\_\_, 2024.

ATTEST:

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

Date: \_\_\_\_\_, 2024

## Exhibit A

### SCOPE OF SERVICES

The Administrative Hearing Officer shall attend and preside over all proceedings arising from code and ordinance violations as described below. The hearings are typically held bi-weekly\*: the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month on the 8<sup>th</sup> Floor of the Winnebago County Courthouse, 400 W. State Street, Rockford, Illinois 61101. [\*The schedule and location within the courthouse is subject to change, but the Hearing Officer will be notified as soon as possible.]

The Administrative Hearing Officer shall have the duty, authority and jurisdiction to:

- a. Preside over administrative hearings concerning any County code and ordinance violations that pertains to or regulates any of the following:
  - i. animal control *{and cited animal code violations from certain municipalities within the County}*;
  - ii. the definition, identification and abatement of public nuisances;
  - iii. the accumulation, disposal, and transportation of garbage, refuse and other forms of solid waste;
  - iv. the construction and maintenance of buildings and structures;
  - v. sanitation practices;
  - vi. zoning; or
  - vii. towing/impoundment.
- b. Postpone or continue an alleged violator's hearing to a later hearing date;
- c. Accept or reject any agreed order, continuance, or other agreed disposition presented by the parties;
- d. Administer oaths and affirmations;
- e. At the request of any party or on the hearing officer's own motion, issue subpoenas directing witnesses to appear and give relevant testimony at the hearing, or directing the production of relevant books, records, or other information, but only if the hearing officer determines the subpoenaed information is necessary to present relevant evidence that relates to a contested issue in the case;
- f. Hear testimony and accept evidence from the code enforcement officer, the respondent, and all interested parties relevant to the existence of a code violation;
- g. Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
- h. Issue and sign written findings and a decision order stating whether a code violation exists;
- i. Impose penalties consistent with applicable code provisions and assess costs reasonably related to instituting the proceedings upon finding the respondent liable for the charged violation; and
- j. Any and all additional duties identified in Chapter 4 of the Winnebago County Code of Ordinances.



# Executive Summary

Date: February 8, 2024

From: County Board Chairman Joseph Chiarelli

Topic: **Board Appointment**

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**State of Illinois Public Act 099-0634** requires disclosure of appointments to local public entities.

**County Code Chapter 2, Article II, Division 4, Section 2-88** states, “The chairman shall make all appointments to commissions, boards, authorities, or special districts with the advice and consent of the county board, or as otherwise provided by law.”

**Recommendation:** County Board Chairman Joseph Chiarelli recommends the following person(s) to serve as County appointee.

.....  
**Al Bach** of Roscoe, Illinois, to serve a 3-year term from April 2024 - May 2027 on the Harlem-Roscoe Fire Protection District Board.

Harlem-Roscoe Fire Protection District	
<i>Location:</i>	10544 Main Street, Roscoe, IL 61073 Patrick Trollop, Fire Chief 815-623-7867
<i>Service Description:</i>	Provide fire emergency, medical, and other life safety services to residents of Roscoe, Machesney Park and unincorporated area.
<i>Board Composition:</i>	Three (3) trustees appointed by the Winnebago County Board Chairman with the advice and consent of the County Board. Must reside in District.
<i>Bond:</i>	\$2,000
<i>Attorney:</i>	Don Larson
<i>Compensation:</i>	Not to exceed \$1,500 per year, plus 50% if ambulance service.
<i>Meetings:</i>	4 <sup>th</sup> Monday of the month, 4 pm
<i>Origin of Entity:</i>	<a href="#">Fire Protection District Act (70 ILCS 705/1)</a>
<i>Property Tax/Funding:</i>	District levies on annual property tax, changes for services and replacement tax
<i>Consolidation/Dissolution Plans:</i>	<i>If applicable</i>



**HARLEM-ROSCOE FIRE PROTECTION  
DISTRICT #1**

P.O. BOX 450  
ROSCOE, ILLINOIS 61073-0450  
Administration (815) 623-7867 Fax (815) 623-8831

BOARD OF TRUSTEES

Barton Munger  
John Donahue  
Al Bach

January 22, 2024

Chairman Joseph Chiarelli  
404 Elm Street  
Room 533  
Rockford IL 61101

Ref: Fire District #1 Board Appointment

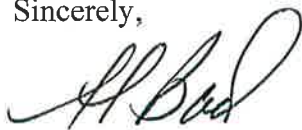
Mr. Chairman,

My appointment to our Fire District Board is due to expire on April 30, 2024. I have served on the Board of Trustees as President over the last 12 years, and the experience has been both rewarding and challenging. We have seen continued growth in our District's population with both the private sector and industry on the increase. I believe we have been able to meet those challenges by supporting the Fire District with the best equipment and training of fire and medical personnel possible while being fiscally responsible with the taxpayer's money. This has positioned us to give our community the best protection available today.

I am expressing my desire to be considered for another 3-year term for the Harlem-Roscoe Board of Trustees, District #1, so I can continue to help our community with its future challenges.

Thank you for your continued support to us and I look forward to working with you in the future to keep everyone safe.

Sincerely,



Al Bach, Trustee  
Harlem-Roscoe Fire Protection District #1



HARLEM-ROSCOE FIRE PROTECTION DISTRICT

P.O. BOX 450 \* ROSCOE, ILLINOIS 61073-0450  
Administration # (815) 623-7867 Fax # (815) 623-8831

John Bergeron  
Fire Chief

Chairman Joseph Chiarelli  
404 Elm Street  
Room 533  
Rockford IL 61101

Ref: Fire District Appointment

Mr. Chairman,

Mr. Al Bach's appointment to our Fire District Board is due to expire on April 30, 2024. Mr. Bach has been a positive proactive trustee for the district over the past 12 years and has expressed a strong interest in being reappointed. Over these past 12 years, Mr. Bach has been active, and involved with obtaining continuing education for himself to serve the district in the trustee position even better. He continues to show a commitment with continuous support and dedication for us to achieve our goals and see that we hold to our mission and vision statements. His background in business is also an indication of his approach to this district. He is an open-minded individual with the interest of our district both financially and the service we provide at the forefront of his mind. Our board has a history of transparency, which I strongly believe is the foundation for our success. This is evident in the support we receive from the members of the communities we serve. I would appreciate your support and recommendation to reappoint him for another three-year term to our fireboard so that we may continue to build upon our goals and commitment to the district. An individual who shows this type of support and commitment to the position of trustee, allows us to be who we are and remain a proactive district in emergency services. Thank you for your consideration and quick attention to my request. I ask should you have any questions please don't hesitate to call me, and I look forward to working with you in the near- and long-term future.

Respectfully,

John Bergeron,  
Fire Chief  
Harlem-Roscoe Fire Protection District

*"A Progressive Fire Department providing a Professional level of service."*



# Executive Summary

Date: February 8, 2024

From: County Board Chairman Joseph V. Chiarelli

Topic: **Board Appointment**

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**State of Illinois Public Act 099-0634** requires disclosure of appointments to local public entities.

**County Code Chapter 2, Article II, Division 4, Section 2-88** states, “The chairman shall make all appointments to commissions, boards, authorities, or special districts with the advice and consent of the county board, or as otherwise provided by law.”

**Recommendation:** County Board Chairman Joseph V. Chiarelli recommends the following person to serve as County appointee.

.....  
**Mike Marsh** of Winnebago, Illinois to fulfill remainder of term of Loren Gambrel which expires May 2026 on the Win-Ber-Sew Fire Protection Board.

Win-Bur-Sew Fire Protection District	
<i>Location:</i>	110 E. Main Street Winnebago, IL 61088
<i>Service Description:</i>	Provide fire emergency, medical, and other life safety services for residents of the Village of Winnebago and unincorporated areas.
<i>Board Composition:</i>	Three (3) trustees appointed by the Winnebago County Board Chairman with the advice and consent of the County Board. Must reside in District.
<i>Bond:</i>	\$2,000
<i>Attorney:</i>	Shawn P. Flaherty, DiNolfo Hasenbalg & Castaldo, Ltd. Naperville, IL
<i>Compensation:</i>	Not to exceed \$1,500 per year, plus 50% if ambulance service.
<i>Meetings:</i>	3rd Tuesday of the month
<i>Origin of Entity:</i>	<a href="#">Fire Protection District Act (70 ILCS 705/1)</a>
<i>Property Tax/Funding:</i>	District levies an annual property tax, changes for services and replacement tax.
<i>Consolidation/Dissolution Plans:</i>	<i>If applicable</i>

January 22, 2024

Joe Chiarelli  
Winnebago County Board Chairman  
404 Elm Street, Room 533  
Rockford, IL 61101

Mike Marsh  
815-540-5883  
[moogs402@msn.com](mailto:moogs402@msn.com)  
Winnebago, IL

To Chairman Chiarelli:

My name is Mike Marsh, I am writing to the Winnebago County Board seeking approval for a board position on the Win-Bur-Sew F.P.D. In the village of Winnebago. I feel my past experience as a WBS Firefighter/EMTB (13 years ret.) gives me good insight to the needs of the department, it also gives me the opportunity to continue to serve my community in some capacity. I have been a resident of this community for close to 30 years with two daughters and three grandchildren who also reside in the district. My interests in helping fulfill this position are many, and I feel that I can add value to the board and assist this organization to continue to provide the critical services that are needed for my community. Please feel free to reach out to me if you have any questions or concerns.

Sincerely,  
Mike Marsh

A handwritten signature in cursive script that reads "Mike Marsh".

**Win – Bur – Sew Fire Protection District**

110 East Main Street, PO Box 595, Winnebago, IL 61088

Phone 815/335-2651 Fax 815/335-1104

January 23, 2024

Joe Chiarelli  
Winnebago County Board Chairman  
404 Elm Street, Room 533  
Rockford, IL 61101

Chairman Chiarelli:

Eugene Gambrel, one of our three currently appointed Board Members of the Win-Bur-Sew Fire Protection District, is planning to retire from his board position on April 1, 2024.

We are fortunate to have one of our former volunteer fire fighters be willing to assume this position. His name is Michael Marsh, who lives in our district at 610 Jarvis Drive, Winnebago, IL 61088. Mike is currently employed by Federal Express.

All of the current Win-Bur-Sew Board Members feel Mike would be a good replacement for Gene, and with his 13 years experience as a fire fighter and his desire to always care about his community, would relate well with our department personnel.

We are pleased to recommend Mike to you and the County Board members and would appreciate a favorable consideration to his appointment for this position.

Sincerely,



Guy Cunningham  
President  
Win-Bur-Sew F.D.



Eugene Gambrel  
Treasurer  
Win-Bur-Sew F.D.



Charles Meyers  
Secretary  
Win-Bur-Sew F.D.

# **Reports of Standing Committees**

**ECONOMIC  
DEVELOPMENT  
COMMITTEE**



# Resolution Executive Summary

**Prepared By:** Winnebago County Highway Department

**Committee:** Economic Development

**Committee Date:** Monday, January 29, 2024

**Resolution Title:**

Resolution Authorizing an Intergovernmental Cooperation Agreement Between the County of Winnebago and the Village of New Milford for Extension of Watermain on Baxter Road (Section 22-00714-00-MS)

**County Code:** PWC Resolution #23-041

**Board Meeting Date:** Thursday, February 8, 2024

**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> \$2,000,000 County \$800,000 New Milford
	<b>Total Project Estimate:</b> \$2,800,000
<b>If not, explain funding source:</b>	
<b>ORG/OBJ/Project Code:</b> 41700 (Host Fees)	
<b>Budget Impact:</b> Reimbursement by New Milford (\$800,000)	

**Background Information:** By previous agreement with the Village of New Milford, the County will be extending the Baxter Rd watermain westerly across I-39 to serve properties on the West side of I-39 (estimated cost of \$2 million). New Milford has asked the County to include in the plans, as an alternate, extending the watermain further West up to Harrisville Road. The estimated cost for that work is \$786,000 and the Village would be responsible for it. New Milford contracted separately with the County's consultant for the design engineering. Host Fees are the planned funding source for this project total estimation of \$2.8 million (anticipated \$2 million for County's portion and anticipated \$800,000 portion for the Village of New Milford's portion).

**Recommendation:**

Staff recommends approval

**Contract/Agreement:**

After approval by the County Board

**Legal Review:**

By the State Attorney's office.

**Follow-Up:**



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

**24-CR-\_\_\_\_\_**

**SUBMITTED BY: ECONOMIC DEVELOPMENT COMMITTEE  
SPONSORED BY: JOHN SWEENEY**

**RESOLUTION AUTHORIZING AN  
INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE  
COUNTY OF WINNEBAGO AND THE VILLAGE OF NEW MILFORD FOR  
EXTENSION OF WATERMAIN ON BAXTER ROAD  
(SECTION 22-00714-00-MS)**

**WHEREAS**, Article VII, Section 10(a) of the Constitution of the State of Illinois authorizes municipal corporations and other governmental entities to join together in intergovernmental agreements for the purpose of achieving statutory objectives and goals individually and jointly; and

**WHEREAS**, the COUNTY and VILLAGE entered into an Intergovernmental Agreement, hereinafter referred to as “IGA”, dated June 26, 2012, along with the Village of Cherry Valley, Illinois relating to the I-39/Baxter Road Redevelopment Project Area; and

**WHEREAS**, pursuant to the terms of the IGA the Villages on Cherry Valley and New Milford created an Industrial Park Conservation Area (IJRL District) to spur development in the Baxter Road at I-39 corridor; and

**WHEREAS**, the COUNTY is going to construct a water main from the east side to the west side of I-39 with funds from Winnebago County Host Fees; and

**WHEREAS**, the VILLAGE is desirous to expand this water main from the County project limit on the west side of I-39 to Harrisville Road, as the VILLAGE has annexed certain properties along the north and south side of Baxter Road to Interstate 39, which will initially be funded by Winnebago County Host Fees, but will be re-imbursed back to the COUNTY by the VILLAGE as set-forth within the attached Agreement, referred to as Exhibit A; and

**WHEREAS**, all parties desire to set forth their responsibilities arising from the extension of water mains along Baxter Road from I-39 to Harrisville, being that the water main is within the corporate limits of the Village of New Milford subject to the terms and conditions set forth herein; and

**WHEREAS** it would be in the public interest to enter into the attached AGREEMENT (Exhibit A”) for the extension of water main on Baxter Road from I-39 to Harrisville Road.

**NOW THEREFORE, BE IT RESOLVED** by the County Board of the County of Winnebago, Illinois, that the Chairman of the County Board is hereby authorized to execute on behalf of the County of Winnebago the attached AGREEMENT (“Exhibit A”) with the Village of New Milford, in substantially the form attached hereto under Section 22-00714-00-MS; and

**BE IT FURTHER RESOLVED** that the AGREEMENT (“Exhibit A”) entered into shall not become effective and binding unless and until the respective parties have executed them; and

**BE IT FURTHER RESOLVED** that the funding for this project shall be from the Winnebago County Host Fees and follow the parameters of the AGREEMENT (“Exhibit A”) as outlined within; and

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

**BE IT FURTHER RESOLVED** that the Clerk of the County Board is hereby directed to prepare and deliver one (1) certified copy of this Resolution to the Winnebago County Treasurer, Auditor, Winnebago County Director of Development Services, Winnebago County Engineer, Winnebago County Finance Director, and Winnebago County Administrator.

Respectfully submitted  
**ECONOMIC DEVELOPMENT COMMITTEE**

**AGREE**

**DISAGREE**

---

JOHN SWEENEY, CHAIRMAN

---

JOHN SWEENEY, CHAIRMAN

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TIM NABORS, VICE CHAIR

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TIM NABORS, VICE CHAIR

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JEAN CROSBY

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JEAN CROSBY

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ANGELA FELLARS

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ANGELA FELLARS

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VALERIE HANSERD

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VALERIE HANSERD

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BRAD LINDMARK

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BRAD LINDMARK

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JOHN PENNEY

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JOHN PENNEY

The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois this \_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

---

JOSEPH V. CHIARELLI  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

---

LORI GUMMOW  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

**INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE  
COUNTY OF WINNEBAGO, ILLINOIS AND THE VILLAGE OF NEW MILFORD FOR  
EXTENSION OF WATERMAIN ON BAXTER ROAD BETWEEN  
I-39 AND HARRISVILLE ROAD**

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, by and among the County of Winnebago, an Illinois county corporation, hereinafter referred to as "COUNTY" and the Village of New Milford, an Illinois Municipal Corporation hereinafter referred to as "VILLAGE", the purpose of this agreement being to extend watermain along Baxter Road from the west of I-39 to Harrisville Road.

**WITNESSETH:**

**WHEREAS**, Article VII, Section 10(a) of the Constitution of the State of Illinois authorizes municipal corporations and other governmental entities to join together in intergovernmental agreements for the purpose of achieving statutory objectives and goals individually and jointly; and

**WHEREAS**, the COUNTY and VILLAGE entered into an Intergovernmental Agreement, hereinafter referred to as "IGA", dated June 26, 2012, along with the Village of Cherry Valley, Illinois relating to the I-39/Baxter Road Redevelopment Project Area; and

**WHEREAS**, pursuant to the terms of the IGA the Villages on Cherry Valley and New Milford created an Industrial Park Conservation Area (IJRL District) to spur development in the Baxter Road at I-39 corridor; and

**WHEREAS**, the COUNTY is going to construct a water main from the east side of I-39 to the west side; and

**WHEREAS**, the VILLAGE is desirous to expand this water main from the west side of I-39 to Harrisville Road as the VILLAGE has annexed certain properties along the north and south side of Baxter Road along Interstate 39; and

**WHEREAS**, all parties desire to set forth their responsibilities arising from the extension of water mains along Baxter Road from I-39 to Harrisville, being that the water main is within the corporate limits of the Village of New Milford subject to the terms and conditions set forth herein.

**NOW THEREFORE**, the Parties for the considerations hereinafter set forth hereby agree as described below:

**I. TERMS OF THE AGREEMENT**

A. The COUNTY agrees:

1. To include as part of its bid to extend water main from the east side of I-39 to the west side a section of water main from the west side of I-39 to Harrisville Road; and
2. To provide construction engineering for the entire water main extension from the east side of I-39 to Harrisville Road; and
3. To invoice the VILLAGE for the actual cost of the construction of the water main on Baxter Road from the west side of I-39 to Harrisville Road estimated to be some \$785,800; and
4. To invoice the VILLAGE for their portion of construction engineering which will be determined by dividing the VILLAGE's share of construction cost with the total cost of construction; and
5. To provide water and maintain the extended water main on Baxter Road from the west side of I-39 to Harrisville Road; and
6. To provide all tap-on-fees that might be collected by development along Baxter Road to Harrisville Road to the VILLAGE.

**B. The VILLAGE agrees:**

1. To pay the COUNTY for the VILLAGE's share of construction and construction engineering within thirty (30) days of receipt of an invoice from the COUNTY; and
2. To enter into a contract with Willett Hofmann and Associates, Inc. to design and permit the water main extension in Baxter Road from I-39 to Harrisville Road solely at the Cost of the VILLAGE; and
3. To deed to the COUNTY the completed water main extension on Baxter Road from I-39 to Harrisville Road upon completion; and
4. To cooperate with the COUNTY on any development projects within the VILLAGE for the construction and connection of water mains and water service lines within the VILLAGE to parcels within the VILLAGE; and
5. To forward to the COUNTY all future development inquires, conversations and correspondence of properties located within the IJRL to the COUNTY as per paragraph "H", Section I of the IGA dated June 26, 2012.

**II. EFFECTIVE DATE.** This Agreement shall commence on the date of execution of the parties hereto.

**III. SUCCESSORS AND ASSIGNS.** This agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, successors and assigns.

**IV. EXTENT OF AGREEMENT.** This Agreement incorporates the entire agreement of the between Winnebago County, the Village of New Milford and the Winnebago County Water District and may be varied, waived, changed or modified only by an instrument in writing, duly executed by all parties.

**V. BENEFIT.** This Agreement is entered into solely for the benefit of the contracting parties and nothing in this Agreement is intended, either expressly or impliedly, to provide any right or benefit of any kind whatsoever to any person or entity who is not a party to this

Agreement, or to acknowledge, establish or impose and legal duty to any third party.

**VI. BINDING AGREEMENT.** All portions of the Intergovernmental Agreement dated June 26, 2012 between Winnebago County, the Village of New Milford and the Village of Cherry Valley are binding and in effect.

**IN WITNESS WHEREOF**, the parties have executed this Intergovernmental Agreement as of the date set forth above at Winnebago County, Illinois.

COUNTY OF WINNEBAGO, IL

VILLAGE OF NEW MILFORD, IL

By: \_\_\_\_\_  
Joseph Chiarelli, Chairman of  
The County Board of the  
County of Winnebago, Illinois

By: Timothy H Owens  
Timothy H. Owens, President of the  
Village Board, Village of New Milford,  
Illinois

Date: \_\_\_\_\_

Date: 12/12/23

ATTEST:

ATTEST

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

Sharon K Baumgartner  
Sharon K. Baumgartner  
Clerk/Treasurer of the  
Village Board, Village of New Milford

STATE OF ILLINOIS  
**WINNEBAGO COUNTY WATER DISTRICT**  
WATER SYSTEM IMPROVEMENTS  
SECTION NO.: 22-00714-00-MS

**BAXTER ROAD WATERMAIN EXTENSION  
LOCATION MAP**



**NEW MILFORD PROJECT BEGINS  
STA 100+40**

**NEW MILFORD PROJECT ENDS &  
COUNTY PROJECT BEGINS  
STA 117+00 / STA 10+00**



**COUNTY PROJECT ENDS  
STA 41+87**

BAXTER ROAD: 4,500 FT = 0.85 MILES

**ADT: 3,550 (2022) 5% TRUCKS  
FUNCTIONAL CLASSIFICATION: MAJOR COLLECT  
DESIGN SPEED: 55 MPH  
DESIGN POLICY: 3R**





ORIGINAL

**INTERGOVERNMENTAL AGREEMENT**

**THIS AGREEMENT** made this 26th day of June, 2012, by and among The County of Winnebago, an Illinois county corporation (hereinafter "WINNEBAGO"), the Village of Cherry Valley, an Illinois municipal corporation (hereinafter "CHERRY VALLEY"), and the Village of New Milford, an Illinois municipal corporation (hereinafter "NEW MILFORD") and with all such entities referred to collectively as the PARTIES and with Cherry Valley and New Milford collectively referred to as the Municipalities.

