AGENDA
WAYS AND MEANS COMMITTEE
Wednesday, March 27, 2019
@ 2:00 PM
Peoria County Courthouse, Room 402

1. **Call to Order**

2. **Approval of Minutes**
   - February 27, 2019

3. **Informational Items / Reports / Other Minutes / Updates**
   - Auditor
   - County Clerk's Office
     - Collections and Transactions Report
   - County Election Commission
   - Finance
   - Regional Office of Education
   - Supervisor of Assessments/Board of Review
     - Tax Cycle Update
   - Treasurer
   - Veteran's Assistance Commission
   - Legislative Update
   - Property Assessed Clean Energy (PACE) Program

4. **Joint Resolution**
   - Special Appropriation into the FY2019 budget for Peoria County Auditor’s Office (*joint with Budget Committee*)

5. **Resolutions**
   - Monthly Delinquent Taxes
   - Legislative Proposal to Amend the Livestock Management Facilities Act

6. **Miscellaneous**

7. **Adjournment**
Call to Order
The meeting was called to order by Chairman Mayer at 2:23 p.m.

Approval of Minutes
A motion to approve the minutes of December 19, 2018 was made by Mr. Rieker and seconded by Mr. Watkins. The motion carried.

Resolutions
- Marriage/Civil Union License Fee Increase
A motion to approve was made by Mr. Watkins and seconded by Ms. Williams. Mr. Sonnemaker advised that a request to increase the fee from $50.00 to $75.00 has been received from Court Administration. He stated that Courts Administration has advised that the increased fee would be more in line with the fee charged in neighboring Tazewell County. He advised that the marriage/civil union license fee has not seen an increase since 2011. The motion to approve carried unanimously.

Legislative Proposal for Livestock Management Facilities
A motion to approve was made by Ms. Williams and seconded by Mr. Fennell. Mr. Sorrel advised that discussion in several County Board standing committee raised four primary concerns, those being: 1) the minimum setback of ½ mile from the corporate limits of a municipality is too close to denser development; 2) the Act defines a New Facility in such a way that an existing facility can significantly expand without a trigger mechanism that would require the operator to seek a new application from the Department of Agriculture (DoA); 3) the process to site and construct the facility, or expand an existing facility, is not transparent when the size is less than 1,000 animal units. When below the 1,000 unit animal threshold, there is no requirement from the DoA to notify the county board of a proposed facility nor a provision allowing the county board to
conduct a hearing; 4) No process or procedure within the Act that examines the impact of supply and quantity of ground water in the facility location.

Mr. Sorrel advised that staff has fashioned six proposals to legislators on modifications to the Livestock Management Facilities Act in response to these concerns:

1. Increase the minimum distance of a facility from its current ½ mile to 1 ½ miles from the corporate limits of any municipality that has an adopted Comprehensive Plan and zoning ordinance
2. The Department of Agriculture should notify the County Board of the county in which a facility will be located regardless of the size of the proposed facility
3. Regardless of size of the proposed facility, allow County Boards to conduct a public hearing for the purposes of soliciting critical input from the community
4. For facility applications in any county with a population greater than 150,000, create provisions in the Act that are substantially similar to the pollution control facility process found in the Environmental Protection Act
5. Regardless of size of the proposed facility, require the Department of Agriculture to solicit an evaluation of impacts to ground water supply and quality from the Illinois State Water Survey
6. To address the issue of existing facilities expanding without triggering a new application, the Act should be amended to close this loophole, specifically reviewing the definition of a facility in the Act, and remove or restrict an operator’s ability to increase the size of the current facility without first requiring the operator to file a new application for facility expansion

Mr. Mayer emphasized that Peoria County is not advocating for or against these facilities, but has an overall goal focusing on local control of the process. Mr. Rieker questioned the urgency of the resolution and suggested soliciting additional input and a more thorough review of the topic before acting on the resolution. Mr. Mayer advised that there is legislation in Springfield in the Senate Agriculture Committee which could be posted as soon as next week, and the county is desirous of providing initial direction to government representatives and elected officials as negotiations of the bill proceed. Mr. Rieker commented that any action taken at this meeting of the committee would not address the immediate concerns and reiterated his stance on deepening and refining the discussion.

Surrounding area landowners and concerned citizens addressed the committee to present opposition and/or concerns, and a representative from the Illinois Livestock Development Group addressed the committee to present support regarding the facility and its proposed location.

The motion to approve carried 6-1, with Mr. Rieker voting nay.

- **Monthly Delinquent Taxes**
  A motion to approve was made by Mr. Salzer and seconded by Mr. Watkins. The motion carried unanimously.

- **Establishment of Public Official Bond Requirements**
  A motion to approve was made by Mr. Watkins and seconded by Ms. Williams. Mr. Sonnemaker advised that state statute requires that various district trustees, when appointed by the county board, file a bond in an amount set by the county board. He stated that the bond amount has not been addressed in nearly forty years and recommends increasing the bond amount from $2,500.00 to $5,000.00. The motion to approve carried unanimously.
Informational Items/Reports/Other Minutes/Updates

County Auditor
Ms. Thomas advised that in the past month, 737 checks have been written in an amount totaling $2,766,029.15. She stated that an appraisal of active vendors operating without contracts was conducted, and she worked with the County Administrator and Facilities Department in resolving deficiencies. She remarked that the janitorial contract for the courthouse and Gift Avenue, noting that the contract will be going out for bid by the end of March. She has also worked with various departments on resolving pre-payment audit deficiencies.

