

# **FINANCE COMMITTEE AGENDA**

**Called by:** Jaime Salgado, Chairman  
**Members:** Steve Schultz, John  
Butitta, Paul Arena, Joe Hoffman,  
Jean Crosby, Keith McDonald

**DATE:** THURSDAY, JUNE 3, 2021  
**TIME:** IMMEDIATELY FOLLOWING  
OPERATIONS & ADMINISTRATIVE  
COMMITTEE  
**LOCATION:** VIRTUAL MEETING – ZOOM  
(WINNEBAGO COUNTY YOUTUBE  
LIVE)

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

## **AGENDA:**

- A. Call to Order
- B. Roll Call
- C. Public Comment – This is the time we invite the public to address the Finance Committee with issues and concerns. We ask you to limit your comments to three minutes. Personal attacks or inappropriate language of any sort will not be tolerated. We will allow a maximum of five speakers on a first come basis with sign up at the meeting. Speakers may not address zoning matters which are pending before the ZBA, the Zoning Committee or the County Board. Personnel matters or pending or threatened litigation may not be addressed in open session. An individual may speak a maximum of three times per calendar year on the same topic. This prohibition shall include the repetition of the same topic in a statement on what is purported to be a different topic. After acknowledgement by the chair, please stand and state your name. Thank you.
- D. Chief Financial Officer Report
  - 1. Interest Proration by Fund (discussion item only)
  - 2. River Bluff Nursing Home Pro Forma Update
  - 3. County Financial Position Report
- E. Closed Session to Discuss Labor Negotiations and Pending Litigation
- F. Resolution Approving the Hiring of Outside Legal Counsel for Labor Negotiations
- G. Ordinance Approving the Hiring of Outside Legal Counsel for Labor Negotiations Budget
- H. Resolution Authorizing Settlement of Litigation (Dennis D. Ballinger v. Frank Haney, Chairman of the Winnebago County Board and the Winnebago County Board)
- I. Ordinance Authorizing a Budget Adjustment for Settlement of Litigation (Dennis D. Ballinger v. Frank Haney, Chairman of the Winnebago County Board and the Winnebago County Board)

- J. Ordinance for Approval of Budget Amendment for Self-Represented Litigant Grant
- K. Resolution for Approval for Workman's Compensation Settlements
- L. Resolution Authorizing Settlement of Litigation (Daniel Horton v. Gary Caruana, et al.)
- M. Other Matters
- N. Adjournment

# **Chief Financial Officer Report**

**County of Winnebago, Illinois**  
**5 Year Pro Forma**  
**River Bluff Nursing Home**

<b>Operating Revenues</b>	<b>FY '21</b>	<b>FY'22</b>	<b>FY'23</b>	<b>FY '24</b>	<b>FY'25</b>
Charges for Services	13,635,000	13,650,000	14,800,000	15,100,000	15,400,000
Accounts Receivable, Net	(2,800,000)	1,050,000	1,050,000	1,050,000	1,050,000
Other	657,720	600,000	600,000	600,000	600,000
<b>Total Operating Revenue</b>	<b>11,492,720</b>	<b>15,300,000</b>	<b>16,450,000</b>	<b>16,750,000</b>	<b>17,050,000</b>

<b>Operating Expenses</b>	<b>FY '21</b>	<b>FY'22</b>	<b>FY'23</b>	<b>FY '24</b>	<b>FY'25</b>
Personnel	8,529,536	8,700,126	8,831,220	9,007,844	9,188,001
Supplies and services	8,750,000	7,600,000	6,900,000	6,900,000	7,000,000
Depreciation	355,000	355,000	355,000	355,000	355,000
Capital Outlay	45,000		50,000		50,000
<b>Total Operating Expenses</b>	<b>17,679,536</b>	<b>16,655,126</b>	<b>16,136,220</b>	<b>16,262,844</b>	<b>16,593,001</b>

<b>Operating Income (Loss)</b>	<b>(6,186,816)</b>	<b>(1,355,126)</b>	<b>313,780</b>	<b>487,156</b>	<b>456,999</b>
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<b>Non-Operating Revenues (Expenses)</b>	<b>FY '21</b>	<b>FY'22</b>	<b>FY'23</b>	<b>FY '24</b>	<b>FY'25</b>
Property Taxes	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000
Interest Expense (Debt)	(9,339)	(10,000)	(10,000)	(10,000)	(10,000)
TORT Reform Exposure (Incurred Losses)	(1,151,000)	(1,151,000)	(1,151,000)	(1,151,000)	(1,151,000)
Investment Income	<b>739,661</b>	<b>739,000</b>	<b>739,000</b>	<b>739,000</b>	<b>739,000</b>

<b>Net Increase (Decrease) in net position</b>	<b>(5,447,155)</b>	<b>(616,126)</b>	<b>1,052,780</b>	<b>1,226,156</b>	<b>1,195,999</b>
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Total net position, beginning of period	1,987,190	(3,459,965)	(4,076,091)	(3,023,311)	(1,797,155)
Prior period adjustment	-	-	-	-	-

<b>Total net position, end of period</b>	<b>(3,459,965)</b>	<b>(4,076,091)</b>	<b>(3,023,311)</b>	<b>(1,797,155)</b>	<b>(601,156)</b>
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County of Winnebago, Illinois  
Schedule of Revenues, Expenditures, and Changes in Fund Balance  
Budget and Actual  
General Fund