**WITNESSETH:**

**WHEREAS**, Article VII, Section 10(a) of the Constitution of the State of Illinois authorizes municipal corporations and other governmental entities to join together in intergovernmental agreements for the purpose of achieving statutory objectives and goals individually and jointly; and

**WHEREAS**, the Parties have determined that the area in and around the Baxter Road interchange on I-39 is appropriate for the formation of an Industrial Park Conservation Area to spur private investment and development as defined in the Industrial Jobs Recovery Law, 65 ILCS 5/11-74.6-1 *et seq.* (IJRL); And

**WHEREAS**, it has been determined by the Parties that such development is not likely to occur without incentives being made available; and

**WHEREAS**, it has been determined that the formation of an Industrial Park Conservation Area (IJRL District) will likely result in the creation of a large number of jobs which will benefit Cherry Valley, New Milford and Winnebago County as a whole; and

**WHEREAS**, the Parties have also determined that the creation of a Special Service Area (SSA) pursuant to 35 ILCS 200/27-5 is required to provide for water service to certain properties within the Industrial Park Conservation Area in order to promote development and job growth; and

**WHEREAS**, Winnebago is willing to undertake the formation of a water service area within the SSA to accommodate the initiation of water service; and

**WHEREAS**, Cherry Valley does not presently provide water service to the anticipated properties within the IJRL District and has determined that it will not be in a position to provide such water service in the future; and

**WHEREAS**, Cherry Valley desires that Winnebago form a water service area which will include certain parcels within the corporate boundaries of Cherry Valley; and

**WHEREAS**, New Milford does not provide water service to any of the properties within the IJRL District and it desires that Winnebago form a water service area to initiate water service in the area; and

{127335.doc}



**WHEREAS**, Winnebago wishes to purchase and Cherry Valley wishes to sell certain water assets to facilitate the formation of a water service area by Winnebago; and

**WHEREAS**, both the Municipalities agree that Winnebago should, and that it may, form an SSA which will or may incorporate certain property within the boundaries of each such municipality; and

**WHEREAS**, the various parcels of real estate to be included in the IJRL District are the parcels shown within a yellow boundary and the SSA parcels shaded in red on the map attached hereto as Exhibit A; and

**WHEREAS**, it is also anticipated that Winnebago may undertake, pursuant to the SSA, to provide a distribution system for methane gas and/or other forms of energy derived from alternative energy sources to the IJRL District and it is acknowledged that the Municipalities concur that the provision of such a distribution system will further promote growth and development within the IJRL District and that each consent to Winnebago taking such action even should such distribution system be placed, in part, within their respective incorporated boundaries; and

**WHEREAS**, it is further anticipated that certain roadway and other infrastructure improvements may need to be performed as the area develops which will require the cooperation of the Parties

**NOW THEREFORE**, the Parties agree as follows:  
The above recitals are incorporated herein by reference and made a part hereof.

I. **FINANCING.**

- A. Winnebago shall form an SSA for the properties indicated on Exhibit A attached hereto.
- B. Winnebago shall, issue Bonds to pay for the initial costs of the projects contemplated by this Agreement including but not limited to, purchase of capital assets, issuance costs, bond counsel fees, financial advisor fees, costs of printing and publication, costs of marketing or sale of the bonds and required related documents, and legal and consulting costs of the parties related to the creation of the IJRL and the SSA and the Municipalities will have no obligations with regard to the bonds other than the pledging of TIF revenue from the IJRL District as set forth herein.
- C. Winnebago shall, subject to reimbursement from the IJRL District, pay the costs of formation of the IJRL District and of the SSA.
- D. Cherry Valley and New Milford will pass the necessary Ordinances and Resolutions to facilitate the formation, organization and operation of an Industrial Park Conservation Area pursuant to the IJRL for the IJRL District.
- E. Pursuant to the IJRL, and in keeping with the formation of the IJRL District, each community will initiate tax increment financing within the project area.
- F. The Special Tax Allocation Fund (STAF as defined in the IJRL), created with the tax increment financing will be placed under the control of Winnebago to be administered for the benefit of the project and in accordance with the terms of this Agreement.
- G. Funds deposited in the STAF generated from the IJRL District shall be used to pay the following expenses in the order listed:
  1. Payments on the SSA Bonds

2. Reimbursement to Winnebago and the Municipalities for reimbursable costs (as defined in the IJRL statute), not included in the initial costs.
  3. Reimbursement to Winnebago and the Municipalities for payment of the costs of the formation of the IJRL.
  4. Incentives to Developers (limited to 50% of increment from each parcel proposed for development).
  5. Other capital improvements to infrastructure as may be allowed by statute.
- H. Winnebago shall be given the sole authority to negotiate redevelopment agreements with prospective developers and to set the amount of incentives, if any, given to such developers subject to the limitation set forth in G.4., above. An Advisory Board consisting of the principal elected official from each of the parties (or their designee), shall be formed and shall be kept advised as to all proposed redevelopment agreements, but shall not have the authority to alter such agreements which are within the guidelines set forth in G.4, above. ~~The Municipalities shall retain zoning and land use authority, including, but not limited to, site plan review/approval and enforcement of their building and subdivision codes for those parcels within their respective corporate limits. The Municipalities agree that they will not unreasonably withhold zoning or land use approval for developer projects.~~
- I. ~~The Municipalities shall retain the right to offer sales tax incentives for properties within their respective corporate limits.~~
- J. ~~To the extent that Cherry Valley obtains an annexation or pre-annexation with the owner of the property identified as tax property identification numbers 16-29-400-007, 008 and 009 [the developed Maggio Trucking Property], Cherry Valley agrees that its customary local 1% distributive share of revenues derived from sales, use and occupation taxes imposed by the State of Illinois, deposited into the State's Local Government Tax Fund and distributed to the Village pursuant to Section 6z-18 of the State Finance Act, 30 ILCS 105/1.1 et seq., as amended, ("Sales Tax") generated on those parcels, shall be paid to the County which shall pay the payments due on the SSA bonds for a period of seven (7) years from the date of issuance of the SSA bonds. Cherry Valley shall retain the revenues from the additional 1% non-home rule municipal retailer's occupation tax and service occupation tax it has imposed pursuant to 65 ILCS 5/8-11-1.3 and 1.4 generated by such property. Notwithstanding the foregoing, to the extent that tax increment from the IJRL District is sufficient to pay the SSA Bonds and the water asset payment referenced in II.B.I, below, during said seven (7) year period, the Sales Tax will be returned to Cherry Valley on a dollar for dollar basis as received. After the seven (7) year period, any Sales Tax generated by the referenced properties will be given to or retained by Cherry Valley.~~
- K. ~~Sales Tax generated by any new development within the IJRL District shall be retained by the governmental entity in which the development is located. Should such property not be annexed to either Municipality, the Sales Tax shall be transferred to the~~

~~Municipality to which the property could be annexed pursuant to the border agreement existing between the Municipalities.~~

II. WATER SYSTEM

- A. Winnebago shall form a water service area pursuant to 55 ILCS 5/5-15006 to service the IJRL Project Area.
1. Winnebago shall retain any profits realized from the water service area.
  2. ~~Winnebago shall set the hook-up fees and water rates in such a fashion that they are consistent throughout the IJRL District.~~
  3. To the extent allowable by law, Winnebago shall require that any parcel attaching to the water system will annex to the municipality within whose territory (pursuant to the border agreement between the Municipalities), the property resides.
- B. Winnebago shall purchase from Cherry Valley and Cherry Valley agrees to an assignment of all right title and interest that Cherry Valley may have in the portion of that certain agreement entered into by and between Cherry Valley and Rock 39 which said agreement is attached hereto as Exhibit B as it pertains to certain water assets described therein.
1. The terms of payment for such assignment will be:
    - i. Within sixty (60) days of the issuance of the SSA Bonds, Winnebago will pay to Cherry Valley the sum of Two Hundred Fifty Thousand and 00/100s dollars (\$250,000) and provide Cherry Valley with a zero percent interest Note and Security Agreement or Mortgage on the transferred property for the balance remaining.
    - ii. Winnebago will pay the remaining balance of Four Hundred Fifty Thousand and 00/100s dollars (\$450,000) in annual installments to Cherry Valley beginning on April 15, 2013 in the amount of One Hundred Thousand and 00/100s dollars (\$100,000) with the final installment of Fifty Thousand and 00/100s dollars (\$50,000) to be paid on April 15, 2017.
  2. Cherry Valley agrees that it will not provide water service to the SSA Project Area and that it consents to the actions of Winnebago in forming the water service area.
  3. As a condition precedent to the payments set for the in sections B.1.i and B.1.ii., above, Cherry Valley shall cause Rock 39 to agree to and consent to such assignment and to the transfer of the water assets to Winnebago.
- C. No properties outside of the SSA will be responsible for payment of the SSA or for assessments for the cost of the Water System or any other utility or service provided within the SSA. Notwithstanding the foregoing, any property outside of the SSA which at any time attaches to the Water System or other utility service may be assessed hook-up fees or other costs, recapture fees or charges as may be assessed

from time to time.

- D. Winnebago shall not, directly or indirectly, extend water service or allow the provision of water produced by facilities owned or operated by Winnebago beyond the boundaries of the SSA to the west of I-39 without the consent of New Milford. Winnebago and New Milford may enter into such other and further agreements as may be necessary to cooperatively serve properties within or near the Village in the future. It is agreed that Winnebago shall cause a water main to be constructed which shall terminate on the west side of I-39 in the initial phase of the project.

III. ALTERNATIVE ENERGY.

- A. Winnebago may form a utility for the distribution of alternative energy to further enhance the IJRL Plan Area.
- B. It is anticipated that methane and/or wind and/or solar energy may be distributed by Winnebago. No incineration plant will be constructed as a part of this Agreement.
- C. Any wind energy will be limited to isolated generating units.
- D. Winnebago shall bear all costs of the alternative energy distribution system and shall retain all profits and benefits associated therewith.
- E. To the extent that the Municipalities or either of them are required to consent to the formation of this utility and/or to the distribution of energy, they each hereby so consent.

IV. ANNEXATIONS AND ZONING.

- A. The Municipalities will undertake to zone all property within the IJRL Plan Area as Industrial.
- B. To the extent that the Municipalities are unable or unwilling to re-zone the Plan Area or any part thereof, Winnebago shall undertake the zoning of the property or properties and the Municipalities shall use their best efforts to cooperate and assist in that process.
- C. Winnebago agrees that the property adjacent to the I-39 interchange may have a Commercial overlay district and/or business development district created by the Municipalities.
- D. Each community may undertake to annex properties within its respective zone of control and may recover the costs for such annexations (to the extent permitted by law), as a reimbursable cost as set forth in 1.G., above.
- E. Winnebago agrees to cooperate with the annexation efforts of the Municipalities and will use its best efforts to encourage property owners to annex.
- F. The Municipalities agree that once zoning of the IJRL District is changed to Industrial, that it will not be altered in such a way as to impede the ability to develop the property in such fashion as is set forth in the IJRL.

V. MISCELLANEOUS.


- A. Entire Agreement. This Agreement incorporates the entire agreement of the parties and may be varied only by written further agreement.
- B. Benefit. This Agreement is entered into solely for the benefit of the contracting parties,

{127335.doc}

and nothing in this Agreement is intended, either expressly or impliedly, to provide any right or benefit of any kind whatsoever to any person or entity who is not a party to this Agreement, or to acknowledge, establish or impose any legal duty to any third party.

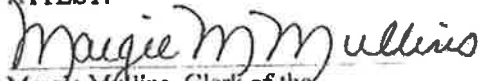
- C. Binding Agreement. This Agreement shall be binding upon and inure to the benefit of the parties, their heirs, successors and assigns.
- D. Illinois Law. This Agreement shall be governed by the laws of the State of Illinois.

IN WITNESS WHEREOF, the parties have executed this Intergovernmental Agreement as of the date set forth above at Winnebago County, Illinois.



Scott H. Christiansen, Chairman of the  
County Board of the  
County of Winnebago, Illinois

ATTEST:



Margie Mullins, Clerk of the  
County Board of the  
County of Winnebago, Illinois

Village of Cherry Valley, Illinois

By: *Jim E. Clarys*  
Its: VILLAGE PRESIDENT

ATTEST:

By: *JST*  
Its: *Attorney*

Village of New Milford, Illinois

By: *Bonnie L. Beard*  
Its: Village President

ATTEST:

By: *MKB*  
Its: Village Clerk

ADDENDUM

WHEREAS, the Village of New Milford and the County of Winnebago have entered into an Inter-governmental agreement concerning the development of the area near and including the Baxter Road interchange on Interstate 39 which includes territory within and near the corporate boundaries of the Village of New Milford; and

WHEREAS, the Inter-governmental Agreement provides for the establishment of a water main running to the west side of Interstate 39 during the initial phase of the development of the area; and

WHEREAS, the Village of New Milford and the County of Winnebago wish to clarify their intentions for the construction of that water main;

NOW THEREFORE, the Village of New Milford and the County of Winnebago agree as follows:

1. The above recitals are incorporated herein by reference.
2. The "initial phase of the project" referenced in paragraph II.D. of the Intergovernmental Agreement shall mean that Winnebago County is obligated to install a water main as described in the Agreement, within ninety days of the initiation of industrial or commercial development occurring on the west side of I-39 which will require municipal water service.
3. No additional change or interpretation is intended to affect the remainder of the Inter-governmental Agreement.

Enter into this 26th day of June, 2012.

Village of New Milford, Illinois,  
A municipal corporation

County of Winnebago, Illinois,  
A unit of local government

By: Bonnie L. Beard  
Bonnie L. Beard, President

By: Scott H. Christiansen  
Scott H. Christiansen, Chairman

Attest: MK Byrnes  
Village Clerk

Attest: Margie M. Mullins  
County Clerk

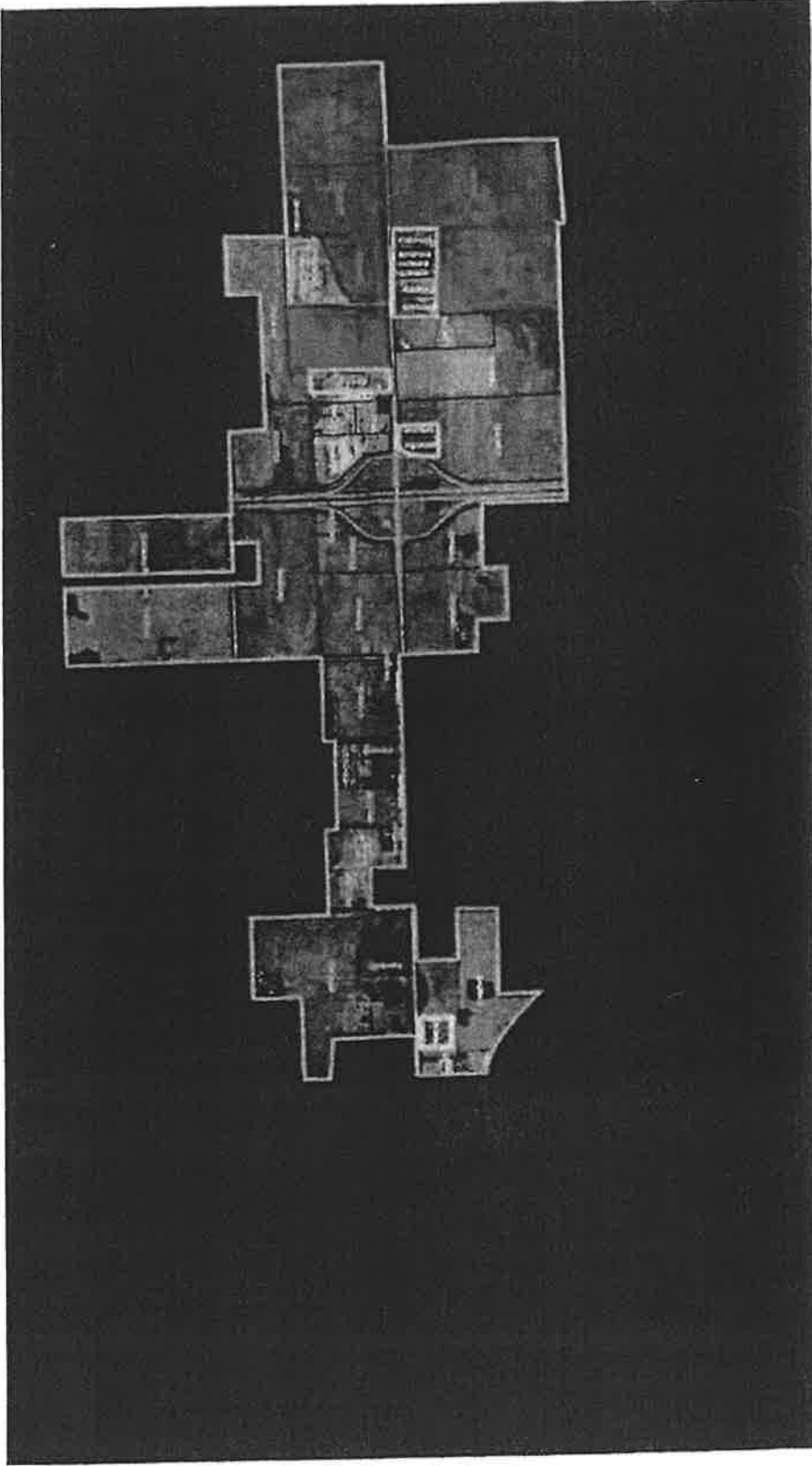


Exhibit A  
6-15-2012

Yellow Line = UJRA Boundary  
Red Area = SSA Properties Goode





# Resolution Executive Summary

**Committee Date:** Monday, January 29, 2024

**Committee:** Economic Development

**Prepared By:** Jas Bilich and Chris Dornbush

**Document Title:** Resolution Electing To Opt-In To The Illinois Electronics Recycling Program For Program Year 2025

**County Code:** NA

**Board Meeting Date:** Thursday, February 8, 2024

**Budget Information:**

<b>Was item budgeted?</b> NA	<b>Appropriation Amount:</b> \$
<b>If not, explain funding source:</b>	
<b>ORG - OBJ - Project Code:</b>	<b>Budget Impact:</b> None - Budgeted

**Background Information:**

Winnebago County has voluntarily participated since 2019 (program inception) in the State of Illinois, Consumer Electronics Recycling Act (CERA), Program. The County does have the option to withdraw from participating in the Program at any time, if the Board were to desire to. The CERA Program requires manufacturers to financially support the recycling of electronic waste as specified by the program (Examples: TV's, Computers & Monitors, Printers, DVD Players, VCRs, Electronic Keyboards, Fax Machines, Scanners, etc.). The County has aligned with Keep Northern Illinois Beautiful (KNIB) who is a recycling expert in Winnebago County and oversees the operation/management of this. KNIB is a third party in this arrangement and have successfully run this program with the County assisting us by handling this service and simultaneously lessening the cost that the County would otherwise have to occur.

<https://epa.illinois.gov/topics/waste-management/materials-management/electronics-recycling1.html>

**Recommendation:**

Administration and the County Board has supported this initiative since 2019. More recently the Board approved Resolution 2020-CR-026 (FY-2021), 2021-CR-027 (FY-2022), 2022-CR-013 (FY-2023), and 2023-CR-028 (FY-2024). This Resolution is to continue to voluntarily opt-in to this Program for calendar year 2025. This effort helps reduce costs that would otherwise become financial burdens to other County Departments.

**Contract/Agreement:**

NA

**Legal Review:**

Yes

**Follow-Up:**

Keeping Northern Illinois Beautiful (KNIB) & County Staff provide updates to the Economic Development Committee periodically on this topic, typically on an annual basis.

**Regional Planning & Economic Development Department**

404 Elm Street, Rm 403, Rockford, IL 61101 | [www.wincoil.gov](http://www.wincoil.gov)

Phone: (815) 319- 4350 | E-mail: [permits@rped.wincoil.gov](mailto:permits@rped.wincoil.gov)

RESOLUTION  
of the  
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

SUBMITTED BY: ECONOMIC DEVELOPMENT COMMITTEE

2024 CR \_\_\_\_

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**RESOLUTION ELECTING TO OPT-IN TO THE ILLINOIS ELECTRONICS  
RECYCLING PROGRAM FOR PROGRAM YEAR 2025**

---

**WHEREAS**, the State of Illinois adopted the Consumer Electronics Recycling Act (the “Act”) in 2018, recognizing that many older and obsolete consumer electronic products contain materials which may pose environmental and health risks that should be managed; and

**WHEREAS**, the State also acknowledged that consumer electronic products contain metals, plastics, glass, and other potentially valuable materials, which can be reused and recycled to conserve natural resources and energy; and

**WHEREAS**, the State determined that manufacturers of electronic products should share responsibility for the proper management of obsolete consumer electronic products as the cost burden of collecting and processing these items for reuse and recycling would be significant for Illinois counties and municipalities; and

**WHEREAS**, the Act requires manufacturers to provide a manufacturer e-waste program to transport and recycle residential covered electronic devices collected at, and prepared for transport from, program collection sites; and

**WHEREAS**, counties and municipalities that wish to participate in the e-waste program must opt-in to the program by March 1 of each year and provide collection sites for the covered electronic devices; and

**WHEREAS**, the County of Winnebago desires to continue the partnership with Keep Northern Illinois Beautiful, which has been in place since program year 2019 to provide collection sites for covered electronic devices.

**NOW, THEREFORE, BE IT RESOLVED**, by the County Board of the County of Winnebago, that the County of Winnebago elects to opt-in to the Illinois Electronics Recycling Program for Program Year 2025.

**BE IT FURTHER RESOLVED**, that the Clerk of the County Board is hereby directed to prepare and deliver copies of this resolution to the Winnebago County Director of Regional Planning and Economic Development, County Auditor, and the County Administrator.