County Clerk
Mr. Sonnemaker advised that tax levy confirmations have been mailed, and tax extensions will be completed near the end of March. Mr. Deluhery advised that beginning next week, Statements of Economic Interest may be filed online. He also advised that the Statements of Economic Interest, with redacted addresses, will also be available to search and view online.

Peoria County Election Commission
Mr. Bride noted the consolidated primary election was held yesterday, with 10.7% turnout, a slight increase from the last city-wide at-large election 12 years ago. He noted the increase of 1,000 voters is due to an increase in voter registration. He stated that there were no issues with the newly installed electronic pollbook software.

Finance
Mr. Brunner advised that staff are in the process of completing 2018 financials and appropriations for the annual audit. He stated that a Budget in Brief document is being prepared for distribution.

Regional Office of Education (ROE)
Ms. Crider provided an update on the activities of the Regional Office of Education:
- An individual may obtain an expedited GED by being given credit for any accumulated high school credits
- The annual Gerald M. Brookhart Spring Celebration of the Arts begins April 15th. She asked that any committee member interested in sponsoring a stage contact her directly.
- The ROE is partnering with the Peoria Riverfront Museum for International Jazz Day on April 15th
- “Journey Like No Other” a signature event and fundraiser for the Peoria Regional High School located at Wildlife Prairie Park will be held in March.
- The author of “The Body Keeps the Score”, discussing the impacts of trauma on the mind and body, will attend the April 17th Bradley Brain Summit
- A summer reading program will be initiated and supplemented by $30,000.00 in available Pre-School for Expansion funding

Supervisor of Assessments/Board of Review
- Tax Cycle
Mr. Ryan advised that the final Abstract has been sent to the Department of Revenue will be forwarded to the County Clerk’s Office when returned.

Treasurer
Report deferred to the April meeting of the committee.

Veteran’s Assistance Commission
Mr. Mayer advised that the Commission surpassed $20 million in benefits in 2018.

Adjournment
The meeting was adjourned by Chairman Mayer at 3:40 p.m.
## County Clerk Collections and Transactions Report - February 2019

<table>
<thead>
<tr>
<th>County Clerk Revenues:</th>
<th>2019</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Recording Related Fees - General Fund:</td>
<td>795,400</td>
<td>54,843</td>
<td>100,598</td>
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<tr>
<td>Recording Related Fees - Automation Fund:</td>
<td>305,300</td>
<td>18,315</td>
<td>34,949</td>
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<tr>
<td>Real Estate Transfer Tax - County:</td>
<td>340,000</td>
<td>16,180</td>
<td>37,288</td>
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<td>Vital Records Certifications:</td>
<td>340,800</td>
<td>25,731</td>
<td>46,958</td>
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<tr>
<td>Property Tax Redemption Fees:</td>
<td>259,200</td>
<td>27,666</td>
<td>52,135</td>
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<tr>
<td>Marriage/Civil Union Licenses:</td>
<td>59,000</td>
<td>2,250</td>
<td>3,825</td>
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<td>Raffle Licenses:</td>
<td>13,200</td>
<td>720</td>
<td>2,712</td>
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<tr>
<td>Liquor Licenses:</td>
<td>51,000</td>
<td>130</td>
<td>260</td>
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<tr>
<td>Assumed Name Filings:</td>
<td>1,280</td>
<td>70</td>
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<tr>
<td>Notary Filings:</td>
<td>3,820</td>
<td>305</td>
<td>510</td>
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<tr>
<td>Miscellaneous:</td>
<td>600</td>
<td>164</td>
<td>361</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>2,169,600</strong></td>
<td><strong>146,373</strong></td>
<td><strong>279,773</strong></td>
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**County Clerk’s Collections to Benefit Other County Departments:**

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<tr>
<th></th>
<th>2019</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>GIS Recording Fee (IT):</td>
<td>34,352</td>
<td>63,110</td>
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<tr>
<td>Postage Reimb. - Redemption Notices (IT):</td>
<td>6,347</td>
<td>8,142</td>
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<tr>
<td>Plat Certification Fees (Treasurer):</td>
<td>45</td>
<td>90</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>40,744</strong></td>
<td><strong>71,342</strong></td>
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**County Clerk’s Collections to Benefit Other Entities:**

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<tr>
<th></th>
<th>2019</th>
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</thead>
<tbody>
<tr>
<td>Property Tax Redemption:</td>
<td>400,424</td>
<td>1,322,829</td>
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<tr>
<td>Real Estate Transfer Tax - City of Peoria:</td>
<td>64,595</td>
<td>114,240</td>
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<tr>
<td>Real Estate Transfer Tax - State of Illinois:</td>
<td>32,361</td>
<td>74,576</td>
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<tr>
<td>Illinois Rental Housing Fee:</td>
<td>11,259</td>
<td>23,337</td>
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<tr>
<td>Illinois Marriage/Civil Union Fee:</td>
<td>250</td>
<td>425</td>
<td></td>
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<tr>
<td>Illinois Death Certificate Fee:</td>
<td>472</td>
<td>656</td>
<td></td>
</tr>
<tr>
<td>County Trustee (property tax related):</td>
<td>-</td>
<td>966</td>
<td></td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>509,360</strong></td>
<td><strong>1,537,028</strong></td>
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</table>

