



**CHAMPAIGN COUNTY BOARD**  
**COMMITTEE OF THE WHOLE – Justice/Finance/Policy/ Agenda**  
*County of Champaign, Urbana, Illinois*  
*Tuesday, November 8, 2011 – 6:00 p.m.*

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*Lyle Shields Meeting Room, Brookens Administrative Center*  
*1776 East Washington Street, Urbana, Illinois*

**I. Finance:**

**A. Regional Planning Commission**

1. Request Approval of an Ordinance Authorizing the Execution and Delivery of an Intergovernmental Cooperation Agreement for the Assist 2011 Homebuyer Assistance Program **13-40**

**B. Budget Amendments & Transfers**

1. Budget Transfer #11-00014 **41**  
Fund/Dept: 080 General Corporate-071 Public Properties  
Total Amount of Transfer: \$5,350  
Reason: To cover Remaining Fiscal Year Invoices – Funds from the Salary Line are Anticipated To be Unspent.
2. Budget Transfer #11-00015 **42-49**  
Fund/Dept: 080 General Corporate-075 General County  
080 General Corporate-021 Board of Review  
Total Amount of Transfer: \$5,827  
Reason: To Transfer Money to Board of Review Budget to Pay Out Benefits As of 11/30/11, Due to Change in Payment Process for Appointed Positions
3. Budget Transfer #11-00016 **50**  
Fund/Dept: 080 General Corporate-075 General County  
080 General Corporate-010 County Board  
Total Amount of Transfer: \$7,000  
Reason: To Move Money to Per Diem Line Item to Pay for Meetings Through November 30, 2011
4. Budget Amendment #11-00057 **51**  
Fund/Dept: 476 Self-Funded Insurance-118 Property/Liability Insurance  
Increased Appropriations: \$9,083  
Increased Revenue: \$9,083  
Reason: Re-attachment of Spire to Courthouse Reimbursement Received from Cincinnati Insurance Company
5. Budget Transfer #11-00017 **52**  
Fund/Dept: 083 County Highway-060 Highway

Total Amount of Transfer: \$14,400

Reason: to Reimburse RPC for Personnel Hired for the 2011 Traffic Counts

- C. Nursing Home
  - 1. Approval of Issuance of Tax Anticipation Warrants for the Champaign County Nursing Home
  - 2. Approval of Issuance of Revenue to the Champaign County Nursing Home
  
- D. County Administrator
  - 1. General Corporate Fund FY2011 Budget Projection Report *(to be distributed)*
  - 2. General Corporate Fund Budget Change Report *(to be distributed)*
  - 3. Harris & Harris Monthly Report *(to be distributed)*
  - 4. Resolution Authorizing Renewal of a Loan from the General Corporate Fund to Nursing Home 53
  - 5. FY2012 Annual Budget and Appropriation Ordinance 54-55
  - 6. FY2012 Annual Tax Levy Ordinance 56-60
  - 7. Approval of Recommendation to the County Board for Amendment to Schedule of Authorized Positions 61-63
  
- E. Animal Control
  - 1. Approval of Intergovernmental Agreement with the Village of Ogden for Animal Control Services 64-65
  
- F. Auditor
  - 1. Monthly Report – October 2011 *(to be distributed)*
  
- G. Treasurer
  - 1. Monthly Report – October 2011 *(to be distributed)*
  
- H. Other Business
  - 1. Approval of Amendment to County Administrator Contract 66-67
  
- I. Chair's Report
  
- J. Designation of Items to be Placed on County Board Consent Agenda

# **Assist 2011 Homebuyer Assistance**

Affordable home ownership for families

## **Program Outline**

Utilizing a two-pronged approach to assist homebuyers, the program is sponsored by communities throughout the state to promote home ownership. The home buyer assistance feature of the *Assist 2011* program provides families with funds to pay all or most of their closing costs and down payment, enabling families with good credit but little available capital to buy their first home. The mortgage credit certificate ("MCC") feature reduces the homebuyer's ongoing cost of borrowing whenever market conditions result in uncompetitive interest rates for loans funded in the tax-exempt bond market.



### **Overview**

- Communities join together through an Inter-governmental Cooperation Agreement.
- Home rule communities may contribute private activity bond volume cap to support either a tax-exempt bond issuance or the MCC feature
- Non-home rule communities apply for volume cap from the State
- No financial contribution or commitment required from any participant
- Any Illinois municipality can participate

### **Loan Funding**

- Loans are funded with proceeds of tax-exempt bonds or through the direct sale of taxable mortgage-backed securities based on the sale method providing the lowest interest rate
- The bonds and securities are sold at a premium, a price greater than their face amount, which provides funding for the home buyer assistance
- Proceeds of the bonds and securities are used to make the home loans and fund the assistance
- The bonds and securities are not a debt of the municipalities or paid from any participating community's funds, and are secured only with loans on homes purchased with **Assist 2011**
- The City of Aurora acts as issuer on behalf of all the communities

### **Loan Description**

- 30 year fixed rate loans
- FHA/VA loans available
- **Assist** pays 3% cash assistance to qualifying home buyers to fund closing costs and down payment assistance
- Loans are funded with proceeds of tax-exempt bonds or direct sale of mortgage-backed securities

**Qualifying Homebuyers**

- First time home buyers (not owned residence in three years)
- Will occupy the home as their residence
- Meet income guidelines
- Meet purchase price guidelines

**Mortgage Credit Certificates**

- MCC's are a federally authorized program created as an alternative to tax-exempt housing bonds to reduce effective interest costs for qualifying homebuyers
- MCC's allow the homebuyer to qualify for a federal income tax credit equal to a percentage of the interest paid on their home loan each year
- MCC holders still qualify for a regular deduction of the remaining interest paid on their home loan

	Without MCC	With MCC
<b>Mortgage Amount</b>	\$100,000	\$100,000
<b>Mortgage Interest Rate</b>	5.00%	5.00%
<b>Monthly Mortgage Payment</b> (first year interest = \$4,966.49)	\$536.82	\$536.82
<b>MCC Rate</b>	N/A	25%
<b>Monthly Credit Amount (First Year Average)</b> (25% of \$4,966.49 is first year credit)	N/A	\$103.47
<b>"Effective" Monthly Mortgage Payment</b>	\$536.82	\$433.35

**Assist 2011 Advantages**

- Provides additional home ownership opportunities in each Community
- Home ownership provides added stability in a community
- Serves the large segment of potential home buyers who qualify for loans but lack funds for a down payment and closing costs
- Strategic alliance with lenders throughout the state
- Customized marketing in each municipality
- No out-of-pocket expense to any community to participate

**Program Details**

<b>Total Home Buyer Assistance:</b>	<b>4.75% (est.)</b>
Closing Costs and Down Payment:	3.00%
Origination Fee:	1.75% (est.)

**Bond Counsel:**

Chapman & Cutler

**STATE OF ILLINOIS  
PURCHASE PRICE AND INCOME LIMITS  
SINGLE FAMILY PROGRAMS**

**NON-TARGETED AREAS**

COUNTY NAME	INCOME LIMITS		PURCHASE PRICE LIMITS	
	1 or 2 People	3 or More People	New Homes	Existing Homes
BOONE	\$76,200	\$88,900	\$309,190	\$309,190
COOK	\$90,120	\$105,140	\$373,671	\$373,671
DEKALB	\$87,480	\$102,060	\$373,671	\$373,671
DUPAGE	\$90,120	\$105,140	\$373,671	\$373,671
GRUNDY	\$89,880	\$104,860	\$373,671	\$373,671
KANE	\$90,120	\$105,140	\$373,671	\$373,671
KENDALL	\$103,997	\$119,597	\$373,671	\$373,671
LAKE	\$90,120	\$105,140	\$373,671	\$373,671
MADISON	\$69,711	\$80,168	\$256,329	\$256,329
McLEAN	\$76,600	\$88,090	\$247,033	\$247,033
ST. CLAIR	\$69,711	\$80,168	\$256,329	\$256,329
WILL	\$90,120	\$105,140	\$373,671	\$373,671
WINNEBAGO	\$76,200	\$88,900	\$309,190	\$309,190
OTHER PROGRAM AREAS	\$69,600	\$80,040	\$247,033	\$247,033

**TARGETED AREAS**

COUNTY NAME	INCOME LIMITS		PURCHASE PRICE LIMITS	
	1 or 2 People	3 or More People	New Homes	Existing Homes
BOONE	\$83,520	\$97,440	\$377,898	\$377,898
CHAMPAIGN	\$83,520	\$97,440	\$301,929	\$301,929
COOK	\$90,120	\$105,140	\$456,709	\$456,709
DEKALB	\$87,480	\$102,060	\$456,709	\$456,709
KANE	\$90,120	\$105,140	\$456,709	\$456,709
KANKAKEE	\$83,520	\$97,440	\$301,929	\$301,929
LAKE	\$89,880	\$104,860	\$456,709	\$501,110
LASALLE	\$83,520	\$97,440	\$301,929	\$301,929
MACON	\$83,520	\$97,440	\$301,929	\$301,929
MADISON	\$83,520	\$97,440	\$313,291	\$313,291
McLEAN	\$91,920	\$107,240	\$301,929	\$301,929
PEORIA	\$83,520	\$97,440	\$301,929	\$301,929
ROCK ISLAND	\$83,520	\$97,440	\$301,929	\$301,929
SANGAMON	\$83,520	\$97,440	\$301,929	\$301,929
ST. CLAIR	\$83,520	\$97,440	\$313,291	\$313,291
STEPHENSON	\$83,520	\$97,440	\$301,929	\$301,929
TAZEWELL	\$83,520	\$97,440	\$301,929	\$301,929
VERMILION	\$83,520	\$97,440	\$301,929	\$301,929
WILL	\$90,120	\$105,140	\$456,709	\$456,709
WINNEBAGO	\$83,520	\$97,440	\$377,898	\$377,898

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE authorizing the execution and delivery of an Intergovernmental Cooperation Agreement and certain documents in connection therewith; and related matters.

