



WINNEBAGO COUNTY

— ILLINOIS —

REVISED

AGENDA

Winnebago County Courthouse
400 West State Street | Rockford, IL 61101
County Board Room | 8th Floor

Thursday, January 10, 2019

6:00 p.m.

1. **Call to Order** Chairman Frank Haney
2. **Agenda Updates** Chairman Frank Haney
3. **Roll Call** Clerk Lori Gummow
4. **Invocation** Board Member Dan Fellars
5. **Awards, Proclamations, Presentations, Public Hearings, and Public Participation**
 - A. Awards – None
 - B. Proclamations – None
 - C. Presentations – Conflict of Interest Policy Review – States Attorney’s Office
6. **Public Comment** Registered Speakers
Members of the public may address the Board by submitting their request no later than 2 hours prior to the start of the meeting. Contact www.wincoil.us or (815) 319-4225 for guidelines.
7. **Meeting Minutes** Clerk Lori Gummow
 - A. Approval of November 20 and December 3, 2018 minutes
 - B. Layover of December 13, 2018 minutes
8. **Announcements & Communications** Clerk Lori Gummow
 - A. Correspondence (see packet)
9. **Board Member Correspondence** Board Members
10. **Chairman’s Report** Chairman Frank Haney
 - A. Working Projects List – 2019
 - B. Shares Values
 - C. Events

11. **County Administrator’s Report.....Administrator Carla Paschal**
12. **Approval of Consent Agenda Chairman Frank Haney**
 - A. Raffle Report
13. **Standing Committee Reports Chairman Frank Haney**
 - A. Finance Committee**Jaime Salgado, Committee Chairman**
 1. Committee Report
 2. Budget Amendment 2019-013 Sheriff Attorney Fees
 3. Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Fred Jones Versus Winnebago County
 4. Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled James Arvigo Versus Winnebago County
 5. Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Jared Smith Versus Winnebago County
 6. Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Katherine White Versus Winnebago County
 7. Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled Stephanie Owens Versus Winnebago County
 8. Resolution Authorizing Settlement of a Claim Against the County of Winnebago Entitled William James Versus Winnebago County
 9. An Ordinance Amending Sections of Chapter 2 of the County Code of Ordinances (Financial Policy) to be Laid Over
 - B. Personnel and Policies Committee.....**David Fiduccia, Committee Chairman**
 1. Committee Report
 2. An Ordinance Amending Sections of Chapter 2 of the County Code of Ordinances **to be Laid Over**
 - C. Zoning Committee **Jim Webster, Committee Chairman**

Planning and/or Zoning Requests:

 1. SU-05-18 A Special Use Permit to allow a campground in the AG, Agricultural Priority District for property that is commonly known as 8664 Elevator Road and 8702 Elevator Road in Roscoe Township, District 4 to be laid over
 2. Z-17-18 A map amendment to rezone +/- 3.03 net acres from the AG, Agricultural Priority District to the RA, Rural Agricultural Residential District for property that is commonly known as 42XX Centerville Road in Rockford Township, District 1 to be laid over
 3. Z-18-18 A map amendment to rezone +/- 0.43 acres from the AG, Agricultural Priority District to the CN, Neighborhood Commercial District for property that is commonly known as 1002 S. Pierpont Ave. in Rockford Township, District 18 to be laid over

4. Z-20-18 A map amendment to rezone +/- 29.9 acres from the AG, Agricultural Priority District to the A2, Agricultural-Related Business District for property that is generally located at 38XX Baxter Road in Rockford Township, District 9 to be laid over
5. Committee Report

D. Economic Development Committee..... **Fred Wescott, Committee Chairman**
1. Committee Report

E. Operations & Administrative Committee **Keith McDonald, Committee Chairman**
1. Committee Report
2. Resolution Establishing Personal Cell Phone Reimbursement Amount for 2019

F. Public Works Committee **Dave Tassoni, Committee Chairman**
1. Committee Report

G. Public Safety Committee..... **Aaron Booker, Committee Chairman**
1. Committee Report

14. Unfinished Business Chairman Frank Haney

15. New Business.....Chairman Frank Haney

16. Adjournment Chairman Frank Haney

Next Meeting: Thursday, January 24, 2019

ANNOUNCEMENTS & COMMUNICATIONS



WINNEBAGO COUNTY

— ILLINOIS —

Announcements & Communications

Date: January 10, 2019

Item: Correspondence to the Board

Prepared by: County Clerk Lori Gummow

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. Byron Station, Unit Nos. 1 and 2 – Supplemental Information Needed for Acceptance of Requested Licensing Action Re: One-Time Extension of Technical Specification 3.8.1, “AC Sources – Operating,” A2 Completion Time (EPID L-2018-LLA-2018)
 - b. Exelon Generation Company, LLC – Fleet Request to use ASME Code Cases N-878 and N-880 (EPID L-2018-LLR-0077)
 - c. Braidwood Station, Units 1 and 2, and Byron Station, Unit Nos. 1 and 2 – Issuance of Amendments Regarding Axial Flux Difference Technical Specifications (EPID L-2018-LLA-0098)
 - d. Federal Register / Vol. 83. No. 242 / Tuesday, December 18, 2018 / Notices
 - e. Byron Generating Station, Units 1 and 2 – Notification of NRC Triennial Fire Protection Baseline Inspection and Request for Information 05000454/2019011; 05000455/2019011
 - f. Federal Register / Vol. 84, No. 1 / Wednesday, January 2, 2019 / Notices
2. County Clerk Gummow received from Illinois Environmental Protection Agency the Following:
 - a. A Letter Regarding ARAMARK Uniform & Career Apparel Inc (Illinois EPA BOA ID# 201030AQZ) FESOP Permit (18120008)



WINNEBAGO COUNTY

— ILLINOIS —

- b. Notice of Application for Permit to Manage Clean Construction or Demolition Debris (CCDD) (LPC-PA26);

Description of Project:

- a. Administrative change to name of operator; Change in parent ownership of operator, The site has been and is owned by G & M Property Holdings, LLC. This facility will be operated by Illinois CCDD Operating LLC (formerly known as Illinois CCDD Operating Co) a subsidiary of Rockford Blacktop Construction, LLC (formerly known as Rockford Blacktop Construction Co.) which has been acquired by IEA Energy Services LLC. Which is owned by IEA Intermediate Holdco, which is owned by Infrastructure and Energy Alternatives, INC. (a publicly traded company.) CERTIFIED MAIL NUMBER: 7018 0360 0001 6637 6008
- b. Administrative change to name of operator, Change in parent ownership, The site is and has been owned by Rockford Blacktop Construction LLC (formerly known as Rockford Blacktop Construction Co.) The facility has been and will be operated by Illinois CCDD Operating LLC (formerly known as Illinois CCDD Operating Co), a subsidiary of Rockford Blacktop Construction, LLC. Rockford Blacktop Construction, LLC has been acquired by IEA Energy Services LLC, which is owned by IEA Intermediate Holdco, LLC, which is owned by Infrastructure and Energy Alternatives, Inc. (a publicly traded company). CERTIFIED MAIL NUMBER 7018 0360 0001 6637 5858
- c. Administrative change to name of operator; Change in parent ownership, The site has been and is owned by G & M Property Holdings, LLC. This facility will be operated by Illinois CCDD Operating LLC (formerly known as Illinois CCDD Operating Co) a subsidiary of Rockford Blacktop Construction, LLC (formerly known as Rockford Blacktop Construction Co.) which has been acquired by IEA Energy Services LLC. Which is owned by IEA Intermediate Holdco, which is owned by Infrastructure and Energy Alternatives, INC. (a publicly traded company.) CERTIFIED MAIL NUMBER 7018 0360 0001 6637 5766
- d. Administrative change to name of operator; Change in parent ownership, The site has been and is owned by G & M Property Holdings, LLC. This facility will be operated by Illinois CCDD Operating LLC (formerly known as Illinois CCDD Operating Co) a subsidiary of Rockford Blacktop Construction, LLC (formerly known as Rockford Blacktop Construction Co.) which has been acquired by IEA Energy Services LLC. Which is owned by IEA Intermediate Holdco, which is owned by Infrastructure and Energy Alternatives, INC. (a publicly traded company.) CERTIFIED MAIL NUMBER 7018 0360 0001 6637 5971



WINNEBAGO COUNTY

— ILLINOIS —

3. County Clerk Gummow received from Comcast the following:
 - a. A Letter regarding MGM TV Channel Updates
 - b. A Letter regarding the most up to date information for Comcast and its local personnel.
4. County Clerk Gummow received from Charter Communications a letter regarding Quarterly Franchise Fee Payment for the Village of Rockton.

Recommendation: The Winnebago County Clerk recommends that the correspondence listed be placed on file as a part of the County Board records maintained by the County Clerk.

CHAIRMAN'S REPORT

ADMINISTRATOR'S REPORT

CONSENT AGENDA

RAFFLE APPLICATION REPORT

Presently the County Clerk's office has Raffle Applications submitted by
8 different organizations for 12 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
29955	1	HOLY FAMILY CHURCH (RESPECT LIFE COMMITTEE)	01/25/2019-01/25/2019	\$ 500.00
29956	1	JEWISH FEDERATION OF GREATER ROCKFORD	01/20/2019-02/03/2019	\$ 400.00
29957	1	ROCKFORD ICEHOGS BOOSTER CLUB	01/18/2019-01/18/2019	\$ 750.00
29958	1	ROCKFORD ICEHOGS BOOSTER CLUB	01/25/2019-01/25/2019	\$ 750.00
29959	1	ROCKFORD ICEHOGS BOOSTER CLUB	01/26/2019-01/26/2019	\$ 750.00
29960	1	ROCKFORD PARK DISTRICT FOUNDATION	01/11/2019-01/19/2019	\$ 4,950.00
29961	1	ROCKTON LIONS CLUB	02/01/2019-06/16/2019	\$ 10,000.00

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

FINANCE COMMITTEE

2019 Fiscal Year

Sponsored by:

Jaime Salgado, Finance Committee Chairman

Finance: December 13, 2018

Lay Over: December 13, 2018

Final Vote: January 10, 2019**2019 CO****TO: THE HONORABLE MEMBERS OF THE COUNTY OF WINNEBAGO, ILLINOIS**

The Winnebago County Finance Committee presents the following Ordinance amending the Annual Appropriation Ordinance for the fiscal year ending September 30, 2019 and recommends its adoption.

ORDINANCE

WHEREAS, the Winnebago County Board adopted the “Annual Budget and Appropriation Ordinance” for the fiscal year ending September 30, 2019 at its September 27, 2018 meeting; and,

WHEREAS, 55ILCS 5/6-1003(2014), states, “After the adoption of the county budget, no further appropriations shall be made at any other time during such fiscal year, except as provided in this Act. Appropriations in excess of those authorized by the budget in order to meet an immediate emergency may be made at any meeting of the board by a two-thirds vote of all the members constituting such board, the vote to be taken by ayes and nays and entered on the record of the meeting.”

NOW, THEREFORE, BE IT ORDAINED, that the County Board deems that pursuant to the provisions as set forth in 55ILCS 5/6-1003(2014), certain conditions have occurred in connection with the operations of the County which are deemed to be immediate emergencies; therefore the following increases are hereby authorized.

