



Upcoming Dates:



September 11-13:
Leaders to Washington

October 11:
Rural Partners in Economic Development Seminar

October 13:
County Resolution Submittal Deadline

November 6-7:
Local & Regional Food Summit

November 8-9:
Statewide Resolution Committee Meeting

December 2-5:
IAA® Annual Meeting



Did You Know...?

A Census of Governments is taken at 5-year intervals as required by federal law. This year, 2017, it happens again.



September/October 2017

Volume 8 Issue 5

Local record retention

How long a unit of local government must retain its official documents

by Kevin Rund

Illinois' Local Records Act (50 ILCS 205) regulates both the preservation and disposal of public records. It applies to all units of local government in the state. Prior to this 1984 legislation, local units had no uniformity; each decided how long to keep its own records. The uniformity this provides helps protect citizen access.

Generally, the law doesn't focus on how long local agencies must keep public records. Instead, that focus is on how dates are set determining when they're allowed to dispose of them. As a consequence, much of the law concentrates on the disposal of those records.

The Act requires government to keep those records that are needed for the function of government, and provides

for the elimination of obsolete records and those no longer of value. It also covers the archival of records that could have long-term research value, even though they're no longer necessary for government function.

The Citizen Advocacy Center explains that "there are over 6,000 different classification types of records—plus numerous exceptions to any of these categories—making it difficult to adopt standards for record retention."

Four factors are considered as the basis for record retention, including: fiscal, historical, administrative and legal values. Under the Act, records are required to be kept anywhere from seven days to 80 years, or some can be deemed permanent.

(See **Retention** on page 5)

Cities, towns & villages

There's a difference in Illinois

by Kirby Wagner

As you drive through Illinois, you may recognize similar signage as you approach the limits of each inhabited area. That sign usually displays the name of the municipality, a slogan if one exists, and occasionally a recent local state champion.

"The Town of", "The City of", and "The Village of", phrases that pro-

ceed the name of the municipality, is the part of the signage that holds important meaning. Those phrases explain what type of municipality it is and explains its historical background.

Illinois' first constitution had no explicit instructions on the creation and powers of municipal govern-

(See **Cities** on page 4)



Think LINK

Local Information News & Know-How

How time flies! October will mark the one-year anniversary of our *Think LINK* program when we'll celebrate the graduation of our first participants. Congrats to:

- Kayla Hinrichs, LaSalle County Farm Bureau®
- Joe Melisi, Edgar County Farm Bureau®

- Victoria Goad, Lawrence County Farm Bureau®
- Each of these managers did an outstanding job and have successfully completed the program that focuses on local government awareness and involvement.

Think LINK targets relatively new county Farm Bureau managers and is intended to raise their awareness, understanding and comfort level with local government—and ultimately their involvement. To help achieve these goals, Illinois Farm Bureau® staff spends a year working with the participants. Much of that time is spent in the county with learning exercises aimed at producing results that have practical application.

To showcase their participation, each of our *Think LINK* managers wrote an article on a local government topic of interest to them. Those articles are included in this issue of LINK, beginning on these two pages.

Make sure to congratulate each of these managers on a job well done!

County zoning

A general guide to zoning and how it's used as a development tool

by Joe Melisi, Manager
Edgar County Farm Bureau®

In the state of Illinois only about half of the 102 counties are zoned. Many of those, with the exception of counties around St. Louis, are in the northern half of the state. Just from a glance at a map of those counties you can guess as to why those counties are zoned. More-heavily-populated areas typically result in expanding residential and commercial development, which spurs interest in land use regulation.

Zoning is a technique for implementing land-use plans wherein areas of land are divided by appropriate authorities (initially a commission) into zones within which various uses are permitted or prohibited. Zoning is arguably the most powerful tool by which local government can regulate land use.

Many landowners have differing views on whether zoning is beneficial to them as individuals or to

the broader community. The sheer pervasiveness of zoning ordinances alone is enough to be off-putting, especially if you prefer your local government to be laissez faire.