**TOTAL COLLECTIONS**

|                                      | 696,477       | 1,888,143 |

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## Transactions

<table>
<thead>
<tr>
<th>Record</th>
<th>Feb</th>
<th>YTD (Feb.)</th>
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<tbody>
<tr>
<td>Recordings</td>
<td>1,714</td>
<td>3,100</td>
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<tr>
<td>Vital Records Certifications</td>
<td>1,680</td>
<td>3,073</td>
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<tr>
<td>Property Tax Redemptions</td>
<td>179</td>
<td>389</td>
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<tr>
<td>Marriage/Civil Union Licenses</td>
<td>50</td>
<td>85</td>
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<tr>
<td>Raffle Licenses</td>
<td>15</td>
<td>39</td>
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<tr>
<td>Liquor Licenses</td>
<td>2</td>
<td>4</td>
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<tr>
<td>Assumed Name Filings</td>
<td>8</td>
<td>18</td>
</tr>
<tr>
<td>Notary Filings</td>
<td>28</td>
<td>67</td>
</tr>
<tr>
<td>Statement of Economic Interest Filings</td>
<td>71</td>
<td>75</td>
</tr>
</tbody>
</table>

## County Clerk Functions Without Revenue

Property Tax Extension, Clerking County Board (minutes, records, County Code & certifying), Statement of Economic Interests, Contracts, Addressing, Service Directory, Military Discharge Recording/Certifying & Various Filings (bonds, oaths, reports, etc.)
ISSUE: Property Assessed Clean Energy program (PACE)

The State of Illinois Public Act 100-77, the “Property Assessed Clean Energy Act” (PACE), effective August 11, 2017 states that local units of government, including counties, may establish a Property Assessed Clean Energy Program.

The Ways and Means Committee was selected to discuss this program as it is a property tax initiative and is in line with the County’s Rules of Order.

A synopsis of Illinois’ PACE legislation: Provides that a local unit of government may establish a property assessed clean energy program. Provides that, to finance or refinance one or more energy projects on the property covered by the program, a local unit of government may impose an assessment pursuant to the terms of an assessment contract with the record owner of the property to be assessed. Provides that a local unit of government may issue bonds to finance energy projects under a property assessed clean energy program.

PACE regulations can be found in 50 ILCS 50/1 of the Illinois Compiled Statutes.

Including definitions, the PACE Act includes steps for Program Establishment, Reporting, Contract with property owners, Assessments, and Issuing Bonds. Program Establishment outlines the items to be included when adopting a resolution or ordinance.

County Administrator Scott Sorrel assigned an overview of the program to the Sustainability staff as the program provides financing to fund energy efficiency, water conservation, and renewable energy projects.

The Environmental Law & Policy Center shared an overview of the PACE program that offers a high level introduction to PACE:

WHAT IS PACE FINANCING?

Property Assessed Clean Energy (PACE) financing is a mechanism by which communities can choose to give commercial and industrial property owners another tool to finance energy efficiency, renewable energy, water-saving upgrades and electric vehicle infrastructure on their property. Illinois Governor Bruce Rauner signed House Bill 2831 allowing PACE financing for commercial, industrial, and multi-unit residential properties in Illinois. This law will create a new path for energy efficiency and renewable advancements in Illinois by allowing property owners to pay for clean energy improvements through a voluntary assessment on their property.

Under the Illinois PACE law, a local government may create a financing program and a property owner may choose to participate. Commercial and industrial property owners interested in the program can sign up to be a part of it, and the municipality or county arranges for the payment of the upgrades, either through traditional muni bonds or conduit bonds with a third-party financier.
Administrative costs for the program are recovered through program participants, so the program is cost-neutral to the municipality and has no cost to other non-participating property owners.

WHY PACE?
PACE is attractive to local governments because it provides a service for local property owners and increases property values.

For building owners, PACE is a good deal for three reasons:

- PACE can offer attractive financing rates
- PACE-supported energy efficiency and solar improvements can increase building values
- PACE project can reduce a building’s energy costs and achieve quick payback in energy savings

WHO IS ELIGIBLE?
Once a local government has created a PACE program, owners of commercial and industrial properties and large-scale multi-family buildings (5 units or more) may participate. Condominium associations, however, are excluded. Various protections for property owners have been added, including:

- Existing mortgage holders must sign-off on any PACE loan. This provision eliminates the concern previously held by many of the banks and credit unions.
- The building owner must sign-off on all completed projects, and all projects must be done by qualified contractors.
- PACE loans are limited to 25% of the assessed or appraised value, whichever is greater.

I've included additional information from a variety of resources that present information about PACE.

- Mark Pikus of Inland Green Capital, LLC wrote an article titled, “PACE Act: Valuable Tool for Commercial Owners”.
- U. S. Department of Energy prepared a fact sheet for State and Local Governments about Commercial property assessed clean energy (C-PACE).
- PowerPoint presentation titled, “Make Way for C-PACE Funding in Illinois: Strategic State Support Provided by Illinois Finance Authority”.

Kane County and DuPage Counties in Illinois have established a PACE program in the past year. Following their leadership, Peoria County can assign a qualified vendor to provide program administration services, at no cost to the County or the general public. This is an economic development initiative with environmental benefits that will lower the cost of doing business, encourage new and existing business owners to invest in Peoria County and create jobs using the local workforce. Projects will also have a positive impact on air quality, creating healthier, more livable neighborhoods.
Draft Timeline (subject to change):

5/9/19  Resolution to Declare Intent to Create a Property Assessed Clean Energy Program for Peoria County
5/17/19  Prepare RFQ/RFP for PACE program
5/20/19  Post RFQ/RFP to public & Legal Notice Advertisement placed
6/4/19  Questions Due in Writing
6/7/19  Final Questions and Answers published
6/13/19  Submittals Due to Purchasing
6/14/19 - 6/28/19  Review Submittals
7/23/19  Opportunity for top vendors to present at Ways and Means Committee
8/28/19  Selection of vendor for program Administration Services at Ways and Means Committee
9/12/19  Selection of vendor County Board

COUNTY BOARD GOALS:

HEALTHY VIBRANT COMMUNITIES

PREPARED BY: Karen Raithel  DEPARTMENT: Sustainability & Resource Conservation
DATE: March 20, 2019
PACE Act: Valuable Tool For Commercial Owners

Energy efficiency is on the minds of many commercial real estate owners as it provides a way to lower energy costs, increase property values, reduce operating expenses and enhance the comfort of their tenants. However, there are two main obstacles that can prevent owners from making energy improvements to their properties: a lack of capital and the inability to find financing sources.