2019-013 Sheriff Attorney Fees

Reason: Budget Amendment is necessary to pay the first invoice submitted by the County Sheriff’s outside legal counsel. The fiscal year 2019 adopted budget did not include budget for outside legal representation for the County’s elected officials.

Alternative: None

Impact to fiscal year 2020 budget: Cannot be determined at this time.

Revenue Source: PSST

<u>Acct Description</u>	<u>Org</u>	<u>Obj</u>	<u>Pri</u>	
Legal fees	13500	43140		\$27,791
			<u>Total Adjustment:</u>	<u>\$27,791</u>

(AGREE)

Respectfully Submitted,
FINANCE COMMITTEE
(DISAGREE)

JAIME SALGADO,
FINANCE CHAIRMAN

JAIME SALGADO,
FINANCE CHAIRMAN

DAVID FIDUCCIA

DAVID FIDUCCIA

JOE HOFFMAN

JOE HOFFMAN

BURT GERL

BURT GERL

DAVID BOOMER

DAVID BOOMER

STEVE SCHULTZ

STEVE SCHULTZ

KEITH McDONALD

KEITH McDONALD

The above and foregoing Ordinance was adopted by the County Board of the County of Winnebago, Illinois this ____ day of _____ 2018.

ATTESTED BY:

FRANK HANEY
CHAIRMAN OF THE COUNTY BOARD
OF THE COUNTY OF WINNEBAGO, ILLINOIS

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

2019
WINNEBAGO COUNTY
FINANCE COMMITTEE
REQUEST FOR BUDGET AMENDMENT

DATE SUBMITTED: 12/10/2018 AMENDMENT NO: 2019-013							
DEPARTMENT: Administrative				SUBMITTED BY: Sheriff Gary Caruana			
FUND#: 0001 General Fund				DEPT. BUDGET NO. 13500			
Department Org Number	Object (Account) Number	Object (Account) Description	Adopted Budget	Amendments Previously Approved	Revised Approved Budget	Increase (Decrease)	Revised Budget after Approved Budget Amendment
13500	43140	Legal Fees			\$0	\$27,791	\$27,791
TOTAL ADJUSTMENT:						\$ 27,791	\$ 27,791

				Budget Amendments to Date Including Above Proposed Amendment	Proposed Revised Budget
				Original Budget	
Fund: General Fund				48,605,633	53,300 48,658,933

Fund:

Fund:

Reason budget amendment is required:
The County Sheriff petitioned the Court for outside legal counsel to represent him on budget and 911 related matters. The above requested budget amendment is for payment of the first invoice submitted by the County Sheriff's outside legal counsel.
Potential alternatives to budget amendment:
None. The fiscal year 2019 adopted budget did not include budget for outside legal representation for the County's elected officials.
Impact to fiscal year 2020 budget:
This is not know at this time. Administration is not aware of the Sheriff's plans for continued outside legal representation.
Revenue Source:
General Fund Fund Balance

**Ekl Williams
& Provenziale LLC**
Attorneys and Counselors at Law

December 7, 2018

Partners

Terry A. Ekl

Patrick J. Williams

Patrick L. Provenziale

Tracy L. Stanker

Kevin A. Halverson

Nemura G. Pencyla

901 Warrenville Rd., #175
Lisle, IL 60532
Ph: 630-654-0045
Fx: 630-654-8318

www.eklwilliams.com

Honorable Lisa Fabiano
17th Judicial Circuit Court
400 West State Street
Courtroom 412
Rockford, Illinois 61101

Our File No.
3630.000

Writer's Direct Dial No.
(630) 654-1624

Writer's Email Address
tekl@eklwilliams.com

Re: *In Re: The Petition for Recusal of the Winnebago
County State's Attorney*
WCC# 2017-MR-0000885

Dear Judge Fabiano:

Pursuant to Local Rule, enclosed please find a courtesy copy of our Petition for Payment of Attorney's Fees for Special State's Attorney Terry A. Ekl Pursuant to 55 ILCS 5/3-9008(c) currently set for presentation on December 13, 2018, at 9:00 a.m.

Thank you for your consideration in this regard.

Sincerely,
Ekl, Williams & Provenziale LLC



Terry A. Ekl

TAE/mn
Enclosure

cc. David J. Kurlinkus
Chief of State and Civil Bureau, State's Attorney's Office
w/Enclosures - via Email Transmission

3630.000

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
WINNEBAGO COUNTY, ILLINOIS

**In Re: The Petition for Recusal of the
Winnebago County State's Attorney**

No.: 2017 MR 0000885
Honorable Lisa Fabiano
Courtroom 412

NOTICE OF FILING / PETITION AND CERTIFICATE OF SERVICE

TO: David J. Kurlinkus, Chief of Staff and Civil Bureau
Courthouse Building, Suite 804, 400 West State Street, Rockford, IL 61101

YOU ARE HEREBY NOTIFIED that on **Friday, December 7, 2018**, I have electronically filed with the Clerk of the Circuit Court of the 17th Judicial Circuit, Winnebago County, Illinois, the following: **Petition for Payment of Attorney's Fees for Special State's Attorney Terry A. Ekl Pursuant to 55 ILCS 5/3-9008(c).**

YOU ARE FURTHER NOTIFIED that I shall appear before the Honorable Lisa Fabiano, at **400 West State Street, Rockford, Illinois**, in Courtroom **412**, on the **13th day of December 2018**, at **9:00am**, or as soon thereafter as counsel may be heard, and then and there present the foregoing Petition.

I, Mary Nash, a non-attorney, being first duly sworn on oath, deposes and states that I served a true and correct copy of the foregoing notice and pleading upon the above-named attorney(s), by E-mail transmission at: dkurlinkus@wincoil.us

on **Friday, December 7, 2018.**

/s/ Mary Nash
☒ Under penalties as provided by law pursuant to 735 ILCS 5/1-109,
I certify that the statements set forth herein are true and correct

Terry A. Ekl [#00727105]
Nemura G. Pencyla [#6225825]
Ekl, Williams & Provenzale LLC
Two Arboretum Lakes
901 Warrenville Road, Suite 175
Lisle, IL 60532
(630) 654-1624
(630) 654-8318 Facsimile
tekl@ekllwilliams.com
npencyla@ekllwilliams.com
Attorneys for Petitioner

3630.000
STATE OF ILLINOIS)
)SS
COUNTY OF WINNEBAGO)

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
WINNEBAGO COUNTY, ILLINOIS

In Re: The Petition for Recusal of the
Winnebago County State's Attorney

No.: 2017 MR 0000885

Honorable Lisa Fabiano
Courtroom 412

**PETITION FOR PAYMENT OF ATTORNEY'S FEES FOR
SPECIAL STATE'S ATTORNEY TERRY A. EKL PURSUANT
TO 55 ILCS 5/3-9008(c)**

NOW COMES the Petitioner, Terry A. Ekl, of Ekl, Williams & Provenzale LLC, and hereby moves this Court, pursuant to 55 ILCS 5/3-9008(c), order the County of Winnebago to pay his attorney's fees incurred in connection with his appointment to represent the Sheriff of Winnebago County and in support thereof states as follows:

1. This Court initially appointed Terry A. Ekl, as Special Prosecutor to represent the Sheriff of Winnebago County on October 17, 2017, for the limited purpose of advising and representing the Sheriff of Winnebago County in any potential lawsuit against Winnebago County regarding funding of the Winnebago County Sheriff's Office for fiscal year 2018. *See Order*, attached as **Exhibit A**.

2. The Order was entered after a hearing was conducted on the Winnebago County State's attorney's petition seeking same, based on that office's

inherent and direct conflict if required to represent and advise two separate and conflicted County Offices or Officers.

3. On August 23, 2018, this Court expanded the scope of appointment to include matters related to the operation and funding of the 911 Center. *See Order*, attached as **Exhibit B**.

4. On September 19, 2018, this Court expanded the scope of the appointment to include representation of the Sheriff of Winnebago County in connection with disputes with the Winnebago County Board over the funding of the sheriff's office in the fiscal 2019 budget. *See Order*, attached as **Exhibit C**.

5. Terry A. Ekl has not previously submitted a request for payment for work and his office engaged in over the last year.

6. This Petition for Fees is brought pursuant to 55 ILCS 5/3-9008(c) with notice being provided to Winnebago County.

7. Terry A. Ekl has attached as **Exhibit D**, an Affidavit regarding his experience and qualifications and current curriculum vitae, **Exhibit E**, in support of an hourly rate of \$225 per hour for the work performed by himself and attorneys under his direction.

8. As indicated in the Affidavit, Terry A. Ekl bills at the rate of between \$350 and \$450 per hour. On multiple occasions federal judges in the Northern District of Illinois have approved payment in civil rights cases of an hourly rate of \$400.

9. Terry A. Ekl has attached as **Exhibit F**, an itemized list of all activities engaged in pursuant to this Court's appointment orders through October 31, 2018. He has redacted certain activities which reflect attorney work product or matters dealing with privileged attorney/client communications.

10. As a further accommodation to the County of Winnebago and the fiscal difficulties facing the County, Terry A. Ekl will agree to reduce his bill by an additional 20% (\$6,947.00).¹

WHEREFORE, the Winnebago County Sheriff respectfully requests that this court issue an order requiring the County of Winnebago to pay Terry A. Ekl the sum of *Twenty-Seven Thousand Seven Hundred Ninety-One Dollars* (\$27,791.00) without undue delay.

Respectfully submitted by:

By: s/ Terry A. Ekl
Terry A. Ekl [#00727105]
Ekl, Williams & Provenzale LLC
Two Arboretum Lakes
901 Warrenville Road, Suite 175
Lisle, IL 60532
(630) 654-1624
(630) 654-8318 *Facsimile*
tekl@ekllwilliams.com

¹In the event Winnebago County objects to the payment of the requested fee, Terry A. Ekl reserves the right to withdraw.

Ekl, Williams
& Provenzale LLC

Attorneys and Counselors at Law

*In Re: The Petition for Recusal of the Winnebago County State's Attorney v.
Winnebago County Court Number: 2017 MR 0000885*

Exhibit A

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
COUNTY OF WINNEBAGO

FILED

Date: 10-12-17

In Re the Petition for Recusal of the
Winnebago County State's Attorney

)
)
)

2017 MR 885

Thomas A. Klein
Clerk of the Circuit Court

By 10 , Clerk
Winnebago County, Ill.

ORDER

The Court having considered the report of Chief Deputy Mark Karner and being advised that the Illinois Attorney General, the Illinois State's Attorneys Appellate Prosecutor, and the State's Attorneys of Boone, Ogle, Dekalb and Stephenson counties have declined to serve as Special Prosecutor for the Sheriff of Winnebago County;

IT IS ORDERED:

Pursuant to 55 ILCS 5/3-9008 (a-20), attorney Terry Ekl, of Ekl, Williams & Provenzale LLC, is appointed Special Prosecutor for the limited purpose of advising and representing the Sheriff of Winnebago County in any potential lawsuit against Winnebago County or its elected or appointed officials regarding funding of the Winnebago County Sheriff's Department for fiscal year 2018. Attorney Ekl's reasonable attorney's fees shall be paid from the Winnebago County General Fund.