Respectfully submitted,  
**Economic Development Committee**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN SWEENEY, CHAIRMAN

\_\_\_\_\_  
JOHN SWEENEY, CHAIRMAN

\_\_\_\_\_  
TIM NABORS, VICE CHAIR

\_\_\_\_\_  
TIM NABORS, VICE CHAIR

\_\_\_\_\_  
JEAN CROSBY

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JEAN CROSBY

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ANGELA FELLARS

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ANGELA FELLARS

\_\_\_\_\_  
VALERIE HANSERD

\_\_\_\_\_  
VALERIE HANSERD

\_\_\_\_\_  
BRAD LINDMARK

\_\_\_\_\_  
BRAD LINDMARK

\_\_\_\_\_  
JOHN PENNEY

\_\_\_\_\_  
JOHN PENNEY

The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
JOSEPH V. CHIARELLI  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
LORI GUMMOW  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

# Illinois County and Municipal Joint Action Agency Opt-In Form Illinois Electronics Recycling Program

**Note:** One application per county. To be submitted by County or Municipal Joint Action Agency.

Program Year 2025 (Due March 1, 2024)

## County or Municipal Joint Action Agency Information

Name of County or  
Municipal Joint Action Agency: Winnebago County

Street Address (line 1): 404 Elm Street

(line 2): \_\_\_\_\_

City: Rockford

Zip Code: 61101

County: Winnebago

## Contact Information

First Name: Chris

Last Name: Dornbush

Title: Director of Development Services

Direct Phone: 815-319-4367

Email: cdornbush@rped.wincoil.gov

## Proposed Collection Sites and/or Events

Pursuant to 415 ILCS 151/1-15 of the Consumer Electronics Recycling Act, counties and municipal joint action agencies that elect to participate are allotted a certain number of collection sites dependent upon the population density within their jurisdiction. Please list all of the recommended locations for permanent sites or one-day events in program year 2025. (Should additional locations be needed, click on the button provided to add more fields.)

**Note:** Sites and events must be located within the participating county or municipal joint action agency.

*These sites are recommendations and not guaranteed to be included in the manufacturer e-waste program plan.*

Site       Event

Operator of Site or Event: Keep Northern Illinois Beautiful (KNIB)

Street Address of Location: 4665 Hydraulic Road

City: Rockford

Zip Code: 61109

County: Winnebago

Collection site limitations (e.g. residency requirements, operational limitations relating to bulk pickup, etc.), if any:

Tuesday 2:00pm to 5:00pm  
Saturday 9:00am to 12:00pm

Has this site or event operated in a previous program year?  Yes       No

If so, please enter the following information.

Collection Site Contact Name: Pamela Osborne

Collection Site Contact Phone: 815-637-1343

Contact Email: Pam@knib.org

Description of Current/Past Services (e.g. semi-trailer pick-ups, box truck pick-ups, need forklift or pallet jack for loading):

Semi-trailer, pick-ups, forklift or pallet jack for loading

Estimated Annual CED Collection (pounds): 500,000

Site       Event

Operator of Site or Event: Keep Northern Illinois Beautiful (KNIB)

Street Address of Location: 8409 N. 2nd Street

City: Machesney Park

Zip Code: 61115

County: Winnebago

Collection site limitations (e.g. residency requirements, operational limitations relating to bulk pickup, etc.), if any:

Wednesday 2:00pm to 5:00pm  
Saturday 9:00am to 12:00pm

Has this site or event operated in a previous program year?  Yes       No

If so, please enter the following information.

Collection Site Contact Name: Pamela Osborne

Collection Site Contact Phone: 815-637-1343

Contact Email: pam@knib.org

Description of Current/Past Services (e.g. semi-trailer pick-ups, box truck pick-ups, need forklift or pallet jack for loading):

Semi-trailer, pick-ups, forklift or pallet jack for loading

Estimated Annual CED Collection (pounds): 300,000

Site       Event

Operator of Site or Event: Illinois Bank and Trust

Street Address of Location: 6855 E Riverside Blvd

City: Rockford

Zip Code: 61114

County: Winnebago

Collection site limitations (e.g. residency requirements, operational limitations relating to bulk pickup, etc.), if any:

Planning to host the event 2 times on a Saturday, 8:00am to 10:00pm

Has this site or event operated in a previous program year?  Yes       No

If so, please enter the following information.

Collection Site Contact Name: Steve Hamilton

Collection Site Contact Phone: 815.489.2163

Contact Email: shamilton@illinoisbank.com

Description of Current/Past Services (e.g. semi-trailer pick-ups, box truck pick-ups, need forklift or pallet jack for loading):

Box truck, Pallet Jack for loading

Estimated Annual CED Collection (pounds): 25,000

Site       Event

Operator of Site or Event: Rockford Park District

Street Address of Location: Fairgrounds Park

City: Rockford

Zip Code: 61104

County: Winnebago

Collection site limitations (e.g. residency requirements, operational limitations relating to bulk pickup, etc.), if any:

Planning to do this on a Saturday. No sure on time yet.

Has this site or event operated in a previous program year?  Yes       No

#### Recommended Recycler

Please identify the **recommended** recycler to be used for program year 2025. (Should additional recyclers be needed, click on the button provided to add more fields.)

**Note:** *These recyclers are recommendations and not guaranteed to be included in the manufacturer e-waste program plan.*

Name of Recycler: Dynamic Lifecycle Innovations

Street Address: N5549 County Rd Z

City: Onalaska

Zip Code: 54650

County: La Crosse

Direct Phone: (608) 781-4030

Email: mbebar@thinkdynamic.com

#### Certification of Authorized Government Official

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

By signing this form, you are certifying that the information on this form is accurate.

Name: Pat Thompson

Title: County Administrator

Phone: 815-319-4062

Email: pthompson@admin.wincoil.gov

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

When complete, please print, sign, scan, and email this form to:

[EPA.Recycling@illinois.gov](mailto:EPA.Recycling@illinois.gov) and [info@ilclearinghouse.org](mailto:info@ilclearinghouse.org)

All collectors and their vendors are subject to audits by manufacturer programs authorized under 415 ILCS 151/1-30.

For more information on the Illinois Manufacturer's E-Waste Program, please visit:

[www2.illinois.gov/epa/topics/waste-management/electronics-recycling](http://www2.illinois.gov/epa/topics/waste-management/electronics-recycling)

STATE OF ILLINOIS, } ss.  
COUNTY OF WINNEBAGO }

*I, LORI GUMMOW, County Clerk in and for said County, in the State aforesaid, do hereby certify that I have compared the foregoing attached copy of:*

**RESOLUTION TO OPT-IN TO THE ILLINOIS ELECTRONIC RECYCLING PROGRAM FOR PROGRAM YEAR 2024**

*with the original document which is on file in my office; and found it to be a true, perfect and complete copy of the original document.*

*IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County, at my office in the City of Rockford, in said County,*

*This 24TH DAY OF FEBRUARY, 2023.*

*LORI GUMMOW, Winnebago County Clerk*

*BY: Angela Reina Deputy County Clerk*



RESOLUTION  
of the  
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

SUBMITTED BY: ECONOMIC DEVELOPMENT COMMITTEE

**2023 CR 028**

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**RESOLUTION ELECTING TO OPT-IN TO THE ILLINOIS ELECTRONICS  
RECYCLING PROGRAM FOR PROGRAM YEAR 2024**

---

**WHEREAS**, the State of Illinois adopted the Consumer Electronics Recycling Act (the “Act”) in 2018, recognizing that many older and obsolete consumer electronic products contain materials which may pose environmental and health risks that should be managed; and

**WHEREAS**, the State also acknowledged that consumer electronic products contain metals, plastics, glass, and other potentially valuable materials, which can be reused and recycled to conserve natural resources and energy; and

**WHEREAS**, the State determined that manufacturers of electronic products should share responsibility for the proper management of obsolete consumer electronic products as the cost burden of collecting and processing these items for reuse and recycling would be significant for Illinois counties and municipalities; and

**WHEREAS**, the Act requires manufacturers to provide a manufacturer e-waste program to transport and recycle residential covered electronic devices collected at, and prepared for transport from, program collection sites; and

**WHEREAS**, counties and municipalities that wish to participate in the e-waste program must opt-in to the program by March 1 of each year and provide collection sites for the covered electronic devices; and

**WHEREAS**, the County of Winnebago desires to continue the partnership with Keep Northern Illinois Beautiful, which has been in place since program year 2019 to provide collection sites for covered electronic devices.

**NOW, THEREFORE, BE IT RESOLVED**, by the County Board of the County of Winnebago, that the County of Winnebago elects to opt-in to the Illinois Electronics Recycling Program for Program Year 2024.

**BE IT FURTHER RESOLVED**, that the Clerk of the County Board is hereby directed to prepare and deliver copies of this resolution to the Winnebago County Director of Regional Planning and Economic Development and the County Administrator.



Respectfully submitted,  
**Economic Development Committee**

**AGREE**

**DISAGREE**

  
\_\_\_\_\_  
JOHN SWEENEY, CHAIRMAN

\_\_\_\_\_  
JOHN SWEENEY, CHAIRMAN

  
\_\_\_\_\_  
JEAN CROSBY

\_\_\_\_\_  
JEAN CROSBY

  
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ANGELA FELLARS

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BRAD LINDMARK

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BRAD LINDMARK

  
\_\_\_\_\_  
TIM NABORS


\_\_\_\_\_  
TIM NABORS


  
\_\_\_\_\_  
JOHN PENNEY

\_\_\_\_\_  
JOHN PENNEY

The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois this 23rd day of February 2023.

ATTESTED BY:

  
\_\_\_\_\_  
LORI GUMMOW  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

  
\_\_\_\_\_  
JOSEPH V. CHIARELLI  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

(16)

COMMITTEE: Economic Development

SUBJECT: Res. to Opt-In to IL Electronic Recycling

	AYES	NAYES	PRESENT	ABSENT	ABSTAINED
1. ARENA, PAUL M.	✓				
2. BOOKER, AARON	✓				
3. BUTITTA, JOHN	✓				
4. CROSBY, JEAN	✓				
5. FELLARS, ANGELA	✓				
6. GORAL, ANGIE	✓				
7. GUEVARA, JOHN M.	✓				
8. HANSERD, VALERIE	✓				
9. HOFFMAN, JOE C.	✓				
10. LINDMARK, BRAD	✓				
11. MCCARTHY, KEVIN	✓				
12. MCDONALD, KEITH	✓				
13. NABORS, TIMOTHY	✓				
14. PENNEY, JOHN	✓				
15. SALGADO, JAIME J.	✓				
16. SCROL, CHRISTOPHER	✓				
17. SWEENEY, JOHN F.	✓				
18. TASSONI, DAVE	✓				
19. THOMPSON, MICHAEL J.	✓				
20. WEBSTER, JIM	✓				
TOTALS <i>unanimous vote</i>	20				



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## FREQUENTLY ASKED QUESTIONS – COUNTY INFORMATION

### ILLINOIS ELECTRONICS RECYCLING PROGRAM

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#### **What is the Illinois Electronics Recycling Program?**

The Consumer Electronics Recycling Act (CERA) establishes a statewide system for recycling and/or reusing a specific set of electronic devices (CEDs) from Illinois residences. CERA requires CED manufacturers to financially support the recycling of collected CEDs.

#### **What are the covered electronic devices that manufacturers are responsible for recycling?**

Computers	DVD Recorders	Electronic Mice
Computer Monitors	VCRs	Small-Scale Servers
Televisions	Video Game Consoles	Portable Digital Music
Printers	Digital Converter Boxes	Players (Memory Capability
FAX Machines	Cable Receivers	& Battery Powered)
Scanners	Satellite Receivers	
DVD Players	Electronic Keyboards	

#### **What about the electronic devices that the manufacturers do not have to recycle?**

Individual collectors may decide to accept non-CEDs, such as cell phones, microwaves, and other common household devices that have an electronic component. Collectors must separate any accepted non-CEDs from the collected CEDs before those items are removed from the collection site. Collectors may be charged a fee by their recycler to cover the cost of recycling non-CEDs.

#### **What is the benefit for a county to participate in the Illinois Electronics Recycling Program?**

The Illinois Electronics Recycling Program provides residents of participating counties an environmentally safe outlet for their unwanted CEDs and helps prevent open dumping of electronics.

#### **What does a county need to do to participate in the next program year?**

Submit a completed Opt-In Form to the Illinois EPA and the designated manufacturer representative by March 1 of the preceding program year. The Opt-In Form should include a list of proposed collection locations that are likely to be available to support an electronics recycling site or event during the next program year.

#### **What is the county responsible for if it opts-in to the program?**

Participating counties are awarded a certain number of sites based upon population density, this is broken down below. The county will work with the manufacturer electronics recycling program contact to determine the specific collection sites or events for the upcoming program year. [Section 1-45 of CERA](#) outlines the additional responsibilities for counties that operate their own collection sites.

Population Density (individuals/sq. mile)	Minimum # of Sites*
0-249	1
250-499	2
500-749	3
750-999	4
1000-4999	5
5000+	15
*One site is equivalent to four one-day events	
Note: Municipality with over 1,000,000 residents receives 10 additional sites (located in that municipality)	

**Will the county have to absorb any costs?**

This depends if the county acts as a collector. Counties that hire a third party to collect CEDs will likely have to absorb the third party’s costs. These expenses may be covered or minimized by the fees that collectors can charge for accepting televisions and monitors.

Counties that serve as collectors are primarily responsible for staffing, equipment (forklift, forklift operator, pallet jack, etc.), and advertising. Under these circumstances, electronics manufacturers provide the county packaging and shipment materials, bulk transportation, and recycling of collected CEDs. The county may be assessed a prorated transportation fee if loads of transported CEDs do not average 18,000 pounds.

Counties can keep costs low by working with local departments to staff sites or events. Contact your ILCSWMA Regional Representative to see if they have any other ideas that have worked in the past.

ILCSWMA Northern Region Representative – Pete Adrian – [padrian@swalco.org](mailto:padrian@swalco.org) or 847-377-4952

ILCSWMA Central Region Representative – Chad Braatz – [chad.braatz@cityofmonmouth.com](mailto:chad.braatz@cityofmonmouth.com) – 309-255-5075

ILCSWMA Southern Region Representative – Andi Yancey – [anyancey@co.madison.il.us](mailto:anyancey@co.madison.il.us) – 618-296-4616

**Will counties be charged any fees by electronics recyclers?**

CERA does not include any recycler fees. The Illinois EPA recommends that counties contact their recycler to determine if they have an independent fee schedule.

**How many people are needed to staff a site or event? What if a county does not have any staff for these sites or events?**

Site staffing may vary based on county size. Depending upon the population density within a county, a single staff member for a site may suffice. However, staffing a site is more predictable than an event. Event staffing can vary depending upon several factors, including frequency of event, weather, and advertising. Counties should discuss staffing numbers with their recycler or ILCSWMA Regional Representative as they may have experience with organizing electronics recycling events.

Volunteers can be used if the county does not have enough staff for these sites or events. Volunteers should receive sufficient training that covers safety, sorting, and packaging prior to the event. Also, an individual with experience is recommended to provide expertise on the sorting, packaging and loading of the collected material.

**What are the benefits and limitations of selecting collection sites or one-day collection events?**

	Benefits	Limitations
Collection Site	<ul style="list-style-type: none"><li>• Continued availability for resident drop-off</li><li>• Predictable schedule</li><li>• May operate with single employee</li><li>• County control over recycler pick-ups</li></ul>	<ul style="list-style-type: none"><li>• Dedicated location</li><li>• Dedicated staff</li></ul>
One-day Event	<ul style="list-style-type: none"><li>• Flexible location options (may use an empty parking lot)</li><li>• Staff only required for one day</li></ul>	<ul style="list-style-type: none"><li>• Limited availability to residents</li><li>• Unpredictable (weather, number of incoming devices)</li><li>• Less control over ability to meet 18,000 gross pound transportation requirement</li></ul>

**What can a county expect after opting-in?**

Participating counties should be contacted by a manufacturer program contact after opting-in to the Illinois electronics recycling program. The manufacturer program contact will work with participating counties to identify the collection sites or events that will be listed in the manufacturer program plan and connect the counties with assigned recyclers. These contacts should take place before July 1, when the manufacturer program plan is due to the Illinois EPA.



# ELECTRONICS ≠ TRASH

## But why?

It is illegal for these devices to go into a landfill.

Electronics contain hazardous materials and we need to protect our environment from these materials entering into our land and water.



Valuable and precious metals can also be found in these devices, like gold, silver, copper, zinc, aluminum, platinum, nickel, cobalt, etc.

Find a collection location near you at: [bit.ly/recycleil](https://bit.ly/recycleil)



# Illinois Electronics Recycling Program

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Illinois Environmental  
Protection Agency



# Introduction

The Illinois Statewide Electronics Recycling Program began on January 1, 2012 under the Electronics Products Recycling & Reuse Act (EPRRA). On January 1, 2019, the Consumer Electronics Recycling Act (CERA) replaced EPRRA as the statutory framework for the statewide electronics recycling program. CERA incorporated many of the lessons learned from the historic program administration, including replacing numerical annual collection goals with minimum collection site requirements for participating Illinois counties.

The statewide program offers an environmentally sound outlet for residential electronics and reduces the occurrence of open dumping which can be an environmental and economic burden for Illinois taxpayers. CERA requires manufacturers of covered electronic devices (CEDs), listed in Table 1, to register with the Illinois Environmental Protection Agency (Agency) the brands they offer for sale at retail to Illinois residents. These manufacturers are required to fund packaging, transportation, and the subsequent recycling of CEDs collected at participating collection locations. The list of registered manufacturers can be found on the Agency's [website](#).

**Table 1. List of Covered Electronic Devices**

- Computers
- Computer Monitors
- Keyboards & Mice
- Printers
- Scanners
- Fax Machines
- Small-Scale Servers
- Televisions
- DVD Players|
- DVD Recorders
- VCRs
- Cable Receivers
- Satellite Receivers
- Digital Converter Boxes
- Video Game Consoles
- Portable Music Players (with memory capabilities)

## Program Participation

Illinois county participation plays an important role in program success. In total, 52 counties opted into the 2020 statewide program. Of those counties, 42 were able to run collection sites or hold collection events despite many of the limitations imposed by the COVID-19 pandemic. Figure 1 displays a visual depiction of county participation. Approximately 85% of the Illinois population had the opportunity to use a CERA collection site or event during calendar year 2020.

Collectors and recyclers are also vital components of the statewide program. Collectors involved in the program must register each program year with the Agency. In many cases, the participating county acts as their own designated collector. A county may also designate a third party to act as their collector. Collectors must register the collection sites and events with the Agency. These sites and events are published on the Agency's website and added to our [Beyond the Bin Map](#) for public access.

Recyclers involved in the statewide program are selected and assigned to participating counties by the manufacturers. In 2020, seven recyclers were selected to participate. Registered collectors and recyclers are responsible for handling CEDs in an environmentally safe manner in accordance with state law. CERA contemplates allowing additional collectors and recyclers

maintaining independent collection and recycling networks, which may not be funded by manufacturers.

## Collection Totals and Analysis

CERA requires manufacturers to annually report to the Agency the amount of CEDs collected and recycled from participating collection sites and events by device category. The eight device categories are:

1. Computers and small-scale servers
2. Computer monitors
3. Televisions
4. Printers, scanners, fax machines
5. DVD players/recorders, video players/recorders
6. Video game consoles
7. Digital converter boxes, cable and satellite receivers
8. Keyboards, mice, portable digital music players

Manufacturers reported that approximately ~12.3 million pounds of CEDs were collected from collection sites and events established under CERA in 2020.

Figure 2 illustrates the total weight amount collected by CED category. A majority of the weight collected can be attributed to televisions and accounts for 54.8% of the total weight collected. Although televisions continue to become slimmer and lighter, they remain the heaviest consumer electronic. Additionally, tube televisions persist in Illinois homes despite their phaseout in the mid to late 2000s. Television collection numbers are expected to remain high for the future due to their size, weight, and abundance.

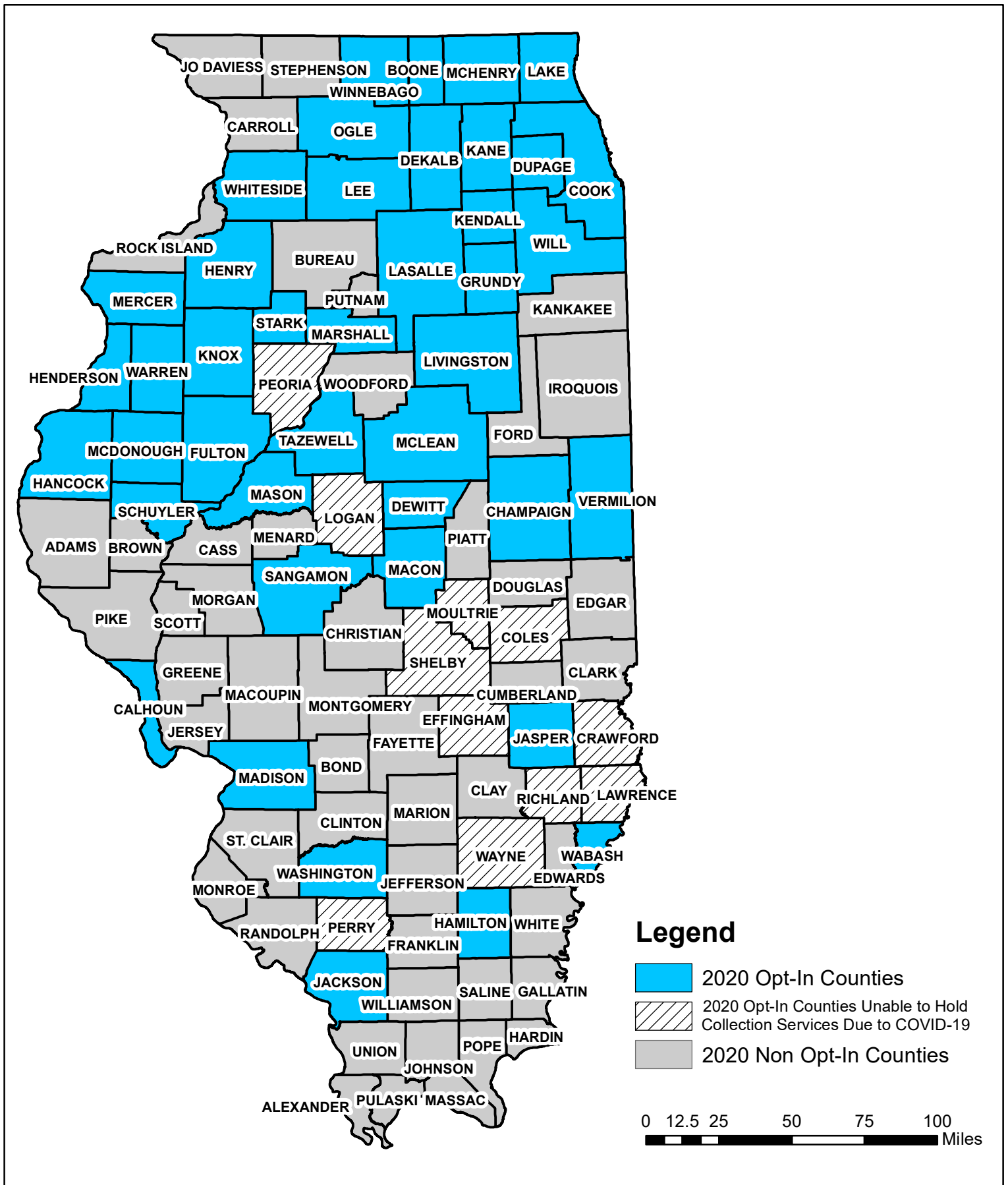
The remaining device categories collected include: Printers/Scanners/Fax (13.9%), DVD and VCR Players/Recorders (11.2%), Computers and Small-Scale Servers (7.2%), Computer Peripherals (4.7%), Computer Monitors (5%), Cable/Satellite Equipment (2.2%), and Game Consoles (1%).