To overcome these barriers, in certain states commercial property owners have been utilizing Property Assessed Clean Energy (PACE) financing, which provides funding for energy efficiency, water conservation and renewable energy projects.

What is PACE financing?

PACE is a voluntary energy conservation program that provides up to 100 percent financing for approved energy-efficiency projects. While PACE is a national initiative, programs can be established locally and tailored to meet specific regional needs. State legislation must be passed in order to authorize municipalities to create local PACE programs. Today, more than 30 states have commercial PACE enabling legislation with Commercial PACE programs active in 18 states. Illinois was the most recent state to pass PACE legislation on Aug. 11, 2017.

PACE provides low-cost, long-term financing for energy efficiency projects such as, installing solar panels, HVAC improvements, roof repairs, updating insulation and installing LED lighting. This financing is available for a variety of commercial real estate properties including retail, multifamily, industrial, office, hospitality, affordable housing and senior housing.

How does PACE work?

Financing is arranged through a local program administrator or a municipality who reviews applications to confirm they meet the guidelines and then coordinates the issuance of bonds that are sold to provide capital for such projects. The property owners repay the long-term improvement financing through an assessment included on real estate tax bills.

The PACE financing is secured by an assessment lien on the property which remains until the financing is repaid. If the commercial real estate property is sold before the PACE assessment is fully paid, the
lien stays with the property and remains the responsibility of the new owner to be repaid through an assessment listed on the real estate tax bill as the savings from the energy-efficiency project continues to benefit the new owner.

The value of PACE

From a property owner’s perspective, there are many benefits of utilizing PACE financing. PACE offers up to 100 percent financing for projects; therefore, the owner does not have to worry about upfront capital and can reallocate funds that were previously reserved for energy projects. The energy savings from PACE projects can also increase a property’s value and cash flow. In addition, it provides access to energy-efficient technology that may not have been otherwise available to the property owner.

Municipalities can also see benefits from PACE in terms of economic development, job creation, increased property values and the fact that programs can be set up so there are zero net costs to the issuer or government body.

Commercial PACE now available in Illinois

Legislation for PACE financing in Illinois began in 2009 with the passage of a basic PACE bill which didn’t give municipalities or property owners enough guidance as to how to set up a program. In 2017, the Illinois General Assembly passed Senate Bill 1700 – House Bill 2831, and in August, Gov. Bruce Rauner signed it into law. Illinois’ PACE law is only in effect for commercial properties, not residential properties. Recently PACE Nation reported, the office and retail sectors maintain their place as the top two users of commercial PACE financing, but in 2016, the industrial, nonprofit and agricultural sectors showed the most growth. The majority of PACE projects, (81 percent) are focused on improving energy efficiency and renewable energy.*

The introduction of PACE in Illinois should spur more energy-efficient projects within the commercial real estate market, improve property values and create jobs in the clean and renewable energy industries. Since 2009, PACE has nationally provided $493 million in financing for energy upgrades to 1,097 commercial buildings that created 7,395 jobs.*

Mark Pikus is senior vice president of Inland Green Capital, LLC, an environmental finance and investment company that provides capital for PACE project initiatives nationwide, as well as developer Bonds and other energy saving improvement financing programs. Inland Green Capital has been an active investor in PACE programs since 2012.

Commercial Property Assessed Clean Energy (C-PACE)
A Fact Sheet for State and Local Governments

Commercial property assessed clean energy (C-PACE) is a tool that can finance energy efficiency and renewable energy improvements on commercial property.

Like other project financing, C-PACE uses borrowed capital to pay for the upfront costs associated with energy efficiency or renewable energy improvements. Unlike other project financing, the borrowed capital is repaid over time via a voluntary tax assessment. The security provided by the tax assessment, a long-used and well understood mechanism, results in several compelling features, including longer term financing and transferability of the repayment obligations to the next property owner. In turn, C-PACE strengthens the business case for investment in longer payback and deeper building retrofits beyond what is possible with traditional financing.

Why C-PACE Matters for State and Local Governments
C-PACE is not a federal program, and public funding is not necessary to run a C-PACE program. C-PACE must be authorized by state legislation, and requires further authorization from local governments. More than 30 states have adopted C-PACE enabling legislation because of the opportunities for investment in local businesses, energy and cost savings, and job creation.

Private firms often participate in C-PACE as lenders, developers, administrators, contractors, and marketers. With limited public funding, state and local governments are increasingly interested in attracting private dollars to take full advantage of the opportunities associated with energy efficiency and renewable energy investment.