The clerk is directed to mail a copy of this order to Chief Deputy Mark Karner of the Winnebago County Sheriff's Department.

Entered: 10-12-17



Circuit Judge Lisa R. Fabiano

Ekl, Williams
& Provenzale LLC

Attorneys and Counselors at Law

*In Re: The Petition for Recusal of the Winnebago County State's Attorney v.
Winnebago County Court Number: 2017 MR 0000885*

Exhibit B

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
COUNTY OF WINNEBAGO

CC - 75

FILE STAMP

In Re: The Petition for
Recess of the Winnebago State Bar

VS.

Case No. 2017 MR 885

ORDER

THIS matter coming before the Court on the Petition to
Expand the Appointment of Terry A. Ed entered by this Court
on Oct. 17, 2017 and following the arguments of counsel
and the Court being fully advised in the premises

IT IS Hereby Ordered:

That the aforesaid petition is granted and the
scope of the duties and authority of Terry A. Ed be
expanded as requested in the petition

Enter 8-23-18

Judge 

Ekl, Williams
& Provenzale LLC

Attorneys and Counselors at Law

*In Re: The Petition for Recusal of the Winnebago County State's Attorney v.
Winnebago County Court Number: 2017 MR 0000885*

Exhibit C

F23

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
COUNTY OF WINNEBAGO

CC - 75

FILE STAMP

On Re: The Petition for
Recusal of the Winnebago
State's Attorney

VS.

Case No. 2017 MR 885

ORDER

This matter coming before the Court on the Second
Petition to Expand the Appointment of Terry AED
which was originally entered on Oct. 17, 2017 and
the Court being fully advised in the premises

IT IS Hereby Ordered:

That the aforesaid petition is granted and the
scope and duties and authority of Terry AED be
expanded as requested in the petition

Enter 9-19-18

Judge 

Ekl, Williams
& Provenzale LLC

Attorneys and Counselors at Law

*In Re: The Petition for Recusal of the Winnebago County State's Attorney v.
Winnebago County Court Number: 2017 MR 0000885*

Exhibit D

STATE OF ILLINOIS)
) SS
COUNTY OF WINNEBAGO)

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
WINNEBAGO COUNTY, ILLINOIS

In Re: The Petition for Recusal of the
Winnebago County State's Attorney,

No.: 2017-MR-0000885

Honorable Lisa Fabiano
Courtroom 412

AFFIDAVIT OF TERRY A. EKL

I, Terry A. Ekl, being first duly sworn under oath and affirmation, do hereby depose and state as follows on personal knowledge as to the matters stated herein:

1. That I am currently licensed to practice in the State of Illinois (since 1973), the United States District Courts for the Northern District of Illinois (since 1973), the Central District of Illinois (since 2006) and the Eastern District of Wisconsin (since 2007), and I have been a member of the trial bar of the Northern District of Illinois since 1983.

2. That I am licensed to practice in the Seventh Circuit Court of Appeals and have been since 1987.

3. That I am currently a partner in the firm of Ekl, Williams & Provenzale LLC, holding that interest since 1978. The firm name was Connolly & Ekl and Connolly, Ekl & Williams until 2006.

4. That from 1973 to 1978, I was an Assistant State's Attorney in Cook County, Illinois, where I prosecuted all types of felony cases, including in excess of one hundred (100) First Degree Murder cases.

5. That I have handled a variety of complex civil and criminal cases including prosecuting and defending claims in litigation in Federal Court brought under federal statutes, including Civil Rights claims and Title IX; wrongful death and tort claims in State court; and complex criminal cases in both Federal Court and State Court. On one case involving an early Rule 68 Offer of Judgment, the Court approved my reasonable hourly rate for work in 2008 and 2009 on a §1983 Fourth Amendment claim at \$400/hour. Suntken v. Garza, 08 CV 4383. Also, on another recent fees issue after an Offer of Judgment, Judge Eugene Kennelly approved my hourly rate for a straightforward excessive force claim at \$400 per hour, 12 C 2328.

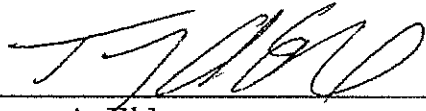
7. As for other matters, I typically charge hourly billing clients, depending on the client, the complexity of the issues and the demand involved, hourly rates ranging from \$350/hour to \$450/hour. For example, in 2011, my firm was retained by Google, Inc., as local counsel in a shareholder class action, in which my approved hourly rate is \$400/hour. Beginning in 2008, my firm was retained by Navistar International Corporation and since that time I have represented Navistar in both state and federal court at a rate of \$375/hour. In 2009, my firm was retained by FONIA International in a trade secret and breach of contract case and my hourly rate is \$385/hour. In 2011, my firm was retained by Ecolab, Incorporated to defend it in a

shareholder class action to enjoin a multi-billion dollar merger and my hourly rate is \$400/hour. I currently represent several individuals at the rate of \$450 per hour.

8. I have reviewed the computerized billing records for Ekl, Williams & Provenzale LLC attached to the Petition for Fees as Exhibit F. These records are maintained in the ordinary course of our firm billing records, and are a true and accurate record of the work and correlative time expended by me in the prosecution of this case on behalf of my client.


9. The entries therein reflect the type of customary entries by description and detail that are accepted and paid by my hourly-fee paying clients.

Further Affiant Sayeth Naught.

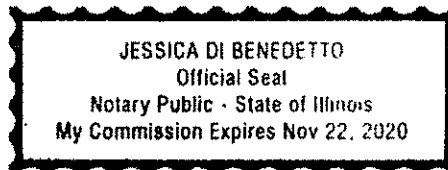


Terry A. Ekl

Subscribed and Sworn to before me
this 6th day of December 2012



Notary Public



Ekl, Williams
& Provenzale LLC

Attorneys and Counselors at Law

*In Re: The Petition for Recusal of the Winnebago County State's Attorney v.
Winnebago County Court Number: 2017 MR 0000885*

Exhibit E

Terry A. Ekl
Ekl, Williams & Provenzale LLC
Attorneys and Counselors at Law
Two Arboretum Lakes
901 Warrenville Road, Suite 175
Lisle, Illinois 60532
Phone: (630) 654-1624
tekl@eklwilliams.com

Educational History

Hinsdale Central High School, Hinsdale, Illinois.

Northwestern University, Evanston, Illinois.
Degree: Political Science, 1970

University of Illinois, Champaign-Urbana, Illinois.
Degree: Juris Doctor, 1973

College Awards and Honors

All-Big Ten Academic Football Team *1968 -1969*
President Delta Upsilon Fraternity

Legal Experience

Admitted to Practice

State of Illinois *1973*
Supreme Court of Illinois, *1973*
Federal District Court, Northern District of Illinois, *1973*
Federal Trial Bar, Northern District of Illinois, *1983*
United States Supreme Court, *1987*
Federal District Court, Central District of Illinois, *2006*
Federal District Court, Eastern District of Wisconsin,
2007

1973 - 1977

Assistant State's Attorney's Office, Cook County, Illinois.
Felony Trial Division

1978 - 1988

Partner, Connolly & Ekl, P.C.
Clarendon Hills, Illinois 60514

1988 - 2006

Partner, Connolly, Ekl & Williams, P.C.
Clarendon Hills, Illinois 60514

2006 - 2011

Partner, Ekl Williams PLLC
Lisle, Illinois 60532

2011 - present

Partner, Ekl, Williams & Provenzale, LLC
Lisle, Illinois 60532

Type of Practice

- General Trial Practice, Trial and Appellate Litigation in State and Federal Court. Tried in excess of 100 jury trials and 1000 bench trials both criminal and civil cases.

Clients represented:

- In the fall of 2012, was lead counsel in representing Karolina Obrycka in a Federal civil rights suit against Chicago police officer Anthony Abbate and the City of Chicago. Karolina Obrycka, while working as a bartender, was savagely beaten by Abbate who was off-duty at the time. In what has been described as a landmark decision, the jury found that there was a long-standing and pervasive "code of silence" within the Chicago Police Department to cover-up police officer misconduct.
- Represented John Harris, the former Chief of Staff to impeached Illinois Governor Rod R. Blagojevich. Mr. Harris was indicted in connection with corruption efforts of Governor Blagojevich. Mr. Harris was sentenced to two years probation and ten days incarceration in connection with his role in Blagojevich's attempt to sell the senate seat of Barack Obama.
- Represented Louis Bianchi, the elected State's Attorney of McHenry County who was indicted by a special prosecutor in two separate cases. The first case went to trial in March of 2011 and the judge entered a directed finding of not guilty on all charges. The second case was tried in August of 2011 and Mr. Bianchi was found not guilty following a directed finding by the judge.
- Represented Alstory Simon who was freed from custody after having served 16 years for murders he did not commit. This case was the subject matter of a film called *"Murder in the Park"*. The civil suit against Northwestern University and Professor David Protess was settled in July of 2018
- *Represented the following professional athletes*
 - Derrick Rose
 - Denis Savard
 - Chris Chelios

- Starlin Castro
- Ed Olczyk
- Current representation of various plaintiffs against the Chicago Police Department alleging violations of the Federal Civil Rights Act.
- Represented Peter Burchard, the former Village Manager of Naperville, who was sued in Federal Court by Councilman Richard Furstenau. The allegations were ultimately dismissed.
- Represents a group of plaintiffs who have sued the LaSalle County Sheriff in the Federal District Court for the Northern District of Illinois as a result of a policy of illegal strip searches.
- Represented former Edgar County State's Attorney, Michael McFatrige, in a civil rights action in the Federal District Court, Central District of Illinois, 2006. This case involved an allegation of the wrongful conviction of two murder defendants.
- Represents eleven young girls victimized by Michael Cardamone, their former gymnastics coach in a civil action.
- Represented the family of one of the thirteen young people who died in the Lincoln Park porch collapse tragedy
- Represented the family of a young boy who, while unarmed, was shot sixteen times by four Chicago Police officers. The case was successfully settled in 2015.
- Represented former Marshall High School boys basketball coach. Lamont Bryant, who received \$500,000 from the Chicago Board of Education as a result of his wrongful termination as basketball coach.
- One of seven attorneys appointed as Special State's Attorney to represent former DuPage County State's Attorney and DuPage County Sheriff's Police Officers in the *DuPage Seven*. A jury verdict was reached and the defendants were acquitted of all charges filed against them. *People v. Knight, 18th Judicial Circuit Court Number 96 CF 2589*.
- Special Assistant State's Attorney in DuPage County to represent DuPage County in the Federal civil rights litigation filed in connection with the Jeanine Nicarico murder case.