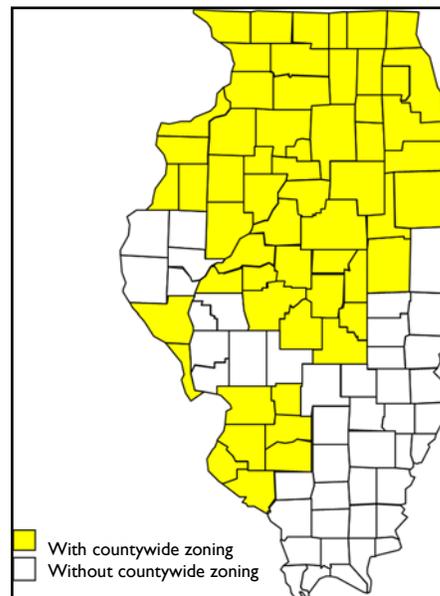
Brenda Matherly, Illinois Farm Bureau's Assistant Director of Local Government, framed it perfectly in a *LINK* article last year. "So long as landowners' unrestrained freedom to exercise their own interests is not threatened by others, they tend to view zoning as a limitation. On the flip side, when landowners' interests are threatened by the unrestricted actions of others, they tend to view zoning as a protection."

For many of our members who own farmland, county zoning has relatively little effect when compared to its impact on non-farm parcels. Zoning impacts four areas of development: Location, property use, intensity of the project, and setback limitations. Of those four areas, agriculture is exempt from three, setback

limitations being the only area applicable to agriculture. Counties may choose to require farmers to get a permit for expanding structures or building new ones, however, they may not charge for that permit.

As previously mentioned, zon-

(See **Zoning** continued on page 7)



Enterprise zones

How this incentive program is used for economic development in Illinois

by Victoria Goad, Manager
Lawrence County Farm Bureau®

If you were to drive on Illinois Route 50 through Lawrence County, you would drive nearly down the center of the Lawrenceville/Lawrence County Enterprise Zone. To someone just traveling from St. Louis to southern Indiana, this might not mean much. But, to businesses, this is a very important facet of our community's economic development. To really understand the importance of an Enterprise Zone, we must first look at what an Enterprise Zone is and the incentives to businesses, benefits to communities and the possible impact on agriculture.

An Enterprise Zone is an area designated by the State of Illinois in collaboration with local units of government to receive tax incentives and other benefits to stimulate economic activity and neighborhood revitalization.

Enterprise Zones were established in 1982 with the passage of the Illinois Enterprise Zone Act. Businesses located (or those deciding to locate) within a designated Enterprise Zone can become eligible for special state and local tax incentives, regulatory relief and improved governmental services. These incentives encourage economic growth in an area that otherwise would be neglected.

Enterprise Zones were established with a 20-year expiration date. At the time of expiration a zone could request and be granted an extension. However, a recent law change makes

the expired zone designation “up for grabs”—meaning, the recently expired zone and/or any other communities across the state can apply for that Enterprise Zone designation. In Illinois there are 96 Enterprise Zones; 16 within Cook County, 4 in collar counties and 76 in downstate Illinois.

There are typically two types of incentives offered to local businesses located in an Enterprise Zone. The first are those given by the state:

- Sales tax exemption at the rate of 6.25% on building materials purchased within Illinois for

(Continued on page 8)

Special purpose units

Adding up in Illinois

by Kayla Hinrichs, Manager
LaSalle County Farm Bureau®

There are 6,963 local government units in Illinois according to the US Bureau of the Census. They cover almost 56,000 square miles of land. Those statistics place Illinois in the number one spot for the largest number of units of local government in the United States. Staying strong at number one, Illinois also has the most special purpose districts.

The last count of special purpose districts in Illinois is from 2012. At that time, the U.S. Census Bureau reported 3,227. However, there is no standardized method of keeping track of the year-to-year changes in special purpose units. Therefore, the total number of units from one year to the next is uncertain.

Special purpose districts are defined as limited purpose governmental units that have significant fiscal and administrative autonomy from general purpose governments. General purpose units of government are those

units that provide multiple services to their residents. Illinois has three types of general purpose units—counties, townships and municipalities.

Special purpose districts are most often created to provide a specific or single-focus service that counties, municipalities, and townships are unable or unwilling to provide due to financial constraints.

