



Upcoming Dates:



May 28:
Memorial Day

June 14:
Local & State Government SWAT

June 15:
Deadline for Resolutions Committee Submittals

July 11-12:
Resolutions Committee

August 1:
IFB Farm Income and Innovations Conference

May/June 2018

Volume 9 Issue 3

Public notices:

Local governments give notice to the public

by Brenda Matherly

Thumb through your local newspaper and you're bound to run across public notices in the classified/advertising section. These notices are provided, in large part, by units of local government who are serving the community within the publication's distribution boundaries.

A public notice is a legal publication that provides information notifying citizens of government or government-related activities. They serve many purposes, but their primary function is to alert citizens of the need for action and notify them about an opportunity for public comment.



By law, public notices are a required form of communication between a unit of government and the citizens it serves. Illinois' law regulates the process for publishing a public notice and the type of information that must be included. The requirements

for publication not only vary between units of local government but also between notice topics within each unit (See page 6 for examples of public notice requirements). While the requirements may

vary, the purpose of the law remains consistent—to ensure people receive important information about the actions of their government in an easily accessible manner.

(See **Notices** on page 5)

Did You Know...?

There are more than 880 drainage districts in Illinois.

(2007 Census)



Funding drainage districts

Where the money comes from

by Kirby Wagner

The following material is based - in large part - on a State of Illinois publication, the "Legislator's Guide to Local Governments in Illinois." That document was prepared by the Illinois Commission on Intergovernmental Cooperation.

Overview

Drainage districts have the power to construct and maintain drainage improvements and to pay for the improvements.

(See **Drainage** on page 7)

Benefit assessments

Unincorporated farmland could be subject to municipal taxation

by Kevin Rund

“Property not within the corporate limits but contiguous to any local improvement made by a municipality . . . may be charged by the corporate authorities of the municipality in an amount not greater than the benefit conferred by the local improvement on such property.”
[65 ILCS 5/9-4-1]

With those words, state law gives municipalities the authority to tax property outside the municipal boundary if they’ve provided adjacent improvements that create a potential benefit to the unincorporated property—whether it’s used or not.

For example: if a city runs a water supply line to an outlying subdivision that’s a mile outside the

city limits, it would likely do so by purchasing an easement along the interspersed farmland. With the potential to tap into that waterline for use on that farm property, the farmland now becomes potentially subject to being assessed a tax based on the possible benefits available to the property.

To implement such an assessment, the municipality would need to petition the circuit court. The court would then summon the property owner(s) and conduct a hearing on the case to determine whether and how much the property could be assessed.

There are two conditions that would excuse the property from this taxation:

- The property is within another municipality; or
- The property is already included within an Ag Area.

That second scenario is a topic for another edition of LINK. Stay tuned.

Fortunately, this does not seem to be a significant problem for farmland owners around the state. The more-likely targets of such an assessment are properties that are already developed or are being developed and would have real potential to benefit by having such an improvement available.

LINK

DuPage County office consolidation

by Brenda Matherly

The opportunity to reduce the number of governmental units is not limited to the consolidation of two individual units into one larger unit, as witnessed in DuPage County by voter approval during the March 20 election.

Dissolving government units can also be considered. DuPage County voters sent a pretty strong message that they approve a measure to dissolve the DuPage County Election Commission and move its roles and responsibilities over to the DuPage County Clerk’s office. And, while countywide election com-

missions are rare in county government (only found in DuPage and Kankakee counties), the opportunity to dissolve a unit of government and reassign its responsibilities to other units is not.

To expand on this opportunity, let’s take a closer look at the DuPage County election results. During the Primary Election, 56% (winning by more than 17,000 votes) of the voters voted “yes” to a non-binding advisory referendum to dissolve the County Election Commission. As suggested in the name, an advisory referendum is a non-binding vote. An advisory referendum allows voters the opportunity to cast their opinion on the question but

does not bind government to act on that vote. However, in addition to voter support, DuPage County officials also give merit to the consolidation by estimating the move would save local taxpayers \$300,000 annually.

In this case, the dissolution cannot take place without approval from the General Assembly. Though DuPage County created their county election commission, they cannot legally dissolve the commission unless state law is changed. In DuPage County, Illinois law—as is often the case—allowed for the creation of a local government unit but has no provisions for its dissolution.

LINK

The next generation of 9-1-1:

Keeping up with technology has life-saving advantages

by Brenda Matherly

Improvements in our ability to communicate through technology has provided an opportunity for more-advanced 9-1-1 systems and the ability to access emergency care.