- Represented the Chief of Police of Mt. Prospect and the Village of Mt. Prospect in connection with allegations of racial profiling. This representation included the defense of the underlying claims filed in Federal Court, an internal investigation into the alleged pattern of racial profiling of motorists by Mt. Prospect police officers, defense of a class action law suit and an investigation conducted by the Department of Justice into the allegations of racial profiling.
- In 2008 conducted an investigation at the request of the Village of Park Ridge into allegations of misconduct within the Park Ridge Police Department.
- In 2013-14 conducted an investigation of the Lake County Jail related to the deaths of two inmates.
- In 2013 conducted an investigation into allegations that the DuPage County Sheriff relating to allegations that promotions and discipline of deputies was related to political contributions.
- In 1983, hired as a Special Assistant State's Attorney for Cook County to conduct an investigation into allegations of misconduct in the Cook County Medical Examiner's Office.
- Representation of House Minority Leader Lee Daniels and the House Republicans in the 2000 Redistricting which included trial before a three judge panel and appeals filed before the Illinois Supreme Court.
- Representation of municipalities and governmental agencies and/or employees in Federal Civil Rights litigation including the following:
 - Village of Mt. Prospect
 - City of Chicago
 - Town of Cicero
 - City of St. Charles
 - County of DuPage
 - City of Naperville
 - County of DeKalb
 - McHenry County
- Chemical and toxic tort litigation matters. Lead attorney in the matter filed on behalf of the employees of the DuPage County Courthouse, entitled *Bostick, et al. v. Hellmuth, Obata & Kassumbaum, Inc., et al., Circuit Court Number 92 L 1695*.

- Representation of Western DuPage Recycling and Transfer Station application for siting in DuPage County, Illinois
- Represented Flavors of North America in trade secret litigation alleging the misappropriation of flavor formulas. The case was successfully concluded by settlement in 2017
- Current representation of the family of Corey Walgren against the City of Naperville and the Naperville North High School administration as a result of the actions of the defendants in causing the suicide of Corey Walgren.
- Representation of a football player at Wheaton College who sustained serious injuries as a result of a hazing incident which resulted in the indictment of five (5) members of the football team. The case was settled in September of 2018.
- Defense of the County of McHenry and members of the State's Attorney's Office in connection with a civil rights case filed by Shawn Lamb. The case was dismissed by the Federal District Court in 2018.
- Defense of the County of DeKalb and members of the State's Attorney's Office in connection with a civil rights case filed by Jack McCullough. This case is pending.
- *Corporate Clients*
 - Navistar International, Inc.
 - Mid-America Federal Savings and Loan
 - Google, Inc.
 - OfficeMax, Incorporated
 - Ecolabs, Inc.
 - Tomy, Inc.
 - Koch Industries
 - Suntory Industries
 - Flavors of North America

Professional Associations:

- Inductee as a Fellow of the American College of Trial Lawyers, *2006*
- Member of the Upstate Illinois membership committee for the American College of Trial Attorneys from *2009-present*.
- Committee member of the Illinois Supreme Court Illinois Pattern Jury Instruction (Criminal IPI) from, *2003 - present*.
- DuPage County Bar Association:
 - President of DuPage County Bar Association, *1996 - 1997*
 - Chairman Criminal Law Committee, *1992*
 - 2nd Vice President DuPage County Bar Association, *1995 - 1996*
 - Chairman of the Judiciary Committee, *1997 - 1999*
 - Member Judiciary Committee, *1994 - 1996*
 - Chicago Bar Association Defense of Indigent Prisoners Committee, *1982 - 1984*

Political Involvement

- Campaign Manager for Joseph Birkett, elected DuPage County State's Attorney in, *1996*
- Chairman, Campaign Committee for Robert Schillerstrom elected County Board Chairman of DuPage County in, *1998*
- Finance Chairman for Justice Robert Thomas when he was elected to the 2nd District Appellate Court, *1992*
- Committee to Elect Judge Robert Bryne for Circuit Court Judge, *1990*
- Finance Chairman for Judge John Elsner for Circuit Court Judge, *1996*
- Finance Chairman for Judge Jeff MacKay for Circuit Court Judge, *2018*

Community Activities

- President, DuPage Bar Foundation, *1997 - 1998*
- Chairman, DuPage Family Fun Days to Benefit Special Olympic Athletes, *1996 - 1998*
- Vice President of the West Suburban Foundation for Disabled Veterans, *2005 - present*
- Volunteer baseball coach Wheaton Park District, *1995 - 2002*
- Volunteer football coach at St. Michaels grade school, *2000 - 2003*
- Volunteer football coach at Wheaton-Warrenville South High School, *2004 - 2015*

Military Background

- United States Marine Corp. Reserve, *1969 - 1973*.
First Lieutenant
Honorable Discharge in *1973*

Litigation Experience

- A partial list of cases handled is available upon request

Ekl, Williams
& Provenzale LLC

Attorneys and Counselors at Law

*In Re: The Petition for Recusal of the Winnebago County State's Attorney v.
Winnebago County Court Number: 2017 MR 0000885*

Exhibit F

Ekl Williams
& Provenziale LLC
Attorneys and Counselors at Law

901 Warrenville Road, Suite 175
Lisle, IL 60532
(630) 654-0045

WINNEBAGO COUNTY SHERIFF'S OFFICE
650 WEST STATE STREET
ROCKFORD, IL 61102-2201

Client No.: 3630-000
Statement Date: 10/31/2018
Statement No.: 1
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Payments received after 10/31/2018 are not included on this statement

	MUNICIPAL MATTER	BALANCE
3630-000	MUNICIPAL MATTER	<u>\$34,738.21</u>

A finance charge of 1.5% per month
will be assessed on all accounts past due 30 days.

PAYMENT DUE UPON RECEIPT

MAKE CHECKS PAYABLE TO EKL WILLIAMS & PROVENZALE LLC

All returned checks will be assessed a \$30.00 fee

CREDIT CARDS ACCEPTED (*Please see terms below)

Please Detach and Return This Portion With Your Remittance

Please Remit Payment to:

EKL WILLIAMS & PROVENZALE, LLC

901 Warrenville Road, Suite 175
Lisle, IL 60532

Mastercard ☐ Visa ☐ Discover ☐ Amex ☐

Card Number _____

Exp. Date _____ Zip Code _____

Name on Card _____

Authorized Signature

Amount Remitted: _____

Check No.: _____

Statement Date: 10/31/2018

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Client No. 3630.000

INTEREST CHARGED ON UNPAID BALANCE AFTER THIRTY DAYS - 1.5% PER MONTH.

*By providing credit card information above, signing and submitting the remittance, you are authorizing Ekl Williams to charge the credit card for legal and/or costs for the dollar amount specified above. A processing fee of 2% of the charged amount will be assessed to all credit card charges.

Ekl Williams & Provenzale LLC

Attorneys and Counselors at Law

901 Warrenville Road, Suite 175
Lisle, IL 60532
(630) 654-0045

WINNEBAGO COUNTY SHERIFF'S OFFICE
650 WEST STATE STREET
ROCKFORD, IL 61102-2201

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RE: MUNICIPAL MATTER

MUNCIPAL MATTER

Payments received after 10/31/2018 are not included on this statement

			HOURS	
10/18/2017	TAE	Conference call with Sheriff and others.	1.00	225.00
11/01/2017	TAE	Telephone conference with Sheriff and others.	0.50	112.50
11/02/2017	TAE	Review draft of letter to county board; Make suggested changes; Email to clients.	1.00	225.00
11/17/2017	TAE	E-mails from and to Karner; Review documents regarding county finances.	1.00	225.00
11/20/2017	TAE	Meeting with Sheriff, Karner and Redmond; Review the draft of the letter to the County Board; Make edits and sent to sheriff; Additional emails from and to Karner; Review the summary of the sheriff's duty provided by client.	3.00	675.00
11/21/2017	TAE	Telephone conference with sheriff and others; Review the draft of the letter to the County Board; Email with suggested edits and revisions; Additional emails to and from Karner regarding the letter.	1.75	393.75
11/27/2017	TAE	Telephone conference with Karner; Begin review of material on fiscal matters provided by the sheriff and his staff; Email to Karner; Review the public safety sales tax ordinance.	1.75	393.75
11/28/2017	TAE	Telephone conference with client on meeting with Haney.	0.25	56.25
11/29/2017	TAE	Telephone conference with Karner; Email from Karner with attachments; Review of material to be discussed on meeting with Haney on Friday.	1.50	337.50
11/30/2017	TAE	Telephone conference with Karner; Review the description of the \$1.8		

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			HOURS	
		million; Prepare suggested points for meeting tomorrow.	1.25	281.25
12/01/2017	TAE	Telephone conference with Karner; Review latest spreadsheet regarding budget issues; Review material submitted by client.	1.50	337.50
12/08/2017	TAE	Meeting with client and his staff.	1.50	337.50
12/11/2017	TAE	E-mails from Karner; Call with Karner; Review recent news articles on funding issue; Review the Administrative Order # 2017-30; Emails from and to clients regarding communication from Haney regarding sheriff's attorney; Draft message for client to send to Haney; Additional emails with Karner and client; Conference with Nemura Pencyla regarding status of research on the accounting action; [REDACTED]	3.00	675.00
12/18/2017	TAE	E-mail to Karner on the supplemental appropriation issue; Series of emails dealing with the request for supplemental budget; Additional emails regarding supplemental budget; Call with clients; [REDACTED] Series of emails with clients over the Public Safety Sales Tax (PSST) documents; Conference with Nemura Pencyla concerning research on the lawsuit.	4.00	900.00
12/19/2017	TS NGP	Office conference with Terry A. Ekl and Nemura Pencyla regarding strategy. Online Legal Research on County Jails Act and cases re:sufficient staffing of jails.	0.50 1.25	112.50 281.25
12/20/2017	TAE	Telephone conference with Karner; Meeting with Nemura Pencyla; Email to Karner with questions; Email from Karner with information; Response to Karner; Additional series of emails to Karner and others; Call with Karner.	1.75	393.75
12/21/2017	TAE	Series of emails concerning variety of issues including the income and expenses from the PSST funds; Conference with Nemura Pencyla on the draft of the lawsuit; Call with client; Call with Karner; Review the 2013 Moody's letter on Winnebago County financial status; Additional emails from and to Karner.	2.75	618.75
12/22/2017	TAE	Review the documents regarding the prior requests of the sheriff for additional funding; Emails to and from clients; Calls with Karner concerning the prior FOIAs and the report of ASCME; Series of conferences with Nemura Pencyla over drafting of law suit; Meeting with Pat Williams on the drafting of the complaint.	2.50	562.50
12/28/2017	NGP TAE	Review of proposed budget for 2018. Series of emails dealing with FOIA to county for PSST records.	0.75 0.50	168.75 112.50
12/29/2017	DDN MN	Preparation of email to Auditor re: FOIA request (NO CHARGE) Accessed County's website for FOIA Officer information and request form; Conferences with Terry A. Ekl; Prepared FOIA to Auditor and sent via email transmission; Prepared FOIA to Winnebago County Board and sent via Certified Mail	0.25 0.75	18.75 n/c
	TAE	E-mail to and from clients regarding FOIA; Prepare FOIA for the County		