WHEREAS, the County of Champaign, Illinois, is a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois (the "*Municipality*"); and

WHEREAS, pursuant to the Constitution and the laws of the State of Illinois, and particularly 65 *Illinois Compiled Statutes 2010, 5/11-74.5-1 et seq.*, as supplemented and amended (the "*Act*"), the Municipality is authorized to issue its revenue bonds in order to aid in providing an adequate supply of safe, decent and sanitary residential housing for low and moderate income persons and families within the Municipality, which such persons and families can afford, which constitutes a valid public purpose for the issuance of revenue bonds by the Municipality; and

WHEREAS, pursuant to the Constitution and the laws of the State of Illinois, and particularly 30 *Illinois Compiled Statutes 2010, 340/7*, as supplemented and amended (the "*MCC Act*"), and pursuant to Section 25 of the Internal Revenue Code of 1986, as amended (the "*Code*"), an issuer authorized to issue qualified mortgage bonds under Section 143 of the Code is authorized to issue mortgage credit certificates under Section 25 of the Code in lieu of issuing such qualified mortgage bonds under Section 143 of the Code; and

WHEREAS, the Municipality is authorized to issue its revenue bonds under the Act, which constitute qualified mortgage bonds under Section 143 of the Code, and is thereby authorized to issue mortgage credit certificates under the MCC Act in lieu of such revenue bonds; and

WHEREAS, the Municipality has now determined that it is necessary, desirable and in the public interest to issue mortgage credit certificates to provide an adequate supply of safe, decent



and sanitary residential housing for low and moderate income persons and families within the Municipality, which such persons and families can afford; and

WHEREAS, pursuant to Section 10 of Article VII of the 1970 Constitution of the State of Illinois, the Intergovernmental Cooperation Act (5 *Illinois Compiled Statutes 2010*, 220/1 *et seq.*, as supplemented and amended), public agencies may exercise and enjoy with any other public agency in the State of Illinois any power, privilege or authority which may be exercised by such public agency individually, and pursuant to the Act, one or more municipalities (whether or not any of them are home rule units) may join together or cooperate with one another in the exercise, either jointly or otherwise, of any one or more of the powers conferred by the Act, the MCC Act or other enabling acts or powers pursuant to a written agreement, and, accordingly, it is now determined that it is necessary, desirable and in the public interest for the Municipality to enter into an Intergovernmental Cooperation Agreement (the "*Cooperation Agreement*") dated as of October 1, 2011, by and among the Municipality and certain other units of local government named therein (the "*Units*"), to provide for the joint issuance of such mortgage credit certificates to aid in providing an adequate supply of residential housing in such Units (the "*Program*"); and

WHEREAS, to provide for the Program, the City of Aurora, Kane, DuPage, Will and Kendall Counties, Illinois (the "*City*"), proposes to issue mortgage credit certificates in an aggregate principal amount not to exceed \$600,000,000 (the "*MCCs*") and to implement the Program from time to time by allocating the MCCs to certain qualified mortgage loans under the Program from time to time (the "*Mortgage Loans*"), on behalf of the Municipality and the other Units all under and in accordance with the Constitution and the laws of the State of Illinois; and

WHEREAS, a notice to the public and all interested mortgage lenders of the intent to implement the Program through the issuance of the MCCs has been published in «*Fff*», a



newspaper of general circulation in the Municipality, pursuant to Section 25 of the Code, on «Hhh», 2011; and

WHEREAS, a form of the Cooperation Agreement has been presented to and is before this meeting;

NOW, THEREFORE, Be It Ordained by the County Board Chairperson of the County of Champaign, Illinois, as follows:

*Section 1.* That it is the finding and declaration of the County Board Chairperson of the Municipality that the issuance of the MCCs by the City and the implementation of the Program are advantageous to the Municipality, as set forth in the preamble to this authorizing ordinance, and therefore serves a valid public purpose; that this authorizing ordinance is adopted pursuant to the Constitution and the laws of the State of Illinois, and more particularly the Act, the MCC Act, Section 10 of Article VII of the 1970 Constitution of the State of Illinois and the Intergovernmental Cooperation Act; that the determination and definition of “maximum home value,” “minimum home value,” “persons of low and moderate income” and the other standards required by the Act are set forth in the program agreement referred to in the Cooperation Agreement; and that, by the adoption of this authorizing ordinance, the County Board Chairperson of the Municipality hereby approves the issuance of the MCCs for the purposes as provided in the preamble hereto, the text hereof and the notice of intent to implement the Program referred to in the preamble hereto, which notice is hereby incorporated herein by reference.

*Section 2.* That the form, terms and provisions of the proposed Cooperation Agreement be, and they are hereby, in all respects approved; that the County Board Chairperson of the Municipality be, and is hereby, authorized, empowered and directed to execute, and the County Clerk of the Municipality be, and is hereby, authorized, empowered and directed to attest

and to affix the official seal of the Municipality to, the Cooperation Agreement in the name and on behalf of the Municipality, and thereupon to cause the Cooperation Agreement to be delivered to the other Units; that the Cooperation Agreement is to be in substantially the form presented to and before this meeting and hereby approved or with such changes therein as shall be approved by the officer of the Municipality executing the Cooperation Agreement, his or her execution thereof to constitute conclusive evidence of his or her approval of any and all changes or revisions therein from the form of Cooperation Agreement before this meeting; that from and after the execution and delivery of the Cooperation Agreement, the officers, officials, agents and employees of the Municipality are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Cooperation Agreement as executed, including without limitation any allocations of unified volume cap to the issuance of the MCCs and the implementation of the Program; and that the Cooperation Agreement shall constitute and is hereby made a part of this authorizing ordinance, and a copy of the Cooperation Agreement shall be placed in the official records of the Municipality, and shall be available for public inspection at the principal office of the Municipality.

*Section 3.* That the County Board Chairperson, the County Clerk and the proper officers, officials, agents and employees of the Municipality are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents and certificates as may be necessary to carry out and comply with the provisions of the Cooperation Agreement and to further the purposes and intent of this authorizing ordinance, including the preamble to this authorizing ordinance.

*Section 4.* That all acts of the officers, officials, agents and employees of the Municipality heretofore or hereafter taken, which are in conformity with the purposes and intent

of this authorizing ordinance and in furtherance of the issuance of the MCCs and the implementation of the Program, be, and the same hereby are, in all respects, ratified, confirmed and approved, including without limitation the publication of the notice of intent to implement the Program.

*Section 5.* That the County Board Chairperson of the Municipality is hereby authorized to request unified volume cap from the Office of the Governor of the State of Illinois for the Program in each of the years of 2011, 2012, 2013 and 2014; that the Municipality hereby allocates all unified volume cap received or to be received by the Municipality from the Office of the Governor of the State of Illinois for the Program, if any, to the issuance of the MCCs; and that the Municipality, by the adoption of this authorizing ordinance, hereby represents and certifies that such volume cap has not been and will not be allocated to any other bond issue or transferred back to the Office of the Governor or otherwise.

*Section 6.* That after the Cooperation Agreement is executed by the Municipality, this authorizing ordinance shall be and remain irrevocable until the MCCs shall have been fully allocated.

*Section 7.* That the provisions of this authorizing ordinance are hereby declared to be separable, and if any section, phrase or provision of this authorizing ordinance shall for any reason be declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions of this authorizing ordinance.

*Section 8.* That all ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this authorizing ordinance are, to the extent of such conflict, hereby superseded; and that this authorizing ordinance shall be in full force and effect upon its adoption and approval as provided by law.

Presented, passed, approved and recorded by the County Board Chairperson of the County of Champaign, Illinois, this 17th day of November, 2011.

Approved:

\_\_\_\_\_  
County Board Chairperson

[SEAL]

Attest:

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

Ayes: \_\_\_\_\_

\_\_\_\_\_

Nays: \_\_\_\_\_

Absent or Not Voting: \_\_\_\_\_

County Board Member \_\_\_\_\_ moved, and County Board Member \_\_\_\_\_ seconded the motion, that said ordinance as presented and read by the County Clerk be adopted.

After a full discussion thereof, the County Board Chairperson directed that the roll be called for a vote upon the motion to adopt said ordinance, as read.

Upon the roll being called, the following members of the County Board voted:

AYE: \_\_\_\_\_

\_\_\_\_\_

NAY: \_\_\_\_\_

ABSENT OR NOT VOTING: \_\_\_\_\_

Whereupon the County Board Chairperson declared the motion carried and said ordinance adopted, and hereforth did approve and sign the same in open meeting and did direct the County Clerk to record the same in full in the records of the County Board Chairperson of the County of Champaign, Illinois.

\* \* \*

(Other Business)

Upon motion duly made and seconded, the meeting was adjourned.

[SEAL]

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

STATE OF ILLINOIS    )  
                                  ) SS.  
COUNTY OF CHAMPAIGN    )

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of the County of Champaign, Illinois, and as such officer I am the keeper of the records and files of the County Board Chairperson of said County.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the legally convened meeting of said County Board Chairperson of said County held on the 17<sup>th</sup> day of November, 2011, insofar as same related to the adoption of an ordinance entitled:

AN ORDINANCE authorizing the execution and delivery of an Intergovernmental Cooperation Agreement and certain documents in connection therewith; and related matters.

a true, correct and complete copy of which said ordinance as adopted at the same meeting appears in the foregoing transcript of the minutes of said meeting.

I do hereby further certify that the deliberations of the County Board Chairperson of said County on the adoption of said ordinance were taken openly; that the vote on the adoption of said ordinance was taken openly; that said meeting was called and held at a specified time and place convenient to the public; that notice of said meeting was duly given to all the news media requesting such notice; that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the County Board Chairperson of said County on a day which was not a Saturday, Sunday or legal holiday for Illinois municipalities at least forty-eight (48) hours in advance of the holding of said meeting; that said agenda contained a separate specific item concerning said ordinance; and that said meeting was called and held in strict accordance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Illinois Municipal Code, as amended, and that said County Board Chairperson has complied with all of the applicable provisions of said Act and said Code and its procedural rules in the adoption of said ordinance.

IN WITNESS WHEREOF, I have hereunto affixed my official signature and the seal of said County, this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
County Clerk, County of Champaign,  
Illinois

[SEAL]

MINUTES of a regular public meeting of the County Board of the  
County of Champaign, Illinois held at  
\_\_\_\_\_, \_\_\_\_\_, Illinois at 7:00  
o'clock, P.M., on the 17th day of November, 2011.

The County Board Chairperson called the meeting to order, and directed the County Clerk  
to call the roll.

