



ILLINOIS STATE ASSOCIATION OF COUNTIES

# COUNTY

## QUARTERLY NEWSLETTER

MARCH 2025

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### 2025 NATIONAL ASSOCIATION OF COUNTIES (NACO) **LEGISLATIVE CONFERENCE**



## A Message from the

# Executive Director



By: Joe McCoy, Executive Director

In early March, ISACo staff joined dozens of county officials and staff members in Washington, DC during the National Association of Counties (NACo) Legislative Conference.

NACo's 10 policy steering committees convened to consider interim policy resolutions intended to shape federal policy impacting counties. An adopted interim policy resolution approved by NACo's policy steering committees and Board of Directors becomes official NACo policy through the Annual Conference (July 11-14). At that time, it can be permanently adopted or rejected by the NACo membership.

Thirty-six interim policy resolutions were considered across various NACo Policy Steering Committees. Illinois elected officials or staff were lead sponsors or co-sponsors of several policy resolutions. These resolutions are referenced later in this *County Quarterly*.

While at the conference, several Illinois county officials and staff attended an ISACo-organized joint meeting with Senators Durbin and Duckworth at the Dirksen Senate Office Building (cover photo).

During this meeting, the Senators were urged to oppose Medicaid cuts and support the federal tax exemption for municipal bonds.

Illinois county officials continue to increase their involvement and influence in federal policy through NACo. ISACo will continue to work toward expanding this influence at the federal and state levels of government.

With respect to state government, this edition of the *County Quarterly* includes content about ISACo's 2025 Legislative Agenda, our legislation to make sensible changes to the law that governs wind and solar facilities and key dates for legislation working its way through the General Assembly. There's also a recap of the NACo Legislative Conference with photos and a summary of a recent ISACo webinar featuring the Director of the Illinois Department of Public Health (IDPH), Dr. Sameer Vohra. This webinar provided another tremendous opportunity for ISACo to connect county officials to state and federal policymakers.

It is a pleasure to serve your county and please feel welcome to contact me at [jmccoy@isacoil.org](mailto:jmccoy@isacoil.org) if I can be of service. Thanks.

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## Strengthening Public Health in Illinois:

# Insights from Dr. Sameer Vohra

By: ISACo Staff

On February 11, 2025, ISACo hosted a webinar featuring the Director of the Illinois Department of Public Health, Dr. Sameer Vohra, for a discussion on the state's public health priorities. He emphasized the importance of community engagement and a unified approach, particularly post-pandemic, highlighting three key areas: health emergency preparedness; modernization of public health systems through data integration; and building community trust.

Dr. Vohra introduced the Healthy Illinois 2028 initiative, targeting chronic diseases and health disparities, and shared updates on grant opportunities for maternal and infant health. He also showcased innovative communication efforts, such as the Pause to Heal campaign for firearm violence prevention and strategies to promote vaccinations via social media.

Addressing concerns about federal funding cuts and healthcare workforce shortages, he discussed scholarship programs and partnerships designed to mitigate these challenges. He also expressed a commitment to enhancing collaboration with counties, including further discussions on tracking deaths in custody.

ISACo appreciates Dr. Vohra's leadership and looks forward to this continued partnership in strengthening public health across Illinois.





## ISACo Legislative Agenda

# Proposals for 2025

December 16, 2024

*The following proposals have been approved by the Board of Directors of the Illinois State Association of Counties (ISACo) for introduction in 2025.*

### Community Revitalization Zones

**PROPOSED BY:** Community, Economic & Workforce Development Committee

**Issue:** Counties can address the economic disparity between urban and rural communities, with a specific focus on how to stimulate investment, create jobs, and enhance the overall quality of life in economically distressed areas.

**Proposal:** Provide counties with permissive authority to designate an area within their respective jurisdictions as a community redevelopment zone via ordinance. This proposal would amend sales taxes to implement a reduced sales tax rate of 3.25 percent for tangible personal property purchased from retailers located within designated community redevelopment zones. This reduced rate would not apply to certain types of tangible personal property already subject to a lower tax rate of 1 percent or 1.25 percent under existing tax laws. (SB 121)

### Contracting for Waste Management Services

**PROPOSED BY:** Environment, Energy & Land Use Committee

**Issue:** Under existing law, counties can manage garbage collection and disposal in unincorporated areas. The Counties Code, however, does not have explicit language referencing contracts with waste management and collection companies, leading to a perceived lack of clarity.