WINNEBAGO COUNTY SHERIFF'S OFFICE
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			HOURS	
		Board and Auditor.	0.50	112.50
01/03/2018	NGP	Review of various emails sent by client	1.00	225.00
01/11/2018	MN	Review email transmission from Terry A. Ekl; Prepared FOIA request directed to Carla Paschal - certified mail	0.25	18.75
01/26/2018	MN	Review FOIAs issued and responses received; Brief conference with Terry A. Ekl re: same; Review email instructions from Terry A. Ekl and transcribed responsive correspondence to Winnebago State's Attorney re: special prosecutor appointment	0.50	37.50
01/29/2018	NGP	Office conference with Terry A. Ekl about FOIA responses from Winnebago County; reviewed responses, began preliminary OLR on FOIA	0.75	168.75
01/30/2018	NGP	Office conference with client; meeting with Terry A. Ekl, Sheriff and staff	2.25	506.25
02/01/2018	NGP	Office conference with Terry A. Ekl; review of FOIA research and letters; telephone contact with FOIA officer in Winnebago County requesting clarification and accommodation on denial	1.00	225.00
	TAE	Office conference with Nemura Pencyla regarding FOI issue; Preparation of call with Karner; Office conference with Nemura Pencyla re his call with County on FOI	1.00	225.00
02/02/2018	NGP	(NO CHARGE) Review of message left by David Kurlinkas re:FOIA requests.	0.25	n/c
	TAE	Preparation of conference calls with Karner regarding budget discussions with County	0.50	112.50
02/05/2018	TAE	Conference call with Karner and Redmond	0.25	56.25
02/13/2018	NGP	E-mail from D. Kurlinkas re: FOIA; replied	0.25	56.25
02/14/2018	NGP	Draft and revise FOIA request after county refused to provide documents based on overly broad and unduly burdensome.; consulted with Terry A. Ekl about proceeding	1.00	225.00
02/15/2018	NGP	(NO CHARGE) E-mail from D. Kurlinkas regarding FOIA; tendered response; need to review	0.25	n/c
	TAE	Office conference with with Nemura Pencyla regarding FOI; Conference call with Kurlinkas; Conference call with Karner	0.50	112.50
02/20/2018	TAE	Conference call with Karner	0.25	56.25
02/28/2018	TAE	Conference call with Karner	0.25	56.25
04/17/2018	TAE	Telephone conference with Karner. Series of emails to schedule meeting.	0.50	112.50
04/24/2018	TAE	Meeting with clients.	1.00	225.00
04/26/2018	TAE	E-mail from and to Karner.	0.50	112.50

WINNEBAGO COUNTY SHERIFF'S OFFICE
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			HOURS	
05/03/2018	TAE	Series of emails with Karner and Sheriff concerning correspondence with Haney and news report.	1.00	225.00
05/04/2018	TAE	E-mail from and to sheriff.	0.25	56.25
05/11/2018	NGP	E-mail from and to Mark Karner about new issues before the board for FY 2018. Terry A. Ekl responded.	0.25	56.25
	TAE	E-mail from and to Karner regarding the Board meeting on Monday.	0.50	112.50
05/15/2018	TAE	E-mail from and to Karner and review of summaries prepared regarding budget and requested additional funds. Telephone conference with sheriff.	1.00	225.00
05/23/2018	TAE	E-mail from Karner. Review of email and the budget Memo.	0.50	112.50
05/24/2018	TAE	E-mail from and to Karner. Emails from Karner and response concerning signing agreement on the CBA. Review of the PSST audit. Additional emails with Karner.	1.50	337.50
05/25/2018	TAE	E-mail to and from Karner. Review of letter to Haney.	0.75	168.75
05/29/2018	TAE	E-mail to and from client.	0.25	56.25
05/30/2018	TAE	Meeting with clients. E-mail from client with letter from Haney. Additional emails from clients.	1.75	393.75
06/01/2018	TAE	E-mail from and to client [REDACTED]	0.50	112.50
06/05/2018	TAE	Review of letter from client to Haney. E-mail from and to client.	0.50	112.50
06/06/2018	TAE	E-mail from and to client. Telephone conference with client.	0.50	112.50
06/11/2018	TAE	(NO CHARGE) E-mail from clients [REDACTED]	0.50	n/c
07/17/2018	NGP	(NO CHARGE) Telephone conference with client , who left voice mail message to call back. Unable to reach client today, will try tomorrow.	0.25	n/c
07/18/2018	TAE	E-mails regarding recent issues and phone conference next week.	0.50	112.50
07/20/2018	NGP	Review of statute and follow up with legal research about meeting scheduled for monday 7/23; [REDACTED]	1.00	225.00
07/23/2018	NGP	Telephone conference with client regarding developments on his issues with lack of funding by county.	0.50	112.50
	TAE	Telephone conference with clients and Nemura Pencyla.	0.50	112.50
08/10/2018	TAE	(NO CHARGE) [REDACTED] Telephone conference with Karner.	1.25	n/c
08/12/2018	TAE	[REDACTED]	1.00	225.00

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			HOURS	
08/13/2018	NGP	Legal Research regarding petition to expand powers of special prosecutor, requirements and form. Spoke with Terry A. Ekl about issues and response.	1.50	337.50
	TAE	Series of emails with Nicolosi. Preparation of letter to County. Preparation of bullet points for meeting tomorrow. Conference with Nemura Pencyla on petition expansion. Emails with Karner. Conference with Nemura Pencyla regarding court date and time. Email to obtain a Copy of the ordinance passed last week.	2.00	450.00
08/14/2018	MN	(NO CHARGE) Review email instructions re: preparation and filing of Petition; Online search of case information at Clerk's website; Printed court docket report; Review document filing and judge assignment; Compile and set up Exhibits to Petition; Format Petition	1.25	n/c
	NGP	Draft and revise petition for expansion of powers of special state's attorney; spoke with Terry A. Ekl about basis for petition, whether live testimony will be needed; additional; information from Winnebago SO needed; reviewed previous petition and orders; called judge's secretary to find out when we can have the petition heard; left message; received tx call back, arranged to have petition heard on August 23rd, 2018. Spoke with Mary Nash about procedures and filings needed; sent emails to relevant staff;	3.00	675.00
08/15/2018	MN	(NO CHARGE) Preparation of Notice of Filing/Petition; Finalized draft of Petition; Prepared courtesy letter to Judge Fabiano; Final draft printed and given to Nemura Pencyla for final review	0.50	n/c
	NGP	Draft and revise petition with additional exhibit; spoke with Mary Nash regarding status and notices; reviewed final version to be filed	0.75	168.75
	MN	(NO CHARGE); Email transmissions and phone calls exchanged with Terry A. Ekl re: filing; Office conference with Nemura Pencyla re: same; Additional revisions made to Petition; Email to Terry A. Ekl attaching same	0.50	n/c
08/16/2018	MN	(NO CHARGE) Prepare and e-filed Notice, Petition and Exhibits with Winnebago County	0.25	n/c
	MN	(NO CHARGE) Download e-filed Notice and Petition; Courtesy copy mailed to Judge Fabiano; Copy emailed to David Kurlinkus; Docketed	0.25	n/c
	TAE	Review the final draft of the petition for expansion. Conference with Nemura Pencyla. Email to Karner.	1.00	225.00
08/17/2018	TAE	E-mail to Nicolosi. Telephone conference with Nicolosi.	0.50	112.50
08/20/2018	TAE	[REDACTED] E-mail from and to Karner on the above.	1.00	225.00
08/22/2018	TAE	Telephone conference with Kurlinkus. [REDACTED] Email to and from Karner. Review the correspondence between the coalition members and the Illinois State Police Department over the actions of the county. Review the petition for expansion. Review the statue setting out the method for expansion.	1.50	337.50
08/23/2018	NGP	Draft and revise complaint [REDACTED] [REDACTED] Informed of impending developments and established plan to approach litigation, if needed. Began researching documents available [REDACTED]		

WINNEBAGO COUNTY SHERIFF'S OFFICE
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			HOURS	
		[REDACTED] spoke with Patrick J. Williams about planned approach to client's issue; [REDACTED]		
	TAE	Travel to Rockford. [REDACTED] Attend court. Meeting with clients. Conference with Nemura Pencyla to discuss the drafting of the complaint [REDACTED] Telephone conference with Karner. Research on the statutory provisions to the creation of the 911 centers. [REDACTED]	5.00	1,125.00
			7.50	1,687.50
08/24/2018	NGP	Review of meeting minutes; video of meeting; reviewed news articles regarding change in ordinance by county board; Meeting with Terry A. Ekl	0.75	168.75
	TAE	Telephone conference with Karner. E-mail from Karner. Meeting with Nemura Pencyla regarding the board meeting last night. Telephone conference with Kevin Schauer. Preparation of fee petition.	2.00	450.00
09/06/2018	TAE	E-mails from and to client regarding conference call.	0.25	56.25
09/11/2018	NGP	Telephone conference with client about recent budget passing County Board; affect on staffing; Karner indicated that the committee now tasked with review of budget is proposing a reduction in funding requiring elimination of [REDACTED] deputies. [REDACTED]. Discussed strategy going forward, including drafting new appointment expansion motion. [REDACTED]		
	NGP	E-mail to Terry A. Ekl regarding conversation with Karner; proposed plan going forward.	0.50	112.50
	NGP	E-mail from Terry A. Ekl in response to email earlier today. Go ahead given to file petition and get date for Terry A. Ekl to return to Winnebago County and seek expansion for appointment. Sent same to Mary Nash.	0.25	56.25
	NGP	E-mail to Karner regarding plan going forward with petition filing to be heard week of 9/17.	0.25	56.25
	NGP	Office conference with Terry A. Ekl about today's developments with Winnebago and establishing plan going forward.	0.25	56.25
	MN	(NO CHARGE) Review email transmission from Nemura Pencyla re: filing another petition and getting matter on call; Telephone calls exchanged with Nina, Judge Fabiano's clerk - advised all done through electronic filing system but looking at her calendar 09/19/2018 is open; Conference with Nemura Pencyla and printed copy of initial petition filed for his review	0.50	n/c
09/12/2018	NGP	Draft and revise petition for further expansion of appointment; drafted final version, sent to Mary for formatting and adding exhibit (one additional); to be sent to Terry A. Ekl for review. Also requested update for scheduling of petition.	0.50	112.50
	NGP	Legal Research regarding potential issues management; spoke with Karner by telephone; will get updated employee totals lists forwarded to us; discussed multi-faceted approach to reductions.	1.00	225.00
	MN	(NO CHARGE) Review email instructions from Nemura Pencyla; Format and compile Exhibits for 2nd Petition for Recusal and to Expand; Email to Terry A. Ekl attaching same for approval prior to filing with Clerk this afternoon; Brief conference with Nemura Pencyla re: same	0.50	n/c
	NGP	Telephone conference with client Karner regarding setting up		