For The Month Ended April 30, 2021

	FY 2018 Actual (Audited)	FY 2019 Actual (Audited)	FY 2020 Actual (Audited)	FY 2021 Revised Annual Budget	FY 2021 Actual (Unaudited)	Variance with Budget Over (Under)	% of Budget (Target 58.33%)
<b>Revenues</b>							
<b>Taxes</b>							
Property, net	12,502,729	12,427,765	14,161,413	15,955,000	8,146,485	(7,808,515)	51.1%
Sales tax	1,600,316	1,337,632	1,404,489	1,240,000	978,961	(261,039)	78.9%
Quarter-cent sales tax	8,405,524	8,254,839	7,853,222	8,400,000	2,745,257	(5,654,743)	32.7%
Use tax	1,675,610	1,957,260	2,479,926	2,270,000	1,046,948	(1,223,052)	46.1%
Other	297,099	324,588	272,293	300,000	70,645	(229,355)	23.5%
<b>Total taxes</b>	<b>24,481,278</b>	<b>24,302,084</b>	<b>26,171,343</b>	<b>28,165,000</b>	<b>12,988,296</b>	<b>(15,176,704)</b>	<b>46.1%</b>
<b>Intergovernmental</b>							
State income tax allotments	3,048,179	6,253,726	3,931,903	3,820,343	1,541,003	(2,279,340)	40.3%
Replacement tax allotments	1,911,311	3,236,801	2,849,083	2,200,000	1,535,965	(664,035)	69.8%
Other	6,603,090	3,334,064	9,391,263	8,233,609	4,801,783	(3,431,826)	58.3%
<b>Total intergovernmental</b>	<b>11,562,580</b>	<b>12,824,591</b>	<b>16,172,249</b>	<b>14,253,952</b>	<b>7,878,751</b>	<b>(6,375,201)</b>	<b>55.3%</b>
<b>Other</b>							
Charges for services**	8,174,998	7,606,148	7,478,349	8,689,500	5,901,061	(2,788,439)	67.9%
Fines and forfeitures	4,088,520	4,489,919	3,275,233	3,567,000	1,598,840	(1,968,160)	44.8%
Licenses and permits	691,511	456,050	600,560	615,000	369,044	(245,956)	60.0%
Investment income	265,084	498,230	332,255	75,000	8,458	(66,542)	11.3%
Other	1,243,589	124,362	328,119	174,500	341,881	167,381	195.9%
<b>Total other</b>	<b>14,463,702</b>	<b>13,174,709</b>	<b>12,014,516</b>	<b>13,121,000</b>	<b>8,219,284</b>	<b>(4,901,716)</b>	<b>62.6%</b>
<b>Total revenues</b>	<b>50,507,560</b>	<b>50,301,384</b>	<b>54,358,108</b>	<b>55,539,952</b>	<b>29,086,331</b>	<b>(26,453,621)</b>	<b>52.4%</b>
<b>Expenditures, current</b>							
Personnel	34,218,607	32,167,723	34,786,946	42,229,756	22,806,125	(19,423,631)	54.0%
Supplies and services	13,827,373	14,723,479	14,108,504	15,053,854	8,334,370	(6,719,484)	55.4%
Other	-	-	-	-	-	-	-
<b>Total expenditures, current</b>	<b>48,045,980</b>	<b>46,891,202</b>	<b>48,895,450</b>	<b>57,283,610</b>	<b>31,140,495</b>	<b>(26,143,115)</b>	<b>54.4%</b>
<b>Debt Service</b>							
Principal	18,178	18,498	189,211	267,000	229,701	(37,299)	86.0%
Interest	971	366	42,757	440,000	39,592	(400,408)	9.0%
<b>Capital outlay</b>	<b>398,466</b>	<b>93,609</b>	<b>79,003</b>	<b>340,000</b>	<b>201,012</b>	<b>(138,988)</b>	<b>59.1%</b>
<b>Total expenditures</b>	<b>48,463,595</b>	<b>47,003,675</b>	<b>49,206,421</b>	<b>58,330,610</b>	<b>31,610,800</b>	<b>(26,719,810)</b>	<b>54.2%</b>
<b>Excess of revenues over (under) expenditures</b>	<b>2,043,965</b>	<b>3,297,709</b>	<b>5,151,687</b>	<b>(2,790,658)</b>	<b>(2,524,469)</b>		
<b>Other financing sources (uses)</b>							
Property sales	-	18,551	172	-	-	-	-
Transfers in	1,464,708	691,977	995,707	2,163,000	52,638	(2,110,362)	2.4%
Transfers (out)	(1,140,043)	(68,407)	(21,401)	(32,000)	-	32,000	0.0%
Issuance of general obligation debt	-	-	4,000	-	-	-	-
<b>Net change in fund balance</b>	<b>2,368,630</b>	<b>3,939,830</b>	<b>6,130,165</b>	<b>(659,658)</b>	<b>(2,471,831)</b>		
<b>Fund balance, beginning of period (audited)</b>	<b>14,431,798</b>	<b>16,800,428</b>	<b>20,740,258</b>		<b>26,870,423</b>		
<b>Restatement</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>-</b>		
<b>Fund balance, end of period</b>	<b>16,800,428</b>	<b>20,740,258</b>	<b>26,870,423</b>		<b>24,398,592</b>		

\* 4 months of state revenues have been recognized.  
Debt service transfers for FY'21 in the amount of \$2,586,613 were made in February.