Upon the roll being called, the County Board Chairperson, and the following members of  
the County Board answered present: \_\_\_\_\_

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

The following members of the County Board were absent: \_\_\_\_\_

\_\_\_\_\_

\* \* \*

(Other Business)

\_\_\_\_\_ presented, and the County Clerk read in full, the following  
ordinance:



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INTERGOVERNMENTAL COOPERATION AGREEMENT

BY AND AMONG

THE UNITS OF GOVERNMENT WHICH ARE SIGNATORIES HERETO

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DATED AS OF OCTOBER 1, 2011

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## INTERGOVERNMENTAL COOPERATION AGREEMENT

THIS INTERGOVERNMENTAL COOPERATION AGREEMENT (the "*Cooperation Agreement*") dated as of October 1, 2011, by and among the CITY OF AURORA, KANE, DUPAGE, WILL AND KENDALL COUNTIES, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Aurora*"), the VILLAGE OF BARTONVILLE, PEORIA COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Bartonville*"), the CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Belleville*"), the CITY OF BELVIDERE, BOONE COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Belvidere*"), the VILLAGE OF BRIDGEVIEW, COOK COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Bridgeview*"), the CITY OF CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Champaign*"), the CITY OF CHARLESTON, COLES COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Charleston*"), the CITY OF COLLINSVILLE, MADISON AND ST. CLAIR COUNTIES, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Collinsville*"), the CITY OF CREST HILL, WILL COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Crest Hill*"), the VILLAGE OF CREVE COEUR, TAZEWELL COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Creve Coeur*"), the CITY OF DECATUR, MACON COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Decatur*"), the CITY OF EAST MOLINE, ROCK ISLAND COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*East Moline*"), the CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*East Peoria*"), the CITY OF EDWARDSVILLE, MADISON COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Edwardsville*"), the VILLAGE OF GODFREY, MADISON COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Godfrey*"), the CITY OF JOLIET, WILL AND KENDALL COUNTIES, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Joliet*"), the VILLAGE OF JUSTICE, COOK COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Justice*"), the CITY OF LASALLE, LASALLE COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*LaSalle*"), the CITY OF LOCKPORT, WILL COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Lockport*"), the CITY OF LOVES PARK, WINNEBAGO COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State

of Illinois ("*Loves Park*"), the VILLAGE OF MACHESNEY PARK, WINNEBAGO COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Machesney Park*"), the CITY OF MARQUETTE HEIGHTS, TAZEWELL COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Marquette Heights*"), the CITY OF MATTOON, COLES COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Mattoon*"), the CITY OF MENDOTA, LASALLE COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Mendota*"), the VILLAGE OF MINOOKA, GRUNDY, KENDALL AND WILL COUNTIES, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Minooka*"), the VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Montgomery*"), the CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Naperville*"), the CITY OF PEKIN, TAZEWELL AND PEORIA COUNTIES, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Pekin*"), the CITY OF PEORIA, PEORIA COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Peoria*"), the VILLAGE OF PEORIA HEIGHTS, PEORIA COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Peoria Heights*"), the CITY OF PERU, LASALLE COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Peru*"), the VILLAGE OF PLAINFIELD, WILL COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Plainfield*"), the CITY OF PRINCETON, BUREAU COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Princeton*"), the CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Rochelle*"), the CITY OF ROCKFORD, WINNEBAGO COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Rockford*"), the VILLAGE OF ROCKTON, WINNEBAGO COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Rockton*"), the VILLAGE OF ROMEOVILLE, WILL COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Romeoville*"), the VILLAGE OF SCHAUMBURG, COOK COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Schaumburg*"), the VILLAGE OF SHOREWOOD, WILL COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Shorewood*"), the CITY OF SOUTH BELOIT, WINNEBAGO COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*South Beloit*"), the CITY OF SPRINGFIELD, SANGAMON COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Springfield*"), the CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, a municipality and a

home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Urbana*"), the CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, a municipality and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Washington*"), the CITY OF WOOD RIVER, MADISON COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Wood River*"), and the UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, a municipality duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Yorkville*"), THE COUNTY OF BOONE, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Boone County*"), THE COUNTY OF CHAMPAIGN, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Champaign County*"), THE COUNTY OF COLES, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Coles County*"), THE COUNTY OF COOK, ILLINOIS, a political subdivision and a home rule unit of government duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Cook County*"), THE COUNTY OF DEKALB, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*DeKalb County*"), THE COUNTY OF KANKAKEE, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Kankakee County*"), THE COUNTY OF KENDALL, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Kendall County*"), THE COUNTY OF LAKE, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Lake County*"), THE COUNTY OF MACON, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Macon County*"), THE COUNTY OF MADISON, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Madison County*"), THE COUNTY OF MCLEAN, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*McLean County*"), THE COUNTY OF OGLE, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Ogle County*"), THE COUNTY OF PEORIA, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Peoria County*"), THE COUNTY OF ROCK ISLAND, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Rock Island County*"), THE COUNTY OF TAZEWELL, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Tazewell County*"), and THE COUNTY OF WINNEBAGO, ILLINOIS, a political subdivision duly organized and validly existing under the Constitution and the laws of the State of Illinois ("*Winnebago County*");

**WITNESSETH:**

WHEREAS, Section 10 of Article VII of the Constitution of the State of Illinois authorizes units of local government and school districts to contract or otherwise associate among themselves in any manner not prohibited by law or by ordinance, and to use their credit, revenues and other reserves to pay cash and to service debt related to intergovernmental activities; and



WHEREAS, the Intergovernmental Cooperation Act (*5 Illinois Compiled Statutes 2010, 220/1 et seq.*, as supplemented and amended), authorizes public agencies to exercise any power or powers, privileges or authority which may be exercised by any such public agency individually to be exercised and enjoyed jointly with any other public agency in the State of Illinois; and

WHEREAS, Aurora, Bartonville, Belleville, Belvidere, Bridgeview, Champaign, Charleston, Collinsville, Crest Hill, Creve Coeur, Decatur, East Moline, East Peoria, Edwardsville, Godfrey, Joliet, Justice, LaSalle, Lockport, Loves Park, Machesney Park, Marquette Heights, Mattoon, Mendota, Minooka, Montgomery, Naperville, Pekin, Peoria, Peoria Heights, Peru, Princeton, Rochelle, Rockford, Rockton, Romeoville, Schaumburg, Shorewood, South Beloit, Springfield, Urbana, Washington, Wood River, United City of Yorkville, Champaign County, Coles County, Cook County, DeKalb County, Kankakee County, Kendall County, Lake County, Macon County, Madison County, McLean County, Ogle County, Peoria County, Rock Island County, Tazewell County and Winnebago County (collectively, and together with any public agencies in the State of Illinois that may become parties hereto, the "Units") are each a unit of local government and a public agency of the State of Illinois; and

WHEREAS, pursuant to the Constitution and the laws of the State of Illinois, and particularly Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois, in the case of the Units which are home rule units of government, *65 Illinois Compiled Statutes 2010, 5/11-74.5-1 et seq.*, as supplemented and amended, in the case of the Units which are municipalities, but are not home rule units of government, and *50 Illinois Compiled Statutes 2010, 465/1 et seq.*, as supplemented and amended, in the case of Units which are counties, each Unit has the power to issue its revenue bonds for public purposes, including the financing and purchase of mortgage loans to finance single family residences for low and moderate income persons within its corporate boundaries, and to pledge to the payment of the principal of, premium, if any, and interest on such revenue bonds the payments made with respect to the mortgage loans purchased with and financed by the proceeds of such revenue bonds; and

WHEREAS, pursuant to the Constitution and the laws of the State of Illinois, and particularly Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois, and pursuant to Section 25 of the Internal Revenue Code of 1986, as amended (the "Code"), the Units which are home rule units of government have the power to issue mortgage credit certificates in lieu of issuing revenue bonds which are "qualified mortgage bonds" under Section 143 of the Code; and

WHEREAS, pursuant to the Constitution and the laws of the State of Illinois, and particularly *30 Illinois Compiled Statutes 2010, 340/7*, as supplemented and amended, and pursuant to Section 25 of the Code, an issuer authorized to issue qualified mortgage bonds under Section 143 of the Code is authorized to issue mortgage credit certificates under Section 25 of the Code in lieu of issuing such qualified mortgage bonds under Section 143 of the Code, and, consequently, the Units that are municipalities which are not home rule units of government and the Units that are counties all have the power to issue revenue bonds which constitute qualified mortgage bonds under Section 143 of the Code, and thereby have the power to issue mortgage credit certificates under the MCC Act in lieu of such revenue bonds; and

WHEREAS, the Units have determined that it is necessary and desirable to have Aurora and/or any other Unit designated for the purpose (the "Issuers") of issuing such mortgage credit certificates on behalf of all of the Units for the purpose of providing an adequate supply of residential housing in such Units through the enhancement of mortgage loans to finance single family residences for low and moderate income persons within the corporate boundaries of the Units (the "Program"); and

WHEREAS, to provide for the Program, the Issuers propose to issue mortgage credit certificates from time to time in an aggregate principal amount not to exceed \$3,000,000,000 (the "MCCs") on behalf of all of the Units and to implement the Program from time to time by allocating the MCCs to purchase qualified mortgage loans under the Program (the "Mortgage Loans") on behalf of such Issuer and the other Units, all under and in accordance with the Constitution and the laws of the State of Illinois; and

WHEREAS, 30 Illinois Compiled Statutes 2010, 345/6 et seq., as supplemented and amended, permits the corporate authorities of any home rule unit of government to reallocate its private activity bond allocation to another home rule unit, and to allocate volume cap which has been allocated to it toward the issuance of the MCCs, subject to certain restrictions, guidelines and procedures, which guidelines and procedures also permit units of government (including without limitation non-home rule units of government) to allocate volume cap which has been allocated to it toward the issuance of the MCCs and to pool allocations of volume cap received from the Office of Governor of the State of Illinois;

NOW, THEREFORE, in consideration of the above premises and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt of which is hereby acknowledged, the Units hereby agree, as follows:

*Section 1. MCCs/Approval.* The Issuers (or any of them) hereby agree to issue the MCCs from time to time and to implement the Program from time to time on behalf of all of the Units, as provided in the documents pursuant to which the MCCs will be issued from time to time and the Program will be implemented from time to time, for the purpose of providing an adequate supply of residential housing in such Units through the enhancement of Mortgage Loans for single family residences for low and moderate income persons within the corporate boundaries of each Unit. The MCCs shall be issued in such aggregate principal amounts from time to time and shall have such other terms, all as shall be agreed upon by the Issuers and approved by ordinances of the respective governing body of each Issuer (or any of them). The MCCs shall be allocated, and the Program shall be implemented, as shall be approved by ordinances of the respective governing body of each Issuer (or any of them). It is the intention of the parties hereto that the MCCs may be issued in calendar year 2011 and each calendar year thereafter during the term of this Agreement. Each Unit hereby ratifies and approves the publication of the notice to the public and all interested mortgage lenders of the intent to implement the Program through the issuance of the MCCs (and the publication of any similar notices in the future as may be necessary to implement the Program), and hereby approves the issuance of the MCCs as described in the notice (which is hereby incorporated by reference).

*Section 2. Transfer and Allocation of Unified Volume Cap.* Certain Units which are home rule units of government, other than the Issuers, may transfer to the Issuers and/or allocate unified volume cap for activity bonds to the issuance of the MCCs. Certain Units which are not home rule units of government may receive allocations of unified volume cap for private activity bonds, and hereby allocate such unified volume cap to the issuance of the MCCs. The Units may transfer or allocate unified volume cap, as appropriate, to the issuance of the MCCs, pursuant to appropriate proceedings.

*Section 3. Allocation of Program Allocation.* The program agreement or agreements implementing the Program through the issuance of the MCCs shall provide that, from the date of issuance of the MCCs through a date 120 days after the date of issuance of such MCCs or such other term as shall be approved by the Units (the "*Reservation Period*"), the tax credits resulting from the MCCs shall be made available to each Unit which is not a home rule unit of government in the amounts received from the State of Illinois (the "*Program Allocation*"), subject to the requirements of Section 25 of the Code. There shall be no Reservation Period for Units which are home rule units of government; *provided*, that if a Unit which is a home rule unit of government receives an allocation of volume cap from the Governor of the State of Illinois, the tax credits resulting from the MCCs shall be made available only to such Unit in the amount of such allocation for the Reservation Period. The Program Allocation allocated to a Unit may not be reallocated during the Reservation Period; *provided*, that, after the Reservation Period, the program administrator with respect to the Program may reallocate in the manner set forth in the program agreement or agreements relating to the Program.