Under today's 9-1-1 system, the public can primarily make only emergency voice calls. Next Generation 9-1-1 (NG9-1-1) is an upgraded system that creates a faster, more reliable system that allows for connection to emergency services through most forms of communication. NG9-1-1 allows for voice, photos, videos and text messages to be sent from a person in need to the 9-1-1 network.

This system is also more effective in handling call overloads caused by a natural disaster.

While the technology to implement this system is available now, improvements to the 9-1-1 infrastructure is time consuming and costly. The requirements for updating computer hardware and software are significant but pale in comparison to coordinating the variety of emergency communication systems, legislative efforts and governing entities.

[LINK](#)

Water supply districts

by Kirby Wagner

Illinois general laws authorize the following types of water supply districts:

- Public water districts
- Water authorities
- Water service districts

Public water districts provide water supply and sewerage services. These districts may be created in contiguous areas of not more than 500,000 in population. The districts are created by the circuit court upon voter petition and after a hearing and referendum. A seven-member board of trustees is appointed by county, municipal, or township officials depending on the area within the district. If the district includes area in two or more counties, board members are selected by each county in proportion to population.

The voters may petition for a referendum to convert to an elected board. These districts may fix water rates and rentals, issue revenue bonds, and with voter approval, levy a property tax.

Water authorities to provide water supply services serve any contiguous area. The authorities operate under provisions similar to those for public water districts except that voter approval is not required to levy property taxes.

Water service districts to provide water supply may be created outside the corporate boundaries of any municipality.

The districts are created upon voter petition to the circuit court judge and after hearing and referendum. A three-member district board of trustees is appointed by the 88 Illinois Governments—Individual State Descriptions presiding officer of the county governing body. If the district includes area in two or more counties, board members are selected by each county in proportion to population.

The district board may levy property taxes, impose charges for water service, and with voter approval, issue bonds.

[LINK](#)

According to the Illinois State Police Office of the Statewide 9-1-1 Administrator, the following counties are in the progress of upgrading to NG9-1-1:

- Alexander
- Clay
- Gallatin
- Henry
- Jackson
- Johnson
- Perry
- Pulaski
- Putnam
- Richland
- Saline
- Union
- Wabash
- White

9-1-1:

Progress on statewide uniformity for emergency response system

by Brenda Matherly

Illinois' 9-1-1 emergency response system received an overhaul as the result of a recent legislative initiative, now law.

In an earlier legislative session (2015) a bill passed that significantly changed Illinois' 9-1-1 operations. The bill, now Public Act 99-0006, created new requirements for the State and the 9-1-1 community.

The new law, known as the Emergency Telephone System Act (ETSA) (50 ILCS 750), governs all 9-1-1 system updates, creates uniform funding and puts in place consolidation requirements. More specifically, the ETSA:

- Creates a universal funding structure targeting more money to small, rural 9-1-1 centers;
- Establishes a uniform single fee of 87 cents per line;
- Funds the development of a statewide next generation emergency phone system;
- Strongly encourages 9-1-1 providers to consolidate, offering more cost-efficient service;
- Requires that

Enhanced 9-1-1 services are available in every county; and,

- Transfers oversight of 9-1-1 to the Illinois State Police.

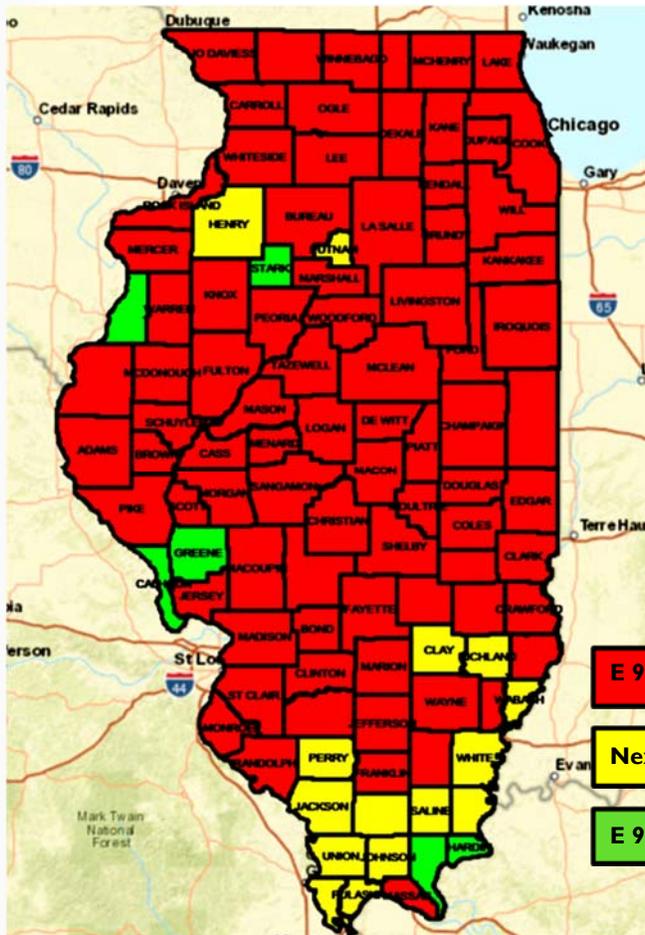
When the law was passed, the promise was that the changes would shorten emergency response times and provide better service in more counties. Funding improved response time and access was created through the standardization of a single fee amount of 87 cents per line, per month, on both wireline and wireless phones throughout Illinois.