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			HOURS	
		teleconference after next weeks court date with the Illinois Sheriff's Association president and their attorney. Indicated we would gladly participate.	0.25	56.25
	MN	(NO CHARGE) Prepared Notice of Petition; Telephone calls exchanged with Judge Fabiano's clerk re: scheduling issues; Finalize documents for e-filing; E-filed Notice, 2nd Petition and Exhibits	0.50	n/c
09/13/2018	MN	(NO CHARGE) Download and printed e-filed documents; Conference with Nemura Pencyla re: courtesy letter to Judge and heads-up about potential language change for 2nd petition; Prepared draft letter to Judge Fabiano; Checked court's website to see if motion spindled; Telephone conference with Clerk and advised they should pull it from the notice and docket it but best to call them and have put on calendar to make sure date is available, etc.; Docketed; Also printed docket history from site to show case on call	0.50	n/c
	NGP	Telephone conference with client regarding impending budget cuts, scheduled for vote on September 27. [REDACTED]	0.50	112.50
09/14/2018	MN	(NO CHARGE) Conference and email exchange with Nemura Pencyla re: court on Wednesday; Printed letter to Judge Fabiano with courtesy copies	0.25	n/c
	MN	(NO CHARGE); Scanned courtesy letter and pleadings and downloaded; Email to David Kurlinkus, attaching same for his file	0.25	n/c
	NGP	E-mail to and from client regarding scheduled hearing date and time. [REDACTED]	0.50	112.50
09/18/2018	NGP	Office conference with Patrick L. Provenzale and Terry A. Ekl regarding potential legal action on behalf of client. [REDACTED]	1.00	225.00
	TAE	Review the petition for expansion of my authority. Email to Karner. Review the proposed budget. Meeting with Nemura Pencyla and Patrick L. Provenzale to discuss lawsuit.	1.50	337.50
	PLP	(NO CHARGE) Conference with Terry A. Ekl and Nemura Pencyla regarding strategy for filing suit and legal theories regarding budget issues. Legal Research regarding writ of prohibition. Conference with Nemura Pencyla regarding pleading issues for Writ and legal and practical strategies for filing suit.	1.25	n/c
09/19/2018	NGP	Telephone conference with client , conference call after motion to expand jurisdiction of Terry A. Ekl granted.	1.00	225.00
	NGP	Legal Research on issued raised during telephone conference earlier today.	1.00	225.00
	NGP	Office conference with Terry A. Ekl about conference earlier today; research topics to be addressed; plan going forward.	0.50	112.50
	TAE	Attend court for expansion of authority. Meeting with client and his staff. Telephone conference with client numerous parties. Meeting with Nemura Pencyla.	8.00	1,800.00
09/20/2018	TAE	Meeting with Nemura Pencyla regarding legal research. [REDACTED]		

WINNEBAGO COUNTY SHERIFF'S OFFICE
RE: MUNICIPAL MATTER

Client No.: 3630-000
Statement Date: 10/31/2018
Statement No.: 1
Page No.: 8

			HOURS	
		[REDACTED] E-mail from and to Karner. Review the Springer plan. Review the original proposed budget for 2019.	2.25	506.25
09/21/2018	NGP	Office conference with Terry A. Ekl and Patrick L. Provenzale regarding filing of lawsuit; Discussed various bases and counts; Timing of lawsuit, dependant or independent of budget amendments.	1.25	281.25
	TAE	Preparation of the lawsuit. Meeting with Nemura Pencyla. Numerous emails with Karner. [REDACTED]		
		[REDACTED] Additional emails with things to do list.	4.50	1,012.50
	PLP	(NO CHARGE) Conference with Terry A. Ekl and Nemura Pencyla regarding current factual and procedural posture for budget challenge and legal theories for filing suit and for procedural and substantive remedies.	1.25	n/c
09/24/2018	MN	Conference with Terry A. Ekl re: issuing additional FOIA for budget and expense records; Review previous requests and online search for same; Conference with Nemura Pencyla for clarification	0.50	37.50
	NGP	Draft and revise potential complaint against County Board. Reviewed series of emails, containing budget allocations for multiple years. Several office conferences with Patrick L. Provenzale and Terry A. Ekl regarding theories of liability and claim's potential for success. researched legal theories [REDACTED] and [REDACTED] relief. Began drafting complaint.	7.50	1,687.50
	TAE	Series of meetings with Nemura Pencyla regarding the complaint. Series of emails with Karner regarding material and information needed. Review of the 2017 budget. Preparation on the draft of complaint. Review of the 2019 budget proposed by the County Board.	4.00	900.00
	PLP	(NO CHARGE) Conference with Terry A. Ekl and Nemura Pencyla regarding legal theories for suit and Legal Research: regarding same.	2.00	n/c
09/25/2018	NGP	Draft and revise complaint, reviewed multiple submissions from client; Conference with Terry A. Ekl	3.00	675.00
	TAE	Preparation on draft of complaint. Series of emails with Karner. Conference with client and staff. [REDACTED] Conference with Nemura Pencyla on complaint. Review material sent by Karner.	4.25	956.25
09/26/2018	NGP	Draft and revise complaint. Conference with Terry A. Ekl.	3.00	675.00
	TAE	Telephone conference with Karner. [REDACTED] Series of emails regarding additional requested information. Review same. Series of conferences with Nemura Pencyla.	3.25	731.25
09/27/2018	NGP	Draft and revise complaint, including multiple conversations and conferences with Terry A. Ekl. Presented rough draft to Terry A. Ekl for review; received and reviewed multiple emails and supporting documents during day related to budgeting and support for lawsuit.	7.00	1,575.00
	NGP	Review of live observation of county board meeting regarding budgeting process. Multiple amendments made, with second to last amendment being the Feller amendment. Reviewed same. [REDACTED]		

WINNEBAGO COUNTY SHERIFF'S OFFICE
RE: MUNICIPAL MATTER

Client No.: 3630-000
Statement Date: 10/31/2018
Statement No.: 1
Page No.: 9

		HOURS	
	TAE [REDACTED]	2.00	450.00
	Conference with Nemura Pencyla. Review the draft of the complaint. Telephone conference with client. Telephone conference with Karner. Preparation of complaint. Conference with Nemura Pencyla regarding edits to complaint draft.	3.75	843.75
	PLP (NO CHARGE) Conference with Nemura Pencyla regarding drafting issues for complaint theories.	0.25	n/c
09/28/2018	NGP Office conference with Terry A. Ekl, and conference call with client and his leadership staff. [REDACTED]	0.50	112.50
	NGP Review of meeting notes from September 27 budget meeting; discussed with Terry A. Ekl the contents/results. Set up telephone conference for later this morning. Reviewed complaint and financials.	1.00	225.00
	TAE E-mails regarding the county board meeting last night. Conference with Nemura Pencyla. Telephone conference with clients to discuss lawsuit.	1.75	393.75
	PLP (NO CHARGE) Conference with Nemura Pencyla and Terry A. Ekl regarding recent developments in budget proposals and possible resolution of issues.	0.50	n/c
10/19/2018	TAE E-mails from Karner on the meeting with Haney et al. Review of notes of meeting. Telephone conference with Karner.	0.75	168.75
10/22/2018	TAE E-mails from and to clients to schedule meeting and regarding latest meeting with Haney.	0.50	112.50
10/25/2018	TAE Meeting with clients. E-mail from client.	1.25	281.25
10/29/2018	NGP Review of September 27 board meeting; conference with Terry A. Ekl regarding goal of review.	0.75	168.75
	TAE E-mail from and to Karner.	0.25	56.25
	FOR CURRENT SERVICES RENDERED	155.25	34,706.25

RECAPITULATION

TIMEKEEPER	HOURS	HOURLY RATE	TOTAL
TRACY STANKER	0.50	\$225.00	\$112.50
TERRY A. EKL	98.50	225.00	22,162.50
NEMURA PENCYLA	54.75	225.00	12,318.75
DEBBIE NEMITZ	0.25	75.00	18.75
MARY NASH	1.25	75.00	93.75

09/10/2018	Miscellaneous Advance: PNC Bank Visa - Conference call	31.96
	TOTAL COSTS ADVANCED:	31.96
	CURRENT MONTHS BALANCE DUE	34,738.21

WINNEBAGO COUNTY SHERIFF'S OFFICE
RE: MUNICIPAL MATTER

Client No.: 3630-000
Statement Date: 10/31/2018
Statement No.: 1
Page No.: 10

TOTAL DUE	<u>\$34,738.21</u>
PLEASE REMIT	<u>\$34,738.21</u>

A finance charge of 1.5% per month
will be assessed on all accounts past due 30 days.

PAYMENT DUE UPON RECEIPT

MAKE CHECKS PAYABLE TO EKL WILLIAMS & PROVENZALE LLC

All returned checks will be assessed a \$30.00 fee

CREDIT CARDS ACCEPTED (*Please see terms below)

R E S O L U T I O N
of the
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

Submitted by: Finance Committee

2019 CR

**RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM
AGAINST THE COUNTY OF WINNEBAGO ENTITLED
FRED JONES VERSUS WINNEBAGO COUNTY**

WHEREAS, the County of Winnebago, Illinois, is involved in having claims asserted against it by Fred Jones for injuries allegedly sustained while in the employment of the Sheriff's Department; and,

WHEREAS, the Plaintiff has offered to settle the above claim against the County of Winnebago for consideration payable in the amount of \$17,945.32 for the settlement funding for a Workers Compensation case; and,

WHEREAS, counsel for the County of Winnebago recommends that it is in the best interest of the County of Winnebago to settle the above referenced claims upon the terms of the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Winnebago, Illinois that it does hereby authorize settlement of the claims entitled Fred Jones versus County of Winnebago for injuries allegedly sustained by Fred Jones while in the employment of the Sheriff's Department by payment of the amount of \$17,945.32 for the settlement for permanent disability for a Workers Compensation case.

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

BE IT FURTHER RESOLVED, that the Clerk of the County Board is hereby authorized to prepare and deliver certified copies of this Resolution to the County Auditor, Director of Purchasing, Human Resources Director, and Williams & McCarthy.

Respectfully Submitted,
FINANCE COMMITTEE

AGREE

DISAGREE

JAIME SALGADO, CHAIRMAN

JAIME SALGADO, CHAIRMAN

DAVID FIDUCCIA

DAVID FIDUCCIA

JOE HOFFMAN

JOE HOFFMAN

BURT GERL

BURT GERL

DAVE BOOMER

DAVE BOOMER

STEVE SCHULTZ

STEVE SCHULTZ

KEITH McDONALD

KEITH McDONALD

**The above and foregoing Resolution was adopted by the County Board of the County of
Winnebago, Illinois this ____ day of _____ 2019.**

ATTESTED BY:

FRANK HANEY
CHAIRMAN OF THE COUNTY BOARD
OF THE COUNTY OF WINNEBAGO, ILLINOIS

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

R E S O L U T I O N
of the
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

Submitted by: Finance Committee

2019 CR

**RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM
AGAINST THE COUNTY OF WINNEBAGO ENTITLED
JAMES ARVIGO VERSUS WINNEBAGO COUNTY**

WHEREAS, the County of Winnebago, Illinois, is involved in having claims asserted against it by James Arvigo for injuries allegedly sustained while in the employment of the Court Services; and,

WHEREAS, the Plaintiff has offered to settle the above claim against the County of Winnebago for consideration payable in the amount of \$32,000.00 for the settlement funding for a Workers Compensation case; and,

WHEREAS, counsel for the County of Winnebago recommends that it is in the best interest of the County of Winnebago to settle the above referenced claims upon the terms of the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Winnebago, Illinois that it does hereby authorize settlement of the claims entitled James Arvigo versus County of Winnebago for injuries allegedly sustained by James Arvigo while in the employment of Court Services by payment of the amount of \$32,000.00 for the settlement for permanent disability for a Workers Compensation case.

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

BE IT FURTHER RESOLVED, that the Clerk of the County Board is hereby authorized to prepare and deliver certified copies of this Resolution to the County Auditor, Director of Purchasing, Human Resources Director, and Williams & McCarthy.