*Section 4. Consent to Allocation of Tax Credit.* Each Unit that is a municipality which is not a home rule unit of government and each county (other than Cook County) hereby consent to the allocation of tax credits made by any Issuer, resulting from the MCCs, to any Mortgage Loan made within the jurisdiction of such Unit.

*Section 5. Documents and Instruments.* The Issuers hereby agree to enter into all such documents and instruments as shall be necessary or appropriate in connection with the implementation of the Program through the issuance of the MCCs, including without limitation program agreements, program manuals, program administration agreements, lender participation agreements and closing certificates. The Issuers hereby further agree to enter into all such other documents and instruments as shall be necessary or appropriate in connection with the implementation of the Program through the issuance of the MCCs, including without limitation closing certificates.

*Section 6. Additional Units.* Units who are not parties to this Agreement on the effective date of this Agreement may subsequently become parties to this Agreement by authorizing pursuant to appropriate proceedings, executing and delivering this Agreement with the approval of the Issuer or Issuers of the MCCs to be issued immediately thereafter, which approval shall be exclusive, and shall be effective to supplement and amend this Agreement without any further action of any of the other Units who are parties to this Agreement.

*Section 7. Absolute and Irrevocable Conditions; Amendment.* All terms and conditions contained herein are intended to be absolute and irrevocable conditions hereof and are



agreed to by the Units. Except as otherwise provided herein, this Cooperation Agreement may not be effectively amended, changed, modified, altered or terminated without the written consent of all of the Units, authorized by ordinances adopted by their respective governing bodies, certified copies of which shall be filed with the other Units.

*Section 8. Units' Obligations Unconditional.* The Units shall have no right to terminate, cancel or rescind this Cooperation Agreement, it being the intent hereof that the Units shall be absolutely and unconditionally obligated to perform all covenants contained in this Cooperation Agreement.

*Section 9. Notices.* All notices, certificates or other communications hereunder shall be sufficiently given and shall be deemed given when delivered or mailed by registered or certified mail, postage prepaid, addressed to the appropriate address set forth in *Exhibit B* attached to and made a part of this Cooperation Agreement. A duplicate copy of each notice, certificate or other communication given hereunder to any Unit shall also be given to the others. Any Unit, by notice given hereunder, may designate a different or further address to which subsequent notices, certificates or other communications will be sent.

*Section 10. Binding Effect.* This Cooperation Agreement shall inure to the benefit of and shall be binding upon the Units and their respective successors and assigns.

*Section 11. Severability.* In the event any provision of this Cooperation Agreement shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Cooperation Agreement.

*Section 12. Further Assurances and Corrective Instruments.* The Units agree that they will, from time to time, execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such supplements hereto and such further instruments as may reasonably be required for carrying out the expressed intention of this Cooperation Agreement.

*Section 13. Execution in Counterparts.* This Cooperation Agreement may be executed simultaneously in any number of counterparts, each of which counterparts shall be original and all of which counterparts shall constitute but one and the same instrument.

*Section 14. Applicable Law.* This Cooperation Agreement shall be governed by and construed in accordance with the laws of the State of Illinois.

*Section 15. Effective Date; Term.* This Cooperation Agreement shall be in full force and effect on October 1, 2011, or on the date when it is executed by all Units, whichever is later. Time is of the essence. This Agreement shall remain in effect so long as any MCCs remain unallocated, but no later than 2099.

*Section 16. Filing of Authorizing Ordinances.* Each Unit shall file with the other Units a certified copy of the ordinance adopted by the governing body of such Unit, authorizing the execution of this Cooperation Agreement within thirty (30) days of the adoption of such ordinance.

THE COUNTY OF CHAMPAIGN, ILLINOIS

By \_\_\_\_\_  
County Board Chairperson

(SEAL)

ATTEST:

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

**EXHIBIT A**

**[RESERVED]**

**EXHIBIT B**

**NOTICE ADDRESSES**

<b>MUNICIPALITY</b>	<b>ADDRESS</b>
City of Aurora, Kane, DuPage, Will and Kendall Counties, Illinois	44 East Downer Place Aurora, Illinois 60507
Village of Bartonville, Peoria County, Illinois	5912 South Adams Street Bartonville, Illinois 61607
City of Belleville, St. Clair County, Illinois	101 South Illinois Street Belleville, Illinois 62220
City of Belvidere, Boone County, Illinois	119 South State Street Belvidere, Illinois 61008
Village of Bridgeview, Cook County, Illinois	7500 South Oketo Avenue Bridgeview, Illinois 60455
City of Champaign, Champaign County, Illinois	102 North Neil Street Champaign, Illinois 61820
City of Charleston, Coles County, Illinois	520 Jackson Avenue Charleston, Illinois 61920
City of Collinsville, Madison and St. Clair Counties, Illinois	125 South Center Street Collinsville, Illinois 62234
City of Crest Hill, Will County, Illinois	1610 Plainfield Road Crest Hill, Illinois 60435
Village of Creve Coeur, Tazewell County, Illinois	101 North Thorncrest Avenue Creve Coeur, Illinois 61611
City of Decatur, Macon County, Illinois	One Gary K. Anderson Plaza Decatur, Illinois 62523
City of East Moline, Rock Island County, Illinois	915 16th Avenue East Moline, Illinois 61244
City of East Peoria, Tazewell County, Illinois	100 South Main Street East Peoria, Illinois 61611
City of Edwardsville, Madison County, Illinois	118 Hillsboro Avenue

MUNICIPALITY	ADDRESS
	Edwardsville, Illinois 62025
Village of Godfrey, Madison County, Illinois	6810 Godfrey Road Godfrey, Illinois 62035
City of Joliet, Will County, Illinois	150 West Jefferson Street Joliet, Illinois 60432
Village of Justice, Cook County, Illinois	7800 South Archer Avenue Justice, Illinois 60458
City of LaSalle, LaSalle County, Illinois	745 Second Street LaSalle, Illinois 61301
City of Lockport, Will County, Illinois	222 East 9th Street Lockport, Illinois 60441
City of Loves Park, Winnebago County, Illinois	100 Heart Boulevard Loves Park, Illinois 61111
Village of Machesney Park, Winnebago County, Illinois	300 Machesney Road Machesney Park, Illinois 61115
City of Marquette Heights, Tazewell County, Illinois	715 Lincoln Road Marquette Heights, Illinois 61554
City of Mattoon, Coles County, Illinois	208 North 19th Street Mattoon, Illinois 61938
City of Mendota, LaSalle County, Illinois	P.O. Box 710 Mendota, Illinois 61342
Village of Minooka, Grundy, Kendall and Will Counties, Illinois	121 East McEvilly Road Minooka, Illinois 60447
Village of Montgomery, Kane and Kendall Counties, Illinois	1300 South Broadway Road Montgomery, Illinois 60538
City of Naperville, DuPage and Will Counties, Illinois	400 South Eagle Street Naperville, Illinois 60540
City of Pekin, Tazewell and Peoria Counties, Illinois	101 South Capitol Street Pekin, Illinois 61554

MUNICIPALITY	ADDRESS
City of Peoria, Peoria County, Illinois	419 Fulton Street Peoria, Illinois 61602
Village of Peoria Heights, Peoria County, Illinois	4901 North Prospect Road Peoria Heights, Illinois 66164
City of Peru, LaSalle County, Illinois	1727 Fourth Street Peru, Illinois 61354
Village of Plainfield, Will County, Illinois	_____ Plainfield, Illinois ____
City of Princeton, Bureau County, Illinois	2 South Main Street Princeton, Illinois 61356
City of Rochelle, Ogle County, Illinois	420 North 6th Street Rochelle, Illinois 61068
City of Rockford, Winnebago County, Illinois	425 East State Street Rockford, Illinois 61104
Village of Rockton, Winnebago County, Illinois	110 East Main Street Rockton, Illinois 61072
Village of Romeoville, Will County, Illinois	13 Montrose Drive Romeoville, Illinois 60446
Village of Schaumburg, Cook County, Illinois	101 Schaumburg Court Schaumburg, Illinois 60193
Village of Shorewood, Will County, Illinois	903 West Jefferson Street Shorewood, Illinois 60431
City of South Beloit, Winnebago County, Illinois	519 Blackhawk Boulevard South Beloit, Illinois 61080
City of Springfield, Sangamon County, Illinois	231 South Sixth Street Springfield, Illinois 62701
City of Urbana, Champaign County, Illinois	400 South Vine Street Urbana, Illinois 61803

MUNICIPALITY	ADDRESS
City of Washington, Tazewell County, Illinois	115 West Jefferson Street Washington, Illinois 61571
City of Wood River, Madison County, Illinois	111 North Wood River Avenue Wood River, Illinois 62095
United City of Yorkville, Kendall County, Illinois	111 West Fox Street Yorkville, Illinois 60560
The County of Boone, Illinois	_____
The County of Champaign, Illinois	1776 East Washington Street Urbana, Illinois 61801
The County of Coles, Illinois	651 Jackson Avenue Room 122 Charleston, Illinois 61920
The County of Cook, Illinois	118 North Clark Street Room 569 Chicago, Illinois 60602
The County of DeKalb, Illinois	110 East Sycamore Street Sycamore, Illinois 60178
The County of Kankakee, Illinois	189 East Court Street 4th Floor Kankakee, Illinois 60901
The County of Kendall, Illinois	111 West Fox Street Yorkville, Illinois 60560
The County of Lake, Illinois	28055 Ashley Circle Libertyville, Illinois 60048
The County of Macon, Illinois	141 South Main Street Decatur, Illinois 62523
The County of Madison, Illinois	130 Hillsboro Avenue Edwardsville, Illinois 62025
The County of McLean, Illinois	104 West Front Street



MUNICIPALITY	ADDRESS
The County of Ogle, Illinois	Bloomington, Illinois 61702 14986 East Lindenwood Road Lindenwood, Illinois 61049
The County of Peoria, Illinois	324 Main Street Peoria, Illinois 61602
The County of Rock Island, Illinois	1504 Third Avenue Rock Island, Illinois 61201
The County of Tazewell, Illinois	334 Elizabeth Street Pekin, Illinois 61554
The County of Winnebago, Illinois	400 West State Street Rockford, Illinois 61101

REQUEST FOR BUDGET TRANSFER  
NEEDING CHAMPAIGN COUNTY BOARD APPROVAL

BT NO. 11-00014

FUND 080 GENERAL CORPORATE

DEPARTMENT 071 PUBLIC PROPERTIES

TO LINE ITEM:

FROM LINE ITEM:

NUMBER/TITLE	\$ AMOUNT	NUMBER/TITLE
080-071-534.72 SATELLITE JAIL REPAIR-MNT	2,350.	080-071-511.44 NO-BENEFIT PART-TIME EMPL
080-071-534.25 COURT FACILITY REPR-MAINT	3,000.	080-071-511.03 REG. FULL-TIME EMPLOYEES

EXPLANATION: TO COVER REMAINING FISCAL YEAR INVOICES - FUNDS FROM THE SALARY  
LINE ARE ANTICIPATED TO BE UNSPENT

DATE SUBMITTED: 10-18-11

*Alan Reinhardt*

AUTHORIZED SIGNATURE

APPROVED BY PARENT COMMITTEE:

DATE: \_\_\_\_\_

\* PLEASE SIGN IN BLUE INK \*

APPROVED BY BUDGET AND FINANCE COMMITTEE:

DATE: \_\_\_\_\_

REQUEST FOR BUDGET TRANSFER  
NEEDING CHAMPAIGN COUNTY BOARD APPROVAL

BT NO. 11-00015

FUND 080 GENERAL CORPORATE  
080 GENERAL CORPORATE

DEPARTMENT 075 GENERAL COUNTY  
021 BOARD OF REVIEW

TO LINE ITEM:

FROM LINE ITEM:

NUMBER/TITLE	\$ AMOUNT	NUMBER/TITLE
080-021-511.02 APPOINTED OFFICIAL SALARY	5,827.	080-075-533.99 CONTINGENT EXPENSE

EXPLANATION: TO TRANSFER MONEY TO BOARD OF REVIEW BUDGET TO PAY OUT BENEFITS  
AS OF 11/30/11 DUE TO CHANGE IN PAYMENT PROCESS FOR APPOINTED POSITIONS.