\*\* Major Charges for Services  
Federal Inmate Revenue 2,272,240  
Revenue Stamp Proceeds 931,636  
Administrative Support Txfr 828,569  
Marriage, Birth, Death Certificates 501,284  
Recording Fees 456,592

County of Winnebago, Illinois  
Schedule of Revenues, Expenditures, and Changes in Fund Balance  
Budget and Actual  
Public Safety Sales Tax Fund

For The Month Ended April 30, 2021

	FY 2018 Actual (Audited)	FY 2019 Actual (Audited)	FY 2020 Actual (Audited)	FY 2021 Revised Annual Budget	FY 2021 Actual (Unaudited)	Variance with Budget Over (Under)	% of Budget (Target 58.33%)
<b>Revenues</b>							
Taxes	28,670,879	28,447,956	27,001,246	27,810,000	9,578,798	(18,231,202)	34.4%
Intergovernmental revenues	21,312	17,675	80,287	10,000	3,411	(6,589)	34.1%
Investment income	29,662	45,411	25,047	-	1,394	1,394	
Other	870	-	-	-	-	-	
<b>Total revenues</b>	<b>28,722,723</b>	<b>28,511,042</b>	<b>27,106,580</b>	<b>27,820,000</b>	<b>9,583,603</b>	<b>(18,236,397)</b>	<b>34.4%</b>
<b>Expenditures</b>							
Personnel	23,498,727	25,289,260	24,861,313	19,762,127	11,895,529	(7,866,598)	60.2%
Supplies and services	1,673,338	1,950,995	1,777,130	2,216,857	791,071	(1,425,786)	35.7%
Debt Service	87,036	213,264	186,391	115,574	115,574	-	100.0%
<b>Capital outlay</b>	-	-	-	-	-	-	
<b>Total expenditures</b>	<b>25,259,101</b>	<b>27,453,519</b>	<b>26,824,834</b>	<b>22,094,558</b>	<b>12,802,174</b>	<b>(9,292,384)</b>	<b>57.9%</b>
<b>Excess of revenues over (under) expenditures</b>	<b>3,463,622</b>	<b>1,057,523</b>	<b>281,746</b>	<b>5,725,442</b>	<b>(3,218,571)</b>	<b>(8,944,013)</b>	
<b>Other financing sources (uses)</b>							
Transfers in	-	-	-	-	-	-	
Transfers (out)	(5,176,425)	(5,649,800)	(5,258,678)	(5,066,478)	(5,066,478)	-	100.0%
Proceeds from capital lease	-	-	-	-	-	-	
<b>Net change in fund balance</b>	<b>(1,712,803)</b>	<b>(4,592,277)</b>	<b>(4,976,932)</b>	<b>658,964</b>	<b>(8,285,049)</b>	<b>(1,248,159)</b>	
<b>Fund balance, beginning of period (audited)</b>	<b>11,733,960</b>	<b>10,021,157</b>	<b>5,428,880</b>		<b>451,948</b>		
<b>Fund balance, end of period</b>	<b>10,021,157</b>	<b>5,428,880</b>	<b>451,948</b>		<b>(7,833,101)</b>		



## Resolution Executive Summary

**Prepared By:** Lafakeria Vaughn  
**Committee:** Finance Committee  
**Committee Date:** June 3, 2021  
**Resolution Title:** Resolution Approving the Hiring of Outside Legal Counsel for Labor Negotiations  
**County Code:** Not Applicable  
**Board Meeting Date:** June 10, 2021

### Budget Information:

<b>Was item budgeted?</b> No	<b>Appropriation Amount:</b> N/A
<b>If not, explain funding source:</b> General Fund	
<b>ORG/OBJ/Project Code:</b> N/A	<b>Budget Impact:</b> N/A

**Background Information:** The current Collective Bargaining Agreement with several County offices and AFSCME expires on September 30, 2021. The Winnebago County State's Attorney's Office (SAO) recommends the hiring of outside legal counsel to provide representation for upcoming labor negotiations. County staff spent approximately 70 hours in the last labor negotiations period (January 2018—March 2019). This includes time "at the table", caucuses, and meetings with management. This does not include preparation by the SAO and other County staff. Because of the unpredictability of labor negotiations, it is difficult to estimate the costs of outside legal counsel. Nevertheless it is projected that legal fees would be in range of \$30,000 to \$100,000. If the resolution is approved, the funding source will be the County's General Fund.

**Recommendation:** The SAO and Winnebago County Administration recommends approval of the resolution to hire outside legal counsel for labor negotiations.

**Contract/Agreement:** Engagement Letter with SAO and Outside Legal Counsel

**Legal Review:** Legal review conducted by SAO

**Follow-Up:** The SAO will execute an Engagement Letter with Outside Legal Counsel. The SAO and Outside Legal Counsel can provide updates to the Finance Committee regarding the progress of labor negotiations.

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

2021 CR \_\_\_\_\_

SUBMITTED BY: FINANCE COMMITTEE

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**RESOLUTION APPROVING THE HIRING OF OUTSIDE LEGAL COUNSEL  
FOR LABOR NEGOTIATIONS**

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**WHEREAS**, the current Collective Bargaining Agreement (Agreement) by and among the County Board of the County of Winnebago, Winnebago County Sheriff, Winnebago County Clerk, Winnebago County Recorder of Deeds, Winnebago County Coroner, Winnebago County Auditor, Winnebago County Treasurer (Employer) and American Federation of State, County, and Municipal Employees AFL-CIO, Illinois Council 31 for and on behalf of Local 473 (Union) expires September 30, 2021; and

**WHEREAS**, the Finance Committee, having conferred with the Winnebago County State's Attorney's Office, desire to retain the services of outside legal counsel to provide representation for labor negotiations regarding said Agreement and has determined it is in the best interests of the County of Winnebago, Illinois; and

**NOW, THEREFORE BE IT RESOLVED**, by the County Board of the County of Winnebago, Illinois that the Winnebago County State's Attorney's Office is hereby authorized to execute an engagement letter with outside legal counsel for Labor Negotiations.

**BE IT FURTHER RESOLVED**, the funding source for the services of outside legal counsel will be the County's General Fund.