Key C-PACE Features

- **Target Market**: Depending on the authorizing legislation, C-PACE may be available to industrial, commercial, agricultural, multi-family, and non-profit/religious properties.
- **Eligible Improvements**: Depending on the authorizing legislation, eligible projects may include energy efficiency, renewable energy, energy storage, and non-energy measures (e.g., storm and seismic hardening).
- **Duration and Transferability**: Terms tend to be long (20-30 years) because repayment is secured by the tax assessment and transfers to the next property owner (traditional commercial loans are usually 7-10 years).
- **Interest Rates and Fees**: Interest rates are competitive since the tax assessment mechanism is considered secure and low-risk; fees associated with program administration or other services are common.
- **Scale**: C-PACE programs may be organized at the local, multi-jurisdictional, or statewide levels.
- **Capitalization**: Public or private funds may be used to finance property improvements. Private capital from regional banks or national specialty lenders is increasingly common as programs mature and grow to scale, while many programs have leveraged public funding (e.g., through bonding).
- **Multiple Actors**: C-PACE financing may include commercial property owners, capital providers, a program administrator, the mortgage holder (e.g., bank), the contractor providing retrofits, a tax assessor, and others.
- **Lender Consent**: Mortgage holder consent is a best practice or requirement for most C-PACE programs.

$493 million in cumulative C-PACE financing
1,097 commercial projects completed
Source: PACENation, October 2017
See: http://pacenation.us/pace-market-data/
How C-PACE Works
State and local governments frequently ask about two very different processes: how do we get a C-PACE program in our jurisdiction, and how do C-PACE projects get approved and financed? Generalized processes are below.

### PROGRAM SET UP PROCESS
- State legislature adopts commercial PACE enabling legislation
- Decision making body is convened to start a PACE program (state or local)
- Program guidelines are created or adopted to supplement enabling legislation
- Select an administrator (public or 3rd party) and launch program
- Local governments join program, or in some cases, start their own

### PROJECT APPROVAL AND FINANCING PROCESS
- A program administrator (public or 3rd party) approves the project
- Tax assessment placed on property and financier provides project capital
- A contractor completes the PACE-eligible building improvement
- Property owner pays for completed work via a property tax assessment
- Repayments are remitted back to the lender

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Commercial PACE Project Examples

**Milwaukee, WI**
The City of Milwaukee authorized C-PACE in 2013. Milwaukee's first C-PACE deal closed in 2014 at the University Club of Milwaukee. The building underwent retrofits expected to result in $60,000 in annual operating savings, roughly 30%. Learn more via the Better Buildings Implementation Model.

**Texas**
Texas authorized C-PACE in 2013. Via a "PACE in a Box" model designed to streamline quick adoption, over 10 Texas local governments have adopted a PACE-enabling ordinance. Texas closed its first C-PACE project in late 2015, which included $1.25 million in financing for retrofits to an Austin shopping mall. Learn more at Texas PACE Authority.

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### Resources to Learn More
- State and Local Solution Center: Pay for Energy Initiatives
- Accelerating the Commercial PACE Market: Statewide Programs and State Energy Office Participation In Property Assessed Clean Energy (PACE) Financing – A 2016 report prepared by the National Association of State Energy Officials
- PACENation: Resources on market data, state enabling legislation, case studies, and much more

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\(^1\) PACENation via “PACE Programs Near You.” Available online [here](#).

\(^2\) Single family residential is excluded from C-PACE and is subject to different lending regulations. For more information, see the U.S. DOE’s [Best Practice Guidelines for Residential PACE Financing](#).

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For more information about C-PACE, contact: stateandlocal@ee.doe.gov

DOE/EE-1697 • October 2017
How C-PACE Works

- Commercial property owner voluntarily executes a C-PACE assessment contract with local unit of government to finance an energy project. Proceeds of a bond issue by a unit of local government that has established itself as a "PACE Area" fund the energy project.

- C-PACE lien is recorded and attached to the commercial property owner's property tax bill. Like any other property tax, a C-PACE lien is senior to a commercial mortgage:
  - Mortgage holder consent required
  - C-PACE repayment obligation transfers to a new property owner upon the sale of the improved commercial property (along with the ongoing energy savings)
  - Bondholder(s) entitled to same rights and remedies that a local unit of government has regarding delinquent property taxes
  - Allows C-PACE financing to exceed standard commercial lending terms that are otherwise typically only 5-7 years

- C-PACE financing term = useful life of energy project (~20 years)
Statutory Qualifications

- **Required:** an assessment of the existing water or energy use and a modeling of expected monetary savings have been conducted for any proposed C-PACE project.

- C-PACE assessment contracts cannot exceed 25% of the greater of (i) the assessed value of the property or (ii) the appraised value of the property, as determined by a licensed appraiser.
  - Appraisal must not be older than 12 months.

- No delinquent: (i) taxes, (ii) special assessments (including any existing assessments under a C-PACE program), or (iii) water or sewer charges on the commercial property.

- No involuntary liens on the commercial property, including, but not limited to, construction or mechanics liens, no environmental or eminent domain proceedings, and commercial property must not be an asset to a current bankruptcy.

- No pending real estate legal actions against record owner of commercial property. Record owner must also be current on all mortgage debt on the commercial property and not have filed for bankruptcy in the last 2 years.

C-PACE History in IL

- **August 11, 2017:** Illinois Property Assessed Clean Energy Act becomes law.
  - Public Act 100-0077 (HB2831)

- **February 15, 2018:** IFA Board of Directors adopts a Resolution to assist local units of government with C-PACE financing due to 6 months of failed C-PACE implementation.