Typically, these special purpose districts are created to provide an improved quality of life through a locally-desired service that the targeted population is willing to pay for. Establishing the unit of government requires voter approval through a local referendum.

Once created, these special purpose districts, as independent governments, have the authority to levy taxes and issue bonds. Because special districts can cut across the boundaries of other districts and general purpose units of government, the bound-

(See *Special* on page 5)

Cities

(Continued from page 1)

ments that were, instead, created by the legislature under special acts. These special acts were called charters.

The constitution of 1870 eliminated legislative ability to create new towns. Instead, the legislature passed a general law concerning the creation and powers of municipalities. When a developing area desired to incorporate, it looked to the Illinois Municipal Code for the rules to follow. This practice continues today under the constitution of 1970.

This means that any new municipality would be a city or a village, i.e. no more towns would be created. Towns, however, were not required to drop their “incorporated town” designation and incorporate as a city or a village. Towns may remain incorporated towns if they wish to do so.

The 1,299 municipal governments in Illinois are made up of cities, villages, and towns. There are no significant differences of legal powers or status, but there is a difference in their creation and governing bodies.

There were approximately 394 towns created through special charter prior to the 1870 constitution. 19 of those towns still exist today. Towns operate under the provisions of the charters they were created under.

Most municipal governments function with City Aldermen or Village Trustees. There are differences under these standard forms, such as the number of members of the governing body, terms, and representation.

Rules for incorporation of a city

and a village are different. The requirements to incorporate as a village vary with population of the county as well as other criteria, such as a minimum population of ... The minimum population requirement for incorporation as a city is 2,500 residents.

In villages, the trustees are the governing body. Normally village boards are served by 6 trustees but, can be reduced to 4 trustees following a referendum in favor of the change. Trustees can be elected either by district or at large. Trustees serve 4-year terms unless a referendum passes to approve a 2-year term.

City governments are run by Alderman. The number of aldermen that represent a city is dependent on population. Aldermen are elected from wards. Aldermen serve staggered 4-year terms so that elections are held every 2 years.

Illinois statutes also offer more complex variations that may be adopted by cities or villages needing a more specific make up. These variations are the commission form, the manager form, the administrator form, the special charter form, and the strong mayor form. Each form provides its own guidelines for the selection of officers, their powers and duties, and the general function of government.

Each municipality has its own story of creation. There is a difference between the three types and that difference is not in authorities, or status, but it represents a significant part of Illinois history that lives on today.

[LINK](#)

Illinois has:

**300 Cities
980 Villages
& 19 Towns**

2012 Census of Government

Number of special purpose governments in Illinois as of May 2016. (Information from the State of Illinois Comptroller—differs from US census.)

Government Type	No.
Airport Authority	27
Cemetery District	28
Conservation District	5
Drainage District	860
Exposition & Auditorium	4
Fire Protection District	827
Forest Preserve District	11
Hospital District	18
Mass Transit District	14
Mosquito Abatement District	20
Museum District	3
Park District	339
Port District	11
Public Building Commission	9
Public Health District	6
Public Library District	361
Public Water District	13
Rescue Squad District	4
River Conservancy District	16
Soil & Water Conservation District	97
Street Lighting District	21
Transportation Authority	1
Water Service District	64
	2759

Retention

(Continued from page 1)

Once the law's retention period is satisfied, then it falls to the local agency to decide how much longer, if any, it will keep it.

All records for which disclosure is prohibited by law that contain social security, driver's license or State identification numbers, or that identify a person by name and birth date, must be destroyed before disposal.

Illinois' Local Records Act was amended, effective 2001, to allow agencies to reproduce existing public records in a digitized electronic format. That provision also then allows the disposal of the original records. That recording must be done in a "durable medium" that is stable and cannot be altered.

When it comes to disposal, the idea is to allow local government to clear out storage space, making way for records yet to be filed.

No public record may be disposed of without prior approval. Each local agency must file a Records Disposal Certificate with the appropriate Local Records Commission (there are six regional offices in the state) before any original record may be disposed of. After the application has been approved, it becomes the local agency's Records Retention Schedule. The agency can then dispose of records after the retention period listed for each record series. Some limiting factors could apply such as pending or anticipated litigation.