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

**Respectfully submitted,  
FINANCE COMMITTEE**



**AGREE**

\_\_\_\_\_  
Jaime Salgado, Chairman

\_\_\_\_\_  
Steve Schultz

\_\_\_\_\_  
John Butitta

\_\_\_\_\_  
Paul Arena

\_\_\_\_\_  
Joe Hoffman

\_\_\_\_\_  
Jean Crosby

\_\_\_\_\_  
Keith McDonald

**DISAGREE**

\_\_\_\_\_  
Jaime Salgado, Chairman

\_\_\_\_\_  
Steve Schultz

\_\_\_\_\_  
John Butitta

\_\_\_\_\_  
Paul Arena

\_\_\_\_\_  
Joe Hoffman

\_\_\_\_\_  
Jean Crosby

\_\_\_\_\_  
Keith McDonald

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

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

ATTEST:

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



## Resolution Executive Summary

**Prepared By:** Lafakeria Vaughn  
**Committee:** Finance Committee  
**Committee Date:** June 3, 2021  
**Resolution Title:** Ordinance Approving the Hiring of Outside Legal Counsel for Labor Negotiations Budget  
**County Code:** Not Applicable  
**Board Meeting Date:** June 10, 2021

### Budget Information:

<b>Was item budgeted?</b>	No	<b>Appropriation Amount:</b>	N/A
<b>If not, explain funding source:</b> General Fund			
<b>ORG/OBJ/Project Code:</b> 31000-43140		<b>Budget Impact:</b> \$100,000	

**Background Information:** The current Collective Bargaining Agreement with several County offices and AFSCME expires on September 30, 2021. The Winnebago County State's Attorney's Office (SAO) recommends the hiring of outside legal counsel to provide representation for upcoming labor negotiations. County staff spent approximately 70 hours in the last labor negotiations period (January 2018—March 2019). This includes time "at the table", caucuses, and meetings with management. This does not include preparation by the SAO and other County staff. Because of the unpredictability of labor negotiations, it is difficult to estimate the costs of outside legal counsel. Nevertheless it is projected that legal fees would be in range of \$30,000 to \$100,000. If the resolution is approved, the funding source will be the County's General Fund.

**Recommendation:** The SAO and Winnebago County Administration recommends approval of the resolution to hire outside legal counsel for labor negotiations.

**Contract/Agreement:** Engagement Letter with SAO and Outside Legal Counsel

**Legal Review:** Legal review conducted by SAO

**Follow-Up:** The SAO will execute an Engagement Letter with Outside Legal Counsel. The SAO and Outside Legal Counsel can provide updates to the Finance Committee regarding the progress of labor negotiations.

**2021 Fiscal Year**

Finance: June 3, 2021

Lay Over: June 10, 2021

Sponsored by:

**Final Vote: June 24, 2021**

Jaime Salgado, Finance Committee Chairman

## **2021 CO**

**TO: THE HONORABLE BOARD 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, 2021 and recommends its adoption.

### **ORDINANCE**

**WHEREAS**, The Winnebago County Administration and the SAO recommend the County hire outside legal counsel for upcoming labor negotiations.

**WHEREAS**, the Winnebago County Board adopted the "Annual Budget and Appropriation Ordinance" for the fiscal year ending September 30, 2021 at its September 24, 2020 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 increases detailed per the attached Request for Budget Amendment are hereby authorized for Amendment **#2021-011 Labor Negotiations Outside Legal Counsel**.

**(AGREE)**

\_\_\_\_\_  
JAIME SALGADO,  
FINANCE CHAIRMAN

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

\_\_\_\_\_  
JOE HOFFMAN

\_\_\_\_\_  
PAUL ARENA

\_\_\_\_\_  
STEVE SCHULTZ

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

\_\_\_\_\_  
JOHN BUTITTA

Respectfully Submitted,  
**FINANCE COMMITTEE**  
**(DISAGREE)**

\_\_\_\_\_  
JAIME SALGADO,  
FINANCE CHAIRMAN

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

\_\_\_\_\_  
JOE HOFFMAN

\_\_\_\_\_  
PAUL ARENA

\_\_\_\_\_  
STEVE SCHULTZ

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

\_\_\_\_\_  
JOHN BUTITTA

The above and foregoing Ordinance was adopted by the County Board of the County of Winnebago, Illinois this \_\_\_\_ day of \_\_\_\_\_ 2021.

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

2021  
**WINNEBAGO COUNTY**  
 FINANCE COMMITTEE  
 REQUEST FOR BUDGET AMENDMENT

DATE SUBMITTED:		<b>5/27/2021</b>		AMENDMENT NO: 2021-011			
DEPARTMENT:		Miscellaneous County		SUBMITTED BY: Lafakeria Vaughn			
FUND#:		0001		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
<b>Expenditures</b>							
31000	43140	Legal	\$27,000	\$0	\$27,000	\$100,000	\$127,000
<b>Revenue</b>							
<b>TOTAL ADJUSTMENT:</b>						\$100,000	
Reason budget amendment is required:							
Outside legal counsel is recommended by the SAO and Winnebago County Administration to represent the County in it's upcoming labor negotiations.							
Potential alternatives to budget amendment:							
None							
Impact to fiscal year 2021 budget:							
\$100,000							
Revenue Source:		County General Fund					



## Resolution Executive Summary

Prepared By: John P. Giliberti  
Committee: Finance Committee  
Committee Date: June 3, 2021 DD-MM-YYYY  
Resolution Title: Resolution Authorizing Settlement of Litigation (Dennis D. Ballinger v. Frank Haney, Chairman of the Winnebago County Board and the Winnebago County Board) on Title

County Code: Not applicable

Board Meeting Date: June 10, 2021 DD-MM-YYYY

### Budget Information:

Was item budgeted? No.	Appropriation Amount: \$174,085.37
If not, explain funding source: County's Delinquent Tax Program proceeds	
ORG/OBJ/Project Code:	Budget Impact: None

Background Information: Settlement of claim against the Winnebago County Board and Frank Haney, by the County's former delinquent tax program agent.