In addition, the Agency is provided with a breakdown of CED weight collected by each county. A full breakdown of collection weight by county can be found in Table 2. The top four counties by collected weight are Lake County, Cook County, Will County, and DuPage County. These counties represent the four largest Illinois counties by population size.

CERA is a unique statute and is currently the only electronics recycling statute of its kind enacted in the United States. Analysis of program effectiveness is on-going as more data is collected each year. Eleven counties that had opt-ed into the program were ultimately unable to provide collection services during 2020 due to the COVID-19 pandemic. Additionally, some collection sites were temporarily closed, and many collection events were either postponed or cancelled all together. Therefore, the 2020 program was significantly impacted. Program year 2020 brought in 2.4 million fewer pounds when compared to program year 2019. A decrease in total weight collected was anticipated. Despite these challenges, local governments and recyclers worked

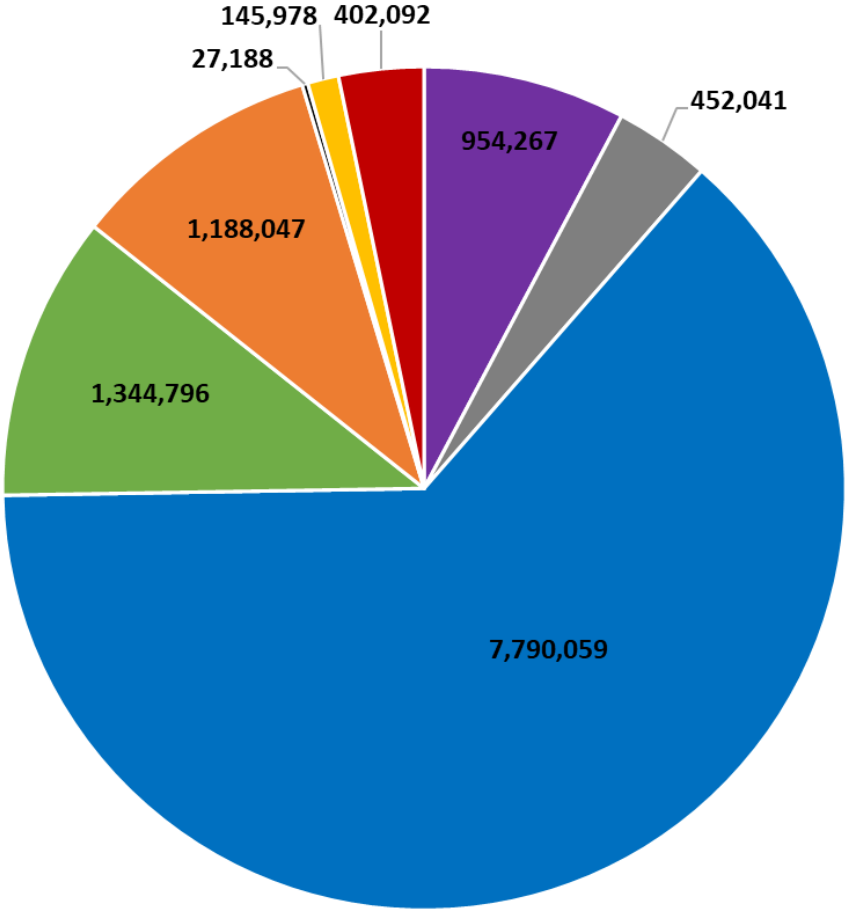
diligently to re-open collection sites and hold collection events throughout the program year. This was largely achieved by taking additional measures to protect the health and safety of employees and residents so that this important program could continue to benefit local communities and the environment.

Please contact Jessica Miller at (217) 524-7948 or email [EPA.Recycling@illinois.gov](mailto:EPA.Recycling@illinois.gov) if you have any questions related to this report or the Illinois Statewide Electronics Recycling Program.



**Figure 1. Illinois County Participation in 2020 Under CERA**

Figure 2. Total CED Weight (lbs.) Collected in 2020 Under CERA



- Computers and Small-Scale Servers
- TVs
- DVD/VCR
- Cable/Satellite Equipment
- Computer Monitors
- Printers/Scanners/Fax
- Game Consoles
- Computer Peripherals

**Table 2. CED Weight (lbs.) Collected by Illinois Counties in 2020 Under CERA**

County	Weight (lbs.) Collected by County (2020)	Computers/Small Scale Servers	Computer Monitors	TVs	Printers/Scanners/Fax	DVD/VCR	Game Consoles	Cable/Satellite Equipment	Computer Peripherals
Boone	181,485	8,995	2,217	132,981	10,603	938	313	625	24,814
Calhoun	9,073	-	-	9,073	-	-	-	-	-
Champaign	171,652	7,014	5,403	133,284	16,635	5,072	207	1,656	2,381
Cook	1,347,074	191,334	112,699	782,997	152,987	62,034	2,678	18,759	23,587
Dekalb	144,823	3,949	7,540	117,894	13,753	-	-	857	830
Dewitt	55,130	-	412	46,893	2,895	3,991	78	157	704
Dupage	1,141,364	225,765	49,215	646,141	104,396	82,048	-	8,222	25,577
Fulton	99,772	7,636	4,062	77,847	6,446	2,058	84	672	966
Grundy	36,947	1,717	2,550	25,921	4,386	1,292	53	422	607
Hamilton	15,156	660	-	12,972	584	512	21	167	240
Hancock	35,151	2,720	1,412	27,399	2,296	721	29	235	339
Henderson	12,032	923	488	9,386	779	248	10	81	116
Henry	88,098	3,797	4,079	72,010	1,255	3,788	155	1,237	1,778
Jackson	413,523	33,087	5,050	313,528	41,605	11,027	452	3,598	5,176
Jasper	44,085	1,673	-	35,143	1,710	3,027	123	988	1,421
Kane	661,618	123,777	33,999	392,762	52,790	40,037	-	5,407	12,846
Kendall	95,238	23	7,091	2,655	49,157	16,447	4,266	9,550	6,048
Knox	183,405	13,852	7,597	143,264	11,693	3,811	156	1,244	1,789
Lake	2,468,361	7,300	6,437	1,314,429	428,126	576,440	11,301	22,605	101,723
LaSalle	233,275	5,260	4,389	196,635	20,629	3,465	141	1,132	1,624
Lee	94,740	1,762	2,522	64,860	5,586	10,894	445	3,557	5,114
Livingston	64,534	1,036	4,932	54,181	439	2,148	88	702	1,008
Macon	57,493	4,710	-	45,844	693	3,401	139	1,110	1,596
Madison	163,995	9,803	14,368	123,534	2,040	7,758	317	2,533	3,642
Marshall	9,940	705	-	7,591	659	537	22	175	252
Mason	29,646	1,759	1,812	19,443	2,288	1,422	-	1,694	1,228
McDonough	84,815	6,307	3,573	66,352	5,326	1,773	72	579	832
McHenry	235,783	28,528	14,797	161,014	22,979	4,609	188	1,505	2,163
McLean	662,216	7,410	6,568	420,153	73,542	116,972	2,225	4,449	30,897
Mercer	50,934	3,824	2,124	39,809	3,228	1,061	43	346	498
Ogle	187,223	13,813	8,842	135,885	15,492	7,182	291	2,347	3,371
Sangamon	1,082,374	150,262	102,411	482,183	129,442	111,790	1,010	38,742	66,534
Shuyler	15,862	1,207	650	12,384	1,019	328	13	107	154
Stark	21,674	844	-	18,548	228	1,118	46	365	525
Tazewell	46,871	3,705	2,899	32,885	3,073	2,346	96	766	1,101
Vermilion	110,913	5,246	-	93,904	1,176	5,764	235	1,882	2,705
Wabash	42	36	4	-	2	-	-	-	-
Warren	65,640	4,937	2,730	51,295	4,169	1,366	56	446	641
Washington	90,337	3,150	1,109	70,792	3,270	6,543	266	2,136	3,071
Whiteside	134,049	2,251	1,490	107,882	8,359	401	-	-	13,666
Will	1,262,661	31,119	18,946	977,491	107,763	76,407	1,273	2,546	47,116
Winnebago	395,463	32,373	7,621	310,816	31,296	7,272	297	2,375	3,413
<b>Total</b>	<b>12,304,469</b>	<b>954,267</b>	<b>452,041</b>	<b>7,790,059</b>	<b>1,344,796</b>	<b>1,188,047</b>	<b>27,188</b>	<b>145,978</b>	<b>402,092</b>

\*Collection numbers do not include non-opt-in counties, municipal collection programs outside of CERA, private programs, retailers, for profit businesses, or non-profits.



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## ENVIRONMENTAL SAFETY (415 ILCS 151/) Consumer Electronics Recycling Act.

(415 ILCS 151/Art. 1 heading)

ARTICLE 1. CONSUMER ELECTRONICS RECYCLING ACT

(This Article is scheduled to be repealed on December 31, 2026)

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/1-1)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-1. Short title. This Act may be cited as the Consumer Electronics Recycling Act. References in this Article to "this Act" mean this Article.

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/1-3)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-3. Findings; purpose.

(a) The General Assembly finds all of the following:

(1) Many older and obsolete consumer electronic products contain materials which may pose environmental and health risks that should be managed.

(2) Consumer electronic products contain metals, plastics, glass, and other potentially valuable materials. The reuse and recycling of these materials can conserve natural resources and energy.

(3) The recycling and reuse of the covered electronic devices defined under this Act falls within the State of Illinois' interest in the proper management of such products.

(4) Illinois counties and municipalities may face significant cost burdens in collecting and processing obsolete electronic products for reuse and recycling.

(5) Manufacturers of electronic products should share responsibility for the proper management of obsolete consumer electronic products.

(6) Illinois counties and municipalities, and the

citizens of Illinois, will benefit from the implementation of a program or programs for the proper management of obsolete consumer electronic products operated by manufacturers that are actively overseen by the State.

(7) It is the intent of the State to allow manufacturers to coordinate their activities and programs related to the proper management of obsolete covered electronic devices as defined under this Act under strict State supervision regardless of the effect the manufacturers' actions or such coordination will have on competition.

(8) It is in the best interest of the State to promote the coordination of manufacturer activities and programs related to the proper management of obsolete covered electronic devices through participation in a manufacturer clearinghouse as set forth in the Act.

(b) The purpose of this Act is to further the interest of the State of Illinois in the proper management of obsolete consumer electronic products by setting forth procedures by which the recycling and processing for reuse of covered electronic devices will be accomplished by manufacturers for those counties and municipalities that wish to opt-in to electronic product manufacturer-run recycling and processing programs that are approved and overseen by the State of Illinois.

(Source: P.A. 100-592, eff. 6-22-18.)

(415 ILCS 151/1-5)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-5. Definitions. As used in this Act:

"Agency" means the Illinois Environmental Protection Agency.

"Best practices" means standards for collecting and preparing items for shipment and recycling. "Best practices" may include standards for packaging for transport, load size, acceptable load contamination levels, non-CED items included in a load, and other standards as determined under Section 1-85 of this Act. "Best practices" shall consider the desired intent to preserve existing collection programs and relationships when possible.

"Collector" means a person who collects residential CEDs at any program collection site or one-day collection event and prepares them for transport.

"Computer", often referred to as a "personal computer" or "PC", means a desktop or notebook computer as further defined below and used only in a residence, but does not mean an automated typewriter, electronic printer, mobile telephone, portable hand-held calculator, portable digital assistant (PDA), MP3 player, or other similar device. "Computer" does not include computer peripherals, commonly known as cables, mouse, or keyboard. "Computer" is further defined as either:

(1) "Desktop computer", which means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a desktop computer is achieved through a stand-alone keyboard, stand-alone monitor, or other display unit, and a stand-alone mouse or other pointing device, and is designed for a single user. A desktop computer has a main unit that is intended to be persistently located in a single location, often on a desk or on the floor. A desktop computer is not



designed for portability and generally utilizes an external monitor, keyboard, and mouse with an external or internal power supply for a power source. Desktop computer does not include an automated typewriter or typesetter; or

(2) "Notebook computer", which means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a notebook computer is achieved through a keyboard, video display greater than 4 inches in size, and mouse or other pointing device, all of which are contained within the construction of the unit that comprises the notebook computer; supplemental stand-alone interface devices typically can also be attached to the notebook computer. Notebook computers can use external, internal, or batteries for a power source. Notebook computer does not include a portable hand-held calculator, or a portable digital assistant or similar specialized device. A notebook computer has an incorporated video display greater than 4 inches in size and can be carried as one unit by an individual. A notebook computer is sometimes referred to as a laptop computer.

(3) "Tablet computer", which means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions for general purpose needs that are met through interaction with a number of software programs contained therein, and that is not designed to exclusively perform a specific type of logical, arithmetic, or storage function or other limited or specialized application. Human interface with a tablet computer is achieved through a touch screen and video display screen greater than 6 inches in size (all of which are contained within the unit that comprises the tablet computer). Tablet computers may use an external or internal power source. "Tablet computer" does not include a portable hand-held calculator, a portable digital assistant, or a similar specialized device.

"Computer monitor" means an electronic device that is a cathode-ray tube or flat panel display primarily intended to display information from a computer and is used only in a residence.

"County recycling coordinator" means the individual who is designated as the recycling coordinator for a county in a waste management plan developed pursuant to the Solid Waste Planning and Recycling Act.

"Covered electronic device" or "CED" means any computer, computer monitor, television, printer, electronic keyboard, facsimile machine, videocassette recorder, portable digital music player that has memory capability and is battery powered, digital video disc player, video game console, electronic mouse, scanner, digital converter box, cable receiver, satellite receiver, digital video disc recorder, or small-scale server sold at retail. "Covered electronic device" does not include any of the following:

- (1) an electronic device that is a part of a motor vehicle or any component part of a motor vehicle assembled by or for a vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle;
- (2) an electronic device that is functionally or

physically part of a larger piece of equipment or that is taken out of service from an industrial, commercial (including retail), library checkout, traffic control, kiosk, security (other than household security), governmental, agricultural, or medical setting, including but not limited to diagnostic, monitoring, or control equipment; or

(3) an electronic device that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, water pump, sump pump, or air purifier. To the extent allowed under federal and State laws and regulations, a CED that is being collected, recycled, or processed for reuse is not considered to be hazardous waste, household waste, solid waste, or special waste.

"Covered electronic device category" or "CED category" means each of the following 8 categories of residential CEDs:

- (1) computers and small-scale servers;
- (2) computer monitors;
- (3) televisions;
- (4) printers, facsimile machines, and scanners;
- (5) digital video disc players, digital video disc recorders, and videocassette recorders;
- (6) video game consoles;
- (7) digital converter boxes, cable receivers, and satellite receivers; and
- (8) electronic keyboards, electronic mice, and portable digital music players that have memory capability and are battery powered.

"Manufacturer" means a person, or a successor in interest to a person, under whose brand or label a CED is or was sold at retail. For any CED sold at retail under a brand or label that is licensed from a person who is a mere brand owner and who does not sell or produce a CED, the person who produced the CED or his or her successor in interest is the manufacturer. For any CED sold at retail under the brand or label of both the retail seller and the person that produced the CED, the person that produced the CED, or his or her successor in interest, is the manufacturer.

"Manufacturer clearinghouse" means an entity that prepares and submits a manufacturer e-waste program plan to the Agency, and oversees the manufacturer e-waste program, on behalf of a group of 2 or more manufacturers cooperating with one another to collectively establish and operate an e-waste program for the purpose of complying with this Act and that collectively represent at least 50% of the manufacturers' total obligations under this Act for a program year.

"Manufacturer e-waste program" means any program established, financed, and operated by a manufacturer, individually or collectively as part of a manufacturer clearinghouse, to transport and subsequently recycle, in accordance with the requirements of this Act, residential CEDs collected at program collection sites and one-day collection events.

"Municipal joint action agency" means a municipal joint action agency created under Section 3.2 of the Intergovernmental Cooperation Act.

"One-day collection event" means a one-day event used as a substitute for a program collection site pursuant to Section 1-15 of this Act.

"Person" means an individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political

subdivision, State agency, or any other legal entity; or a legal representative, agent, or assign of that entity. "Person" includes a unit of local government.

"Printer" means desktop printers, multifunction printer copiers, and printer/fax combinations taken out of service from a residence that are designed to reside on a work surface, and include various print technologies, including without limitation laser and LED (electrographic), ink jet, dot matrix, thermal, and digital sublimation, and "multi-function" or "all-in-one" devices that perform different tasks, including without limitation copying, scanning, faxing, and printing. Printers do not include floor-standing printers, printers with optional floor stand, point of sale (POS) receipt printers, household printers such as a calculator with printing capabilities or label makers, or non-stand-alone printers that are embedded into products that are not CEDs.

"Program collection site" means a physical location that is included in a manufacturer e-waste program and at which residential CEDs are collected and prepared for transport by a collector during a program year in accordance with the requirements of this Act. Except as otherwise provided in this Act, "program collection site" does not include a retail collection site.

"Program year" means a calendar year. The first program year is 2019.

"Recycler" means any person who transports or subsequently recycles residential CEDs that have been collected and prepared for transport by a collector at any program collection site or one-day collection event.

"Recycling" has the meaning provided under Section 3.380 of the Environmental Protection Act. "Recycling" includes any process by which residential CEDs that would otherwise be disposed of or discarded are collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.

"Residence" means a dwelling place or home in which one or more individuals live.

"Residential covered electronic device" or "residential CED" means any covered electronic device taken out of service from a residence in the State.

"Retail collection site" means a private sector collection site operated by a retailer collecting on behalf of a manufacturer.

"Retailer" means a person who first sells, through a sales outlet, catalogue, or the Internet, a covered electronic device at retail to an individual for residential use or any permanent establishment primarily where merchandise is displayed, held, stored, or offered for sale to the public.

"Sale" means any retail transfer of title for consideration of title including, but not limited to, transactions conducted through sales outlets, catalogs, or the Internet or any other similar electronic means. "Sale" does not include financing or leasing.

"Small-scale server" means a computer that typically uses desktop components in a desktop form designed primarily to serve as a storage host for other computers. To be considered a small-scale server, a computer must: be designed in a pedestal, tower, or other form that is similar to that of a desktop computer so that all data processing, storage, and network interfacing is contained within one box or product; be designed to be operational 24 hours per day and 7 days per week; have very little unscheduled downtime, such as on the order of hours per year; be capable of operating in a simultaneous multi-user environment serving several users through networked client

units; and be designed for an industry-accepted operating system for home or low-end server applications.

"Television" means an electronic device that contains a cathode-ray tube or flat panel screen the size of which is greater than 4 inches when measured diagonally and is intended to receive video programming via broadcast, cable, satellite, Internet, or other mode of video transmission or to receive video from surveillance or other similar cameras.

(Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17; 100-592, eff. 6-22-18.)

(415 ILCS 151/1-10)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-10. Manufacturer e-waste program.

(a) For program year 2019 and each program year thereafter, each manufacturer shall, individually or collectively as part of a manufacturer clearinghouse, provide a manufacturer e-waste program to transport and subsequently recycle, in accordance with the requirements of this Act, residential CEDs collected at, and prepared for transport from, the program collection sites and one-day collection events included in the program during the program year.

(b) Each manufacturer e-waste program must include, at a minimum, the following:

(1) satisfaction of the convenience standard described in Section 1-15 of this Act;

(2) instructions for designated county recycling coordinators and municipal joint action agencies to annually file notice to participate in the program;

(3) transportation and subsequent recycling of the residential CEDs collected at, and prepared for transport from, the program collection sites and one-day collection events included in the program during the program year; and

(4) submission of a report to the Agency, by March 1, 2020, and each March 1 thereafter, which includes:

(A) the total weight of all residential CEDs transported from program collection sites and one-day collection events throughout the State during the preceding program year by CED category;

(B) the total weight of residential CEDs transported from all program collection sites and one-day collection events in each county in the State during the preceding program year by CED category; and

(C) the total weight of residential CEDs transported from all program collection sites and one-day collection events in each county in the State during that preceding program year and that was recycled.

(c) Each manufacturer e-waste program shall make the instructions required under paragraph (2) of subsection (b) available on its website by December 1, 2017, and the program shall provide to the Agency a hyperlink to the website for posting on the Agency's website.