Prior to ETSA, wireless users paid a surcharge of 73 cents per line. This was a state-wide rate established under the old Wireless Emergency Telephone Safety Act (repealed by the ETSA). There is also a surcharge on wired lines. Those charges varied among the 200 9-1-1 systems within Illinois. They ranged from \$0.00 to upwards of \$4.00 a line.

Since the passage of the uniform single fee on wired lines, some rural residents have seen lower surcharges. Prior to the new law, surcharge rates varied and were based on the number of landlines funding the local 9-1-1 system. In rural areas, those charges tended to be higher than in more-populated urban areas. The lower population base with fewer subscribers to landlines created a higher surcharge in rural areas. Conversely, in some of the more populated urban areas, the new 87 cents per line represents a slightly higher surcharge.

In addition to funding updates, the new law requires all counties operating with only basic 9-1-1 to upgrade to Enhanced 9-1-1 (E 9-1-1).

The new law also creates a statewide 9-1-1 system falling



(See 9-1-1 on page 5)

Notices

(Continued from page 1)

Local government notices will contain information ranging from alerts on public policy and elections to public meetings and hearings.

Public Policy:

- taxes
- land use
- advisory questions
- annexation

Elections:

- candidates
- dates
- ballot questions

Public Meetings and Hearings:

- agenda
- date
- time
- location

Public notices might also alert you to government activities such as:

- contracts
- budgets
- reorganization
- staffing

Current law governed by the Notice By Publication Act requires that "whenever a local unit of government is required to give notice it shall do so by publication in a newspaper which is published in a particular unit of local government." "If there is no newspaper which is published in the unit of local government, then the notice must be published in a secular newspaper, having general circulation within the unit of local government."

Therefore, as mentioned earli-

er, local newspapers are the most widely used location for publishing and distributing public notices. However, in many cases, the law allows for distribution and posting in other locations and publications. If no general newspaper publication is available, alternatives include publishing in newsletters and posting in public places within the district.

Under this same law, citizens can also visit a statewide website to receive public notices. The Notice By Publication Act requires all notices "to be placed on the statewide website established and maintained as a joint venture of the majority of Illinois newspapers as a repository for such notices." PublicNoticellinois.com (PNI) is the website that serves as that

(See **Notices** on page 6)

9-1-1

(Continued from page 4)

under the authority of the Illinois Commerce Commission and the Illinois State Police. Prior to that, 9-1-1 systems had been operated by local public safety offices in cooperation with the telecom providers that offered services in each area.

Beginning January 1, 2016, the statewide 9-1-1 administrator, within the Illinois State Police, is responsible for developing, implementing, and overseeing a uniform statewide, interconnected 9-1-1 system for all of Illinois.

The local calling centers and emergency system boards are still operating on the local level, but the new law mandates a consolidation plan resulting in the closure of some of the smaller call

centers.

A big change for nine of our more-rural counties that had only basic 9-1-1, was the requirement that all counties provide E 9-1-1. This requirement removed the decision to upgrade to E 9-1-1 from the local voters to a statewide mandate forcing the upgrade. Without the advanced systems in place, many of those counties joined a neighboring county's system.

Enhanced 9-1-1 can determine location information with a 9-1-1 call based on either the caller's residence through their landline or their current location through their cell phone. This technology is getting us closer to the next generation of services.