Recommendation: Staff concurs

Contract/Agreement: Not applicable

Legal Review: Legal Review was conducted by the State's Attorney's Office

Follow-Up: Not Applicable

SPONSORED BY: JAIME SALGADO

RESOLUTION  
OF THE  
FINANCE COMMITTEE  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

SUBMITTED BY: FINANCE COMMITTEE

2021CR\_\_\_\_\_

RESOLUTION AUTHORIZING SETTLEMENT  
OF LITIGATION (Dennis D. Ballinger v. Frank Haney, Chairman of the Winnebago County  
Board and The Winnebago County Board)

WHEREAS, *Dennis D. Ballinger v. Frank Haney, Chairman of the Winnebago County Board and The Winnebago County Board*, is a pending civil action against the County, filed in the Seventeenth Judicial Circuit, Winnebago County, Illinois, as case number 2020-L-0000154; and

WHEREAS, the Plaintiff therein has agreed to settle all claims he has against Frank Haney, Chairman of the Winnebago County Board and The Winnebago County Board for the sum of One Hundred Seventy-Four and Eighty-Five Thousand Dollars and Thirty-Seven Cents (\$174,085.37); and

WHEREAS, the Finance Committee, after having reviewed the facts and circumstances of the aforementioned case and after having conferred with the Winnebago County State's Attorney, through his assistant, has determined it is in the best interests of the citizens of Winnebago County to settle this case on the terms set forth above.

WHEREAS, the County Administrator also after having reviewed the facts and circumstances of the aforementioned case and after having conferred with the Winnebago County State's Attorney, through his assistant, has determined it is in the best interests of the citizens of Winnebago County to settle this case on the terms set forth above.

NOW, THEREFORE, BE IT RESOLVED, by the Finance Committee of the County Board of the County of Winnebago, Illinois, that the Winnebago County State's Attorney is hereby authorized to settle the aforementioned lawsuit by paying the Plaintiff therein the sum of One Hundred Seventy-Four and Eighty-Five Thousand Dollars and Thirty-Seven Cents (\$174,085.37).

BE IT FURTHER RESOLVED that the Winnebago County Treasurer, Winnebago County Clerk, and Winnebago County Finance Department are authorized and directed to prepare and deliver to the Winnebago County State's Attorney one or more County Warrants totaling \$174,085.37, payable as directed by the State's Attorney.

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

Respectfully submitted,

**FINANCE COMMITTEE**

**AGREE**

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

\_\_\_\_\_  
STEVE SCHULTZ

\_\_\_\_\_  
JOHN BUTITTA

\_\_\_\_\_  
PAUL ARENA

\_\_\_\_\_  
JOE HOFFMAN

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

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

**DISAGREE**

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

\_\_\_\_\_  
STEVE SCHULTZ

\_\_\_\_\_  
JOHN BUTITTA

\_\_\_\_\_  
PAUL ARENA

\_\_\_\_\_  
JOE HOFFMAN

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

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

The above and foregoing Resolution was adopted by the Finance Committee of the County Board of the County of Winnebago, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2021.

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



Attested by:

---

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



## Resolution Executive Summary

Prepared By: David J. Rickert  
Committee: Finance Committee  
Committee Date: June 3, 2021  
Resolution Title: Ordinance authorizing a budget adjustment for Settlement of Litigation (Dennis D. Ballinger v. Frank Haney, Chairman of the Winnebago County Board and the Winnebago County Board)

County Code: Not applicable

Board Meeting Date: June 10, 2021

### Budget Information:

Was item budgeted? No.	Appropriation Amount: \$174,085.37
If not, explain funding source:	Tort Judgment Fund (offset by Treasurer & Clerk Tax Agent Funds)
ORG/OBJ/Project Code: 49400/43520	Budget Impact: Pass Thru Transaction

Background Information: Settlement of claim against the Winnebago County Board and Frank Haney, by the County's former delinquent tax program agent.

Recommendation: Staff concurs

Contract/Agreement: Not applicable

Legal Review: Legal Review was conducted by the State's Attorney's Office

Follow-Up: Not Applicable

**2021 Fiscal Year**

Sponsored by:

Jaime Salgado, Finance Committee Chairman

Finance: June 3, 2021

Lay Over: June 10, 2021

**Final Vote: June 24, 2021**

**2021 CO**

**TO: THE HONORABLE BOARD 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, 2021 and recommends its adoption.

**ORDINANCE**

**WHEREAS**, Winnebago County has agreed to a settlement of claim with Dennis D. Ballinger, the County's former delinquent tax program agent.

**WHEREAS**, the Winnebago County Board adopted the "Annual Budget and Appropriation Ordinance" for the fiscal year ending September 30, 2021 at its September 24, 2020 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 increases detailed per the attached Request for Budget Amendment are hereby authorized for Amendment **#2021-010 Ballinger Settlement**.

**(AGREE)**

Respectfully Submitted,  
**FINANCE COMMITTEE**  
**(DISAGREE)**

\_\_\_\_\_  
JAIME SALGADO,  
FINANCE CHAIRMAN

\_\_\_\_\_  
JAIME SALGADO,  
FINANCE CHAIRMAN

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

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

\_\_\_\_\_  
JOE HOFFMAN

\_\_\_\_\_  
JOE HOFFMAN

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PAUL ARENA

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PAUL ARENA

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STEVE SCHULTZ

\_\_\_\_\_  
STEVE SCHULTZ

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

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

\_\_\_\_\_  
JOHN BUTITTA

\_\_\_\_\_  
JOHN BUTITTA

The above and foregoing Ordinance was adopted by the County Board of the County of Winnebago, Illinois this \_\_\_\_ day of \_\_\_\_\_ 2021.