- **April 17, 2018:** IFA introduces PACE Act trailer bill (SB2773).
  - Passed Senate May 2, 2018
  - Passed House May 30, 2018

- **August 19, 2018:** PACE Act trailer bill (SB2773) becomes law.
  - Public Act 100-0980 (SB2773)
  - Effective January 1, 2019

Implementation

- As recommended by the U.S. Department of Energy's "Lessons in Commercial PACE Leadership: The Path from Legislation to Launch" dated February 2018, a strategic state support model is beneficial as the state develops standard materials, protocols and offerings, localities use these as they see fit.

- PACE Act trailer bill (SB2773) provides path for successful C-PACE implementation in Illinois by utilizing a strategic state support model to be provided by IFA.
About IFA

- IFA is a body politic and corporate governed by a 15-person Board of Directors appointed by the Governor and confirmed by the Senate.
- IFA receives no taxpayer support or state appropriation for operating expenses.
  - Revenue generated from fee income and investment earnings
  - Approximately 12 full-time staff; annual budget of ~$5.0 million
- Principal IFA office location is in downtown Chicago.
  - Satellite offices in Springfield and Mt. Vernon
- As of June 30, 2017, IFA's bonds issued on behalf of for-profit, non-profit, and local government borrowers totaled more than $25.33 billion in outstanding principal.
  - In Fiscal Year 2017 alone, IFA successfully closed and funded over 58 bond transactions totaling more than $4.14 billion

State Support Model

- Counties, cities, and villages can assign assessment contracts to IFA to finance C-PACE projects on their behalf, which offers the following benefits:
  - C-PACE bonds issued by an experienced, existing statewide conduit bond issuer
  - More efficient bond financing through IFA vs. bond financing by local units of government
  - Local unit of government still earns a fee while retaining accountability with its procure C-PACE Program Administrator(s)
  - Monthly meetings of the IFA Board of Directors held at the principal office approve C-PACE financings from a variety of local jurisdictions across the state
  - Diminishes Program Administrator operating costs
  - C-PACE bond documents drafted by IFA drive standardization of Illinois market
  - Reduces legal fees and improves capital flow across the state
  - IFA open market model allows transaction participants to engage their own financing team, including Bond Counsel and Capital Providers
  - No procurement issues

Conduit Bond Issuance

- Historically, IFA has served as the primary statewide conduit bond issuer for the public financing of projects voluntarily undertaken by private borrowers (healthcare systems, educational institutions, small manufacturers, etc.).
  - State statutory general bond debt limit of $28.15 billion

- Public Act 100-0919 (SB0043) clarified IFA has an additional $2.0 billion of state statutory bonding authority for C-PACE projects, separate and apart from $28.15 billion general bond debt limit noted above.
  - Judicial validation of C-PACE Bonds issued by IFA not required
  - C-PACE Bonds issued by IFA are taxable municipal bonds
Warehouse Fund

- Counties, cities, and villages that assign assessment contracts to IFA to finance C-PACE projects on their behalf will additionally benefit from IFA's C-PACE Warehouse Fund.
- Certain balance sheet assets of IFA are dedicated as a warehouse fund for interim funding of smaller C-PACE projects that are otherwise uneconomical for purposes of long-term bond financing.
- Upon multiple interim loans reaching economies of scale for bond financing, assessment contracts will be pooled together and IFA will issue taxable municipal bonds.
  - Smaller borrowers now only pay a reduced, pro-rated costs of issuance.
  - Ensures C-PACE available for every small business in established PACE Areas.

IFA Warehouse Fund Tentative Rate (i.e. cost of capital to local units of government (or their procured Program Administrator(s)):
- Federal Reserve Bank of New York's Daily Secured Overnight Financing Rate + 45 basis points (reset monthly)

C-PACE Launch!

- Given the state support model and warehouse fund offered by IFA, local units of government have begun the first steps of procuring Program Administrators to develop and establish C-PACE programs in their communities as well as adopt the C-PACE ordinance prepared by IFA.
  - July 17, 2018: DuPage County approved Illinois Energy Conservation Authority as Program Administrator.
  - July 25, 2018: City of Chicago approved Loop-Counterpointe PACE LLC as Program Administrator.
  - August 14, 2018: Kane County approved Illinois Energy Conservation Authority as Program Administrator.
  - October 31, 2018: City of Chicago approves ordinance establishing city limits as PACE area, authorizes IFA to issue C-PACE bonds on its behalf.

Questions?
bfletcher@il-fa.com  @IFAPACE
(312) 651-1329
Illinois Finance Authority
160 N. LaSalle Street, Suite S-1000
Chicago, IL 60601

Brad R. Fletcher
www.il-fa.com
AGENDA BRIEFING

COMMITTEE: Ways and Means Committee / Budget Committee
MEETING DATE: March 27, 2019
LINE ITEM: See below
AMOUNT: $66,000

ISSUE:
For RESOLUTION: Additional Appropriation to the FY 2019 Budget for the office of the County Auditor

BACKGROUND/DISCUSSION:

The County Auditor Jessica Thomas took office on December 3, 2018. The FY 2019 budget request was submitted by the previous auditor Kent Rotherham. During the budget process, County Administration added additional funds to the County Auditor budget to the tune of $15,700 above the original request. Per discussions with Ms. Thomas, she is requesting that the County Board appropriate additional funds to her department in FY 2019. The basis of her request is so that she can perform the duties of her office.

As per her request for additional funds, the attached resolution is submitted to the Ways and Means Committee to add one full-time equivalent (FTE) Assistant Auditor position with benefits to the Auditors budget. This is a position represented by the AFSCME-PCEA bargaining unit. This would result in a total budget appropriation of $253,365 for the County Auditor department 021.