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Pass it around

County Farm Bureau® leadership is reminded that you are welcome & encouraged to distribute *LINK* freely among leaders, members and local government officials. The electronic format makes that easy, and it's a good way to stay in touch and share understanding with these groups.

Examples of Public Notices

A public notice is a legal publication that provides information notifying citizens of government or government-related activities. The variation in publication requirements is vast. Below are examples of statutory references governing publication requirements for routine notices by units of government:

County:

Ordinances-Publication (55 ILCS 5/5-11003)

"After said ordinance has been adopted and approved, it shall be published once in a newspaper published and having general circulation in such county, or if there be no such newspaper published in such county, then the ordinance shall be posted in at least 5 of the most public places in such county and shall become effective 10 days after publication or posting thereof."

Annual tax levy (55 ILCS 5/5-38008)

"Prior to the levy and collection of such a tax, the county board shall adopt a resolution authorizing the levy and collection of the tax at a rate not in excess of .08% of the value of all taxable property within the county as equalized or assessed by the Department of Revenue, and, within fifteen days after the adoption of such a resolution, it shall be published once in a newspaper published or having a general circulation in the county."

Townships:

Notice of annual township meeting (60 ILCS 1/30-10)

"Notice of the time and place of holding township meetings and the agenda approved by the township board at their prior meeting shall be given by the township clerk (or, in the clerk's absence, the supervisor, assessor, or collector) by posting written or printed notices in 3 of the most public places in the township at least 10 days before the meeting and, if there is an English language newspaper published in the township, by at least one publication in that newspaper before the meeting."

Annual budget & appropriation ordinance (60 ILCS 1/80-60)

"Notice of the hearing must be given by publication in a newspaper published in the township at least 30 days before the time of the hearing. If there is no newspaper published in the

township, notice of the public hearing may be given by posting notices in 5 of the most public places in the township."

Schools:

Petition for consolidation (105 ILCS 5/3a-13)

When the official results are received, the regional board of school trustees shall conduct a hearing on the petition, "after notice of hearing has been published once, not more than 15, nor less than 10 days before the day of the hearing in one or more newspapers having general circulation in the region, and in one or more newspapers having general circulation in the county which is petitioning for the consolidation."

Annual Budget (105 ILCS 5/17-1)

"Notice of availability for public inspection and of such public hearing shall be given by publication in a newspaper published in such district, at least 30 days prior to the time of such hearing. If there is no newspaper published in such district, notice of such public hearing shall be given by posting notices thereof in 5 of the most public places in such district."

Elections:

Public Questions-Notice of Referendum-Publication (10 ILCS 5/12-5)

Publication requirements for an election at which a public question is to be submitted to the voters. "Not more than 60 days nor less than 10 days before the date of a regular election at which a public question is to be submitted to the voters of a political or governmental subdivision, and at least 20 days before an emergency referendum."

Primary Ballots-Color, Texture, and Size of Paper-Notice (10 ILCS 5/7-18)

The election authority shall, at least 15 days prior to the date of the primary, post in a conspicuous place in his office an announcement of the color of the primary ballots of the respective parties, and, in the case of the general primary, shall also publish such announcement for at least 1 week in at least 2 newspapers of general circulation published in the county. In the case of the consolidated

Notices

(Continued from page 5)

central repository. Visit the site at: <https://www.publicnoticeillinois.com/>.

While the requirement to publish notices in a newspaper has been on the books for many years, the question now is... Can it stand the test of time? The days of grabbing the daily paper off the front steps are fading. More and more people rely on electronic sources and applications to receive their news. This shift to technology is driving many newspapers out of business, making it more and more difficult to find these general circulars in publication.

That, combined with the cost of printing in a newspaper, is creating a movement by units of local government to amend the laws requiring newspaper publication in favor of online notices. This legislative session alone saw over a dozen bills introducing amendments supporting that effort.

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primary, the election authority shall publish such announcement at the same time and in the manner provided for notice of the consolidated primary in Section 7-15 of this Article.

Local Government:

Municipal Adoption of Budget & Passage of Annual Appropriation Ordinance Required (50 ILCS 330-3)

"At least one public hearing shall be held as to such budget and appropriation ordinance prior to final action thereon, notice of which shall be given by publication in an English language newspaper published in such municipality, at least 30 days prior to the time of such hearing. If there is no newspaper published in such municipality, then notice of such public hearing shall be given by publication in an English language newspaper published in the county in which such municipality is located and having general circulation within such municipality."