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

2021  
**WINNEBAGO COUNTY**  
 FINANCE COMMITTEE  
 REQUEST FOR BUDGET AMENDMENT

DATE SUBMITTED:		<b>5/26/2021</b>		AMENDMENT NO: 2021-010			
DEPARTMENT:		TORT JUDGMENT		SUBMITTED BY: Dave Rickert			
FUND#:		194		DEPT. BUDGET NO.		49400	

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
<b>Expenditures</b>							
49400	43520	Liability Claims	\$600,000	\$0	\$600,000	\$174,085	\$774,085
<b>Revenue</b>							
49400	39990	Other Unclassified Revenue	\$0	\$0	\$0	(\$174,085)	(\$174,085)
<b>TOTAL ADJUSTMENT:</b>						\$0	
Reason budget amendment is required:							
Settlement of claim against the Winnebago County Board and Frank Haney, by the County's former delinquent tax program agent.							
Potential alternatives to budget amendment:							
None							
Impact to fiscal year 2021 budget:							
\$0							
Revenue Source:		County Delinquent Tax Program Proceeds					



## Resolution Executive Summary

**Prepared By:** Circuit Court – Thomas Jakeway

**Committee:** Finance

**Committee Date:** June 3, 2021

**Resolution Title:** Resolution for Approval of Budget Amendment for Self-Represented Litigant Grant

**County Code:** Winnebago County Annual Appropriation Ordinance

**Board Meeting Date:** June 10, 2021

### Budget Information:

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b> Additional \$12,995
<b>If not, explain funding source:</b> State Grant	
<b>ORG/OBJ/Project Code:</b> 60900-43190-01084	<b>Budget Impact:</b> Neutral

### Background Information:

The Administrative Office of the Illinois Courts administers grant funds for projects that support self-represented litigants. A total of \$18,000 is awarded to the Winnebago County Circuit Court in FY21. Revenue in this amount has already been posted to the account. Funds will be used to create information resource centers in various courtrooms, as well as to support the build-out of online dispute resolution platforms for minor traffic matters and for parties to develop agreed parenting plans.

### Recommendation:

The Department of Information Technology is involved with the development of the online dispute resolution platforms.

**Contract/Agreement:** See attached.

**Legal Review:** N/A

**Follow-Up:** Purchasing of necessary items, ODR platform development, and processing necessary reimbursement paperwork.

**2021 Fiscal Year**

Sponsored by:

Jaime Salgado, Finance Committee Chairman

Finance: Jun 3, 2021

Lay Over: Jun 10, 2021

**Final Vote: Jun 24, 2021**

**2021 CO**

**TO: THE HONORABLE BOARD 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, 2021 and recommends its adoption.

**ORDINANCE**

**WHEREAS**, a total of \$18,000 in grant funds from the Administrative Office of the Illinois Courts has been awarded to the Winnebago County Circuit Court in furtherance of projects that support self-represented litigants. Specifically, for the creation of information resource centers in various courtrooms, and to support the build-out of on-line dispute resolution platforms for traffic cases and for parties to develop agreed parenting plans.

**WHEREAS**, the Winnebago County Board adopted the "Annual Budget and Appropriation Ordinance" for the fiscal year ending September 30, 2021 at its September 24, 2020 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 increases detailed per the attached Request for Budget Amendment are hereby authorized for Amendment #2021- 9 **Self-Represented Litigant Grant**.

**Respectfully submitted,**  
**FINANCE COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
Jaime Salgado, Chairman

\_\_\_\_\_  
Jaime Salgado, Chairman

\_\_\_\_\_  
Steve Schultz

\_\_\_\_\_  
Steve Schultz

\_\_\_\_\_  
John Butitta

\_\_\_\_\_  
John Butitta

\_\_\_\_\_  
Paul Arena

\_\_\_\_\_  
Paul Arena

\_\_\_\_\_  
Joe Hoffman

\_\_\_\_\_  
Joe Hoffman

\_\_\_\_\_  
Jean Crosby

\_\_\_\_\_  
Jean Crosby

\_\_\_\_\_  
Keith McDonald

\_\_\_\_\_  
Keith McDonald

The above and foregoing Ordinance was adopted by the County Board of the  
County of Winnebago, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2021.

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

ATTEST:

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



2021  
**WINNEBAGO COUNTY**  
 FINANCE COMMITTEE  
 REQUEST FOR BUDGET AMENDMENT

<b>DATE SUBMITTED:</b> 5/17/2021 <b>AMENDMENT NO:</b> 2021- 009							
<b>DEPARTMENT:</b> Circuit Court <b>SUBMITTED BY:</b> Thomas Jakeway							
<b>FUND#:</b> 0309 <b>DEPT. BUDGET NO.</b> 60900							
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
60900	43190-01084	Other Professional Services	\$5,005	\$0	\$5,005	\$12,995	\$18,000
<b>TOTAL ADJUSTMENT:</b>						\$12,995	\$18,000
Reason budget amendment is required:							
<p>The Administrative Office of the Illinois Courts administers grant funds for projects that support self-represented litigants. A total of \$18,000 is awarded to the Winnebago County Circuit Court in FY21. Revenue in this amount has already been posted to the account. Funds will be used to create information resource centers in various courtrooms, as well as to support the build-out of online dispute resolution platforms for minor traffic matters and for parties to develop agreed parenting plans.</p>							
Potential alternatives to budget amendment:							
N/A							
Impact to fiscal year 2022 budget:							
N/A							
Revenue Source: AOIC State Reimbursement							



222 N. LaSalle St.  
Floor 13  
Chicago, IL 60601

**ILLINOIS SUPREME COURT COMMISSION ON ACCESS TO JUSTICE  
SELF-REPRESENTED LITIGANT COORDINATOR**

**2020-2021 GRANT AGREEMENT**

**NAME OF GRANTEE:** Seventeenth Judicial Circuit (Winnebago and Boone Counties)

**ADDRESS:** 400 W. State Street, Ste 215  
Rockford, IL 61101

**TELEPHONE NUMBER:** 815-319-4806

**CONTACT PERSON:** Kimberly Ackman  
**TITLE:** Deputy Trial Court Administrator

**GRANT AMOUNT:** \$17,000

**GRANT PERIOD:** Aug. 1, 2020-July 31, 2021

***This Grant Agreement is hereby entered into between Grantee and the Grantor, Illinois Supreme Court Commission on Access to Justice (ATJ Commission), as of the date the Grantee signs this Agreement. Both parties, intending to be bound by the terms and conditions of this Agreement, do hereby agree as follows:***

**GRANT CONDITIONS**

**Grant Purpose:** The grant is to be used to support the designated Self-Represented Litigant Coordinator – **Brian Buzard** – to work with the Deputy Trial Court Administrator to establish and implement an Online Dispute Resolution (ODR) program for Traffic and Parenting Plans in Winnebago and Boone counties following the approval of the AOIC and compliance with any further requirements of the Illinois Supreme Court.