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COUNTY BOARD GOALS:

STAFF RECOMMENDATION:

COMMITTEE ACTION:

PREPARED BY: Allen Mayer, Ways and Means Committee Charmain and Scott Sorrel, County Administrator
DEPARTMENT: County Auditor
DATE: February 20, 2019
THE HONORABLE COUNTY BOARD

COUNTY OF PEORIA, ILLINOIS

Your Ways and Means Committee and Budget Committee do hereby recommend passage of the following resolution:

RE: Additional Appropriation to the FY 2019 Budget for the office of the County Auditor

RESOLUTION

WHEREAS, the County Auditor’s overall adopted budget for FY 2019 was $187,365.00; and

WHEREAS, the County Auditor is requesting additional funds to be added to the departments budget to perform the duties of the office; and

WHEREAS, the County Board has determined that an additional full time equivalent Assistant Auditor position plus benefits would permit the County Auditor to fulfill the duties of her office; and

WHEREAS, the County Board has determined that the source of this budget amendment shall come from the unobligated reserves of the County’s General Fund.

NOW THEREFORE BE IT RESOLVED, the County Auditor’s annual appropriation is amended by adding $66,000 (Sixty-six thousand dollars) in the following line items:

001-1-021-7-725-51031 Full-Time Employees $ 50,000
001-1-021-7-725-51241 Medical Health Benefits $ 16,000
Total $ 66,000

RESPECTFULLY SUBMITTED,

WAYS AND MEANS COMMITTEE
BUDGET COMMITTEE
AGENDA BRIEFING

COMMITTEE: Ways & Means & Budget  
MEETING DATE: March 27, 2019  
LINE ITEM: 001-021-various  
AMOUNT: $338,060 estimate

ISSUE:
For RESOLUTION: Elected Peoria County Auditor special appropriation for 2019 budget:
   b. Financial Resources, (personnel and operating), to enable Elected Peoria County Auditor to adequately pursue this objective.

BACKGROUND/DISCUSSION:
Over several years the budget of the Office of the Auditor has been significantly cut, both in personnel and operating expenses. Currently the Office has 1 employee and $375 in operating expenses. The Peoria County Board included a referendum which would eliminate the elected Office in the March 2018 primary election. The referendum to eliminate the office of the County Auditor was voted down by the Citizens of Peoria County, thus providing the input desired by the Board.

The Peoria County 2019 budget does not provide the Office of the County Auditor the proper resources necessary to fulfill duties as outlined in the Illinois State Statute 55 ILCS (5/3-1005 & 55 ILCS 5/3-1007).

The Peoria County Auditor recommends the restoration of the operating budget as in 2016, along with the additional appropriations necessary to establish the staffing level in the office at five employees and the Auditor. This will allow the Office of the County Auditor to properly adhere to the Illinois State Statute 55 ILCS (5/3-1005 & 55 ILCS 5/3-1007). Requested resources necessary (estimated at approximately $338,060) to be transferred into the Auditor’s 2019 Budget (01-021). Please refer to budget detail attachment.

There are several factors that play into the need to request additional funds. In 2019, the Auditor’s budget did not account for the staffing needed to properly execute the duties of the office and the operational budget to support those duties and employees.

This budget will allow the office to increase the full-time employees from 1 to 5. The requested $257,000 will cover the salary for those 4 essential new hires. The overtime premium, and medical benefit line has increased to support the additional new hires.

The operational line items have also increased to support the duties and the staff of the office. The basis for these line increases were taken from the past auditor’s 2016 budget and/or the current 2019 Finance Department budget. The 2016 Auditor’s budget was used because it was the last budget that reflected the needs of a fulltime elected Auditor and a staff level of 2 full time employees. The Finance department was used as a basis because of the similarity of staffing level.

COUNTY BOARD GOALS:

- COLLABORATION
- FINANCIAL STABILITY

STAFF RECOMMENDATION: APPROVAL

COMMITTEE ACTION:

PREPARED BY: Jessica Thomas  
DEPARTMENT: Peoria County Auditor  
DATE: February 13, 2019
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TO THE HONORABLE COUNTY BOARD
COUNTY OF PEORIA, ILLINOIS

Your Ways & Means Committee & Budget Committee do hereby recommend passage of the following Resolution.

Re: Peoria County Auditor – Duties & Special Appropriations 2019

WHEREAS, numerous duties prescribed by the Illinois State Statutes as the duties of the Office of the Auditor have been delegated in the past to other Peoria County Departments;

WHEREAS, the new duly elected Auditor (December 1, 2018) has found this removal of the duties prescribed by the Illinois State Statutes to be unacceptable to her.

WHEREAS, the 2019 Peoria County Budget shows her operating budget (less herself and one employee), to be $375

WHEREAS, your Committee has determined that it is in the best interests of the County to restore the duties as per the Illinois Statutes, along with the personnel currently performing those duties and the financial resources necessary to accomplish them to the Office of the Auditor.

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is authorized and directed to amend the 2019 Peoria County budget, for the return of duties (as described in the Illinois State Statutes) to the Office of the Auditor, with the personnel and other financial budget necessary to accomplish them. “Detail attached”.

RESPECTFULLY SUBMITTED,

WAYS AND MEANS COMMITTEE
BUDGET COMMITTEE
### Peoria County Monthly Resolution List - March 2019

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**Totals**

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*Committee Members*
AGENDA BRIEFING

COMMITTEE: Ways and Means Committee
MEETING DATE: March 26, 2019
LINE ITEM: N/A
AMOUNT: N/A

ISSUE:

For RESOLUTION: Legislative Proposal to Amend the Livestock Management Facilities Act (510 ILCS 77)

BACKGROUND/DISCUSSION:
At the February County Board Meeting, the Board requested staff prepare a resolution that addresses the concerns raised over the siting and construction of livestock management facilities. At the March County Board Meeting, the Board sent the resolution back to Committee for additional work. There were four key concerns raised.