(d) Nothing in this Act shall prevent a manufacturer from accepting, through a manufacturer e-waste program, residential CEDs collected through a curbside or drop-off collection program that is operated pursuant to a residential franchise collection agreement authorized by Section 11-19-1 of the Illinois Municipal Code or Section 5-1048 of the Counties Code between a third party and a unit of local government located within a county or municipal joint action agency that has elected to participate in a manufacturer e-waste program.

(e) A collection program operated in accordance with this Section shall:

(1) meet the collector responsibilities under

subsections (a), (a-5), (d), (e), and (g) under Section 1-45 and require certification on the bill of lading or similar manifest from the unit of local government, the third party, and the county or municipal joint action agency that elected to participate in the manufacturer e-waste program that the CEDs were collected, to the best of their knowledge, from residential consumers in the State of Illinois;

(2) comply with the audit provisions under subsection (g) of Section 1-30;

(3) locate any drop-off location where CEDs are collected on property owned by a unit of local government; and

(4) have signage at any drop-off location indicating only residential CEDs are accepted for recycling.

Manufacturers of CEDs are not financially responsible for transporting and consolidating CEDs collected from a collection program's drop-off location. Any drop-off location used in 2019 must have been identified by the county or municipal joint action agency in the written notice of election to participate in the manufacturer e-waste program in accordance with Section 1-20 by March 1, 2018. Any drop-off location operating in 2020 or in subsequent years must be identified by the county or municipal joint action agency in the annual written notice of election to participate in a manufacturer e-waste program in accordance with Section 1-20 to be eligible for the subsequent program year.

(Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17; 100-592, eff. 6-22-18; 100-1165, eff. 6-1-19; 101-81, eff. 7-12-19.)

(415 ILCS 151/1-15)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-15. Convenience standard for program collection sites and one-day collection events.

(a) Beginning in 2019 each manufacturer e-waste program for a program year must include, at a minimum, program collection sites in the following quantities in counties that elect to participate in the manufacturer e-waste program for the program year:

(1) one program collection site in each county that has elected to participate in the manufacturer e-waste program for the program year and that has a population density that is less than 250 individuals per square mile;

(2) two program collection sites in each county that has elected to participate in the manufacturer e-waste program for the program year and that has a population density that is greater than or equal to 250 individuals per square mile but less than 500 individuals per square mile;

(3) three program collection sites in each county that has elected to participate in the manufacturer e-waste program for the program year and that has a population density that is greater than or equal to 500 individuals per square mile but less than 750 individuals per square mile;

(4) four program collection sites in each county that has elected to participate in the manufacturer e-waste program for the program year and that has a population density that is greater than or equal to 750 individuals per square mile but less than 1,000 individuals per square mile;

(5) five program collection sites in each county that has elected to participate in the manufacturer e-waste program for the program year and that has a population density that is greater than or equal to 1,000 individuals per square mile but less than 5,000 individuals per square mile; and

(6) fifteen program collection sites in each county that has elected to participate in the manufacturer e-waste program for the program year and that has a population density that is greater than or equal to 5,000 individuals per square mile.

For purposes of this Section, county population densities shall be based on the entire county's population density, regardless of whether a municipality or municipal joint action agency in the county participates in a manufacturer e-waste program.

If a municipality with a population of over 1,000,000 residents elects to participate in a manufacturer e-waste program for a program year, then the program shall provide 10 additional program collection sites for the program year to be located in that municipality, and the program collection sites required under paragraph (6) of subsection (a) of this Section shall be located outside of the municipality.

If a municipal joint action agency elects to participate in a manufacturer e-waste program for a program year, it shall receive, for that year, a population-based pro rata share of the program collection sites that would be granted to the county in which the municipal joint action agency is located if the county were to elect to participate in the program for that year, rounded to the nearest whole number.

A designated county recycling coordinator may elect to operate more than the required minimum number of collection sites.

(b) Notwithstanding subsection (a) of this Section, any county, municipality, or municipal joint action agency that elects to participate in a manufacturer e-waste program may enter into a written agreement with the operators of any manufacturer e-waste program in order to do one or more of the following:

(1) to decrease the number of program collection sites in the county, municipality, or territorial boundary of the municipal joint action agency for the program year;

(2) to substitute a program collection site in the county, municipality, or territorial boundary of the municipal joint action agency with either (i) 4 one-day collection events or (ii) a different number of such events as may be provided in the written agreement;

(3) to substitute the location of a program collection site in the county, municipality, or territorial boundary of the municipal joint action agency for the program year with another location;

(4) to substitute the location of a one-day collection in the county, municipality, or territorial boundary of the municipal joint action agency with another location; or

(5) to use, with the agreement of the applicable retailer, a retail collection site as a program collection site.

An agreement made pursuant to paragraph (1) or (2) of this subsection (b) shall be reduced to writing and included in the manufacturer e-waste program plan as required under subsection (a) of Section 1-25 of this Act.

(Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

(415 ILCS 151/1-20)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-20. Election to participate in manufacturer e-waste programs. Beginning with program year 2019, a county, a municipal joint action agency, or a municipality with a population of more than 1,000,000 residents may elect to

participate in a manufacturer e-waste program by filing with the manufacturer e-waste program and the Agency, on or before March 1, 2018, and on or before March 1 of each year thereafter for the upcoming program year, a written notice of election to participate in the program. The written notice shall include a list of proposed collection locations likely to be available and appropriate to support the program, and may include locations already providing similar collection services. The written notice may include a list of registered recyclers that the county, municipal joint action agency, or municipality would prefer using for its collection sites or one-day events.

Counties, municipal joint action agencies, and municipalities with a population of more than 1,000,000 residents may contract with registered collectors to operate collection sites. Eligible registered collectors are not limited to private companies and non-government organizations.

(Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

(415 ILCS 151/1-25)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-25. Manufacturer e-waste program plans.

(a) By September 1, 2018 for program year 2019, and by July 1 of each year thereafter, each manufacturer shall, individually or through a manufacturer clearinghouse, submit to the Agency a manufacturer e-waste program plan, which includes, at a minimum, the following:

(1) the contact information for the individual who will serve as the point of contact for the manufacturer e-waste program;

(2) the identity of each county that has elected to participate in the manufacturer e-waste program during the program year;

(3) for each county, the location of each program collection site and one-day collection event included in the manufacturer e-waste program for the program year;

(4) the collector operating each program collection site and one-day collection event included in the manufacturer e-waste program for the program year;

(5) the recyclers that manufacturers plan to use during the program year to transport and subsequently recycle residential CEDs under the program, with the updated list of recyclers to be provided to the Agency no later than December 1 preceding each program year;

(6) an explanation of any deviation by the program from the standard program collection site distribution set forth in subsection (a) of Section 1-15 of this Act for the program year, along with copies of all written agreements made pursuant to paragraphs (1) or (2) of subsection (b) of Section 1-15 for the program year; and

(7) if a group of 2 or more manufacturers are participating in a manufacturer clearinghouse, certification that the methodology used for allocating responsibility for the transportation and recycling of residential CEDs by manufacturers participating in the manufacturer clearinghouse for the program year will be in compliance with the allocation methodology established under Section 1-84.5 of this Act.

(b) Within 60 days after receiving a manufacturer e-waste program plan, the Agency shall review the plan and approve the plan or disapprove the plan.

(1) If the Agency determines that the program collection sites and one-day collection events specified in the plan will satisfy the convenience standard set forth in Section 1-15 of this Act, then the Agency shall approve the

manufacturer e-waste program plan and provide written notification of the approval to the individual who serves as the point of contact for the manufacturer. The Agency shall make the approved plan available on the Agency's website.

(2) If the Agency determines the plan will not satisfy the convenience standard set forth in Section 1-15 of this Act, then the Agency shall disapprove the manufacturer e-waste program plan and provide written notification of the disapproval and the reasons for the disapproval to the individual who serves as the point of contact for the manufacturer. Within 30 days after the date of disapproval, the manufacturer shall submit a revised manufacturer e-waste program plan that addresses the deficiencies noted in the Agency's disapproval.

(c) Manufacturers shall assume financial responsibility for carrying out their e-waste program plans, including, but not limited to, financial responsibility for providing the packaging materials necessary to prepare shipments of collected residential CEDs in compliance with subsection (e) of Section 1-45, as well as financial responsibility for bulk transportation and recycling of collected residential CEDs.

(Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17; 100-592, eff. 6-22-18; 100-1165, eff. 6-1-19; 101-81, eff. 7-12-19.)

(415 ILCS 151/1-30)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-30. Manufacturer registration.

(a) By April 1, 2018, and by April 1 of each year thereafter for the upcoming program year, beginning with program year 2019, each manufacturer who sells CEDs in the State must register with the Agency by: (i) submitting to the Agency a \$5,000 registration fee; and (ii) completing and submitting to the Agency the registration form prescribed by the Agency. Information on the registration form shall include, without limitation, all of the following:

(1) a list of all of the brands and labels under which the manufacturer's CEDs are sold or offered for sale in the State; and

(2) the total weights, by CED category, of CEDs sold in the United States to individuals, under any of the manufacturer's brands or labels, during the calendar year that is 2 years before the applicable program year.

If, during a program year, any of the manufacturer's CEDs are sold or offered for sale in the State under a brand that is not listed in the manufacturer's registration, then, within 30 days after the first sale or offer for sale under that brand, the manufacturer must amend its registration to add the brand. All registration fees collected by the Agency pursuant to this Section shall be deposited into the Solid Waste Management Fund.

(b) The Agency shall post on its website a list of all registered manufacturers.

(c) Beginning in program year 2019, a manufacturer whose CEDs are sold or offered for sale in this State for the first time on or after April 1 of a program year must register with the Agency within 30 days after the date the CEDs are first sold or offered for sale in the State.

(d) Beginning in program year 2019, manufacturers shall ensure that only recyclers that have registered with the Agency and meet the recycler standards set forth in Section 1-40 are used to transport or recycle residential CEDs collected at any program collection site or one-day collection event.

(e) Beginning in program year 2019, no manufacturer may sell or offer for sale a CED in this State unless the manufacturer is registered and operates a manufacturer program either



individually or as part of the manufacturer clearinghouse as required in this Act.

(f) Beginning in program year 2019, no manufacturer may sell or offer for sale a CED in this State unless the manufacturer's brand name is permanently affixed to, and is readily visible on, the CED.

(g) In accordance with a contract or agreement with a county, municipality, or municipal joint action agency that has elected to participate in a manufacturer e-waste program under this Act, manufacturers may, either individually or through the manufacturer clearinghouse, audit program collection sites and proposed program collection sites for compliance with the terms and conditions of the contract or agreement. Audits shall be conducted during normal business hours, and a manufacturer or its designee shall provide reasonable notice to the collection site in advance of the audit. Audits of all program collection sites may include, among other things, physical site location visits and inspections and review of processes, procedures, technical systems, reports, and documentation reasonably related to the collecting, sorting, packaging, and recycling of residential CEDs in compliance with this Act.

(h) Nothing in this Act shall require a manufacturer or manufacturer e-waste program to collect, transport, or recycle any CEDs other than residential CEDs, or to accept for transport or recycling any pallet or bulk container of residential CEDs that has not been prepared by the collector for shipment in accordance with subsection (e) of Section 1-45.

(Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17; 100-592, eff. 6-22-18.)

(415 ILCS 151/1-33)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-33. Manufacturer clearinghouse.

(a) A manufacturer e-waste program plan submitted by a manufacturer clearinghouse may take into account and incorporate individual plans or operations of one or more manufacturers that are participating in the manufacturer clearinghouse.

(b) If a manufacturer clearinghouse allocates responsibility to manufacturers for manufacturers' transportation and recycling of residential CEDs during a program year as part of a manufacturer e-waste program plan, then the manufacturer clearinghouse shall identify the allocation methodology in its plan submission to the Agency pursuant to Section 1-25 of this Act for review and approval. Any allocation of responsibility among manufacturers for the collection of covered electronic devices shall be in accordance with the allocation methodology established pursuant to Section 1-84.5 of this Act.

(c) A manufacturer clearinghouse shall have no authority to enforce manufacturer compliance with the requirements of this Act, including compliance with the allocation methodology set forth in a manufacturer e-waste program plan, but shall, upon prior notice to the manufacturer, refer any potential non-compliance to the Agency. A manufacturer clearinghouse may develop and implement policies and procedures that exclude from participation in the manufacturer clearinghouse any manufacturers found by the Illinois Pollution Control Board or a court of competent jurisdiction to have failed to comply with this Act.

(Source: P.A. 100-592, eff. 6-22-18.)

(415 ILCS 151/1-35)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-35. Retailer responsibilities.

(a) Beginning in program year 2019, no retailer who first

sells, through a sales outlet, catalogue, or the Internet, a CED at retail to an individual for residential use may sell or offer for sale any CED in or for delivery into this State unless:

(1) the CED is labeled with a brand, and the label is permanently affixed and readily visible; and

(2) the manufacturer is registered with the Agency at the time the retailer purchases the CED.

(b) A retailer shall be considered to have complied with paragraphs (1) and (2) of subsection (a) if:

(1) a manufacturer registers with the Agency within 30 days of a retailer taking possession of the manufacturer's CED;

(2) a manufacturer's registration expires and the retailer ordered the CED prior to the expiration, in which case the retailer may sell the CED, but only if the sale takes place within 180 days of the expiration; or

(3) a manufacturer is no longer conducting business and has no successor in interest, in which case the retailer may sell any orphan CED ordered prior to the discontinuation of business.

(c) Retailers shall not be considered collectors under the convenience standard and retail collection sites shall not be considered a collection site for the purposes of the convenience standard pursuant to Sections 1-10, 1-15, and 1-25 unless otherwise agreed to in writing by the (i) retailer, (ii) operators of the manufacturer e-waste program, and (iii) the applicable county, municipal joint action agency, or municipality. If retailers agree to participate in a county program collection site, then the retailer collection site does not have to collect all CEDs or register as a collector.

(d) Manufacturers may use retail collection sites for satisfying some or all of their obligations pursuant to Sections 1-10, 1-15 and 1-25.

(e) Nothing in this Act shall prohibit a retailer from collecting a fee for each CED collected.

(Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

(415 ILCS 151/1-40)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-40. Recycler responsibilities.

(a) By January 1, 2019, and by January 1 of each year thereafter for that program year, beginning with program year 2019, each recycler must register with the Agency by (i) submitting to the Agency a \$3,000 registration fee and (ii) completing and submitting to the Agency the registration form prescribed by the Agency. The registration form prescribed by the Agency shall include, without limitation, the address of each location where the recycler manages residential CEDs collected through a manufacturer e-waste program and the certification required under subsection (d) of this Section. All registration fees collected by the Agency pursuant to this Section shall be deposited into the Solid Waste Management Fund.

(a-5) The Agency may deny a registration under this Section if the recycler or any employee or officer of the recycler has a history of:

(1) repeated violations of federal, State, or local laws, regulations, standards, or ordinances related to the collection, recycling, or other management of CEDs;

(2) conviction in this State or another state of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or conviction in this State or another state or federal court of any of the following crimes: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any

environmental law, regulation, or permit term or condition;  
or

(3) gross carelessness or incompetence in handling, storing, processing, transporting, disposing, or otherwise managing CEDs.

(b) The Agency shall post on the Agency's website a list of all registered recyclers.

(c) Beginning in program year 2019, no person may act as a recycler of residential CEDs for a manufacturer's e-waste program unless the recycler is registered with the Agency as required under this Section.

(d) Beginning in program year 2019, recyclers must, as a part of their annual registration, certify compliance with all of the following requirements:

(1) Recyclers must comply with federal, State, and local laws and regulations, including federal and State minimum wage laws, specifically relevant to the handling, processing, and recycling of residential CEDs and must have proper authorization by all appropriate governing authorities to perform the handling, processing, and recycling.

(2) Recyclers must implement the appropriate measures to safeguard occupational and environmental health and safety, through the following:

(A) environmental health and safety training of personnel, including training with regard to material and equipment handling, worker exposure, controlling releases, and safety and emergency procedures;

(B) an up-to-date, written plan for the identification and management of hazardous materials; and

(C) an up-to-date, written plan for reporting and responding to exceptional pollutant releases, including emergencies such as accidents, spills, fires, and explosions.

(3) Recyclers must maintain (i) commercial general liability insurance or the equivalent corporate guarantee for accidents and other emergencies with limits of not less than \$1,000,000 per occurrence and \$1,000,000 aggregate and (ii) pollution legal liability insurance with limits not less than \$1,000,000 per occurrence for companies engaged solely in the dismantling activities and \$5,000,000 per occurrence for companies engaged in recycling.

(4) Recyclers must maintain on file documentation that demonstrates the completion of an environmental health and safety audit completed and certified by a competent internal and external auditor annually. A competent auditor is an individual who, through professional training or work experience, is appropriately qualified to evaluate the environmental health and safety conditions, practices, and procedures of the facility. Documentation of auditors' qualifications must be available for inspection by Agency officials and third-party auditors.

(5) Recyclers must maintain on file proof of workers' compensation and employers' liability insurance.

(6) Recyclers must provide adequate assurance, such as bonds or corporate guarantees, to cover environmental and other costs of the closure of the recycler's facility, including cleanup of stockpiled equipment and materials.

(7) Recyclers must apply due diligence principles to the selection of facilities to which components and materials, such as plastics, metals, and circuit boards, from residential CEDs are sent for reuse and recycling.

(8) Recyclers must establish a documented

environmental management system that is appropriate in level of detail and documentation to the scale and function of the facility, including documented regular self-audits or inspections of the recycler's environmental compliance at the facility.

(9) Recyclers must use the appropriate equipment for the proper processing of incoming materials as well as controlling environmental releases to the environment. The dismantling operations and storage of residential CED components that contain hazardous substances must be conducted indoors and over impervious floors. Storage areas must be adequate to hold all processed and unprocessed inventory. When heat is used to soften solder and when residential CED components are shredded, operations must be designed to control indoor and outdoor hazardous air emissions.

(10) Recyclers must establish a system for identifying and properly managing components, such as circuit boards, batteries, cathode-ray tubes, and mercury phosphor lamps, that are removed from residential CEDs during disassembly. Recyclers must properly manage all hazardous and other components requiring special handling from residential CEDs consistent with federal, State, and local laws and regulations. Recyclers must provide visible tracking, such as hazardous waste manifests or bills of lading, of hazardous components and materials from the facility to the destination facilities and documentation, such as contracts, stating how the destination facility processes the materials received. No recycler may send, either directly or through intermediaries, hazardous wastes to solid non-hazardous waste landfills or to non-hazardous waste incinerators for disposal or energy recovery. For the purpose of these guidelines, smelting of hazardous wastes to recover metals for reuse in conformance with all applicable laws and regulations is not considered disposal or energy recovery.

(11) Recyclers must use a regularly implemented and documented monitoring and record-keeping program that tracks total inbound residential CED material weights and total subsequent outbound weights to each destination, injury and illness rates, and compliance with applicable permit parameters including monitoring of effluents and emissions. Recyclers must maintain contracts or other documents, such as sales receipts, suitable to demonstrate: (i) the reasonable expectation that there is a downstream market or uses for designated electronics, which may include recycling or reclamation processes such as smelting to recover metals for reuse; and (ii) that any residuals from recycling or reclamation processes, or both, are properly handled and managed to maximize reuse and recycling of materials to the extent practical.

(12) Recyclers must employ industry-accepted procedures for the destruction or sanitization of data on hard drives and other data storage devices. Acceptable guidelines for the destruction or sanitization of data are contained in the National Institute of Standards and Technology's Guidelines for Media Sanitation or those guidelines certified by the National Association for Information Destruction.

(13) No recycler may employ prison labor in any operation related to the collection, transportation, and recycling of CEDs. No recycler may employ any third party that uses or subcontracts for the use of prison labor.

(e) Each recycler shall, during each calendar year, transport from each site that the recycler uses to manage

residential CEDs not less than 75% of the total weight of residential CEDs present at the site during the preceding calendar year. Each recycler shall maintain on-site records that demonstrate compliance with this requirement and shall make those records available to the Agency for inspection and copying.

(f) Nothing in this Act shall prevent a person from acting as a recycler independently of a manufacturer e-waste program. (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

(415 ILCS 151/1-45)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-45. Collector responsibilities.

(a) By January 1, 2019, and by January 1 of each year thereafter for that program year, beginning with program year 2019, a person acting as a collector under a manufacturer e-waste program shall register with the Agency by completing and submitting to the Agency the registration form prescribed by the Agency. The registration form prescribed by the Agency must include, without limitation, the address of each location at which the collector accepts residential CEDs.

(a-5) The Agency may deny a registration under this Section if the collector or any employee or officer of the collector has a history of:

(1) repeated violations of federal, State, or local laws, regulations, standards, or ordinances related to the collection, recycling, or other management of CEDs;

(2) conviction in this State or another state of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or conviction in this State or another state or federal court of any of the following crimes: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition; or

(3) gross carelessness or incompetence in handling, storing, processing, transporting, disposing, or otherwise managing CEDs.

(b) The Agency shall post on the Agency's website a list of all registered collectors.

(c) Manufacturers and recyclers acting as collectors shall so indicate on their registration under Section 1-30 or 1-40 of this Act.

(d) By March 1, 2020 and every March 1 thereafter, each collector that operates a program collection site or one-day collection event shall report, to the Agency and to the manufacturer e-waste program, the total weight, by CED category, of residential CEDs transported from the program collection site or one-day collection event during the previous program year.