***Grant Requirements:***

**Grantor shall:**

- a) Facilitate an annual Court Navigator Network training and monthly teleconferences with the Administrative Office of the Illinois Court (AOIC) and other Court Navigator Network members;
- b) Provide support to the Coordinator to further the Grant Purpose; and
- c) Disburse funds to support Grantee upon execution by the parties of this Grant Agreement.



Grantee shall:

- a) Be an active member of the Court Navigator Network and sign a separate Network member Memorandum of Understanding;
- b) Attend all Network training programs and participate in monthly teleconferences with the AOIC and other Network members;
- c) Solicit ongoing feedback from litigants, judges, clerks, and other court staff about the effectiveness of self-help resources and programs;
- d) Act as a liaison between self-represented litigants and court staff;
- e) Track individuals served by the Coordinator to be reported quarterly;
- f) Submit quarterly reports regarding individuals served, budget expenditures, and grant activities as described below;
- g) Update the AOIC about Coordinator activities including inviting the AOIC and ATJ Commission to events related to the grant;
- h) Communicate with JusticeCorps leadership regarding any potential involvement of JusticeCorps members as part of the grant project and receive approval prior to involving JusticeCorps;
- i) Authorize the ATJ Commission and AOIC to copy, use, and publish any images in any format taken during SRL Coordinator events like training or program events;
- j) Create an ODR program that:
  - a. Incorporates stakeholders, including end users,
  - b. Is driven and supported by data,
  - c. Addresses how users with disabilities, limited English proficiency, limited tech proficiency, and low literacy will access the program,
  - d. Minimizes costs to end users, particularly those who qualify for fee waivers,
  - e. Ensures adherence to the rule of law and procedural fairness, and
  - f. Takes into account confidentiality and security of communications and data; and
- k) Explore ways to secure ODR program sustainability at the end of the grant period and/or any renewal period.

**Reporting Requirements:** Reports shall be submitted on a quarterly basis. The reports are due on November 15, 2020; February 15, 2021, May 15, 2021; and August 15, 2021. A report form will be provided for the reports asking for information on the project's activities and achievements, relevant data, number of litigants served, and financial expenditures for the period.

**Notification of Changes in Personnel or Program:** If there are significant changes in the Grantee's structure, mission or personnel during the grant period, the Grantee must notify the Grantor of these changes in writing immediately. If the SRL Coordinator does not continue to work for the Grantee, the Grantee must appoint another employee to serve as the SRL Coordinator to satisfy the grant requirements. If the Grantee is unable to find another person to serve as the SRL Coordinator, Grantee shall return to the Grantor any funds not yet used by the Grantee.

**Fund Disbursement:** Grantee will provide the appropriate information for receiving payment of the Grant Amount by check. Upon receipt of this information and the executed Grant Agreement, Grantor will release the funds.


**Fund recompense:** The grantee must notify the Grantor in a timely manner if the funds cannot or will not be spent in accordance with the purpose granted. Grantee shall return to Grantor any funds not used by the end of the grant period unless Grantee submits a written request and is granted permission to utilize funds beyond the end of the grant period.

**PAYMENT INFORMATION**

Pay to the Order of (name): Winnebago County Treasurer  
Address: 404 Elm Street  
Rockford, IL 61101

If these conditions are acceptable, please sign this form and return it to the Commission on or before **August 15, 2020.**

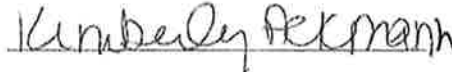
Accepted by:



Judge Doherty

Chief Judge of the Seventeenth Judicial Circuit

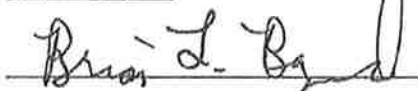
Date: 8/10/20



Kimberly Ackman

Deputy Trial Court Administrator

Date: 8/7/2020



Brian Buzard

Self-Represented Litigant Coordinator

Date: 8/7/20

**For the Commission:**



Justice Mary K. Rochford

Chair, Commission on Access to Justice

July 31, 2020

Please email the completed agreement to: Jill Roberts, Supervising Senior Program Manager,  
Access to Justice Division of the AOIC, at [jroberts@illinoiscourts.gov](mailto:jroberts@illinoiscourts.gov).



222 N. LaSalle St.  
Floor 13  
Chicago, IL 60601

Brian Buzard  
SRL Coordinator  
Seventeenth Judicial Circuit  
400 W. State St. Ste. 215  
Rockford, IL 61101

*Re: Current SRL Coordinator Grant Funds*

Dear Mr. Buzard:

You were awarded \$1,000 for the SRL Coordinator grant cycle for December 1, 2019 to November 30, 2020. Due to the COVID-19 pandemic and its impact on the court system, the current grant period has been extended to July 31, 2021.

You are granted permission to use those funds now through July 31, 2021 on self-represented litigant-related services that align with the signed Grant Agreement executed in November 2019.

Thank you for your dedication to access to justice in your area.