DATE SUBMITTED: 10.20.2011

*Debra L. Bunn*

AUTHORIZED SIGNATURE

APPROVED BY PARENT COMMITTEE:

DATE: \_\_\_\_\_

\* PLEASE SIGN IN BLUE INK \*

APPROVED BY BUDGET AND FINANCE COMMITTEE:

DATE: \_\_\_\_\_



## CHAMPAIGN COUNTY ADMINISTRATIVE SERVICES

1776 EAST WASHINGTON  
URBANA, IL 61802  
(217) 384-3776  
(217) 384-3765 – PHYSICAL PLANT  
(217) 384-3896 – FAX  
(217) 384-3864 – TDD  
Website: [www.co.champaign.il.us](http://www.co.champaign.il.us)

ADMINISTRATIVE SUPPORT  
DATA PROCESSING  
MICROGRAPHICS  
PURCHASING  
PHYSICAL PLANT  
SALARY ADMINISTRATION

### MEMORANDUM

**TO:** Brendan McGinty, Deputy Chair-Finance & MEMBERS OF THE CHAMPAIGN COUNTY BOARD COMMITTEE of the WHOLE

**FROM:** C. Pius Weibel, Chair-Champaign County Board  
Deb Busey, County Administrator

**DATE:** October 25, 2011

**RE:** MEMORANDUM in SUPPORT OF BUDGET TRANSFER #11-00015

#### ISSUE

Effective December 1, 2011, a past employment practice with regard to members of the Board of Review will be changed, pursuant to a legal opinion received from the State's Attorney in 2011. The approval of this Budget Transfer is instrumental to the implementation of this change.

#### REPORT

On May 16, 2011, we received an opinion from the State' Attorney, pursuant to questions we had asked regarding the County Board's statutory authority over the operation and employment of members of the Board of Review. The Opinion is attached to this Memorandum for your information.

Effectively, the County Board has, for at least the last two decades, treated the employment of the members of the Board of Review the same as employees of the County Board. As the attached opinion documents, this is incorrect – "members of the board of review are not employees of the County Board." The memo goes on to explain that "Members of the board of review are not county employees but are officers. Generally an officer holds the office by virtue of election or appointment, is assigned the continuous performance of certain permanent public duties for a specified period of time, and takes an oath of office."

With this interpretation, it seems most appropriate to discontinue the practice of granting paid time off to these appointed officials. Since the Personnel Policy does not apply to these officials, there is no basis to establish the granting of benefit time. This change will result in these appointed officials being treated the same as the County's elected officials – who also are not granted paid time off in the County's system. The appointed officials are responsible to complete the duties for which they are appointed, and the County Board does not exercise control over the hours of work. In other words, these officials can determine when they will be here, as long as they fulfill the statutory obligations of their appointments. This change will also eliminate the County's liability of being required to pay an appointed official for more than the salary designated for their term of appointment, because they had accrued benefit time at the end of the appointment term.

To appropriately implement this change for the current three Board of Review members, and then carry it forward for the future, the Statutes allow the County Board to change the terms of employment at the beginning of the next fiscal year. As we transition, we need to complete the current fiscal year under the current terms of employment – which includes paying these Board of Review members for the benefit time they had accrued while being treated by the County Board as “employees” rather than as appointed officials.

The attached budget transfer moves the appropriate amount of money from the General Corporate Fund Contingent Line Item to the Board of Review salaries line item, so that we can accomplish this final payout of benefits on November 30, 2011.

In addition to this Budget Transfer, the Policy, Personnel & Appointments Committee will also be asked to approve a change to the Personnel Policy which will clarify this change in the employment of the Board of Review officials after December 1, 2011.

**REQUESTED ACTION**

***The Finance Committee of the Whole recommends to the County Board approval of Budget Transfer 11-00015.***

Thank you for your consideration of this recommendation.

attachments

**Julia R. Rietz**  
State's Attorney

**Steven D. Ziegler**  
First Assistant State's Attorney

**David L. DeThorne**  
Senior Assistant State's Attorney  
email: ddethorne@co.champaign.il.us



**Civil Division**  
Brookens Administrative Center  
1776 East Washington Street  
Urbana, Illinois 61802-4581  
Phone: (217) 384-3832  
Fax: (217) 384-3896

**Office of  
State's Attorney  
Champaign County, Illinois**

**TO:** C. Pius Weibel, Champaign County Board Chair  
Deb Busey, County Administrator

**FROM:** David DeThorne

**DATE:** Monday, May 16, 2011

**RE:** Board of Review Office Hours

As you know, the members of the Board of Review are appointed. I provided them with work rules last week, which follow the County Board Personnel Policy. Basically, the County Board Policy states that all county offices shall be open from 8am to 4:30pm. The work rules I gave to them address staggering their schedules (since they work a 6.5hour day instead of a 7.5hour day), so that one of them is in the office at all times from 8am to 4:30pm. The two more senior members of the Board of Review have taken the position that I do not have the authority to require them to follow those work rules.

Is there any statutory authority or provision that would exempt them from having to comply with County Board Personnel Policy and/or scheduling of their hours of work by the County Administrator as the County Board liaison to appointed positions?

I am of the opinion that the County Board does not have the authority to fix the office hours of the board of review. (For purposes of this memo, "Board" refers to the county board, while the lower case "board" refers to the board of review.) However, I am of the opinion that the Board need not provide the benefit time currently available to board of review members and made available generally to county employees.

The County Board has no inherent or implied authority to set the office hours for the Board of Review.

As the Board is no doubt aware, it has authority by law to change the office hours of certain elected county officials: county clerk (though there are limits on this power during

an election)<sup>1</sup>, recorder<sup>2</sup>, sheriff<sup>3</sup>, and treasurer<sup>4</sup>. The County Board is empowered to fix the days and hours of opening and closing of county officers not otherwise fixed by law, such as the auditor and coroner.<sup>5</sup> The Mental Health Board is subject to Board direction regarding office hours.<sup>6</sup> Similarly, under the Revenue Code, the office of the supervisor of assessments shall be open all the year during business hours to receive complaints.<sup>7</sup> Because the statute does not define those hours, the general power of the county board which applies to the auditor and coroner controls.<sup>8</sup> The Commissioners of the Regional Planning Commission are county officers and are subject to the same authority.<sup>9</sup>

In contrast, the Board is clearly denied the authority to change the office hours of the state's attorney, the clerks of the court and judges.<sup>10</sup> The probation office's hours and the hours for court services are also subject to the control of the judiciary and not the County Board.<sup>11 12 13</sup>

Similarly, members of the board of review are not county officers. The board of review is created within the "Boards of Review" article found in the Revenue Code.<sup>14</sup> This is in contrast to the supervisor of assessments, the chief deputy, and deputy county assessors, which are created within the "County Assessment Officials" article found in the Revenue Code.<sup>15</sup>

In addition to the lack of authority granted through statute or precedent, the statute regarding the board of review states that the board decides when to meet, in that the board "may meet at times it deems necessary":

Board of review meetings. In counties with less than 3,000,000 inhabitants, the board of review may meet at times it deems necessary for supervising and directing the clerk in the duties prescribed in this Article, and shall meet on or before the first Monday each June to revise the assessment of property.<sup>16</sup>

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<sup>1</sup> 55 ILCS 5/3-2007.

<sup>2</sup> 55 ILCS 5/3-5016.

<sup>3</sup> 55 ILCS 5/3-6019.

<sup>4</sup> 55 ILCS 5/3-1008.

<sup>5</sup> 55 ILCS 5/5-1005(12); 1972 Ill. Atty. Gen. Op. S-485.

<sup>6</sup> 405 ILCS 20/3a; 55 ILCS 5/5-1005(12); 1977 Ill. Atty. Gen. Op. S-1243.

<sup>7</sup> 35 ILCS 200/9-10.

<sup>88</sup> Heller v. County Board of Jackson County, 71 Ill.App.3d 31(5<sup>th</sup> Dist. 1979) (discussing the relationship between the county board and county officers); but see Loop Mortgage Corp. v. County of Cook, 291 Ill.App.3d 442 (1<sup>st</sup> Dist. 1997) (in reliance on Heller, concerning the county collector and home rule powers).

<sup>9</sup> 55 ILCS 5/5-1005(12); 55 ILCS 5/5-14001 et seq.

<sup>10</sup> 55 ILCS 5/5-1005(12); 1972 Ill. Atty. Gen. Op. S-485.

<sup>11</sup> 55 ILCS 5/5-1005(12); 1972 Ill. Atty. Gen. Op. S-485.

<sup>12</sup> 705 ILCS 105/6.

<sup>13</sup> 730 ILCS 110/13; Chief Judge of the 18<sup>th</sup> Judicial Circuit v. Illinois State Labor Relations Board, 311 Ill.App.3d 808 (2<sup>nd</sup> Dist. 2000).

<sup>14</sup> 35 ILCS 200/6-5.

<sup>15</sup> 35 ILCS 200/3-5, 3-60, 3-65.

<sup>16</sup> 35 ILCS 200/16-30.