(e) Each collector that operates a program collection site or one-day event shall ensure that the collected residential CEDs are sorted and loaded in compliance with local, State, and federal law. In addition, at a minimum, the collector shall also comply with the following requirements:

(1) residential CEDs must be accepted at the program collection site or one-day collection event unless otherwise provided in this Act;

(2) residential CEDs shall be kept separate from other material and shall be:

(A) packaged in a manner to prevent breakage;

and

(B) loaded onto pallets and secured with plastic wrap or in pallet-sized bulk containers prior to shipping; and

(C) on average per collection site 18,000 pounds per shipment, and if not then the recycler may charge the collector a prorated charge on the shortfall in weight, not to exceed \$600;

(3) residential CEDs shall be sorted into the following categories:

(A) computer monitors and televisions containing a cathode-ray tube, other than televisions with wooden exteriors;

(B) computer monitors and televisions containing a flat panel screen;

(C) all covered televisions that are residential CEDs;

(D) computers;

(E) all other residential CEDs; and

(F) any electronic device that is not part of the manufacturer program that the collector has arranged to have picked up with residential CEDs and for which a financial arrangement has been made to cover the recycling costs outside of the manufacturer program;

(4) containers holding the CEDs must be structurally sound for transportation; and

(5) each shipment of residential CEDs from a program collection site or one-day collection event shall include a collector-prepared bill of lading or similar manifest, which describes the origin of the shipment and the number of pallets or bulk containers of residential CEDs in the shipment.

(f) Except as provided in subsection (g) of this Section, each collector that operates a program collection site or one-day collection event during a program year shall accept all residential CEDs that are delivered to the program collection site or one-day collection event during the program year.

(g) No collector that operates a program collection site or one-day collection event shall:

(1) accept, at the program collection site or one-day collection event, more than 7 residential CEDs from an individual at any one time;

(2) scrap, salvage, dismantle, or otherwise disassemble any residential CED collected at a program collection site or one-day collection event;

(3) deliver to a manufacturer e-waste program, through its recycler, any CED other than a residential CED collected at a program collection site or one-day collection event; or

(4) deliver to a person other than the manufacturer e-waste program or its recycler, a residential CED collected at a program collection site or one-day collection event.

(h) Beginning in program year 2019, registered collectors participating in county supervised collection programs may collect a fee for each desktop computer monitor or television accepted for recycling to cover costs for collection and preparation for bulk shipment or to cover costs associated with the requirements of subsection (e) of Section 1-45.

(i) Nothing in this Act shall prevent a person from acting as a collector independently of a manufacturer e-waste program. (Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

(415 ILCS 151/1-50)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-50. Penalties.

(a) Except as otherwise provided in this Act, any person who violates any provision of this Act is liable for a civil penalty

of \$7,000 per violation, provided that the penalty for failure to register or pay a fee under this Act shall be double the applicable registration fee.

(b) The penalties provided for in this Section may be recovered in a civil action brought in the name of the people of the State of Illinois by the State's Attorney of the county in which the violation occurred or by the Attorney General. Any penalties collected under this Section in an action in which the Attorney General has prevailed shall be deposited in the Environmental Protection Trust Fund, to be used in accordance with the provisions of the Environmental Protection Trust Fund Act.

(c) The Attorney General or the State's Attorney of a county in which a violation occurs may institute a civil action for an injunction, prohibitory or mandatory, to restrain violations of this Act or to require such actions as may be necessary to address violations of this Act.

(d) A fine imposed by administrative citation pursuant to Section 1-55 of this Act shall be \$1,000 per violation, plus any hearing costs incurred by the Illinois Pollution Control Board and the Agency. Such fines shall be made payable to the Environmental Protection Trust Fund to be used in accordance with the Environmental Protection Trust Fund Act.

(e) The penalties and injunctions provided in this Act are in addition to any penalties, injunctions, or other relief provided under any other law. Nothing in this Act bars a cause of action by the State for any other penalty, injunction, or other relief provided by any other law.

(f) A knowing violation of subsections (a), (b), or (c) of Section 1-83 of this Act by anyone other than a residential consumer is a petty offense punishable by a fine of \$500. A knowing violation of subsections (a), (b), or (c) of Section 1-83 by a residential consumer is a petty offense punishable by a fine of \$25 for a first violation; however, a subsequent violation by a residential consumer is a petty offense punishable by a fine of \$50.

(g) Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Agency, related to or required by this Act or any rule adopted under this Act commits a Class 4 felony, and each such statement or writing shall be considered a separate Class 4 felony. A person who, after being convicted under this subsection (g), violates this subsection (g) a second or subsequent time, commits a Class 3 felony.

(Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

(415 ILCS 151/1-55)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-55. Administrative citations.

(a) Any violation of a registration requirement in Sections 1-30, 1-40, or 1-45 of this Act, any violation of the reporting requirement in paragraph (4) of subsection (b) of Section 1-10 of this Act, and any violation of a plan submission requirement in Section 1-25 of this Act shall be enforceable by administrative citation issued by the Agency. Whenever Agency personnel shall, on the basis of direct observation, determine that any person has violated any of those provisions, the Agency may issue and serve, within 60 days after the observed violation, an administrative citation upon that person. Each citation shall be served upon the person named or the person's authorized agent for service of process and shall include the following:

(1) a statement specifying the provisions of this Act that the person has violated;

(2) the penalty imposed under subsection (d) of Section 1-50 of this Act for that violation; and

(3) an affidavit by the personnel observing the violation, attesting to their material actions and observations.

(b) If the person named in the administrative citation fails to petition the Illinois Pollution Control Board for review within 35 days after the date of service, then the Board shall adopt a final order, which shall include the administrative citation and findings of violation as alleged in the citation and shall impose the penalty specified in subsection (d) of Section 1-50 of this Act.

(c) If a petition for review is filed with the Board to contest an administrative citation issued under this Section, then the Agency shall appear as a complainant at a hearing before the Board to be conducted pursuant to subsection (d) of this Section at a time not less than 21 days after notice of the hearing has been sent by the Board to the Agency and the person named in the citation. In those hearings, the burden of proof shall be on the Agency. If, based on the record, the Board finds that the alleged violation occurred, then the Board shall adopt a final order, which shall include the administrative citation and findings of violation as alleged in the citation, and shall impose the penalty specified in subsection (d) of Section 1-50 of this Act. However, if the Board finds that the person appealing the citation has shown that the violation resulted from uncontrollable circumstances, then the Board shall adopt a final order that makes no finding of violation and imposes no penalty.

(d) All hearings under this Section shall be held before a qualified hearing officer, who may be attended by one or more members of the Board, designated by the Chairman. All of these hearings shall be open to the public, and any person may submit written statements to the Board in connection with the subject of these hearings. In addition, the Board may permit any person to offer oral testimony. Any party to a hearing under this Section may be represented by counsel, make oral or written argument, offer testimony, cross-examine witnesses, or take any combination of those actions. All testimony taken before the Board shall be recorded stenographically. The transcript so recorded and any additional matter accepted for the record shall be open to public inspection, and copies of those materials shall be made available to any person upon payment of the actual cost of reproducing the original.

(Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

(415 ILCS 151/1-60)

Sec. 1-60. (Repealed).

(Source: P.A. 100-433, eff. 8-25-17. Repealed by P.A. 100-362, eff. 8-25-17.)

(415 ILCS 151/1-65)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-65. Relation to other State laws. Nothing in this Act affects the validity or application of any other law of this State, or regulations adopted thereunder.

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/1-75)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-75. CRT retrievable storage. In order to further the policy of the State to reduce the environmental and economic impacts of transporting and managing cathode-ray tube (CRT) glass, and to support (i) the beneficial use of CRTs in



accordance with beneficial use determinations issued by the Agency under Section 22.54 of the Environmental Protection Act and (ii) the storage of CRTs in retrievable storage cells at locations within the State for future recovery; for the purpose of this Act, a CRT shall be considered to be recycled if:

- (1) all recyclable components are removed from the device; and
- (2) the glass from the device is either:
  - (A) beneficially reused in accordance with a beneficial use determination issued under Section 22.54 of the Environmental Protection Act; or
  - (B) placed in a storage cell, in a manner that allows it to be retrieved in the future, at a waste disposal site that is permitted to accept the glass.

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/1-80)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-80. Collection of CEDs outside of the manufacturer e-waste program.

(a) Nothing in this Act prohibits a waste hauler from entering into a contractual agreement with a unit of local government to establish a collection program for the recycling or reuse of CEDs, including services such as curbside collection, home pick-up, drop-off locations, or similar methods of collection.

(b) Nothing in this Act shall prohibit a person from establishing an e-waste program independently of a manufacturer e-waste program.

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/1-83)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-83. Landfill ban.

(a) Beginning January 1, 2019, no person may knowingly cause or allow the mixing of a CED, or any other computer, computer monitor, printer, television, electronic keyboard, facsimile machine, videocassette recorder, portable digital music player, digital video disc player, video game console, electronic mouse, scanner, digital converter box, cable receiver, satellite receiver, digital video disc recorder, or small-scale server with municipal waste that is intended for disposal at a landfill.

(b) Beginning January 1, 2019, no person may knowingly cause or allow the disposal of a CED or any other computer, computer monitor, printer, television, electronic keyboard, facsimile machine, videocassette recorder, portable digital music player, digital video disc player, video game console, electronic mouse, scanner, digital converter box, cable receiver, satellite receiver, digital video disc recorder, or small-scale server in a sanitary landfill.

(c) Beginning January 1, 2019, no person may knowingly cause or allow the mixing of a CED, or any other computer, computer monitor, printer, television, electronic keyboard, facsimile machine, videocassette recorder, portable digital music player, digital video disc player, video game console, electronic mouse, scanner, digital converter box, cable receiver, satellite receiver, digital video disc recorder, or small-scale server with waste that is intended for disposal by burning or incineration.

(d) Beginning January 1, 2019, no person may knowingly cause or allow the burning or incineration of a CED, or any other computer, computer monitor, printer, television, electronic keyboard, facsimile machine, videocassette recorder, portable

digital music player, digital video disc player, video game console, electronic mouse, scanner, digital converter box, cable receiver, satellite receiver, digital video disc recorder, or small-scale server.

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/1-84)

Sec. 1-84. (Repealed).

(Source: P.A. 100-362, eff. 8-25-17. Repealed by P.A. 100-592, eff. 6-22-18.)

(415 ILCS 151/1-84.5)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-84.5. Manufacturer clearinghouse; allocation of financial responsibility for the transportation and recycling of covered electronic devices.

(a) As used in this Section, unless the context otherwise requires:

"Adjusted total proportional responsibility" means the percentage calculated for each participating manufacturer for a program year under subsection (f) of this Section.

"Market share" means the percentage that results from dividing:

(1) the product of the total weight reported for a CED category by a manufacturer, for the calendar year 2 years before the applicable program year, under paragraph (2) of subsection (a) of Section 1-30 of this Act, multiplied by the population adjustment factor for that year; by

(2) the product of the total weight reported for that CED category by all manufacturers, for the calendar year 2 years before the applicable program year, under paragraph (2) of subsection (a) of Section 1-30 of this Act, multiplied by the population adjustment factor for that year.

"Participating manufacturer" means a manufacturer that a manufacturer clearinghouse has listed, pursuant to subsection (c) of this Section, as a participant in the manufacturer clearinghouse for a program year.

"Population adjustment factor" means the percentage that results when (i) the population of Illinois, as reported in the most recent federal decennial census, is divided by (ii) the population of the United States, as reported in the most recent federal decennial census.

"Return share" means the percentage, by weight, of each CED category that is returned to the program collection sites and one-day collection events operated by or on behalf of either a manufacturer clearinghouse or one or more of its participating manufacturers during the calendar year 2 years before the applicable program year, as reported to the Agency under Section 1-10 of this Act; except that, for program year 2019 and program year 2020, "return share" means the percentage, by weight, of each CED category that is estimated by the manufacturer clearinghouse to be returned to those sites and events during the applicable program year, as reported to the Agency under subsection (b) of this Section.

"Unadjusted total proportional responsibility" means the percentage calculated for each participating manufacturer under subsection (e) of this Section.

(b) By March 1, 2018, each manufacturer clearinghouse shall provide the Agency with a statement of the return share for each CED category for program year 2019, and by March 1, 2019, each manufacturer clearinghouse shall provide the Agency with a statement of the return share for each CED category for program

year 2020.

(c) If a manufacturer clearinghouse submits to the Agency a manufacturer e-waste program plan under Section 1-25 of this Act, then the manufacturer clearinghouse shall include in the plan a list of manufacturers that have agreed to participate in the manufacturer clearinghouse for the upcoming program year.

(d) By November 1, 2018, and each November 1 thereafter, the Agency shall provide each manufacturer clearinghouse with a statement of the unadjusted total proportional responsibility and adjusted total proportional responsibility of each of its participating manufacturers for the upcoming program year.

(e) For each program year, the Agency shall calculate the unadjusted total proportional responsibility of each participating manufacturer as follows:

(1) For each CED category, the Agency shall multiply

(i) the participating manufacturer's market share for the CED category by (ii) the return share for the CED category, to arrive at the category-specific proportional responsibility of the participating manufacturer for the CED category.

(2) The Agency shall then, for each participating manufacturer, sum the category-specific proportional responsibilities of the participating manufacturer calculated under paragraph (1), to arrive at the participating manufacturer's unadjusted total proportional responsibility.

(f) If the sum of all unadjusted total proportional responsibilities of a manufacturer clearinghouse's participating manufacturers for a program year accounts for less than 100% of the return share for that year, then the Agency shall divide the unallocated return share among participating manufacturers in proportion to their unadjusted total proportional responsibilities, to arrive at the adjusted total proportional responsibility for each participating manufacturer.

(g) A manufacturer may use retail collection sites to satisfy some or all of the manufacturer's responsibilities, including, but not limited to, the manufacturer's transportation and recycling of collected residential CEDs pursuant to any allocation methodology established under this Act. Nothing in this Act shall prevent a manufacturer from using retail collection sites to satisfy any percentage of the manufacturer's total responsibilities, including, but not limited to, the manufacturer's transportation and recycling of collected residential CEDs pursuant to any allocation methodology established under this Act or by administrative rule.

(Source: P.A. 100-592, eff. 6-22-18.)

(415 ILCS 151/1-85)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-85. Advisory Electronics Recycling Task Force.

(a) There is hereby created an Advisory Electronics Recycling Task Force, which shall consist of the following 10 members, to be appointed by the Director of the Agency:

(1) two individuals who are representatives of county recycling programs;

(2) two individuals who are representatives of recycling companies;

(3) two individuals who are representatives from the manufacturing industry;

(4) one individual who is a representative of a statewide trade association representing retailers;

(5) one individual who is a representative of a statewide trade association representing manufacturers;

(6) one individual who is a one representative of a

statewide trade association representing waste disposal companies; and

(7) one individual who is a representative of a national trade association representing manufacturers.

Members of the Task Force shall be appointed as soon as practicable after the effective date of this amendatory Act of the 100th General Assembly, shall serve for 2-year terms, and may be reappointed. Vacancies shall be filled by the Director of the Agency for the remainder of the current term. Members shall serve voluntarily and without compensation.

Members shall elect from their number a chairperson, who shall also serve a 2-year term. The Task Force shall meet initially at the call of the Director of the Agency and thereafter at the call of the chairperson. A simple majority of the members of the Task Force shall constitute a quorum for the transaction of business, and all actions and recommendations of the Task Force must be approved by a simple majority of its members.

(b) By November 1, 2018, and each November 1 thereafter, the Task Force shall submit, to the Agency for posting on the Agency's website, a list of agreed-to best practices to be used at program collection sites and one-day collection events in the following program year. When establishing best practices, the Task Force shall consider the desired intent to preserve existing collection programs and relationships when possible.

(c) The Agency shall provide the Task Force with administrative support as necessary.  
(Source: P.A. 100-362, eff. 8-25-17; 100-433, eff. 8-25-17.)

(415 ILCS 151/1-86)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-86. Public Reporting. Each year, the Agency shall post on its website the information it receives pursuant to subdivision (b)(4) of Section 1-10 showing the amounts of residential CEDs being collected and recycled in each county in each program year. The Agency shall notify the General Assembly of the availability of this information.

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/1-87)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-87. Antitrust. A manufacturer or manufacturer clearinghouse acting in accordance with the provisions of this Act may negotiate, enter into contracts with, or conduct business with each other and with any other entity developing, implementing, operating, participating in, or performing any other activities directly related to a manufacturer e-waste program approved pursuant to this Act, and the manufacturer, manufacturer clearinghouse, and any entity developing, implementing, operating, participating in, or performing any other activities related to a manufacturer e-waste program approved pursuant to this Act are not subject to damages, liability, or scrutiny under federal antitrust law or the Illinois Antitrust Act, regardless of the effects of their actions on competition. The supervisory activities described in this Act are sufficient to confirm that activities of the manufacturers, manufacturer clearinghouse, and any entity developing, implementing, operating, participating in, or performing any other activities related to a manufacturer e-waste program that is approved pursuant to Section 1-25 are authorized and actively supervised by the State.

(Source: P.A. 100-592, eff. 6-22-18.)

(415 ILCS 151/1-90)

(Section scheduled to be repealed on December 31, 2026)

Sec. 1-90. Repeal. This Article is repealed on December 31, 2026.

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/Art. 5 heading)

ARTICLE 5. AMENDATORY PROVISIONS

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/5-5)

Sec. 5-5. The State Finance Act is amended by repealing Section 5.716.

(Source: P.A. 100-433, eff. 1-1-20.)

(415 ILCS 151/5-10)

Sec. 5-10. (Amendatory provisions; text omitted).

(Source: P.A. 100-433, eff. 8-25-17; text omitted.)

(415 ILCS 151/5-15)

Sec. 5-15. (Amendatory provisions; text omitted).

(Source: P.A. 100-433, eff. 8-25-17; text omitted.)

(415 ILCS 151/Art. 98 heading)

ARTICLE 98. SEVERABILITY

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/98-5)

Sec. 98-5. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/Art. 99 heading)

ARTICLE 99. EFFECTIVE DATE

(Source: P.A. 100-433, eff. 8-25-17.)

(415 ILCS 151/99-999)

Sec. 99-999. Effective date. This Act takes effect upon becoming law, except that Section 5-5 takes effect on January 1, 2020.

(Source: P.A. 100-433, eff. 8-25-17.)

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# **UNFINISHED BUSINESS**

# Appointments

# **FINANCE COMMITTEE**





# Ordinance Executive Summary

**Prepared By:** Steve Schultz - Chief Financial Officer  
**Committee:** Finance Committee  
**Committee Date:** January 18, 2024  
**Resolution Title:** Ordinance to Abate the 2012C State Income Tax Alternate Bond Property Tax Levy for the year 2023 Payable 2024  
**County Code:** Not Applicable  
**Board Meeting Date:** January 25, 2024

**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Not Applicable
<b>If not, explain funding source:</b> Not Applicable	
<b>ORG/OBJ/Project Code:</b> Not Applicable	<b>Budget Impact:</b> None

**Background Information:**

The County has issued a number of alternate bonds which have tax levies filed with the County Clerk. The abatement ordinances abate the tax levies filed for the alternate bonds for tax year 2023 payable 2024. The abatements must pass on or before tax extensions are done by the County Clerk. The dollar amount changes every year.

**Recommendation:** Approval of the ordinance abating the 2012C State Income Tax Alternate Bond Property Tax Levy for the year 2023 payable 2024.

**Contract/ Agreement:** Not Applicable

**Legal Review:** Yes, conducted by the State's Attorney's Office.

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

Sponsored by: John Butitta, Committee Chairman

Submitted by: Finance Committee

2024 CO

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**ORDINANCE TO ABATE THE 2012C STATE INCOME TAX ALTERNATE BOND  
PROPERTY TAX LEVY FOR THE YEAR 2023 PAYABLE 2024**

---

**WHEREAS**, on June 12, 2003 the County Board of the County of Winnebago passed Ordinance No. 2003-CO-54 which gave the County of Winnebago the authority to sell Alternative Bonds in an amount not to exceed \$1,340,000 for the purpose of capital improvements to certain County owned buildings; and

**WHEREAS**, on August 14, 2003 the County Board of the County of Winnebago passed Ordinance No. 2003-CO-85 which the Board ordained to issue \$1,340,000; and

**WHEREAS**, on February 23, 2006 the County Board of the County of Winnebago passed Ordinance No. 2006-CO-20 which gave the County of Winnebago the authority to sell Alternate Bonds in an amount not to exceed \$3,500,000 to raise money for the purpose of defraying the cost of capital improvements to certain County buildings; and

**WHEREAS**, on April 27, 2006 the County Board of the County of Winnebago passed Ordinance No. 2006-CO-58 (hereinafter referred to as "Alternate Bond Ordinance") which the Board ordained to issue \$3,500,000 in Alternate Bonds authorized in 2006-CO-20; and

**WHEREAS**, on April 26, 2012 the County Board of the County of Winnebago adopted Ordinance No. 2012-CO-031, which provides for the issuance and sale of \$3,285,000 General Obligation Refunding Bonds, Series 2012C to refund all of the \$710,000 Outstanding Bonds of Series 2003D and a portion of the \$2,800,000 Outstanding Bonds of Series 2012C; and

**WHEREAS**, the Alternate Bond Ordinance provides that the principal and interest payments on the aforesaid Alternate Bonds shall be made from State Income Tax Dollars (Pledged Revenues), which have been pledged towards the payment of the Bonds; and

**WHEREAS**, the Alternate Bond Ordinance provides the County shall also levy an annual 2012C State Income Tax Alternate Bond Property Tax in an amount sufficient to make the principal and interest payments on the outstanding Alternate Bonds as such payments become due for each year in which any of the Bonds are outstanding; and

**WHEREAS**, the County ordained to levy a 2023 payable 2024, 2012C State Income Tax Alternate Bond Property Tax sufficient to produce the sum of \$272,950 the amount needed to make all principal and interest payments on the outstanding Alternate Bonds through December 30, 2024; and

**WHEREAS**, pursuant to the terms of the Alternate Bond Ordinance, it is no longer necessary for the County to levy a 2012C State Income Tax Alternate Bond Property Tax for the 2023 payable 2024 tax year.

**NOW, THEREFORE, BE IT ORDAINED**, by the County Board for the County of Winnebago, Illinois that the 2012C State Income Tax Alternate Bond Property Tax Levy in the amount of \$272,950 for the tax year 2023 payable 2024 is hereby abated in its entirety.