Local agencies may call the Illinois Local Records Commission—a part of the Secretary of State's Office—at 217-782-7075 for assistance.

Visit online at http://www.cyberdriveillinois.com/departments/archives/records_management/home.html

LINK

What is a public record?

As defined by law, *Public Record* "means any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein."

That includes faxes, emails or instant messages, or the information recorded on DVDs, CDs video or cassette tape if it fits the definition above.

Special

(Continued from page 3)

ary lines and layers of services can become confusing and/or undistinguishable to the public.

The majority of special purpose governments have their own taxing authority and funding mechanism and are often run by managers and governing bodies, sometimes appointed by the county board.

The following is a list of common special purpose districts in Illinois:

LINK

Following is a list of common special purpose districts in Illinois:

- Airport Authority
- Cemetery Maintenance
- Chicago Transit Authority
- Civic Center Authorities
- Conservation
- County Historical Museum
- County Water Commissions
- Drainage
- Exposition Authorities
- Fire Protection
- Hospital
- Housing Authorities
- Metropolitan pier & Exposition Authority
- Mosquito Abatement
- Municipal Zoo Authorities
- Museum
- Park
- Port
- Public Building Commissions
- Public Library
- Rescue Squad
- River Conservancy
- Sanitary
- Soil and Water Conservation
- Street Lighting
- Surface Water Protection
- Transit
- Tuberculosis Sanitarium
- Water

MAPPING:

Providing direction on rural economic development



By Brenda Matherly

When you hear (or in this case see) the word MAPPING, I assume it conjures up visions of electronic applications, such as google maps, that can get you from place to place. Or, if you're "old school", you might even picture road maps that cause you to shutter at the thought of refolding them into their original, off-the-shelf configuration.

While those mapping tools are helpful when navigating from place to place, what I want to talk about is a MAPPING tool that is helpful in providing direction on rural economic development.



A recent visit by our Local and State Government (LSG) Strength With Advisory Team (SWAT) to the Illinois Institute For Rural Affairs (IIRA) uncovered an effective economic development tool sponsored by the Institute. That program is called MAPPING the Future of Your Community—or MAPPING for short.

The MAPPING program, which stands for Management and Planning Programs Involving Nonmetropolitan Groups, is a voluntary strategic visioning and planning process for rural residents to create a long-range vision for the economic development of their community and a plan of action for achieving it.

This interactive program asks

the local residents in participating rural communities to create an action plan to help rebuild their current community into the flourishing community they envision. They identify goals and implement strategies and projects necessary to move their community forward.

The MAPPING program was created in 1991 at the IIRA, located at Western Illinois University in Macomb. The initial support for the program came from the Office of the Lt. Governor and the Governor's Rural Affairs Council. With guidance from the IIRA, the MAPPING program helps leaders in small rural communities improve their decision-making process for community and economic development.

The MAPPING process allows a community to walk through several steps. Each step in the process moves the community out of decline and towards new growth and development.

The first of five core steps begins with the formation of a community steering committee. This committee is responsible

for working with the IIRA MAPPING staff to plan the program logistics and invite participants. Throughout the implementation phase of the program, the MAPPING staff provides detailed guidance to facilitate effective planning and community involvement.

Each additional step falls into place as community leaders develop a vision for the future.

With the completion of each phase of the program, communities should start to see the following benefits:

- Building of community support
- Maximizing community strengths
- Overcoming current issues and challenges the community is facing
- Creating a step-by-step plan of projects and strategies for achieving large scope goals Promoting positive change within the community

Those communities that have completed the program have reported the following accom-

The IIRA's MAPPING program is a community lead process that helps move rural areas from depressed to refreshed. The program's cycle of success includes the involvement of strong local leadership who evaluate the status of the community and create goals and action plans designed to breathe new life into the area.