Furthermore, as stated previously, the Revenue Code mandates the office of the supervisor of assessments remain open during business hours; there is no similar requirement for the board of review.<sup>17</sup> As a matter of statutory interpretation, the mention or enumeration of one or more things in a statute excludes all other things not mentioned, meaning that the reference to the hours of operation for the office of the supervisor of assessments compared to the absence of a similar provision regarding the board of review implies that there is no such rule for the board of review.<sup>18</sup> There are inherent limits on the board of review within the statutes and the duties imposed on the board: for example, the board is required to review assessments when a local assessment officer upon the filing of a complaint and thereafter determine the correct amount of assessment<sup>19</sup>; to meet when necessary to supervise and direct the clerk of the board of review and on or before the first Monday each June to revise the assessment of property, and revise the assessment as the board deems just<sup>20</sup>; to certify the assessment books to the county clerk no later than March 15<sup>th</sup> of the following year<sup>21</sup>; on request of a taxpayer complainant, to consolidate 2 or more complaints into one hearing<sup>22</sup>; to assess all omitted property<sup>23</sup>; on written complaint that any property is overassessed or underassessed, to review the assessment, and correct it, as appears to be just, and also consider whether the compulsory sale would otherwise be considered an arm's length transaction<sup>24</sup>; after notice and hearing, may increase or reduce the entire assessment, or the assessment of any class included therein, if, in its opinion, the assessment has not been made upon the proper basis and it may also equalize the assessment in any multi-township or township, or part thereof, or any portion of the county<sup>25</sup>; to act as equalizing authority, if after equalization by the supervisor of assessments the equalized assessed value of property in the county is not 33 1/3 % of the total fair cash value; after notice and hearing as required, to lower or raise the total assessed value of property in any assessment district within the county so that the property, other than farm and coal property, will be assessed at 33 1/3 % of its fair cash value; in conjunction with the chief county assessment officer, to determine the number of compulsory sales from the prior year for the purpose of revising and correcting assessments; complete the equalization by the date prescribed for the board's adjournment, and, within 10 days thereafter, report the results of its work to the Department, at least 30 days prior to its adjournment, the board shall publish a notice declaring whether it intends to equalize assessments<sup>26</sup>; to hear and determine the application of any person who is assessed on property claimed to be exempt from taxation<sup>27</sup>; at any time before judgment, if an error or mistake is discovered (other than errors of judgment as to the valuation), in any assessment, issue to the person erroneously

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<sup>17</sup> 35 ILCS 200/9-10.

<sup>18</sup> Bridgestone/ Firestone, Inc. v. Aldridge, 179 Ill.2d 141 (1997).

<sup>19</sup> 35 ILCS 200/16-25.

<sup>20</sup> 35 ILCS 200/16-05.

<sup>21</sup> 35 ILCS 200/16-35.

<sup>22</sup> 35 ILCS 200/16-40.

<sup>23</sup> 35 ILCS 200/16-50.

<sup>24</sup> 35 ILCS 200/16-55.

<sup>25</sup> 35 ILCS 200/16-60.

<sup>26</sup> 35 ILCS 200/16-65.

<sup>27</sup> 35 ILCS 200/16-70.

assessed a certificate setting forth the nature of the error and its cause or causes<sup>28</sup>; on or before the annual date for adjournment, to complete its work and make the entries in the assessment books required to make the assessment conform to the changes made therein by the board of review, and attach to each book an affidavit signed by at least 2 members of the board.<sup>29</sup>

Members of the board of review are not county employees but are officers. Generally, an officer holds the office by virtue of election or appointment, is assigned the continuous performance of certain permanent public duties for a specified period of time, and takes an oath of office.<sup>30</sup> Champaign County board of review members serve for a definite term, are required to take an oath of office, and their primary duty is review and, when necessary, correction of assessments.<sup>31 32</sup> Members are appointed for two year terms.<sup>33</sup> The County Board has the power to reappoint, or, alternatively, not to reappoint.<sup>34</sup> Furthermore, as a general rule, when a statute provides for an officer to hold office for a definite term, he can be suspended or removed for cause.<sup>35</sup>

The County Board is not required by law to grant paid time off to members of the Board of Review.

I am of the opinion that the County Board need not provide the benefit time currently generally available to county employees to board of review members. Salaries of local government officers are subject to various statutory and Constitutional provisions.<sup>36 37</sup>

As an initial matter, members of the board of review are not employees of the County Board.<sup>38</sup> There is no general rule of law that requires the provision of paid time off.<sup>39</sup>

Pursuant to the Revenue Code, members of the board of review are to receive an annual salary to be fixed by the County Board.<sup>40</sup> Each member of the board of review receives

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<sup>28</sup> 35 ILCS 200/16-75.

<sup>29</sup> 35 ILCS 200/16-80.

<sup>30</sup> *Daniels v. City of Venice*, 162 Ill.App.3d 788, 790 (5<sup>th</sup> Dist. 1987).

<sup>31</sup> 35 ILCS 200/6-5; 35 ILCS 200/6-55; 35 ILCS 200/5-10 states, in pertinent part: "I do solemnly swear (or affirm) that I will as (a member of the board of review) faithfully perform all the duties of that office as required by law...."

<sup>32</sup> *Lockhart v. Cook County Officers Electoral Board*, 328 Ill.App.3d 838, 843 (1<sup>st</sup> Dist. 2002) ("Here, Burreis is running for membership on the Board of Review, a county board....".)

<sup>33</sup> 35 ILCS 200/6-5.

<sup>34</sup> 35 ILCS 200/6-5.

<sup>35</sup> *Macaluso v. West*, 30 Ill.App.3d 392, 394 (5<sup>th</sup> Dist. 1976).

<sup>36</sup> 50 ILCS 145/2 requires that the compensation of elected officers be established at least 180 days prior to the beginning of the affected officers' terms. Board of review members in Champaign County are not elected but appointed.

<sup>37</sup> The application of Article 7, §9(b) of the Illinois Constitution has been found inapplicable to appointed officials. *Heller v. County Board of Jackson County*, 71 Ill.App.3d 31, 40 (5<sup>th</sup> Dist. 1979) ("During the debates at the constitutional convention [for the current Illinois Constitution], a proposal that this provision include appointed as well as elected officers was rejected.")

<sup>38</sup> See discussion, *supra*.

<sup>39</sup> There are specific and narrow exceptions, such as., for example, paid sick leave for full-time teachers (105 ILCS 5/24-6), or paid time for military service (5 ILCS 325/1).

an annual salary to be fixed by the county board and paid out of the county treasury.<sup>41</sup> The salaries of the members of the board of review may be reduced or raised annually.<sup>42</sup> However, the County Board may not reduce their salaries after passage of the budget and appropriation for the fiscal year.<sup>43</sup> While the time for fixing the salary of a county officer is generally before the regular election of the officer affected under the Counties Code, the more specific provision of the Property Tax Code prevails.<sup>44 45</sup>

Therefore, the Board may cease the provision of paid time off as set forth in the current Personnel Policy consistent with Illinois law. The time for such changes to occur is for the following fiscal year, before passage of the budget and appropriation for that year. Furthermore, it is advised that the Board amend its current Personnel Policy consistent with this opinion in the event it ceases the provision of paid time off to members of the board of review.

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<sup>40</sup> 35 ILCS 200/6-15.

<sup>41</sup> 35 ILCS 200/6-15.

<sup>42</sup> Heller concluded that the salary of the supervisor of assessments, who receives “an annual compensation in an amount fixed by the county board...”, could be reduced or raised on an annual basis. Heller at 39.

<sup>43</sup> Heller at 39.

<sup>44</sup> 55 ILCS 5/5-1010 sets the time for fixing the compensation of county officers which is fixed by the county board at a meeting of the county board held before the regular election of the officers whose compensation is to be fixed.

<sup>45</sup> See e.g., Heller at 39 (finding that the more specific statute found in the Revenue Code related to the salary of the supervisor of assessments prevails over the general provisions of the Municipal Code). The statutory provision in Heller states that a “supervisor of assessments shall receive an annual compensation fixed by the county board...” while the statute concerning the salary of members of the board of review states that each member “shall receive an annual salary to be fixed by the county board...” 35 ILCS 200/3-40(a), 35 ILCS 200/6-15.

REQUEST FOR BUDGET TRANSFER  
NEEDING CHAMPAIGN COUNTY BOARD APPROVAL

BT NO. 11-00016

FUND 080 GENERAL CORPORATE  
 080 GENERAL CORPORATE

DEPARTMENT 075 GENERAL COUNTY  
 010 COUNTY BOARD

TO LINE ITEM:

FROM LINE ITEM:

NUMBER/TITLE	\$ AMOUNT	NUMBER/TITLE
080-010-511.06 PER DIEM	7,000.	080-075-533.99 CONTINGENT EXPENSE

EXPLANATION: TO MOVE MONEY TO PER DIEM LINE ITEM TO PAY FOR MEETINGS THROUGH  
NOVEMBER 30, 2011.

DATE SUBMITTED: 10-24-2011

*Debra L. Bush*  
 AUTHORIZED SIGNATURE  
 \* PLEASE SIGN IN BLUE INK \*

APPROVED BY PARENT COMMITTEE:

DATE: \_\_\_\_\_

APPROVED BY BUDGET AND FINANCE COMMITTEE:

DATE: \_\_\_\_\_

REQUEST FOR BUDGET AMENDMENT

BA NO. 11-00057

FUND 476 SELF-FUNDED INSURANCE

DEPARTMENT 118 PROPERTY/LIABILITY INSUR

**INCREASED APPROPRIATIONS:**

ACCT. NUMBER & TITLE	BEGINNING BUDGET AS OF 12/1	CURRENT BUDGET	BUDGET IF REQUEST IS APPROVED	INCREASE (DECREASE) REQUESTED
476-118-533.26 PROPERTY LOSS/DMG CLAIMS	59,948	92,738	101,821	9,083
TOTALS	59,948	92,738	101,821	9,083

**INCREASED REVENUE BUDGET:**

ACCT. NUMBER & TITLE	BEGINNING BUDGET AS OF 12/1	CURRENT BUDGET	BUDGET IF REQUEST IS APPROVED	INCREASE (DECREASE) REQUESTED
476-118-369.80 INSURANCE CLAIMS REIMB	0	32,790	41,873	9,083
TOTALS	0	32,790	41,873	9,083

**EXPLANATION:** RE-ATTACHMENT OF SPIRE TO COURTHOUSE. REIMBURSEMENT RECEIVED FROM CINCINNATI INSURANCE COMPANY.

DATE SUBMITTED:

10.25.2011

AUTHORIZED SIGNATURE

\*\* PLEASE SIGN IN BLUE INK \*\*

*Debra L. Buey*

APPROVED BY BUDGET & FINANCE COMMITTEE:

DATE:

REQUEST FOR BUDGET TRANSFER  
NEEDING CHAMPAIGN COUNTY BOARD APPROVAL

BT NO. 11-00017

FUND 083 COUNTY HIGHWAY

DEPARTMENT 060 HIGHWAY

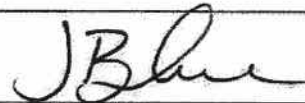
TO LINE ITEM:

FROM LINE ITEM:

NUMBER/TITLE	\$ AMOUNT	NUMBER/TITLE
083-060-533.07 PROFESSIONAL SERVICES	14,400.	083-060-511.05 TEMP. SALARIES & WAGES

EXPLANATION: TO REIMBURSE RPC FOR PERSONNEL HIRED FOR THE 2011 TRAFFIC  
COUNTS.