Drainage

(Continued from page 1)

Projects that a drainage district undertakes can cost several thousand or several hundred thousand dollars. In either case, the work must be funded without the help of property taxes.

Drainage districts are not funded by levying property taxes. In fact, State Statute does not reference taxes because it does not provide a requirement or establish an authority for drainage districts to levy taxes. However, drainage districts may collect assessments on lands.

Drainage districts may also incur debt in the form of bonds or notes. The Illinois Drainage Code governs drainage districts and outlines how districts can fund projects.

Assessments

Drainage commissioner may levy three types of assessments on property in the district that will be benefited, taken, or damaged by proposed drainage work.

Lands are assessed only for benefits received. Land cannot be assessed for benefits more than the benefits the land will receive.

Original Assessments

Upon the organization of the district, the commissioners shall make an assessment roll of benefits, damages, and compensation, and include all lands, lots, railroads, and other property within the district other than public highways, streets, and alleys, which will be benefited, taken or damaged by proposed work. This is called an original assessment. It is the first assessment levied for the construction of the original work of the district and may include fees for the recording of documents.

Maintenance Assessments

Maintenance assessments are levied for the performance of annual maintenance of the district. This includes the purchase of necessary equipment and supplies to perform such annual maintenance work, the operation of pumping plants, to accumulate a contingency fund and to pay the current expenses of the district.

In November of each year, the commissioners of each district in which an annual maintenance assessment roll has been approved shall determine whether to collect all or a portion of the annual maintenance assessment during the following calendar year.

Additional Assessments

Additional assessments are levied for the completion of original, additional or repair work, the performance of additional or repair work, the construction or repair of pumping plants, or the payment of lawful obligations incurred by the district.

Original and additional assessments are due 30 days after the date of the order of the court approving the assessment. Annual maintenance assessments are due January 1, after the confirmation of the levy.

Debt Management

Another option for drainage districts is to incur debt. Districts may incur debt greater than uncollected assessments for operating expenses, completion of work approved by the court, and expenses because of a flood or other emergency.

Districts may issue bonds or notes for up to 90% of uncollected assessments, or more than 90% of uncollected assessments with court approval. These bonds or

notes must be paid within one year of the date the assessments will fall due.

Districts may also issue bonds or notes for up to 75% of uncollected annual maintenance assessments. The bonds or notes must be paid within one year of the date they are issued.

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2019 certified farmland assessment values:

The Certified Farmland Values for the 2019 assessment year can be found on page 8. The values have been certified and published by the Illinois Department of Revenue.

All cropland soils increased \$29.10 in assessed value. The \$29.10 represents an increase based on 10% of the 2018 value of a PI 111—As required by the Farmland Assessment Law. The 2019 values will be used to calculate taxes payable in 2020.

In the near future, your Chief County Assessment Officer (CCAO) should be scheduling a meeting of the County Farmland Assessment Review Committee. The meeting should be publicized in the legal notice section of your local newspaper. The purpose of this meeting is to advise the CCAO on the interpretation and application of reported certified farmland values and farmland valuation procedures to be implemented in the county. This meeting is open to the public.

Certified Values for Assessment Year 2019 (\$ per acre)