**BE IT FURTHER ORDAINED** that this Ordinance shall be in full force and effect immediately upon its adoption.

**BE IT FURTHER ORDAINED**, that the Clerk of the County Board is hereby authorized and directed to file a certified copy of this tax abatement Ordinance in the office of the Winnebago County Clerk.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

\_\_\_\_\_  
JAIME SALGADO, VICE CHAIRMAN

\_\_\_\_\_  
JAIME SALGADO, VICE CHAIRMAN

\_\_\_\_\_  
JEAN CROSBY

\_\_\_\_\_  
JEAN CROSBY

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JOE HOFFMAN

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JOE HOFFMAN

\_\_\_\_\_  
KEITH McDONALD

\_\_\_\_\_  
KEITH McDONALD

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
MICHAEL THOMPSON

\_\_\_\_\_  
MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS



# Ordinance Executive Summary

**Prepared By:** Steve Schultz - Chief Financial Officer  
**Committee:** Finance Committee  
**Committee Date:** January 18, 2024  
**Resolution Title:** Ordinance to Abate the 2016E Public Safety Sales Tax Alternative Bond Property Tax Levy for the Year 2023 Payable 2024  
**County Code:** Not Applicable  
**Board Meeting Date:** January 25, 2024  
**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Not Applicable
<b>If not, explain funding source:</b> Not Applicable	
<b>ORG/OBJ/Project Code:</b> Not Applicable	<b>Budget Impact:</b> None

## Background Information:

The County has issued a number of alternate bonds which have tax levies filed with the County Clerk. The abatement ordinances abate the tax levies filed for the alternate bonds for tax year 2022 payable 2023. The abatements must pass on or before tax extensions are done by the County Clerk. The dollar amount changes every year.

**Recommendation:** Approval of the ordinance abating the 2016E Public Safety Sales Tax Alternate Bond Property Tax Levy for the Year 2023 payable 2024.

**Contract/ Agreement:** Not Applicable

**Legal Review:** Yes, conducted by the State's Attorney's Office.

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

Sponsored by: John Butitta, Committee Chairman

Submitted by: Finance Committee

2024 CO

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**ORDINANCE TO ABATE THE 2016E PUBLIC SAFETY SALES TAX  
ALTERNATIVE BOND PROPERTY TAX LEVY FOR THE YEAR 2023 PAYABLE 2024**

---

**WHEREAS**, on May 22, 2003 the County Board of the County of Winnebago passed Ordinance No. 2003 CO-44 which gave the County of Winnebago the authority to sell Alternate Bonds in an amount not to exceed \$115,000,000 to raise money for the purpose of paying the expenses of acquisition of land, and construction of a new Criminal Justice Center; and

**WHEREAS**, on September 4, 2003 the County Board of the County of Winnebago passed Ordinance No. 2003-CO-I 06 (hereinafter referred to as "Alternate Bond Ordinance") which the Board ordained to issue \$25,000,000 in Alternate Bonds; and

**WHEREAS**, the County Board determined that it was necessary and in the best interest of the County to obtain net present value interest savings and to restructure the indebtedness represented by the Series 2003E Bonds and to refund the portion of the Bonds of the outstanding Series 2003E Bonds maturing in each of the years 2020 to 2022 inclusive; and

**WHEREAS**, the County Board adopted Ordinance No. 2006-CO-143 on November 21, 2006 authorizing the issuance, and providing for the sale of, the County's General Obligation Refinancing Alternate Bonds (Public Safety Sales Tax Alternate Revenue Source) Series 2006E in the amount of \$18,765,000; and

**WHEREAS**, the County Board approved Ordinance No. 2016-CO-I 19 on November 10, 2016 authorizing and providing for the issuance and sale of \$18,515,000 General Obligation Alternate Refunding Bonds, Series 2016E of the County of Winnebago, Illinois for the purpose of currently refunding and restructuring a portion of the outstanding General Obligation Alternate Refunding Bonds 2016E; and

**WHEREAS**, Section 20 of the Alternate Bond Ordinance provides the County shall also levy an annual 2016E Public Safety Sales Tax Alternate Bond Property Tax in an amount sufficient to make the principal and interest payments on the outstanding Alternate Bonds as such payments become due, for each year in which any of the Bonds are outstanding; and

**WHEREAS**, in said Section 20, the County ordained to levy a 2023 payable 2024, 2016E Public Safety Sales Tax Alternate Bond Property Tax sufficient to produce the sum of \$656,450 the amount needed to make all principal and interest payments on the outstanding Alternate Bonds through December 30, 2024; and

**WHEREAS**, Section 22 of the Alternate Bond Ordinance authorizes the County Board to abate each annual 2016E Public Safety Sales Tax Alternate Bond Tax Levy provided there are sufficient funds on deposit in the Pledge Revenues Subaccount of the Principal and Interest Account of the 2016E Public Safety Sales Tax Alternate Bond Fund to fully pay the Alternate Bond Debt Service otherwise payable from each such Tax Levy; and

**WHEREAS**, there is presently at least \$656,450 in the aforesaid Pledged Revenues Subaccount, which is sufficient to fully make all principal and interest payments on the aforementioned outstanding Alternate Bonds through December 30, 2024; and

**WHEREAS**, pursuant to the terms of the Alternate Bond Ordinance, it is no longer necessary for the County to levy a 2016E Public Safety Sales Tax Alternate Bond Property Tax for the 2023 payable 2024 tax year.

**NOW, THEREFORE, BE IT ORDAINED**, by the County Board for the County of Winnebago, Illinois that the 2016E Public Safety Sales Tax Alternate Bond Property Tax Levy in the amount of \$656,450 for the 2023 payable 2024 tax year is hereby abated in its entirety.

**BE IT FURTHER ORDAINED**, that this Ordinance shall be in full force and effect immediately upon its adoption.

**BE IT FURTHER ORDAINED**, that the Clerk of the County Board is hereby authorized and directed to file a certified copy of this tax abatement Ordinance in the office of the Winnebago County Clerk.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

\_\_\_\_\_  
JAIME SALGADO, VICE CHAIRMAN

\_\_\_\_\_  
JAIME SALGADO, VICE CHAIRMAN

\_\_\_\_\_  
JEAN CROSBY

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JEAN CROSBY

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JOE HOFFMAN

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JOE HOFFMAN

\_\_\_\_\_  
KEITH McDONALD

\_\_\_\_\_  
KEITH McDONALD

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
JOHN F. SWEENEY

\_\_\_\_\_  
MICHAEL THOMPSON

\_\_\_\_\_  
MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS





# Ordinance Executive Summary

**Prepared By:** Steve Schultz - Chief Financial Officer  
**Committee:** Finance Committee  
**Committee Date:** January 18, 2024  
**Resolution Title:** Ordinance to Abate the 2017C Tort Property Tax and Quarter Cent Sales Tax Alternative Bond Property Tax Levy for the Year 2023 Payable 2024  
**County Code:** Not Applicable  
**Board Meeting Date:** January 25, 2024  
**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Not Applicable
<b>If not, explain funding source:</b> Not Applicable	
<b>ORG/OBJ/Project Code:</b> Not Applicable	<b>Budget Impact:</b> None

## Background Information:

The County has issued a number of alternate bonds which have tax levies filed with the County Clerk. The abatement ordinances abate the tax levies filed for the alternate bonds for tax year 2023 payable 2024. The abatements must pass on or before tax extensions are done by the County Clerk. The dollar amount changes every year.

**Recommendation:** Approval of the ordinance abating the 2017C Public Safety Sales Tax Alternate Bond Property Tax Levy for the Year 2023 payable 2024.

**Contract/ Agreement:** Not Applicable

**Legal Review:** Yes, conducted by the State's Attorney's Office.

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

Sponsored by: John Butitta, Committee Chairman

Submitted by: Finance Committee

2024 CO

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**ORDINANCE TO ABATE THE 2017C TORT PROPERTY TAX AND  
QUARTER CENT SALES TAX ALTERNATIVE BOND PROPERTY TAX LEVY  
FOR THE YEAR 2023 PAYABLE 2024**

---

**WHEREAS**, on December 22, 2009 the County Board of the County of Winnebago, Illinois passed Ordinance No. 2009-CO-87 (hereinafter referred to as "Alternate Bond Ordinance") which gave the County the authority to sell Alternate Bonds for the purpose of paying expenses associated with certain tort obligations in excess of insurance coverage; and

**WHEREAS**, on March 12, 2010 the County of Winnebago, pursuant to the Alternate Bond Ordinance, sold Alternate Bonds having an aggregate face value of \$13,000,000; and

**WHEREAS**, on April 27, 2017, the County Board of the County of Winnebago, Illinois approved Ordinance No. 2017-CO-046 which authorizes and provides for the issuance and sale of up to \$10,250,000 General Obligation Alternate Refunding Bonds (Tort Fund Property Tax Alternate Revenue Sources) Series 2017C of the County of Winnebago, Illinois for the purpose of advance refunding a portion of the Outstanding Aggregate Principal Amount of General Obligation Alternate Bonds (Tort Fund Property Tax Alternate Revenue Source), Series 2010A; and

**WHEREAS**, the Alternate Bond Ordinance provides the principal and interest payments on the aforementioned Alternate Bonds shall be made from the Tort Fund Property Tax; and

**WHEREAS**, Section 20 of the Alternate Bond Ordinance provides the County shall also levy an annual Property Tax in an amount sufficient to make the principal and interest payments on the outstanding Alternate Bonds as such payments become due, for each year in which any of the aforementioned Bonds are outstanding; and

**WHEREAS**, in Section 20 of the Alternate Bond Ordinance the County ordained to levy a 2023 payable 2024 Property Tax sufficient to produce the sum of \$975,750 (the amount needed to make all principal and interest payments on the outstanding Alternate Bonds through December 30, 2024); and

**WHEREAS**, Section 22 of the Alternate Bond Ordinance provides, that the County Treasurer shall deposit Pledged Revenues into the Pledged Revenues subaccount of the Bond Fund in an amount necessary to provide for the payment of interest and principal coming due on the Series 2017C Bonds in the following year and upon the deposit of such monies for such year, the County may abate the Alternate Bond Property Tax Levy for that year; and

**WHEREAS**, there is at least \$975,750 in the aforesaid Pledged Revenues Subaccount to fully make all principal and interest payments on the aforementioned outstanding Alternate Bond Fund through December 30, 2024; and

**WHEREAS**, pursuant to the terms of the Alternate Bond Ordinance it is no longer necessary for the County to levy a 2017C Alternate Bond Property Tax for the 2023 payable 2024 tax year; and

**WHEREAS**, it is in the best interest of the people of the County of Winnebago, Illinois that the 2017C Alternate Bond Property Tax Levy be abated in the total amount of \$975,750.

**NOW, THEREFORE, BE IT ORDAINED**, by the County Board of the County of Winnebago, Illinois, that the 2017C Alternate Bond Property Tax Levy for the 2023 payable 2024 tax year in the amount of \$975,750 is hereby abated in its entirety.

**BE IT FURTHER ORDAINED**, that this Ordinance shall be in full force and effect immediately upon its adoption.

**BE IT FURTHER ORDAINED**, that the Clerk of the County Board is hereby authorized and directed to file a certified copy of this tax abatement Ordinance in the office of the Winnebago County Clerk.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

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JOHN BUTITTA, CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JEAN CROSBY

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JEAN CROSBY

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JOE HOFFMAN

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JOE HOFFMAN

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KEITH McDONALD

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KEITH McDONALD

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JOHN F. SWEENEY

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JOHN F. SWEENEY

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MICHAEL THOMPSON

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MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS



# Ordinance Executive Summary

**Prepared By:** Steve Schultz - Chief Financial Officer  
**Committee:** Finance Committee  
**Committee Date:** January 18, 2024  
**Resolution Title:** Ordinance to Abate the tax hereto levied for the year 2023 payable 2024 to pay the principal of and interest on Taxable General Obligation Bonds (Alternative Revenue Source) Series 2018 of Winnebago County, Illinois  
**County Code:** Not Applicable  
**Board Meeting Date:** January 25, 2024  
**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Not Applicable
<b>If not, explain funding source:</b> Not Applicable	
<b>ORG/OBJ/Project Code:</b> Not Applicable	<b>Budget Impact:</b> None

## Background Information:

The County has issued a number of alternate bonds which have tax levies filed with the County Clerk. The abatement ordinances abate the tax levies filed for the alternate bonds for tax year 2023 payable 2024. The abatements must pass on or before tax extensions are done by the County Clerk. The dollar amount changes every year.

**Recommendation:** Approval of the ordinance abating the 2018 General Obligation Bonds Property Tax Levy for the Year 2023 payable 2024.

**Contract/ Agreement:** Not Applicable

**Legal Review:** Yes, conducted by the State's Attorney's Office.

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

Sponsored by: John Butitta, Committee Chairman

Submitted by: Finance Committee

2024 CO

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**ORDINANCE TO ABATE THE TAX HERETO LEVIED FOR THE YEAR 2023 PAYABLE  
2024 TO PAY THE PRINCIPAL OF AND INTEREST ON TAXABLE GENERAL  
OBLIGATION BONDS (ALTERNATIVE REVENUE SOURCE)  
SERIES 2018 OF WINNEBAGO COUNTY, ILLINOIS**

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**WHEREAS**, the County Board of Winnebago County, Illinois, by an ordinance adopted on the 25th day of October 2018, (as amended and supplemented, the "Bond Ordinance"), did provide the (i) the issue of Taxable General Obligation Bonds (Alternate Revenue Source), Series 2018 (the "Bonds"), (ii) the pledge of taxes levied upon all taxable property in the County for IMRF purposes (the "Pledged Revenues") to the payment of principal of and interest on the Bonds and (iii) the levy of a direct annual tax sufficient to pay such principal of and interest ( "Pledged Taxes") if the Pledged Revenues are insufficient to make such payment; and

**WHEREAS**, the Board has levied taxes for IMRF purposes for levy year 2023 payable 2024 (the "IMRF Levy") and filed the same with the County Clerk of the County (the "County Clerk"); and

**WHEREAS**, the County has received notice from the County Clerk that the tax rate for the IMRF Levy for levy year 2023 payable 2024 does not exceed the County's "limiting rate" for levy year 2023 payable 2024 calculated by the County Clerk in accordance with the provisions of the Property Tax Extension Limitation Law, as amended; and

**WHEREAS**, the IMRF Levy for levy year 2023 payable 2024 is not less than the amount of principal of and interest on the Bonds otherwise payable from Pledged Taxes levied for the year 2023 payable 2024; and

**WHEREAS**, it is necessary and in the best interests of the County that the Pledged Taxes levied for the year 2023 payable 2024 to pay the principal of and interest on the Bonds be abated.

**NOW THEREFORE BE IT ORDAINED**, by the County Board of the County of Winnebago, Illinois, as follows: Section J. Abatement of Tax. The Pledged Taxes levied for the year 2023 payable 2024 in the Bond Ordinance are hereby abated in their entirety in the amount of \$2,212,891.

**BE IT FURTHER ORDAINED**, upon the adoption of this Ordinance, a certified copy hereof shall be filed with the County Clerk, and it shall be the duty of the County Clerk to abate the Pledged Taxes levied for the year 2023 payable 2024 in accordance with the provisions hereof.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

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JOHN BUTITTA, CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JEAN CROSBY

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JEAN CROSBY

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JOE HOFFMAN

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JOE HOFFMAN

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KEITH McDONALD

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KEITH McDONALD

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JOHN F. SWEENEY

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JOHN F. SWEENEY

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MICHAEL THOMPSON

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MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS



# Ordinance Executive Summary

**Prepared By:** Steve Schultz - Chief Financial Officer  
**Committee:** Finance Committee  
**Committee Date:** January 18, 2024  
**Resolution Title:** Ordinance to Abate the 2020A Alternative Revenue Bond Property Tax Levy for the Year 2023 Payable 2024  
**County Code:** Not Applicable  
**Board Meeting Date:** January 25, 2024  
**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Not Applicable
<b>If not, explain funding source:</b> Not Applicable	
<b>ORG/OBJ/Project Code:</b> Not Applicable	<b>Budget Impact:</b> None

## Background Information:

The County has issued a number of alternate bonds which have tax levies filed with the County Clerk. The abatement ordinances abate the tax levies filed for the alternate bonds for tax year 2023 payable 2024. The abatements must pass on or before tax extensions are done by the County Clerk. The dollar amount changes every year.

**Recommendation:** Approval of the ordinance abating the 2020A Alternate Revenue Bond Property Tax Levy for the Year 2023 payable 2024.

**Contract/ Agreement:** Not Applicable

**Legal Review:** Yes, conducted by the State's Attorney's Office.



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

Sponsored by: John Butitta, Committee Chairman

Submitted by: Finance Committee

2024 CO

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**ORDINANCE TO ABATE THE 2020A ALTERNATIVE REVENUE BOND  
PROPERTY TAX LEVY FOR THE YEAR 2023 PAYABLE 2024**

---

**WHEREAS**, on January 23, 2020 the County Board of the County of Winnebago, Illinois adopted Ordinance No. 2020-CO-007 (the Authorizing Ordinance) authorizing the issuance of General Obligation Bonds (Matching Tax and Motor Fuel Tax Alternate Revenue Source) Series 2020A as provided in the Act, in an amount not to exceed \$4,000,000; and

**WHEREAS**, on May 14, 2020 the County Board of the County of Winnebago adopted Ordinance No. 2020-CO-039 (hereinafter referred to as "Alternate Bond Ordinance") which authorized and provided for the issuance of not to exceed \$4,000,000; and

**WHEREAS**, the Alternate Bond Ordinance gave the County the authority to sell Alternate Bonds for the purpose of constructing, maintaining and improving County highways, roads and bridges; and

**WHEREAS**, the Alternate Bond Ordinance provides the principal and interest payments on the aforementioned Alternate Bonds shall be made from Matching Tax monies and Motor Fuel taxes which have been pledged towards the payment of the Bonds; and

**WHEREAS**, the Alternate Bond Ordinance also provides that the County shall levy and Alternate Bond Property Tax each year until the Bonds are fully paid, in an amount sufficient to fully make principal and interest payments on the Alternate Bonds as such payments come are; and,  
**WHEREAS**, on June 3, 2020 the County of Winnebago sold Alternate Bonds having a face value of \$2,590,000; and

**WHEREAS**, the County of Winnebago issued a Direction for Abatement of Taxes to abate from the taxes levied in the Bond Ordinance that amount representing the reduction to the County resulting from the sale of the Bonds in the amount and bearing interest at the rates as hereinabove referred to, the amount of such abatement and the remainder of such taxes so levied which is to be extended for collection; and

**WHEREAS**, Section 13 of the Alternate Bond Ordinance provides that when funds are available and on deposit in the Bond Fund in an amount necessary to provide for the payment of interest and principal coming due on the Series 2020A Bonds in the following year and upon the deposit of said monies for said year, the County may abate the Alternate Bond Property Tax Levy for that year; and

**WHEREAS**, there is at least \$399,500 in the aforesaid Bond Fund to fully make all principal and interest payments on the aforementioned outstanding Alternate Bond Fund through December 30, 2023; and

**WHEREAS**, pursuant to the terms of the Alternate Bond Ordinance it is no longer necessary for the County to levy a 2020A Alternate Bond Property Tax for the 2023 payable 2024 tax year; and

**WHEREAS**, it is in the best interest of the people of the County of Winnebago, Illinois that the 2020A Alternate Bond Property Tax Levy be abated in the total amount of \$401,000.

**NOW, THEREFORE, BE IT ORDAINED**, by the County Board of the County of Winnebago, Illinois, that the 2020A Alternate Bond Property Tax Levy for the 2023 payable 2024 tax year in the amount of \$401,000 is hereby abated in its entirety.

**BE IT FURTHER ORDAINED**, that this Ordinance shall be in full force and effect immediately upon its adoption.

**BE IT FURTHER ORDAINED**, that the Clerk of the County Board is hereby authorized and directed to file a certified copy of this Tax Abatement Ordinance in the office of the Winnebago County Clerk.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

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JOHN BUTITTA, CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JOHN F. SWEENEY

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JOHN F. SWEENEY

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MICHAEL THOMPSON

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MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS



# Ordinance Executive Summary

**Prepared By:** Steve Schultz - Chief Financial Officer  
**Committee:** Finance Committee  
**Committee Date:** January 18, 2024  
**Resolution Title:** Ordinance to Abate the 2020B Alternative Revenue Bond Property Tax Levy for the Year 2023 Payable 2024  
**County Code:** Not Applicable  
**Board Meeting Date:** January 25, 2024  
**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Not Applicable
<b>If not, explain funding source:</b> Not Applicable	
<b>ORG/OBJ/Project Code:</b> Not Applicable	<b>Budget Impact:</b> None

## Background Information:

The County has issued a number of alternate bonds which have tax levies filed with the County Clerk. The abatement ordinances abate the tax levies filed for the alternate bonds for tax year 2023 payable 2024. The abatements must pass on or before tax extensions are done by the County Clerk. The dollar amount changes every year.

**Recommendation:** Approval of the ordinance abating the 2020B Alternate Revenue Bond Property Tax Levy for the Year 2023 payable 2024.