DATE SUBMITTED: 11/1/11



AUTHORIZED SIGNATURE

APPROVED BY PARENT COMMITTEE:

DATE: \_\_\_\_\_

\* PLEASE SIGN IN BLUE INK \*

APPROVED BY BUDGET AND FINANCE COMMITTEE:

DATE: \_\_\_\_\_



RESOLUTION NO.

RESOLUTION AUTHORIZING RENEWAL OF A LOAN FROM THE GENERAL CORPORATE FUND TO THE NURSING HOME FUND

WHEREAS, The Nursing Home needs to renew a loan of \$333,142 for a period not to exceed one additional year to cover cash flow needs; and

WHEREAS, The General Corporate Fund has access to adequate reserves to renew this loan; and

WHEREAS, The tax levy for the General Corporate Fund for FY2011 is \$7,703,519, and there are no outstanding tax anticipation warrants or notes;

NOW, THEREFORE, BE IT RESOLVED That pursuant to 55 ILCS 5/5-1006.5, 55 ILCS 5/5-1016, 55 ILCS 5/3-10014, and the authority recognized in Gates V. Sweiter, 347 Ill. 353, 179 NE 837 (1932), the Champaign County Board approves renewal of a loan of \$333,142 from the General Corporate Fund to the Nursing Home for a period not to exceed one additional year; and

BE IT FURTHER RESOLVED That the County Auditor and County Treasurer are hereby authorized and requested to document the renewal of this loan and to repay this loan within one year from the Nursing Home Fund.

PRESENTED, ADOPTED, APPROVED, AND RECORDED This 17<sup>th</sup> day of November, A.D. 2011.

\_\_\_\_\_  
C. Pius Weibel, Chair  
Champaign County Board

ATTEST: \_\_\_\_\_  
Gordy Hulten, County Clerk  
and ex-officio Clerk of the  
Champaign County Board



## **ORDINANCE NO.**

### **FY2012 ANNUAL BUDGET AND APPROPRIATION ORDINANCE**

**WHEREAS**, the Finance Committee of the Whole of the County Board of Champaign County, Illinois, has considered and determined the amounts of monies estimated and deemed necessary expenses to be incurred by and against the County of Champaign, State of Illinois, within and for the fiscal year beginning December 1, 2011 and ending November 30, 2012, and has further proposed County expenditures in the attached recommended Budget; and

**WHEREAS**, pursuant to 55 ILCS 5/6-1002, the attached recommended Budget includes the following:

- a. A statement of the receipts and payments and a statement of the revenues and expenditures of the fiscal year last ended.
- b. A statement of all monies in the county treasury or in any funds thereof, unexpended at the termination of the fiscal year last ended, of all amounts due or accruing to such county, and of all outstanding obligations or liabilities of the county incurred in any preceding fiscal year.
- c. Estimates of all probable income for the current fiscal year and for the ensuing fiscal year covered by the budget, specifying separately for each of said years the estimated income from taxes, from fees, and from all other sources. The estimated income from fees shall indicate both the estimated total receipts from fees by county fee officers and the estimated net receipts from fees to be paid into the county treasury.
- d. A detailed statement showing estimates of expenditures for the current fiscal year, revised to the date of such estimate, and, separately, the proposed expenditures for the ensuing fiscal year for which the budget is prepared. Said revised estimates and proposed expenditures shall show the amounts for current expenses and capital outlay, shall specify the several objects and purposes of each item of current expenses, and shall include for each of said years all floating indebtedness as of the beginning of the year, the amount of funded debt maturing during the year, the interest accruing on both floating and funded debt, and all charges fixed or imposed upon counties by law.
- e. A schedule of proposed appropriations itemized as provided for proposed expenditures included in the schedule prepared in accordance with the provisions of paragraph (d) hereof, as approved by the county board.

**WHEREAS**, the level of appropriation for each fund and department is defined by the amount as listed with the following exceptions: the legal level of control in all departments (except the Regional Planning Commission) is by category, Personnel and Non-Personnel, for each department or group of departments within the same fund and headed by the same administrator. Transfers between any line items in the Personnel category and transfers between any line items in the Non-Personnel category, in the same department or group of departments headed by the same administrator within the same fund, may be made by notifying the County Auditor on forms provided by the Auditor. Transfers between the Personnel and Non-Personnel categories, as well as transfers between different departments headed by different administrators may be made only with the approval of a 2/3 vote of the full County Board; and

**WHEREAS**, the Regional Planning Commission's legal level of budgetary control is by fund. Transfers between any line items in the same department or group of departments within the same fund may be made by notifying the county Auditor on standardized forms;

**NOW, THEREFORE, BE IT ORDAINED** by the Champaign County Board that the attached recommended Budget is hereby adopted as the Annual Budget and Appropriation Ordinance of Champaign County for the fiscal year beginning December 1, 2011 and ending November 30, 2012.

**PRESENTED, PASSED, APPROVED, AND RECORDED** by the County Board of Champaign County, Illinois, at the recessed September, A.D. 2011 session.

Dated this 17<sup>th</sup> day of November, A.D. 2011.

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C. Pius Weibel, Chair  
Champaign County Board

AYE \_\_\_\_ NAY \_\_\_\_ ABSENT \_\_\_\_

ATTEST:

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Gordy Hulten, County Clerk & ex-officio  
Clerk of the Champaign County Board

## ORDINANCE NO.

### FY2012 ANNUAL TAX LEVY ORDINANCE

**WHEREAS**, we the County Board of Champaign County, Illinois, have determined that for County purposes, it will be necessary to levy a tax in the total amount of \$27,998,766 on the real property and railroad property, in Champaign County, Illinois, for raising of monies for the several objects and purposes specified in the FY2012 Annual Budget and Appropriation Ordinance,

**NOW, THEREFORE, BE IT ORDAINED** that there is hereby levied a tax in the amount of \$7,876,733 for the County General Corporate purposes;

\$ 108,799 for salaries and operating budget of the Board of Review  
\$ 536,464 for salaries of the County Clerk's Office  
\$1,039,084 for salaries and operating budget of the Circuit Court  
\$4,960,199 for salaries and operating budget of the Correctional Center  
\$ 651,990 for salaries and operating budget of the State's Attorney's Office  
\$ 580,197 for salaries and operating budget of the Public Defender's Office;

**BE IT FURTHER ORDAINED** that there is hereby levied a tax in the amount of \$1,146,635 for the purpose of purchasing insurance against any loss or liability which may be imposed upon the County, in accordance with 745 ILCS 10/9-107, said \$1,146,635 is exclusive of and in addition to those sums heretofore levied; and

\$463,500 levied for liability/property insurance/claims reserve  
\$683,135 levied for Worker Compensation and unemployment insurance/claims reserve;

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$2,023,044 as the County Highway Tax, as provided in the Illinois Highway Code, being for the purpose of improving, repairing, maintaining, constructing, and reconstructing highways in this county required to be repaired, maintained, and constructed by the County in accordance with 605 ILCS 5/5-601, said sum raised to be placed in a separate fund known as the County Highway Fund, which \$2,023,044 is exclusive of and in addition to those sums heretofore levied; and

\$1,721,768 levied for Highway Department employee salaries and fringe benefits  
\$ 301,276 levied for operating budget of Highway Department;

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$1,015,174 as provided in the Illinois Highway Code, for the County Bridge Fund for expenditures payable from the County Bridge Fund and for the purpose of constructing and repairing bridges, culverts, drainage structures or grade separations, including approaches thereto, on public roads in the County, required to be so constructed and repaired by the County under the Illinois Highway Code, in accordance with 605 ILCS 5/5-602, said sum of \$1,015,174 being exclusive of and in addition to those sums heretofore levied; and

\$1,015,174 levied for bridges, culverts and engineering fees;

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$3,751,272 for the purpose of providing community mental health facilities and services in Champaign County, pursuant to an election held November 7, 1972, authorizing a levy of a tax not to exceed 10 percent of the full assessed valuation, and amendments to the Community Mental Health Act, 405 ILCS 20/4, authorizing an increase to the maximum levy of tax not to exceed .15 percent of the full assessed valuation, said sum shall be placed into a special fund in the Champaign County Treasury to be designated as the "Community Mental Health Fund" and shall be used only for the purpose specified in the Illinois Compiled Statutes; said sum of \$3,751,272 is exclusive of and in addition to those sums heretofore levied; and

\$ 461,900 levied for Mental Health Board employee salaries and fringe benefits  
 \$3,242,984 levied for Mental Health grants to service providers  
 \$ 24,525 levied for Mental Health Board facility/office rental  
 \$ 21,863 levied for Mental Health Board public relations;

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$3,118,741 in accordance with an act entitled Illinois Municipal Retirement Fund Act, as amended, 40 ILCS 5/7-171, and being for the purpose of making county contributions to said Illinois Municipal Retirement Fund as required by law, said \$3,118,741 being exclusive of and in addition to those sums heretofore levied; and

\$3,118,741 levied for General Corporate Employer Retirement Costs;

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$1,544,476 for the purpose of participation in the Federal Social Security Insurance Program and Federal Medicare Program, in accordance with 40 ILCS 5/21-110 to 5/21-110.1, said \$1,544,476 is exclusive of and in addition to those sums heretofore levied; and

\$1,544,476 levied for General Corporate Employer Social Security and Medicare.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$7,303 for the purpose of providing funds to pay expenses in the construction and maintenance of highways in the federal aid network or County highway network in accordance with 605 ILCS 5/5-603, and said sum of \$7,303 shall be placed in a separate fund known as the Matching Fund and is exclusive of and in addition to those sums heretofore levied; and

\$7,303 levied for road improvement match funds;

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$408,991 for the purpose of the County's share of the Cooperative Extension service programs, in accordance with 505 ILCS 45/8, said \$408,991 is exclusive of and in addition to those sums heretofore levied; and

\$408,991 levied for Cooperative Extension Education Programs;

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$953,095 for the purpose of the County Health Fund in accordance with 70 ILCS 905/15 and 55

ILCS 5/5-25010 to 5-25011, said \$953,095 shall be held in a separate fund known as the County Health Fund and is exclusive of and in addition to those sums heretofore levied; and

\$404,208 levied for public health services in Champaign County outside of Champaign-Urbana

\$548,887 levied for rebate to the Champaign-Urbana Public Health District;

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$1,033,432 for the purpose of the County Nursing Home Fund in accordance with 55 ILCS 5/5-21001, said \$1,033,432 shall be held in a separate fund known as the Champaign County Nursing Home Fund, and is exclusive of and in addition to those sums heretofore levied; and

\$1,033,432 levied for Nursing Home employee salaries and fringe benefits.