Average Management PI	Gross Income	Non-Land Production Costs	Net Land Return	Agricultural Economic Value	Equalized Assessed Value	* 2019 Certified Value
82	\$501.21	\$373.23	\$127.98	\$2,948.90	\$982.97	\$132.06
83	\$506.07	\$375.42	\$130.64	\$3,010.22	\$1,003.41	\$133.67
84	\$510.92	\$377.61	\$133.30	\$3,071.54	\$1,023.85	\$135.28
85	\$515.77	\$379.80	\$135.97	\$3,132.86	\$1,044.29	\$136.95
86	\$520.62	\$381.99	\$138.63	\$3,194.18	\$1,064.73	\$138.63
87	\$525.47	\$384.18	\$141.29	\$3,255.50	\$1,085.17	\$140.24
88	\$530.33	\$386.37	\$143.95	\$3,316.82	\$1,105.61	\$141.74
89	\$535.18	\$388.57	\$146.61	\$3,378.14	\$1,126.05	\$147.94
90	\$540.03	\$390.76	\$149.27	\$3,439.46	\$1,146.49	\$154.34
91	\$544.88	\$392.95	\$151.93	\$3,500.78	\$1,166.93	\$160.75
92	\$549.73	\$395.14	\$154.60	\$3,562.10	\$1,187.37	\$167.15
93	\$554.58	\$397.33	\$157.26	\$3,623.42	\$1,207.81	\$173.56
94	\$559.44	\$399.52	\$159.92	\$3,684.74	\$1,228.25	\$179.97
95	\$564.29	\$401.71	\$162.58	\$3,746.06	\$1,248.69	\$186.37
96	\$569.14	\$403.90	\$165.24	\$3,807.38	\$1,269.13	\$192.77
97	\$573.99	\$406.09	\$167.90	\$3,868.70	\$1,289.57	\$199.17
98	\$578.84	\$408.28	\$170.56	\$3,930.02	\$1,310.01	\$205.56
99	\$583.69	\$410.47	\$173.22	\$3,991.34	\$1,330.45	\$212.67
100	\$588.55	\$412.66	\$175.89	\$4,052.67	\$1,350.89	\$222.35
101	\$593.40	\$414.85	\$178.55	\$4,113.99	\$1,371.33	\$232.59
102	\$598.25	\$417.04	\$181.21	\$4,175.31	\$1,391.77	\$243.12
103	\$603.10	\$419.23	\$183.87	\$4,236.63	\$1,412.21	\$253.75
104	\$607.95	\$421.42	\$186.53	\$4,297.95	\$1,432.65	\$263.47
105	\$612.80	\$423.61	\$189.19	\$4,359.27	\$1,453.09	\$271.75
106	\$617.66	\$425.80	\$191.85	\$4,420.59	\$1,473.53	\$280.14
107	\$622.51	\$427.99	\$194.51	\$4,481.91	\$1,493.97	\$288.46
108	\$627.36	\$430.18	\$197.18	\$4,543.23	\$1,514.41	\$295.95
109	\$632.21	\$432.37	\$199.84	\$4,604.55	\$1,534.85	\$303.30
110	\$637.06	\$434.56	\$202.50	\$4,665.87	\$1,555.29	\$310.73
111	\$641.91	\$436.75	\$205.16	\$4,727.19	\$1,575.73	\$320.12
112	\$646.77	\$438.95	\$207.82	\$4,788.51	\$1,596.17	\$330.60
113	\$651.62	\$441.14	\$210.48	\$4,849.83	\$1,616.61	\$341.26
114	\$656.47	\$443.33	\$213.14	\$4,911.15	\$1,637.05	\$352.11
115	\$661.32	\$445.52	\$215.81	\$4,972.47	\$1,657.49	\$363.11
116	\$666.17	\$447.71	\$218.47	\$5,033.79	\$1,677.93	\$374.33
117	\$671.03	\$449.90	\$221.13	\$5,095.11	\$1,698.37	\$385.70
118	\$675.88	\$452.09	\$223.79	\$5,156.43	\$1,718.81	\$397.21
119	\$680.73	\$454.28	\$226.45	\$5,217.75	\$1,739.25	\$408.94
120	\$685.58	\$456.47	\$229.11	\$5,279.07	\$1,759.69	\$427.05
121	\$690.43	\$458.66	\$231.77	\$5,340.39	\$1,780.13	\$473.80
122	\$695.28	\$460.85	\$234.43	\$5,401.71	\$1,800.57	\$518.08
123	\$700.14	\$463.04	\$237.10	\$5,463.03	\$1,821.01	\$533.25
124	\$704.99	\$465.23	\$239.76	\$5,524.35	\$1,841.45	\$555.09
125	\$709.84	\$467.42	\$242.42	\$5,585.67	\$1,861.89	\$602.49
126	\$714.69	\$469.61	\$245.08	\$5,646.99	\$1,882.33	\$651.20
127	\$719.54	\$471.80	\$247.74	\$5,708.31	\$1,902.77	\$701.24
128	\$724.39	\$473.99	\$250.40	\$5,769.63	\$1,923.21	\$722.30
129	\$729.25	\$476.18	\$253.06	\$5,830.95	\$1,943.65	\$742.41
130	\$734.10	\$478.37	\$255.72	\$5,892.27	\$1,964.09	\$762.74

The capitalization rate is 4.34% percent.

10% Increase of 2018 certified value at PI 111 IS \$29.10

*These values reflect the statutory changes to 35 ILCS 200/10-115(e) under Public Act 98-0109.

*Farmland values are as certified by the Farmland Assessment Technical Advisory Board. Any differences in calculations are due to rounding at different stages of calculations.