MAPPING

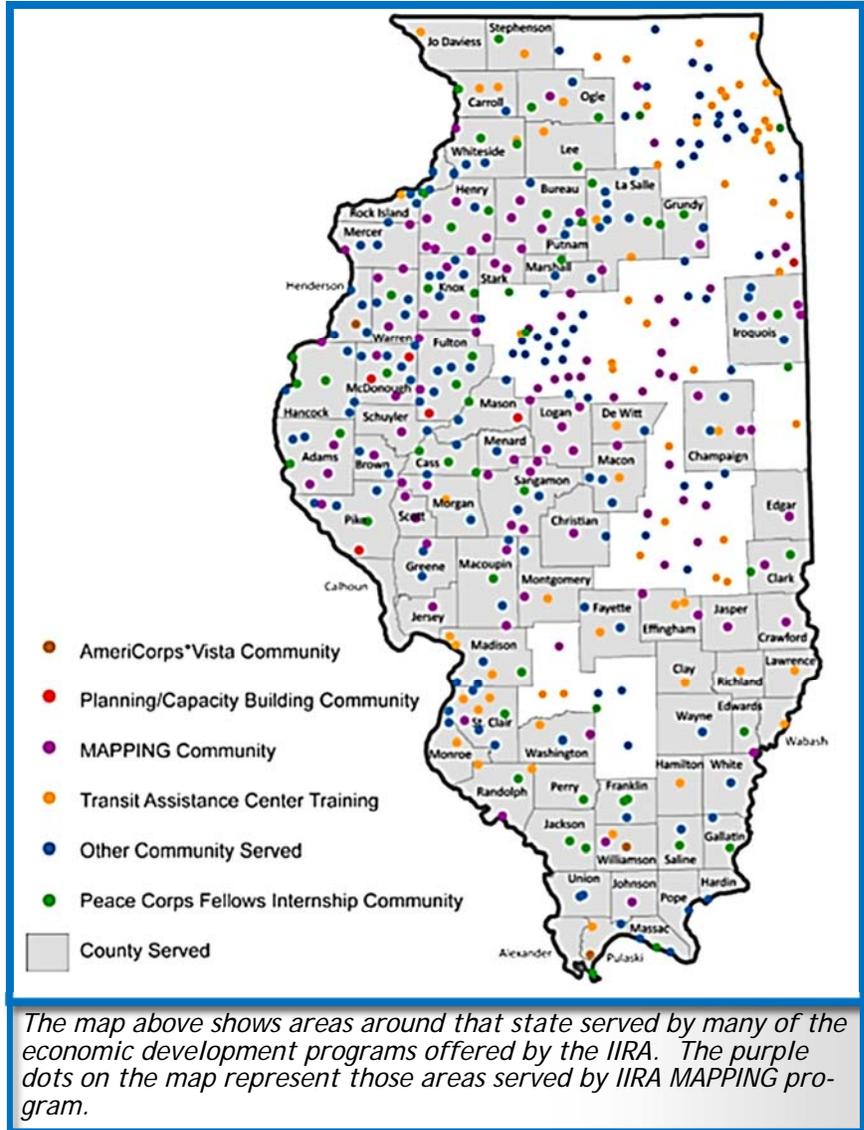
plishments:

- Attracting businesses
- Increasing available housing
- Community beautification
- Revitalizing community spirit
- Fostering entrepreneurship
- Expanding recreational opportunities
- Developing tourism
- Improving community infrastructure

After learning about the program, the LSG SWAT thought more of our members would be interested in hearing about the success stories, benefits and opportunity for participation. As a recommendation from the LSG SWAT, the subject will be considered as a topic of discussion at upcoming conferences.

If you'd like to do a little research ahead of time, visit the IIRA website on MAPPING at: <http://mappingthefuture.org/>

LINK



Zoning

(Continued from page 2)

ing is a very powerful and pervasive tool for a county board to implement land-use management. Therefore, it is very important that the county board follow all of the duties that are required of it in Illinois statute. A county board in counties which desire to exercise the powers to zone shall provide for a zoning commission. This commission must be at least 3 and no more than 9 members who will recom-

mend the boundaries of districts and the appropriate regulations. Members of the commission are determined by the chairman or the president of the board and confirmed by the county board. It is the commission's responsibility to put together a tentative report and a proposed zoning ordinance for the areas outside cities, villages and incorporated towns that have their own zoning.