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$1,446,363 for the purpose of paying the principal and interest due on Nursing Home Construction Bonds dated February 26, 2003, issued pursuant to County Board Resolution No. 4644 adopted February 6, 2003, said sum of \$1,446,363 is exclusive of and in addition to those sums heretofore levied; and

\$1,446,363 levied for bond principal/interest payments;

**BE IT FURTHER ORDAINED** that there is hereby levied a tax, in the amount of \$3,673,507 for the purpose of providing facilities or services for the benefit of residents in Champaign County who are mentally retarded or under a developmental disability and who are not eligible to participate in any such program conducted under Article 14 of the School Code, pursuant to an election held November 2, 2004, authorizing a levy of a tax not to exceed .1 percent of the full assessed valuation, said sum shall be placed into a special fund in the Champaign County Treasury to be designated as the "Fund for Persons With a Developmental Disability" and shall be used only for the purpose specified in 55 ILCS 105; said sum of \$3,673,507 is exclusive of and in addition to those sums heretofore levied; and

\$3,382,807 levied for grants to service providers

\$ 290,700 levied for professional services in administering grants;

**BE IT FURTHER ORDAINED** that the sums heretofore levied in the total amount of \$27,998,766 be raised by taxation upon property in this County and the County Clerk of Champaign County is hereby ordered to compute and extend upon the proper books of the County Collector for the said year, the sums heretofore levied for so much thereof as will not in the aggregate exceed the limit established by law on the assessed valuation as equalized for the year 2011.

**PRESENTED, PASSED, APPROVED and RECORDED** by the County Board of  
Champaign County, Illinois, at the recessed September, A.D. 2011 session.

Dated this 17<sup>th</sup> day of November, A.D. 2011.

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C. Pius Weibel, Chair  
Champaign County Board

**AYE \_\_\_ NAY \_\_\_ ABSENT**

ATTEST:

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Gordy Hulten, County Clerk & ex-officio  
Clerk of the Champaign County Board



**TRUTH IN TAXATION  
CERTIFICATE OF COMPLIANCE**

I, the undersigned, hereby certify that I am the presiding officer of the County of Champaign, Illinois, and as such presiding officer I certify that the levy ordinance, a copy of which is attached, was adopted pursuant to, and in all respects in compliance with the provisions of Section 18-60 through 18-85 of the "Truth in Taxation Law" or the levy ordinance does not exceed 105% of the previous year's extension.

This certificate applies to the RY2011 levy.

Date: November 18, 2011.

PRESIDING OFFICER: \_\_\_\_\_

C. Pius Weibel, Chair  
Champaign County Board





## CHAMPAIGN COUNTY ADMINISTRATIVE SERVICES

1776 EAST WASHINGTON  
URBANA, IL 61802  
(217) 384-3776  
(217) 384-3765 – PHYSICAL PLANT  
(217) 384-3896 – FAX  
(217) 384-3864 – TDD  
Website: [www.co.champaign.il.us](http://www.co.champaign.il.us)

ADMINISTRATIVE SUPPORT  
DATA PROCESSING  
MICROGRAPHICS  
PURCHASING  
PHYSICAL PLANT  
SALARY ADMINISTRATION

### MEMORANDUM

**TO:** Brendan McGinty, Deputy Chair-Finance & MEMBERS OF THE CHAMPAIGN COUNTY BOARD COMMITTEE of the WHOLE

**FROM:** Deb Busey, County Administrator

**DATE:** October 25, 2011

**RE:** RECOMMENDATION FOR AMENDMENT to SCHEDULE of AUTHORIZED POSITIONS

#### ISSUE

The Administrative Services Department and IT Department seek to re-align the current positions authorized for the two departments to better address the current and future operational needs and requirements of the departments.

Article 9-2 of the Champaign County Personnel Policy titled Schedule of Authorized Positions & Salary Grid, states that "*Recommendation for additions or deletions to the Schedule of Authorized Positions will be made by committee approval initiated by the Finance Committee for recommendation to the County Board.*"

#### HISTORY

The Administrative Services Department Schedule of Authorized Positions includes a Buyer position. The incumbent will retire on November 30, 2011. Many of the functions that were vested with the Buyer position when it was created 30 years ago, are no longer critical to the ongoing operation of county government. Most departments prefer to deal directly with vendors to obtain their office supplies as advancement in technology has created diminished demand for specific and diverse office supplies for the operation of county offices. This has led to diminishing utilization of general county stock, and at this time I recommend we discontinue the practice of maintaining general county stock for county offices. The other primary responsibility for the Buyer position was in receiving and maintaining documentation regarding purchase orders issued by the different departments of county government. Administrative

Services staff can absorb the Purchase Order documentation function without the requirement to maintain a separate position for that sole responsibility. The Buyer position was classified in Grade Range G with an annual full-time FY2010 salary of \$50,875. The hours for the position were cut for FY2011 to a four-day work week, with an annual FY2011 salary of \$41,921.82.

The IT Department staffing level is not adequate to address the daily demands of maintaining the County's network infrastructure in a proactive manner. Server maintenance, upgrades and backups require almost all of the time of the current Systems Administrator, with little time for database and/or systems development, which is critical to continuing to move forward with the increasing utilization of server based systems throughout the County's technology infrastructure. The current Systems Administrator is frequently required perform maintenance, updates and backups in off-hours of operation, spending up to 20-30 hours in a week working nights and weekends, which is then followed with taking 20-30 hours in the following week during normal business hours, where there is still demand for a Systems Administrator – but no staff person available to respond to issues.

Champaign County, although the largest of the comparable counties to which we regularly compare, has the lowest current level of IT staffing. The counties, listed from largest to smallest, have IT staffing levels as follows:

Champaign County	8 FTE
Sangamon County	11 FTE
Peoria County	17.2 FTE
McLean County	12 FTE
Rock Island County	9 FTE

With the ability to eliminate the Buyer position in Administrative Services, due to decreased demand for the services originally defined with this position; I request your consideration of adding a Systems Administrator position in the IT Department. As stated above, the Buyer position, currently classified in Grade Range G of the AFSCME General Unit Contract is currently budgeted at 80% - or a 4-day work week, with an annual salary of approximately \$42,000. The Systems Administrator position is classified in Grade Range I, with a starting annual salary for 100% or a 5-day work week of \$40,131. Upon your approval of the requested change to the staffing budget, we would simply transfer the FY2012 salary for the Buyer position to the IT Department Budget to cover the salary for the new Systems Administrator position.

### **RECOMMENDATION**

I recommend to the Finance Committee of the Whole the approval of the elimination of the position Buyer from the Administrative Services Schedule of Authorized Positions, and the addition of the position Systems Administrator to the IT Department Schedule of Authorized Positions.

**REQUESTED ACTION**

***The Finance Committee of the Whole recommends to the County Board the following changes to the Schedule of Authorized Positions: elimination of the Buyer position from the Administrative Services Staffing, and the addition of Systems Administrator to the IT Department Staffing, effective on December 1, 2011.***

Thank you for your consideration of this recommendation.

## **INTERGOVERNMENTAL AGREEMENT FOR ANIMAL CONTROL SERVICES**

THIS AGREEMENT is entered into by the County of Champaign (hereinafter "County") and the Village of Ogden (hereinafter "Village") for animal control services.

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, enables the parties to enter into agreements among themselves and provides authority for intergovernmental cooperation; and

WHEREAS, there is a need to respond to requests for animal control services within the Village; and

WHEREAS, there is a need to remove stray dogs and other animals subject to impoundment from within the Village upon the request of the Village;

WHEREAS, the County has the ability to provide such services through the Champaign County Animal Control Department (hereinafter "Department");

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. The County agrees to provide to the Village animal control services in accordance with Village ordinances through the Department.
2. The Department will respond to requests for animal control services from the Village.
3. For services provided by the Department for the first year of this Agreement, the Village agrees to pay the County \$39.76 per hour of service, with a minimum of one hour per call. The Village shall pay the County through the Department monthly on the 15th day of each month. This fee shall be adjusted for inflation annually, by an increase equal to the percent increase of the most recent Illinois Department of Revenue Consumer Price Index factor applied to the annual calculation for the Property Tax Extension Limitation Law.
4. Owned animals will be held for no longer than a period of seven days, unless otherwise directed by the Champaign County Sheriff's Department or directed by a court order.
5. The Department agrees to provide yearly reports to the Village breaking down the number of calls responded to and number of boarding days for impounded animals on the request of the Village President. The County shall adjust the fee paid by the Village annually prior to the annual renewal date based upon the costs incurred by the County in providing animal control services to the Village.
6. This agreement shall continue in effect from year to year unless terminated by either party giving written notice to the other at least thirty days prior to the annual renewal

date, which shall occur annually on the anniversary of the effective date of this agreement.

7. This agreement shall become effective on the date that the last party to this agreement signs it.
8. This Agreement may be amended only by a written document signed by both parties.
9. Any terms of this Agreement that by their nature extend after the end of the Agreement, whether by way of expiration or termination, will remain in effect until fulfilled.
10. Any written notice that is required between the parties shall be sent through first class mail, return receipt requested to:

Village Administrator  
Village of Ogden  
P.O. Box 159  
Ogden, Illinois 61859

Champaign County Administrator  
1776 East Washington Street  
Urbana, Illinois 61802

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date and year indicated herein.

VILLAGE OF OGDEN  
An Illinois Municipal Corporation

CHAMPAIGN COUNTY

By: Jack Reider

By: \_\_\_\_\_

Date: 10/25/2011

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

ATTEST: Bernice Reider

ATTEST: \_\_\_\_\_

APPROVED AS TO FORM:

APPROVED AS TO FORM:

[Signature]  
Village Attorney

\_\_\_\_\_  
State's Attorney's Office

**ADDENDUM B – COUNTY ADMINISTRATOR EMPLOYMENT AGREEMENT**

**Section 2 – Term**

1. Pursuant to the provisions of Section 2-C – the ending date for the contract term is amended from November 30, 2013 to November 30, 2015.

**Section 4 – Salary**

1. Pursuant to the wage reopener in 2011, as documented in Addendum A to the Agreement, the salary for the Employee is to be adjusted as follows:
  - a. Effective on December 1, 2011 for FY2012, the FY2011 base annual salary rate shall be increased by 3%;
  - b. Effective on December 1, 2012 for FY2013, the FY2012 base annual salary rate shall be increased by 3%;
  - c. Effective on December 1, 2013 for FY2014, the FY2013 base annual salary rate shall be increased by 3%, and the Employer shall make additional annual contribution of \$10,000, in equal monthly installments, to a deferred compensation plan for the County Administrator;
  - d. Effective on December 1, 2014 for FY2015, the FY2014 base annual salary rate shall be increased by 3%, and the Employer shall make additional annual contribution of \$15,000, in equal monthly installments, to a deferred compensation plan for the County Administrator.

IN WITNESS WHEREOF, the County of Champaign has caused this Addendum to Employment Agreement to be signed and executed in its behalf by its County Board Chair, and duly attested by its County Clerk, and the Employee has signed and executed this Agreement, both in duplicate.

\_\_\_\_\_  
C. Pius Weibel, Chair  
Champaign County Board

\_\_\_\_\_  
DATE

ATTEST:

\_\_\_\_\_  
Gordy Hulten, County Clerk and  
*Ex-Officio* Clerk of the County Board

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Debra L. Busey  
County Administrator

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DATE

ATTEST:

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Notary Public