Sincerely,

Hon. Mary K. Rochford  
Chair  
Illinois Supreme Court Commission on Access to Justice





# Resolution Executive Summary

**Prepared By:** Tanya Harris

**Committee:** Finance Committee

**Committee Date:** June 3, 2021

**Resolution Title:** Resolution for Approval for Workman's Compensation Settlements

**Board Meeting Date:** June 10, 2021

## Budget Information:

<b>Was item budgeted?</b> Yes	<b>Appropriation Amount:</b>
<b>If not, explain funding source:</b>	
<b>ORG/OBJ/Project Code:</b> 49400-43535 <b>Budget Impact:</b>	

**Background Information:** Settlement for Robert Reader in the amount of \$77,878.00

**Recommendation:** The Finance Committee, chaired by Jaime Salgado, has reviewed the settlements presented to the Board. The Board is asked to approve this settlement in favor of the Committee's recommendations at its June 10, 2021 meeting.

## Contract/Agreement:

**Legal Review:** Carol Hartline with Williams McCarthy LLP negotiated these settlements on behalf of Winnebago County.

## Follow-Up:

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

Sponsored by: Jamie Salgado  
Submitted by: Finance Committee

2021 CR

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**RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM  
AGAINST THE COUNTY OF WINNEBAGO ENTITLED  
ROBERT READER VERSUS WINNEBAGO COUNTY IN THE  
AMOUNT OF \$77,878.00**

---

**WHEREAS**, the County of Winnebago, Illinois, is involved in having claims asserted against it by Robert Reader for injuries allegedly sustained while in the employment of the Highway Department, and,

**WHEREAS**, the Plaintiff has offered to settle the above claim against the County of Winnebago for consideration payable in the amount of \$77,878.00 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 Robert Reader versus County of Winnebago for injuries allegedly sustained by Robert Reader while in the employment of Highway Department by payment of the amount of \$77,878.00 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

\_\_\_\_\_  
STEVE SCHULTZ, VICE CHAIRMAN

\_\_\_\_\_  
STEVE SCHULTZ, VICE CHAIRMAN

\_\_\_\_\_  
PAUL ARENA

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PAULA ARENA

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JOHN BUTITTA

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JOHN BUTITTA

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JEAN CROSBY

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JEAN CROSBY

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JOE HOFFMAN

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JOE HOFFMAN

\_\_\_\_\_  
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 \_\_\_\_\_ 2021.**

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





# Resolution Executive Summary

Prepared By: David J. Rickert  
Committee: Finance Committee  
Committee Date: June 3, 2021DD-MM-YYYY  
Resolution Title: Resolution Authorizing Settlement of Litigation (Daniel Horton v. Gary Garuana, et al.) Resolution Title

County Code: Not applicable Not Applicable

Board Meeting Date: June 10, 2021DD-MM-YYYY

## Budget Information:

Was item budgeted?	Yes	Appropriation Amount: \$25,000
If not, explain funding source:		
ORG/OBJ/Project Code:	Budget Impact: Within budgeted amount	

## Background Information:

Settlement of claim by a former Jail inmate against the County, the Sheriff and some employees in the Corrections Bureau.

## Recommendation:

Staff concurs

## Contract/Agreement:

Not applicable

## Legal Review:

Legal review was conducted by the State's Attorney's Office

Follow-Up: Not Applicable

SPONSORED BY: JAIME SALGADO

RESOLUTION  
OF THE  
FINANCE COMMITTEE  
OF THE COUNTY OF WINNEBAGO, ILLINOIS

SUBMITTED BY: FINANCE COMMITTEE

2021CR\_\_\_\_\_

RESOLUTION AUTHORIZING SETTLEMENT  
OF LITIGATION (Daniel Horton v. Gary Caruana, et al.)

WHEREAS, *Daniel Horton v. Gary Caruana, et al.*, is a pending civil action against the County, filed in the United State District Court for the Northern District of Illinois, as case number 3:18-cv-50291; and

WHEREAS, the Plaintiff therein has agreed to settle all claims he has against Sheriff Gary Caruana, the Sheriff Department Defendants and Winnebago County for the sum of Twenty Five Thousand Dollars (\$25,000.00); and

WHEREAS, the Finance Committee, after having reviewed the facts and circumstances of the aforementioned case and after having conferred with the Winnebago County State's Attorney, through his assistant, has determined it is in the best interests of the citizens of Winnebago County to settle this case on the terms set forth above.

WHEREAS, the County Administrator also after having reviewed the facts and circumstances of the aforementioned case and after having conferred with the Winnebago County State's Attorney, through his assistant, has determined it is in the best interests of the citizens of Winnebago County to settle this case on the terms set forth above.

NOW, THEREFORE, BE IT RESOLVED, by the Finance Committee of the County Board of the County of Winnebago, Illinois, that the Winnebago County State's Attorney is hereby authorized to settle the aforementioned lawsuit by paying the Plaintiff therein the sum of Twenty Five Thousand Dollars (\$25,000.00).

BE IT FURTHER RESOLVED that the Winnebago County Treasurer, Winnebago County Clerk, and Winnebago County Finance Department are authorized and directed to prepare and deliver to the Winnebago County State's Attorney one or more County Warrants totaling \$25,000.00, payable as directed by the State's Attorney.

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

Respectfully submitted,

**FINANCE COMMITTEE**

**AGREE**

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

\_\_\_\_\_  
STEVE SCHULTZ

\_\_\_\_\_  
JOHN BUTITTA

\_\_\_\_\_  
PAUL ARENA

\_\_\_\_\_  
JOE HOFFMAN

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

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

**DISAGREE**

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

\_\_\_\_\_  
STEVE SCHULTZ

\_\_\_\_\_  
JOHN BUTITTA

\_\_\_\_\_  
PAUL ARENA

\_\_\_\_\_  
JOE HOFFMAN

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

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

The above and foregoing Resolution was adopted by the Finance Committee of the County Board of the County of Winnebago, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2021.

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

Attested by:

---

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