1. The minimum setback of a half (0.5) mile from the corporate limits of a municipality is too close to denser development found in municipalities.
2. The Act defines a New Facility in such a way that an existing Facility can significantly expand, even double, the size of the Facility without any trigger mechanism that would require the operator to seek a new application from the Department of Agriculture.
3. The process to site and construct a new facility or expansion of an existing facility is not transparent when the size of the facility is less than 1,000 animal units. There is no requirement for the Department of Agriculture (Department) to notify the county board in the county where the facility is proposed. In such cases, nor is there a provision that permits the county board to conduct a hearing that would gather important information from the citizens of the county about the positive and negative aspects of the proposed Facility.
4. Consideration for potential impacts on ground water supply and quality are also missing from the Act. Many times, a Facility is located in an area where a public water supply is not available, and Facilities have the potential to use large amounts of water. Without a review of the ground water supply and quality by a qualified and credible entity, such as the State Water Survey, the Department is not getting a complete picture on the impacts a Facility will have on the surrounding environment.

To address these concerns, several suggested amendments to Act are proposed in the attached resolution. The resolution seeks support or our legislators to address these deficiencies found in the Act.

1. To address concerns about the impact to populated areas, like municipalities, the minimum distance a Facility may be constructed should be increased from one-half (0.5) mile to one and one-half (1.5) miles from the corporate limits of any municipality that has an adopted comprehensive land use plan and zoning ordinance so as to exercise its extraterritorial zoning authority. The adoption of a comprehensive plan and a zoning ordinance are critical to the applicability, because when a municipality has done these two things, it can exercise extraterritorial control out to a maximum of one and one-half (1.5) miles beyond its corporate limits.
2. To increase transparency, especially at the local level, Section 510 ILCS 77/11, which establishes the process for filing a notice of intent to construct and construction data; registration of facilities, the Department should include a provision that requires the Department to send a notification to the county board in the county where a Facility is proposed.
3. Along with notification to a county board, the Department should permit the county board to conduct a hearing with the provisions the Act currently has for any Facility exceeding 250 animal units as found in Section 510 ILCS 77/12.
4. To address the ground water supply and quality issues that are possible with such a Facility, it is recommended that the Act require the Department to consult with the Illinois State Water Survey. The
State Water Survey should be the agency to evaluate the impacts of a proposed Facility on the ground water.

COUNTY BOARD GOALS:

- INFRASTRUCTURE STEWARDSHIP
- HEALTHY VIBRANT COMMUNITIES
- COLLABORATION

STAFF RECOMMENDATION:  

APPROVAL

COMMITTEE ACTION:

PREPARED BY: Scott Sorrel, County Administrator
DEPARTMENT: County Administration  

DATE: March 19, 2019
RE: Legislative Proposal to Amend the Livestock Management Facilities Act (510 ILCS 77)

RESOLUTION

WHEREAS, the State of Illinois has enacted the Livestock Management Facilities Act (510 ILCS 77) to regulate the siting and operation of livestock management facilities across the state; and

WHEREAS, the Act restricts the siting of Facilities within a half-mile of a municipality irrespective of a municipality’s extraterritorial zoning area; and

WHEREAS, when a Facility is less than 1,000 animal units, the Act lacks transparency throughout the siting and construction approval processes because notice is not required to be given to the County Board in which the Facility is to be located; and

WHEREAS, regardless of its size, a Facility’s impact on ground water supply and quality is not sufficiently known or evaluated due to a lack of requirement for the Department of Agriculture to seek such information from the Illinois State Water Survey; and

WHEREAS, the Peoria County Board has determined these stated deficiencies in the Act constitute the increased opportunity for Facilities sited in Peoria County and other counties throughout Illinois to be constructed with substantive negative impact to the public safety, health, and well being to our residents and their properties.

NOW THEREFORE BE IT RESOLVED, that the Peoria County Board seeks legislative relief on behalf of its tax paying citizens to the negative impacts described herein in the form of the following amendments to the Livestock Management Facilities Act:

1. In 510 ILCS 77/11, add a provision that the Department of Agriculture shall notify within 10 calendar days of the date of the application filing, the County Board of the County within which a new Facility is proposed to be sited and constructed, and with direction to the Department that this notification be substantially similar to the current notification required when the new facility exceeds 1,000 animal units;
2. In 510 ILCS 77/11, add a provision that requires the Department to solicit an evaluation of the impacts to ground water supply and quality from the Illinois State Water Survey for new Facilities, and directs the Department to establish rules for an acceptable timeframe to notify the Water Survey and for the Water Survey to respond;

3. In 510 ILCS 77/12, amend from 1,000 animal units to 250 animal units the threshold for the County Board to conduct a public hearing for the purposes of soliciting critical input from the community about both the positive and negative attributes of the proposed Facility as required in the Section;

4. In 510 ILCS 77/35, add a provision for a new minimum setback of one and one-half (1.5) miles from the corporate limits of a municipality, at time of application and with an adopted comprehensive land use plan and adopted zoning ordinance, for any new facility greater than 50 animal units with provisions that the municipality by adoption of a resolution may waive the setback.

RESPECTFULLY SUBMITTED,

WAYS AND MEANS COMMITTEE