When the task is completed it is required that the zoning commission hold hearings so that persons interested have an opportunity to

provide comment and to be heard. A hearing is required to be held in each township or road district that is effected by the terms of the ordinance or resolution and notice of each hearing should be published at least 15 days in advance thereof in a newspaper of general circulation published and circulated in the areas that is affected.¹ Within 30 days after the final adjournment of the hearings the commission will be required to submit a final report and a proposed ordinance or resolution to the county

(See Zoning on page 8)

EZ

(Continued from page 3)

building or improving a site. Building materials include items that are permanently fixed to the real property such as lumber, paint and similar materials. The sales tax exemption lasts for two years.

- Investment tax credits allows a 0.5% credit to a taxpayer who invests in qualified property in a zone. Qualified property includes machinery, equipment and buildings. The credit may be carried forward for up to five years.
- Investment tax credit is offered at 1% on machinery, equipment and buildings.
- Utility tax exemptions are offered to eligible business. These businesses must make investments of at least \$5 million in qualified property creating a minimum of 200 fulltime jobs, an investment of 20 million that retains at least 1,000 full-time jobs, or an investment of \$175 million that creates 150 full-time jobs.
- Businesses may also deduct double the value of a cash or in-kind contribution to an approved project of a designated zone organization as part of the contribution deduction from taxable income.

Local government units can also provide local incentives that encourage economic growth and investment within the zones. Local governments decide what incentives (if any) they will offer. The most common local incentives include:

- Property tax abatement or an exemption in the increased as-

essed value due to new construction or renovations.

- Waivers of businesses licensing and permit fees.
- Streamline building codes and zoning requirements and special local financing and other resources.

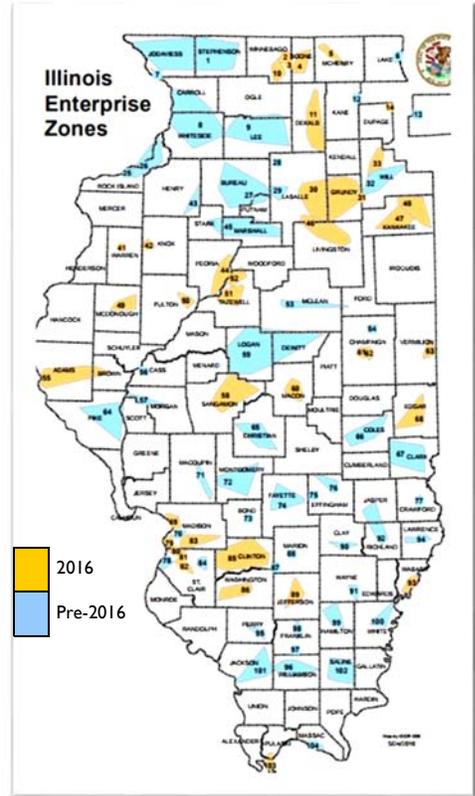
Enterprise Zones not only benefit business, but they also bring jobs to communities that otherwise may be passed up. In Fiscal year 2011, 14,119 jobs were retained and 8,980 were created across the state because of Enterprise Zones. With these jobs and new business, a community can continue to improve and strengthen.

Agriculture businesses within Enterprise Zones are eligible for one or more of the many incentives; this may be especially beneficial to those building new or expanding existing livestock facilities.

However, even though an agriculture business may benefit from an Enterprise Zone there is also the possibility that these zones may lead to non-agriculture business buying and developing land that has previously been used as farm ground and lead to building development around the operation.

Enterprise Zones not only benefit businesses, but also encourage them to stay within Illinois, while increasing tax revenues for communities. These zones can revitalize communities that might otherwise have little to no economic development.

LINK



Zoning

(Continued from page 7)

board. It is then up to the county board to enact the ordinance with or without changes, but it may also refer the issue back to the commission for further consideration.

The process of Illinois zoning is important as it provides due process to persons effected by proposed ordinances, but also to townships that may oppose the proposed resolution. The duty of the county board to inform, provide notice, and hold hearings is extremely important. Zoning commissions and the county board should be fully informed in order to properly implement zoning and regulate land-use if a county chooses to do so.

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