Respectfully Submitted,
FINANCE COMMITTEE

AGREE

DISAGREE

JAIME SALGADO, CHAIRMAN

JAIME SALGADO, CHAIRMAN

DAVE FIDUCCIA

DAVE FIDUCCIA

JOE HOFFMAN

JOE HOFFMAN

BURT GERL

BURT GERL

DAVE BOOMER

DAVE BOOMER

STEVE SCHULTZ

STEVE SCHULTZ

KEITH McDONALD

KEITH MC DONALD

**The above and foregoing Resolution was adopted by the County Board of the County of
Winnebago, Illinois this ____ day of _____ 2019.**

ATTESTED BY:

FRANK HANEY
CHAIRMAN OF THE COUNTY BOARD
OF THE COUNTY OF WINNEBAGO, ILLINOIS

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

R E S O L U T I O N
of the
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

Submitted by: Finance Committee

2019 CR

**RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM
AGAINST THE COUNTY OF WINNEBAGO ENTITLED
JARED SMITH VERSUS WINNEBAGO COUNTY**

WHEREAS, the County of Winnebago, Illinois, is involved in having claims asserted against it by Jared Smith for injuries allegedly sustained while in the employment of the Sheriff's Department; and,

WHEREAS, the Plaintiff has offered to settle the above claim against the County of Winnebago for consideration payable in the amount of \$20,321.75 for the settlement funding for a Workers Compensation case; and,

WHEREAS, counsel for the County of Winnebago recommends that it is in the best interest of the County of Winnebago to settle the above referenced claims upon the terms of the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Winnebago, Illinois that it does hereby authorize settlement of the claims entitled Jared Smith versus County of Winnebago for injuries allegedly sustained by Jared Smith while in the employment of Sheriff's Department by payment of the amount of \$20,321.75 for the settlement for permanent disability for a Workers Compensation case.

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

BE IT FURTHER RESOLVED, that the Clerk of the County Board is hereby authorized to prepare and deliver certified copies of this Resolution to the County Auditor, Director of Purchasing, Human Resources Director, and Williams & McCarthy.

Respectfully Submitted,
FINANCE COMMITTEE

AGREE

DISAGREE

JAIME SALGADO, CHAIRMAN

JAIME SALGADO, CHAIRMAN

DAVE FIDUCCIA

DAVE FIDUCCIA

JOE HOFFMAN

JOE HOFFMAN

BURT GERL

BURT GERL

DAVE BOOMER

DAVE BOOMER

STEVE SCHULTZ

STEVE SCHULTZ

KEITH McDONALD

KEITH MC DONALD

**The above and foregoing Resolution was adopted by the County Board of the County of
Winnebago, Illinois this ____ day of _____ 2019.**

ATTESTED BY:

FRANK HANEY
CHAIRMAN OF THE COUNTY BOARD
OF THE COUNTY OF WINNEBAGO, ILLINOIS

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

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

Submitted by: Finance Committee

2019 CR

**RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM
AGAINST THE COUNTY OF WINNEBAGO ENTITLED
KATHERINE WHITE VERSUS WINNEBAGO COUNTY**

WHEREAS, the County of Winnebago, Illinois, is involved in having claims asserted against it by Katherine White for injuries allegedly sustained while in the employment of the River Bluff Nursing Home; and,

WHEREAS, the Plaintiff has offered to settle the above claim against the County of Winnebago for consideration payable in the amount of \$10,767.90 for the settlement funding for a Workers Compensation case; and,

WHEREAS, counsel for the County of Winnebago recommends that it is in the best interest of the County of Winnebago to settle the above referenced claims upon the terms of the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Winnebago, Illinois that it does hereby authorize settlement of the claims entitled Katherine White versus County of Winnebago for injuries allegedly sustained by Katherine White while in the employment of River Bluff Nursing Home by payment of the amount of \$10,767.90 for the settlement for permanent disability for a Workers Compensation case.

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

BE IT FURTHER RESOLVED, that the Clerk of the County Board is hereby authorized to prepare and deliver certified copies of this Resolution to the County Auditor, Director of Purchasing, Human Resources Director, and Williams & McCarthy.

Respectfully Submitted,
FINANCE COMMITTEE

AGREE

DISAGREE

JAIME SALGADO, CHAIRMAN

JAIME SALGADO, CHAIRMAN

DAVE FIDUCCIA

DAVE FIDUCCIA

JOE HOFFMAN

JOE HOFFMAN

BURT GERL

BURT GERL

DAVE BOOMER

DAVE BOOMER

STEVE SCHULTZ

STEVE SCHULTZ

KEITH McDONALD

KEITH MC DONALD

**The above and foregoing Resolution was adopted by the County Board of the County of
Winnebago, Illinois this ____ day of _____ 2019.**

ATTESTED BY:

FRANK HANEY
CHAIRMAN OF THE COUNTY BOARD
OF THE COUNTY OF WINNEBAGO, ILLINOIS

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

R E S O L U T I O N
of the
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

Submitted by: Finance Committee

2019 CR

**RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM
AGAINST THE COUNTY OF WINNEBAGO ENTITLED
STEPHANIE OWENS VERSUS WINNEBAGO COUNTY**

WHEREAS, the County of Winnebago, Illinois, is involved in having claims asserted against it by Stephanie Owens for injuries allegedly sustained while in the employment of the River Bluff Nursing Home; and,

WHEREAS, the Plaintiff has offered to settle the above claim against the County of Winnebago for consideration payable in the amount of \$22,137.50 for the settlement funding for a Workers Compensation case; and,

WHEREAS, counsel for the County of Winnebago recommends that it is in the best interest of the County of Winnebago to settle the above referenced claims upon the terms of the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Winnebago, Illinois that it does hereby authorize settlement of the claims entitled Stephanie Owens versus County of Winnebago for injuries allegedly sustained by Stephanie Owens while in the employment of the River Bluff Nursing Home by payment of the amount of \$22,137.50 for the settlement for permanent disability for a Workers Compensation case.

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

BE IT FURTHER RESOLVED, that the Clerk of the County Board is hereby authorized to prepare and deliver certified copies of this Resolution to the County Auditor, Director of Purchasing, Human Resources Director, and Williams & McCarthy.

Respectfully Submitted,
FINANCE COMMITTEE

AGREE

DISAGREE

JAIME SALGADO, CHAIRMAN

JAIME SALGADO, CHAIRMAN

DAVE FIDUCCIA

DAVE FIDUCCIA

JOE HOFFMAN

JOE HOFFMAN

BURT GERL

BURT GERL

DAVE BOOMER

DAVE BOOMER

STEVE SCHULTZ

STEVE SCHULTZ

KEITH McDONALD

KEITH McDONALD

**The above and foregoing Resolution was adopted by the County Board of the County of
Winnebago, Illinois this ____ day of _____ 2019.**

ATTESTED BY:

FRANK HANEY
CHAIRMAN OF THE COUNTY BOARD
OF THE COUNTY OF WINNEBAGO, ILLINOIS

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

R E S O L U T I O N
of the
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

Submitted by: Finance Committee

2019 CR

**RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM
AGAINST THE COUNTY OF WINNEBAGO ENTITLED
WILLIAM JAMES VERSUS WINNEBAGO COUNTY**

WHEREAS, the County of Winnebago, Illinois, is involved in having claims asserted against it by William James for injuries allegedly sustained while in the employment of the Sheriff's Department; and,

WHEREAS, the Plaintiff has offered to settle the above claim against the County of Winnebago for consideration payable in the amount of \$49,030.14 for the settlement funding for a Workers Compensation case; and,

WHEREAS, counsel for the County of Winnebago recommends that it is in the best interest of the County of Winnebago to settle the above referenced claims upon the terms of the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of the County of Winnebago, Illinois that it does hereby authorize settlement of the claims entitled William James versus County of Winnebago for injuries allegedly sustained by William James while in the employment of Sheriff's Department by payment of the amount of \$49,030.14 for the settlement for permanent disability for a Workers Compensation case.

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

BE IT FURTHER RESOLVED, that the Clerk of the County Board is hereby authorized to prepare and deliver certified copies of this Resolution to the County Auditor, Director of Purchasing, Human Resources Director, and Williams & McCarthy.

Respectfully Submitted,
FINANCE COMMITTEE

AGREE

DISAGREE

JAIME SALGADO, CHAIRMAN

JAIME SALGADO, CHAIRMAN

DAVE FIDUCCIA

DAVE FIDUCCIA

JOE HOFFMAN

JOE HOFFMAN

BURT GERL

BURT GERL

DAVE BOOMER

DAVE BOOMER

STEVE SCHULTZ

STEVE SCHULTZ

KEITH McDONALD

KEITH MC DONALD

**The above and foregoing Resolution was adopted by the County Board of the County of
Winnebago, Illinois this ____ day of _____ 2019.**

ATTESTED BY:

FRANK HANEY
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
of the
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

Submitted by: Finance Committee

2019 CR

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 2
OF THE COUNTY CODE OF ORDINANCES

WHEREAS, Chapter 2 of the County Code of Ordinances, Article II sets forth various criteria for Administration;

WHEREAS, the County wishes to add Sections of Chapter 2, of the County Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED, by the County Board of the County of Winnebago, Illinois, that Chapter 2, Article II, Division 1, Section 2-37 of the County Code of Ordinances be added as follows:

Accounting and Financial Reporting Policies

The accounting policies of the County of Winnebago, Illinois will conform to generally accepted accounting principles as applicable to governmental units. The accepted standard-setting body for establishing governmental accounting and financial reporting principles is the Governmental Accounting Standards Board (GASB).

It shall be the intent of the County to maintain a self-balancing set of accounts on an on-going basis to be closed quarterly. The general ledger will be closed by the Finance department no later than 45 days after month end. The books shall remain open 90 days after the fiscal year end.

It shall be the intent of the County to maintain a program of internal controls to safeguard all assets and ensure effective and efficient use of all assets. It shall be the responsibility of the Chief Financial Officer to establish a formal set of "best practice" internal controls. In addition, the County Auditor shall ensure that all departments comply with those controls. It shall also be the intent for the independent auditor to review the system of internal controls and report any weaknesses detected to the Board as part of the annual audit.

It shall be the intent of the County to utilize fund accounting principles and generally accepted accounting practices in the recording of all financial transactions. The general ledger shall be maintained on a cash basis, with the intent to move to an accrual basis on a quarterly basis. The Finance Committee will be provided with budget versus actual revenue and expenditure reports on a quarterly basis.

It shall be the intent of the County to prepare annually a Comprehensive Annual Financial

Report (CAFR) to be presented to the Board no later than 180 days after year-end. The CAFR should be audited by an independent CPA firm experienced in governmental auditing. It shall be the further intent of the County to present its CAFR to the Government Finance Officers Association to receive the Certificate of Excellence award in financial reporting. If at any time the County will not receive an unqualified opinion from the CPA firm, the CPA firm and the Chief Financial officer and Finance Director will notify the Board prior to the issuance of the report.

It shall be the intent of the County to maintain a capital asset ledger of all permanent assets acquired. The Finance department will maintain these asset records on an on-going basis to ensure proper controls and report annually regarding these records to the Board. No asset will be considered fixed unless its value or component value exceeds \$12,000 dollars or in the case of infrastructure assets purchased or acquired with an original cost of \$50,000 or more. Depreciation will be charged on all capital assets. This policy is consistent with the requirements of GASB Statement No. 34. Depreciation will be recorded on a straight-line basis over the normal useful life of the asset.