**Contract/ Agreement:** Not Applicable

**Legal Review:** Yes, conducted by the State's Attorney's Office.

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

Sponsored by: John Butitta, Committee Chairman

Submitted by: Finance Committee

2024 CO

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**ORDINANCE TO ABATE THE 2020B ALTERNATIVE REVENUE BOND  
PROPERTY TAX LEVY FOR THE YEAR 2023 PAYABLE 2024**

---

**WHEREAS**, on July 22, 2010 the County Board of the County of Winnebago, Illinois passed Ordinance No. 2010-CO-59 (hereinafter referred to as "Alternate Bond Ordinance") which gave the County the authority to sell Alternate Bonds for the purpose of buying real property and paying the expenses associated with certain renovation/remodeling of the building; and

**WHEREAS**, on September 16, 2010 the County of Winnebago, pursuant to the Alternate Bond Ordinance, sold Alternate Bonds having an aggregate face value of \$4,000,000; and

**WHEREAS**, the Alternate Bond Ordinance provides the principal and interest payments on the aforementioned Alternate Bonds shall be made from lease revenues from the Health Department and the Quarter Cent Sales Tax; and

**WHEREAS**, on May 14, 2020 the County Board of the County of Winnebago, Illinois approved Ordinance 2020-CO-040 which authorizes the issuance of not to exceed \$2,600,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2020B of the County of Winnebago, Illinois, for the purpose of refunding certain outstanding Alternate Bonds of said County entitled Series 2010C Bonds; and

**WHEREAS**, Section 11 of the 2020B Alternate Bond Ordinance provides the County shall also levy an annual Property Tax in an amount sufficient to make the principal and interest payments on the outstanding Alternate Bonds as such payments become due, for each year in which any of the aforementioned Bonds are outstanding; and

**WHEREAS**, on June 3, 2020 the County of Winnebago sold Alternate Bonds having a face value of \$2,020,000, and

**WHEREAS**, the County of Winnebago issued a Certificate of Reduction of Taxes heretofore levied for the payment of Bonds on June 3, 2020 to abate the taxes levied in the Bond Ordinance that amount representing the reduction to the County resulting from the sale of the Bonds in the amount and bearing interest at the rates as herein above referred to, the amount of such abatement and the remainder of such taxes so levied which is to be extended for

collection; and, of such abatement and the remainder of such taxes so levied which is to be extended for collection; and

**WHEREAS**, Section 13 of the Alternate Bond Ordinance provides, that when funds are available and on deposit in the Bond Fund in an amount necessary to provide for the payment of interest and principal coming due on the Series 2020B Bonds in the following year and upon the deposit of said monies for said year, the County may abate the Alternate Bond Property Tax Levy for that year; and

**WHEREAS**, there is at least \$256,500 in the aforesaid Bond Account to fully make all principal and interest payments on the aforementioned outstanding Alternate Bond Fund through December 30, 2024; and

**WHEREAS**, pursuant to the terms of the Alternate Bond Ordinance it is no longer necessary for the County to levy a 2020B Alternate Bond Property Tax for the 2023 payable 2024 tax year; and

**WHEREAS**, it is in the best interest of the people of the County of Winnebago, Illinois that the 2020B Alternate Bond Property Tax Levy be abated in the total amount of \$256,500.

**NOW THEREFORE, BE IT ORDAINED**, by the County Board of the County of Winnebago, Illinois, that the 2020B Alternate Bond Property Tax Levy for the 2023 payable 2024 tax year in the amount of \$256,500 is hereby abated in its entirety.

**BE IT FURTHER ORDAINED**, that this Ordinance shall be in full force and effect immediately upon its adoption.

**BE IT FURTHER ORDAINED**, that the Clerk of the County Board is hereby authorized and directed to file a certified copy of this tax abatement Ordinance in the office of the Winnebago County Clerk.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

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JOHN BUTITTA, CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JEAN CROSBY

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JOE HOFFMAN

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JOE HOFFMAN

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KEITH McDONALD

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KEITH McDONALD

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JOHN F. SWEENEY

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JOHN F. SWEENEY

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MICHAEL THOMPSON

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MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS



# Ordinance Executive Summary

**Prepared By:** Steve Schultz - Chief Financial Officer  
**Committee:** Finance Committee  
**Committee Date:** January 18, 2024  
**Resolution Title:** Ordinance to abate the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021A Bond Property Tax Levy for the Year 2023 Payable 2024  
**County Code:** Not Applicable  
**Board Meeting Date:** January 25, 2024  
**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Not Applicable
<b>If not, explain funding source:</b> Not Applicable	
<b>ORG/OBJ/Project Code:</b> Not Applicable	<b>Budget Impact:</b> None

## Background Information:

The County has issued a number of alternate bonds which have tax levies filed with the County Clerk. The abatement ordinances abate the tax levies filed for the alternate bonds for tax year 2023 payable 2024. The abatements must pass on or before tax extensions are done by the County Clerk. The dollar amount changes every year.

**Recommendation:** Approval of the ordinance abating the 2021A General Obligation Refunding Bonds (Alternative Revenue Source) Tax Levy for the Year 2023 payable 2024.

**Contract/ Agreement:** Not Applicable

**Legal Review:** Yes, conducted by the State's Attorney's Office.



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

Sponsored by: John Butitta, Committee Chairman

Submitted by: Finance Committee

2024 CO

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**ORDINANCE TO ABATE THE GENERAL OBLIGATION REFUNDING BONDS  
(ALTERNATE REVENUE SOURCE), SERIES 2021A BOND  
PROPERTY TAX LEVY FOR THE YEAR 2023 PAYABLE 2024**

---

**WHEREAS**, the County had issued General Obligation Bonds (Alternate Revenue Source), Series 2012F (the "Prior Bonds"); and

**WHEREAS**, the Prior Bonds were issued to pay the costs of constructing water system and associated capital improvements within the I-39/Baxter Road Service Area (the "Area"); and

**WHEREAS**, the Prior Bonds were refinanced and retired on March 25, 2021; and

**WHEREAS**, \$3,485,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021A, of The County of Winnebago, Illinois, for the purpose of refunding certain outstanding alternate bonds of said County, the pledge of certain revenues to the payment of principal and interest on said bonds and the levy of a direct annual tax sufficient to pay such principal and interest if the pledged revenues are insufficient to make such payment; and

**WHEREAS**, the Board has levied taxes for the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021A and filed the same with the County Clerk of the County (the "County Clerk"); and

**WHEREAS**, the County has received notice from the County Clerk that the tax rate for the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021A Bonds for levy year 2023 payable 2024 calculated by the County Clerk in accordance with the provisions of the Property Tax Extension Limitation Law, as amended; and

**WHEREAS**, the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021A Bond Levy for levy year 2023 payable 2024 is not less than the amount of principal of and interest on the Bonds otherwise payable from Pledged Taxes levied for the year 2023 payable 2024; and

**WHEREAS**, it is necessary and in the best interests of the County that the Pledged Taxes levied for the year 2023 payable 2024 to pay the principal of and interest on the Bonds be abated; and

**WHEREAS**, there is at least \$399,200 in the aforesaid Bond Fund to fully make all principal and interest payments on the aforementioned outstanding Alternate Bond Fund through December 30, 2024.

**NOW THEREFORE BE IT ORDAINED**, by the County Board of the County of Winnebago, Illinois, as follows: In accordance with Section 11. Abatement of Tax. The Pledged Taxes levied for the year 2023 payable 2024 for the General Obligation Refunding Bonds (alternate revenue source), series 2021A Bond are hereby abated in their entirety in the amount of \$399,200.

**BE IT FURTHER ORDAINED**, upon the adoption of this Ordinance, a certified copy hereof shall be filed with the County Clerk, and it shall be the duty of the County Clerk to abate the Pledged Taxes levied for the year 2023 payable 2024 in accordance with the provisions hereof.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JEAN CROSBY

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JOE HOFFMAN

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KEITH McDONALD

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KEITH McDONALD

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JOHN F. SWEENEY

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JOHN F. SWEENEY

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MICHAEL THOMPSON

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MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS



# Ordinance Executive Summary

**Prepared By:** Steve Schultz - Chief Financial Officer  
**Committee:** Finance Committee  
**Committee Date:** January 18, 2024  
**Resolution Title:** Ordinance to abate the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021B Bond Property Tax Levy for the Year 2023 Payable 2024  
**County Code:** Not Applicable  
**Board Meeting Date:** January 25, 2024  
**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Not Applicable
<b>If not, explain funding source:</b> Not Applicable	
<b>ORG/OBJ/Project Code:</b> Not Applicable	<b>Budget Impact:</b> None

## Background Information:

The County has issued a number of alternate bonds which have tax levies filed with the County Clerk. The abatement ordinances abate the tax levies filed for the alternate bonds for tax year 2023 payable 2024. The abatements must pass on or before tax extensions are done by the County Clerk. The dollar amount changes every year.

**Recommendation:** Approval of the ordinance abating the 2021B General Obligation Refunding Bonds (Alternative Revenue Source) Tax Levy for the Year 2023 payable 2024.

**Contract/ Agreement:** Not Applicable

**Legal Review:** Yes, conducted by the State's Attorney's Office.

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

Sponsored by: John Butitta, Committee Chairman

Submitted by: Finance Committee

2024 CO

---

**ORDINANCE TO ABATE THE GENERAL OBLIGATION REFUNDING BONDS  
(ALTERNATE REVENUE SOURCE), SERIES 2021B BOND  
PROPERTY TAX LEVY FOR THE YEAR 2023 PAYABLE 2024**

---

**WHEREAS**, the County had issued General Obligation Bonds (Alternate Revenue Source), Series 2012G (the "Prior Bonds"); and

**WHEREAS**, the Prior Bonds were issued to pay the costs of constructing improvements along Baxter Road and acquisition of a waterworks system from the Village of Cherry Valley (the "water system"); and

**WHEREAS**, the Prior Bonds were refinanced and retired on March 25, 2021; and

**WHEREAS**, \$1,365,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021B, of The County of Winnebago, Illinois, for the purpose of refunding certain outstanding alternate bonds of said County, the pledge of certain revenues to the payment of principal and interest on said bonds and the levy of a direct annual tax sufficient to pay such principal and interest if the pledged revenues are insufficient to make such payment; and

**WHEREAS**, the Board has levied taxes for the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021B and filed the same with the County Clerk of the County (the "County Clerk"); and

**WHEREAS**, the County has received notice from the County Clerk that the tax rate for the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021B Bonds for levy year 2023 payable 2024 calculated by the County Clerk in accordance with the provisions of the Property Tax Extension Limitation Law, as amended; and

**WHEREAS**, the General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021B Bond Levy for levy year 2023 payable 2024 is not less than the amount of principal of and interest on the Bonds otherwise payable from Pledged Taxes levied for the year 2023 payable 2024; and

**WHEREAS**, it is necessary and in the best interests of the County that the Pledged Taxes levied for the year 2023 payable 2024 to pay the principal of and interest on the Bonds be abated; and

**WHEREAS**, there is at least \$158,050 in the aforesaid Bond Fund to fully make all principal and interest payments on the aforementioned outstanding Alternate Bond Fund through December 30, 2024.

**NOW THEREFORE BE IT ORDAINED**, by the County Board of the County of Winnebago, Illinois, as follows: In accordance with Section 11. Abatement of Tax. The Pledged Taxes levied for the year 2023 payable 2024 for the General Obligation Refunding Bonds (alternate revenue source), series 2021B Bond are hereby abated in their entirety in the amount of \$158,050.

**BE IT FURTHER ORDAINED**, upon the adoption of this Ordinance, a certified copy hereof shall be filed with the County Clerk, and it shall be the duty of the County Clerk to abate the Pledged Taxes levied for the year 2023 payable 2024 in accordance with the provisions hereof.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
JOHN BUTITTA, CHAIRMAN

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JOHN BUTITTA, CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JEAN CROSBY

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JOE HOFFMAN

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JOE HOFFMAN

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KEITH McDONALD

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KEITH McDONALD

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JOHN F. SWEENEY

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JOHN F. SWEENEY

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MICHAEL THOMPSON

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MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS



# Ordinance Executive Summary

**Prepared By:** Steve Schultz - Chief Financial Officer  
**Committee:** Finance Committee  
**Committee Date:** January 18, 2024  
**Resolution Title:** Ordinance to Abate the General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source), Series 2022 Bonds Property Tax Levy for the Year 2023 Payable 2024  
**County Code:** Not Applicable  
**Board Meeting Date:** January 25, 2024  
**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Not Applicable
<b>If not, explain funding source:</b> Not Applicable	
<b>ORG/OBJ/Project Code:</b> Not Applicable	<b>Budget Impact:</b> None

**Background Information:** The County has issued a number of alternate bonds which have tax levies filed with the County Clerk. The abatement ordinances abate the tax levies filed for the alternate bonds for tax year 2023 payable 2024. The abatements must pass on or before tax extensions are done by the County Clerk. The dollar amount changes every year.

**Recommendation:** Approval of an ordinance to abate the General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source), Series 2022 Bonds Property Tax Levy for the Year 2023 Payable 2024.

**Contract/ Agreement:** Not Applicable

**Legal Review:** Yes, conducted by the State's Attorney's Office.



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

Sponsored by: John Butitta, Committee Chairman

Submitted by: Finance Committee

2024 CO

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**ORDINANCE TO ABATE THE GENERAL OBLIGATION ALTERNATE REFUNDING  
BONDS (PUBLIC SAFETY SALES TAX ALTERNATE REVENUE SOURCE), SERIES 2022  
BONDS PROPERTY TAX LEVY FOR THE YEAR 2023 PAYABLE 2024**

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**WHEREAS**, the County of Winnebago, Illinois (County) had issued and had outstanding General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source), Series 2013A (the "2013A Bonds"); and, these Prior Bonds were refinanced and retired on August 11, 2022 reference Ordinance No. 2022-CO-057 and \$12,500,000 General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source) Series 2022 Bonds (the "2022 Bonds") were issued; and

**WHEREAS**, the revenue source that is pledged to the payment of the principal of and interest on the 2022 Bonds are revenues received by the County from the special county retailers' occupation tax and service occupation tax for public safety purposes (the "Pledged Revenues"); and

**WHEREAS**, the County Board of the County of Winnebago, Illinois has levied taxes for the General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source) Series 2022 Bonds and filed the same with the County Clerk of the County (the "County Clerk"); and

**WHEREAS**, the County has received notice from the County Clerk that the tax rate for the General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source) Series 2022 Bonds for levy year 2023 payable 2024 calculated by the County Clerk in accordance with the provisions of the Property Tax Extension Limitation Law, as amended; and

**WHEREAS**, the General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source) Series 2022 Levy for levy year 2023 payable 2024 is not less than the amount of principal of and interest on the Bonds otherwise payable from Pledged Taxes levied for the year 2023 payable 2024; and

**WHEREAS**, in accordance with Section 11. Abatement of Pledged Tax. Whenever the pledged revenues or other lawfully funds are available and on deposit in the Bond Fund in an amount necessary to pay any principal of or interest coming due on the Series 2022 Bonds in the

following year and upon the deposit of said monies for said year, the County may abate the Alternate Bond Property Tax Levy for that year, with proper notification of such abatement filed with the County Clerk; and

**WHEREAS**, there is at least \$3,397,250 in the aforesaid Bond Account to fully make all principal and interest payments on the aforementioned outstanding General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source) Series 2022 Bonds through December 30, 2024; and

**WHEREAS**, it is necessary and in the best interests of the County that the Pledged Taxes levied for the year 2023 payable 2024 to pay the principal of and interest on the Bonds be abated.

**NOW THEREFORE BE IT ORDAINED**, by the County Board of the County of Winnebago, Illinois, as follows: In accordance with Section 11. Abatement of Pledged Tax. The Pledged Taxes levied for the year 2023 payable 2024 for the General Obligation Alternate Refunding Bonds (Public Safety Sales Tax Alternate Revenue Source) Series 2022 Bonds are hereby abated in their entirety in the amount of \$3,397,250.

**BE IT FURTHER ORDAINED**, upon the adoption of this Ordinance, a certified copy hereof shall be filed with the County Clerk, and it shall be the duty of the County Clerk to abate the Pledged Taxes levied for the year 2023 payable 2024 in accordance with the provisions hereof.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

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JOHN BUTITTA, CHAIRMAN

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JOHN BUTITTA, CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JAIME SALGADO, VICE CHAIRMAN

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JEAN CROSBY

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JOE HOFFMAN

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KEITH McDONALD

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JOHN F. SWEENEY

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MICHAEL THOMPSON

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MICHAEL THOMPSON

The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS



# Ordinance Executive Summary

**Prepared By:** Steve Schultz - Chief Financial Officer  
**Committee:** Finance Committee  
**Committee Date:** January 18, 2024  
**Resolution Title:** Ordinance to Abate Special Tax Roll for 2023 Levy Year for Properties within the Special Service Area for the I-39/Baxter Road County Water District Project  
**County Code:** Not Applicable  
**Board Meeting Date:** January 25, 2024  
**Budget Information:**

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Not Applicable
<b>If not, explain funding source:</b> Not Applicable	
<b>ORG/OBJ/Project Code:</b> Not Applicable	<b>Budget Impact:</b> None

## Background Information:

The 139/Baxter Road Water District included a Special Service Area as part of the project. The County Board approved a Special Tax Roll assessing a special tax against each property within the SSA for the administration and maintenance of the SSA and for the payment of principal and interest on the County's General Obligation Bonds. The Special Tax Roll for the SSA for levy year 2023 totaled \$399,200. There are sufficient funds in the Special Tax Allocation Fund from the URL tax increment to make the payments on the bonds for June 30, 2024 and December 30, 2024. Based on sufficient funds being on hand the County Board can abate the Special Tax Roll for levy year 2023 payable 2024. The dollar amount changes each year.

**Recommendation:** Approval of the Ordinance Abating the Special Tax Roll for 2023 Levy Year Payable 2024.

**Contract/ Agreement:** Not Applicable

**Legal Review:** Yes, conducted by the State's Attorney's Office.

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

Sponsored by: John Butitta, Committee Chairman

Submitted by: Finance Committee

2024 CO

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**ORDINANCE TO ABATE SPECIAL TAX ROLL FOR 2023 LEVY  
YEAR FOR PROPERTIES WITHIN THE SPECIAL SERVICE AREA FOR  
THE 1-39/BAXTER ROAD COUNTY WATER DISTRICT PROJECT**

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**WHEREAS**, on August 9, 2012, the County Board of the County of Winnebago, Illinois, by Ordinance Number 2012-CO-056, approved establishing a Special Service Area ("SSA") for the I-39/Baxter Road County Water District Project; and

**WHEREAS**, on October 25, 2012, the County Board of the County of Winnebago, Illinois, by Ordinance Number 2012-CO-072, approved an amendment to said establishing Ordinance, which enacted a Special Tax Roll assessing a special tax against each property lying within the SSA for the administration and maintenance of the SSA and for the payment of principal and interest on the County's General Obligation Bonds (Alternate Revenue Source), Series 2012F, issued pursuant to the establishing Ordinance for the purpose of financing a part of the cost of construction and formation of said County Water District Project; and

**WHEREAS**, on March 25, 2021, the County Board of the County of Winnebago, Illinois, by Ordinance Number 2021-CO-033, providing for (1) the issue of approximately \$3,725,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2021A, for the purpose of refunding the County's Series 2012F Bonds, (2) the pledge of certain revenues to the payment of principal and interest on the bonds and the levy of a direct annual tax sufficient to pay such principal and interest if the pledged revenues are insufficient to make such payment and (3) the sale of the bonds to the purchaser thereof; and

**WHEREAS**, pursuant to an Intergovernmental Cooperation Agreement ("Agreement") between the County of Winnebago, Village of Cherry Valley and the Village of New Milford, dated June 6, 2012, the parties determined that the area in and around the Baxter Road interchange on 1-39 is appropriate for the formation of an Industrial Park Conservation Area to spur private investments and development defined in the Industrial Jobs Recovery Law ("URL"); and

**WHEREAS**, pursuant to the Agreement, the Special Tax Allocation Fund ("STAF" as defined in the URL), created with the tax increment financing will be placed under the control of Winnebago County to be administered for the length of the project; and

**WHEREAS**, funds deposited in the STAF generated from the URL District shall be used to pay for the payments on the SSA Bonds as first priority; and

**WHEREAS**, the Special Tax Roll for the SSA for levy year 2023 totaled \$399,200; and

**WHEREAS**, there is sufficient funds from the URL increment in the STAF fund as of December 22, 2023, to make the payments on the bonds for June 30, 2024 and December 30, 2024.

**NOW, THEREFORE BE IT ORDAINED**, by the County Board of the County of Winnebago, Illinois that the County Board hereby abate the Special Tax Roll for levy year 2023 payable 2024 in the following amounts:

Parcel Number	Amount
16-28-300-021	10,900.91
16-28-300-027	53,349.67
16-28-300-028	9,457.31
16-28-300-029	8,858.75
16-28-400-019	27,041.01
16-28-400-022	11,534.68
16-28-400-023	56,687.54
16-28-400-024	29,942.29
16-33-100-009	81,630.06
16-33-200-009	109,797.78
Total	\$ 399,200.00

**BE IT FURTHER ORDAINED** that this Ordinance shall be in full force and effect forthwith immediately upon its adoption.

**BE IT FURTHER ORDAINED** that the Clerk of the County Board shall deliver certified copies of this Ordinance to the Winnebago County Clerk, the Chief Financial Officer and the Winnebago County Director of Finance.

Respectfully Submitted,  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

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JOHN BUTITTA, CHAIRMAN

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JOHN BUTITTA, CHAIRMAN

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The above and foregoing Ordinance was adopted by the County Board of the County of

Winnebago, Illinois this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

ATTESTED BY:

\_\_\_\_\_  
**JOSEPH CHIARELLI**  
CHAIRMAN OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

\_\_\_\_\_  
**LORI GUMMOW**  
CLERK OF THE COUNTY BOARD  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

**NEW BUSINESS**



# **ANNOUNCEMENTS & COMMUNICATIONS**



# WINNEBAGO COUNTY

— ILLINOIS —

## Announcements & Communications

Date: February 8, 2024

Item: Correspondence to the Board

Prepared by: County Clerk Lori Gummow

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**Governing Statute(s):** State of Illinois Counties Code [55 ILCS 5/Div. 3-2, Clerk](#)

**County Code:** [Ch 2. Art. II. Div. 4, Sec. 2.86 – Record Keeping & Communications](#)

**Background:** The items listed below were received as correspondence.

1. County Clerk Gummow received from the United States Nuclear Regulatory Commission the following:
  - a. Federal Register/Vol. 89, No. 15/Tuesday, January 23, 2024/Notices.
  - b. Summary of January 8, 2024, Presubmittal Meeting Between the U.S. Nuclear Regulatory Commission and Constellation Energy Generation, LLC, Regarding Removal of the Power Distribution Monitoring System from Technical Specifications (EPID L-2023-LRM-0100).
  - c. Byron Station Unit 1 Request for Information for an NRC Post-Approval Site Inspection for License Renewal Inspection Report 05000454/2024011.
  - d. Summary of August 30, 2023, Presubmittal Meeting between the U.S. Nuclear Regulatory Commission and Constellation Energy Generation, LLC, Regarding Relaxation of Inspection Requirements for the Head Penetration P-75 Flaw (EPID L-2023-LRM-0054).

**Adjournment**