It shall be the intent of the County to manage all accounts receivable. Accounts receivable are created by operations in certain departments and offices. In general, they arise at the renewal of a permit or license from departments such as Health, River Bluff Nursing Home or Transportation. The department or office that is responsible for the billing is responsible for collections and managing the receivables. Consistent with good financial management, each department and office will age their receivables. Departments and Offices shall continue collection efforts.

It is the intent of the County to comply with the modified accrual basis of accounting, in which revenues are recorded when they are both measurable and available. In general, revenues are considered available if they are collected within 360 days of the fiscal year end. However, in order to avoid wide fluctuations in revenue from year to year as a result of timing of revenue collections from the State of Illinois, in the case of salary reimbursements and grants from the State of Illinois, the full amount of the salary reimbursement or grant receivable may be recorded as revenue in the fiscal period in which the salary expense was incurred without regard to when the revenue is actually collected.

Respectfully Submitted,
FINANCE COMMITTEE

AGREE

DISAGREE

JAIME SALGADO, CHAIRMAN

JAIME SALGADO, CHAIRMAN

DAVID FIDUCCIA

DAVID FIDUCCIA

BURT GERL

BURT GERL

DAVE BOOMER

DAVE BOOMER

JOE HOFFMAN

JOE HOFFMAN

STEVE SCHULTZ

STEVE SCHULTZ

KEITH McDONALD

KEITH McDONALD

The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois this ____ day of _____ 2019.

FRANK HANEY

CHAIRMAN OF THE COUNTY BOARD
OF THE COUNTY OF WINNEBAGO, ILLINOIS

ATTESTED BY:

LORI GUMMOW

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

**PERSONNEL &
POLICIES
COMMITTEE**

Sponsored by: David Boomer, Joe Hoffman, Burt Gerl, Keith McDonald, Dorothy Redd, Jaime Salgado, Jim Webster, Fred Wescott, Dave Fiduccia, Angie Goral, Aaron Booker

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

SUBMITTED BY: PERSONNEL AND POLICIES COMMITTEE

2019 CO _ _ _ _ _

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 2 OF THE COUNTY CODE OF ORDINANCES

WHEREAS. Chapter 2 of the County Code of Ordinances, Article III, sets forth various criteria for members of the County Administration; and

WHEREAS, the County wishes to amend Sections of Chapter 2, of the County Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED, by the County Board of the County of Winnebago, Illinois, that Chapter 2, Article III, Section 2-124 of the County Code of Ordinances be amended as follows:

Sec. 2-124. - Duties.

The county administrator shall serve as a member of the county's leadership team and advise on a wide range of issues, including but not limited to strategy, policy, planning and provide communications.

- (a) The county administrator shall be subject to the direction and control of the county board and shall supervise the administration of the following:
 - (1) Purchasing;
 - (2) Buildings and maintenance;
 - (3) Functions of the supervisor of assessments;
 - (4) Animal services;
 - (5) Information technology;

- (6) Regional planning or economic development;
 - (7) River Bluff Nursing Home;
 - (8) County board office;
 - (9) Veterans Memorial Hall;
 - (10) Risk Management Program;
 - (11) Chief financial officer. Budget and finance, under the direct supervision of the administrator.
- (b) The county administrator shall have the authority to appoint an appropriate designee to assist in the supervision of the above departments.
 - (c) The county administrator, or his or her designee, shall evaluate the performance of the directors and/or coordinators of the departments listed in subsection (a)(9) above.
 - (d) The county administrator shall be responsible for managing operational budgets to achieve organizational strategic goals for the departments listed in subsection (a) above.
 - (e) The county administrator shall:
 - (1) Maintain regular communication with all elected county officials as designated by the county board chairman.
 - (2) Assist the county board in preparation of committee agendas, ordinances, resolutions and other business.
 - (3) Establish standard operational procedures or administrative policies.
 - (4) Serve as liaison to county board committees as assigned by the county board chairman.
 - (f) Negotiate and enforce any collective bargaining agreements between the county and any employees governed by the state public employees labor relations act.
 - (g) Assist the county board chairman in negotiating leases, contracts, and other agreements for goods or services, subject to the approval of the board;
 - (h) Assist the county board to develop, install and maintain a centralized system for purchasing goods and services on behalf of county departments and functions,
 - (i) Perform other duties assigned by the county board.

(Ord. No. 92-CO-79, § 8(2-187), 11-24-92; Ord. No. 2007-CO-94, § II, 12-20-07; Ord. No. 2017-CO-067, 6-22-17; Ord. No. 2017-CO-110, 11-21-17; Ord. No. 2018-CO-075, 7-26-18)

BE IT FURTHER ORDAINED, that the remainder of Chapter 2. Article III, of the County Code of Ordinances shall remain unchanged.

BE IT FURTHER ORDAINED, that all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance Amendment shall be effective immediately upon passage.

BE IT FURTHER ORDAINED, that the Winnebago County Clerk shall place a certified copy of this Ordinance Amendment upon its adoption in the records of office of the Winnebago County Clerk.

Respectfully submitted.

Personnel and Policies

Committee

Dave Fiduccia, Chairman

AGREE

DISAGREE

DAVE FIDUCCIA, CHAIRMAN

DAVE FIDUCCIA, CHAIRMAN

DAVE BOOMER

DAVE BOOMER

ANGIE GORAL

ANGIE GORAL

JOE HOFFMAN

JOE HOFFMAN

DAVE KELLEY

DAVE KELLEY

DOROTHY REDD

DOROTHY REDD

JIM WEBSTER

JIM WEBSTER

The above and foregoing Ordinance was adopted by the County Board of the County of Winnebago, Illinois,
this ____ day of _____, 2019.

Frank Haney
Chairman of the County Board
of the County of Winnebago, Illinois

Attested by:

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

ZONING COMMITTEE

Attachment
ZONING COMMITTEE
OF THE COUNTY BOARD AGENDA
January 10, 2019

Zoning Committee.....Jim Webster, Committee Chairman

PLANNING AND/OR ZONING REQUESTS:

TO BE LAID OVER:

1. SU-05-18 A Special Use Permit to allow a campground in the AG, Agricultural Priority District requested by the Northern Illinois Brace Club, Inc., represented by James Garard, for property that is commonly known as 8664 Elevator Road and 8702 Elevator Road, Roscoe, IL 61073 in Roscoe Township.
PINS: 04-25-400-006 & 04-25-400-005 C.B. District: 4
Lesas Rating: N/A Consistent W/2030 LRMP – Future Map: N/A
ZBA Recommends: APPROVAL w/ ZBA CONDITIONS (5-0)
ZC Recommends: APPROVAL w/ ZBA CONDITIONS (7-0)

2. Z-17-18 A map amendment to rezone +/- 3.03 net acres from the AG, Agricultural Priority District to the RA, Rural Agricultural Residential District requested by Dennis Norup, property owner, for property that is commonly known as 42XX Centerville Road in Rockford Township.
PIN: Part of PIN: 15-07-251-001 C.B. District: 1
Lesas Rating: High Consistent W/2030 LRMP – Future Map: NO
ZBA Recommends: APPROVAL (4-1)
ZC Recommends: REFERRING TO THE FEB. 13, 2019 ZBA MEETING (5-2)*
**for more testimony with regard to fire matters.*

3. Z-18-18 A map amendment to rezone +/- 0.43 acres from the AG, Agricultural Priority District to the CN, Neighborhood Commercial District requested by Jennifer Strick, owner, represented by Tim Whitham, attorney, for property that is commonly known as 1002 S. Pierpont Ave., Rockford, IL 61102 in Rockford Township.
PIN: 11-28-102-001 C.B. District: 18
Lesas Rating: Low Consistent W/2030 LRMP – Future Map: NO
ZBA Recommends: APPROVAL (5-0)
ZC Recommends: APPROVAL (7-0)

4. Z-20-18 A map amendment to rezone +/- 29.9 acres from the AG, Agricultural Priority District to the A2, Agricultural-Related Business District requested by SolarStone IL, LLC, lessee of site, which is managed by SolarStone Partners, LLC, represented by Kaya Tarhan, Chief Development Officer with SolarStone Partners, LLC, for property that is generally located at 38XX Baxter Road (west and south of 3857 Baxter Road) in Rockford Township.
PIN: Part of PIN: 16-31-200-014 C.B. District: 9
Lesas Rating: N/A Consistent W/2030 LRMP – Future Map: NO
ZBA Recommends: APPROVAL (5-0)
ZC Recommends: APPROVAL (4-3)

TO BE VOTED ON: NONE

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5. **COMMITTEE REPORT (ANNOUNCEMENTS)** - *for informational purposes only; not intended as a public notice*):
- Chairman, Brian Erickson, hereby announces that a *Zoning Board of Appeals (ZBA)* meeting is scheduled for Wednesday, **February 13, 2019**, at 5:30 p.m. in Room 303 of the County Administration Building.
 - Chairman, Jim Webster, hereby announces that the next *Zoning Committee (ZC)* meeting is *tentatively* scheduled for Wednesday, **January 23, 2019**, at 5:00 p.m. in Room 303 of the County Administration Building.

OPERATIONS & ADMINISTRATIVE COMMITTEE

R E S O L U T I O N
of the
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS

Submitted by: Operations & Administrative Committee

2019 CR_____

**RESOLUTION ESTABLISHING PERSONAL
CELL PHONE REIMBURSEMENT AMOUNT FOR 2019**

WHEREAS, the County Board of the County of Winnebago approved a Cell Phone Policy on November 8, 2018, setting guidelines for the eligibility of Winnebago County employees to use a County issued cell phone or receive reimbursement for the business use of a personal cell phone; and

WHEREAS, pursuant to the Policy, qualified employees who use their personal cell phones to conduct County business are eligible for financial reimbursement for such use, as set by the County Board on an annual basis; and

WHEREAS, the Winnebago County Administrator is making a recommendation to the County Board that the monthly reimbursement amount be fixed at \$35.00 for 2019.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, by the County Board of the County of Winnebago, Illinois, that the 2019 monthly reimbursement amount for personal cell phone usage under the County of Winnebago Cell Phone Policy is hereby set at \$35.00 per month.

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 Auditor, Winnebago County Administrator, and Winnebago County Purchasing Director.

Respectfully submitted,
**OPERATIONS & ADMINISTRATIVE
COMMITTEE**

AGREE

KEITH McDONALD, CHAIRMAN

JEAN CROSBY

JOHN BUTITTA

JOE HOFFMAN

DOROTHY REDD

JAIME SALGADO

PAUL ARENA

DISAGREE

KEITH McDONALD, CHAIRMAN

JEAN CROSBY

JOHN BUTITTA

JOE HOFFMAN

DOROTHY REDD

JAIME SALGADO

PAUL ARENA

The above and foregoing Resolution was adopted by the County Board of the
County of Winnebago, Illinois, this _____ day of _____, 2019.

Frank Haney
Chairman of the County Board
of the County of Winnebago, Illinois

Attested by:

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