**Proposal:** Provide further clarity that counties may enter long-term contracts for garbage collection and disposal, with terms exceeding one year but not more than 30 years. (HB 2784)

### Expand Local Option Motor Fuel Tax to All Non-Home Rule Counties

**PROPOSED BY:** Community, Economic & Workforce Development Committee

**Issue:** Under current law, the only non-home rule counties permitted to impose a county Motor Fuel Tax (MFT) are DuPage, Kane, Lake, McHenry and Will. Cook County imposes an MFT using its home rule authority.

**Proposal:** Expand authority to impose a county MFT not to exceed 8 cents per gallon to all non-home rule county boards for the ongoing maintenance and construction of essential infrastructure. (HB 1601)

### Exempt Veterans' Assistance Commission Funding from PTELL

**PROPOSED BY:** ISACo Staff

**Issue:** P.A. 102-0732 (2022) made several changes to statutes affecting Veterans Assistance Commissions. These changes affected governance, administration and funding.

Current law establishes a minimum amount of annual funding for VACs equal to the lesser of .02% of the last known equalized assessed value (EAV) of the taxable property in the county OR an amount determined by the VAC to be "just and necessary." Disputes over what is "just and necessary" are evidence-based and resolved in circuit court. The 0.2% of EAV provision is found within the Public Aid Code (305 ILCS 12-21.13) and establishes a minimum levy necessary to be eligible for state funds. A county board is obligated to fund this minimum level, with the revenue derived from the property tax and/or the general corporate fund of the county.

**Proposal:** Amend state law to exempt the VAC portion of the property tax levy from the Property Tax Extension Limitation Law (PTELL – Tax Cap). This would restore the ability of county boards to fund other programs and services irrespective of the minimum funding now obligated for VACs. (HB 2720)

## Separate Veterans Assistance Commission Taxation Amount on Property Tax Bill

### PROPOSED BY: ISACo Staff

**Issue:** P.A. 102-0732 (2022) wrote into state law a minimum amount of annual funding for Veterans Assistance Commissions (VACs) equal to the lesser of .02% of the last known equalized assessed value (EAV) of the taxable property in the county OR an amount determined by the VAC to be "just and necessary." This law also removed county board decision-making over the amount of revenue allocated to a VAC and over how a VAC budgets this revenue.

VACs are now county agencies that exist independently from elected county boards and are not subject to public accountability through elections.

**Proposal:** Require property tax revenues that fund VACs to be listed separately from the county amount on property tax bills. (HB 2689)

## Wind and Solar Siting Changes

### PROPOSED BY: Wind and Solar Facility Task Force

**Issue:** On January 27, 2023, Governor JB Pritzker signed P.A. 102-1123 into law. The law preempts county authority to enact local ordinances that prohibit wind and solar projects. ISACo created a Wind and Solar Facility Task Force to focus on wind and solar siting and zoning issues. The intention of the Wind and Solar Task Force is not to work toward repealing P.A. 102-1123, but to discuss and collect policy recommendations to provide counties with more flexibility when complying with the law.

**Proposal:** The Wind and Solar Facility Task Force recommends several changes to existing law. These changes are listed below. (HB 3563/ SB 2416)

### Farmland Drainage Plans

Require a commercial wind or solar facility to have a farmland drainage plan approved by the county and paid for by the facility developer. The county and impacted drainage districts have 60 days to review the plan before approval or rejection.

### Financial Assurance Cost Percentage

Require the initial Financial Assurance to be set at a higher percentage (75% to 100% of est. decommissioning costs) than the current mandated 11-year phased-in, capped dollar amount set by a percentage formula.

- ☺ The cost of decommissioning should be re-evaluated every 5 years after the Commercial Operation Date.
- ☺ Allow the use of the Financial Assurance to cover public safety/emergency repairs that are not timely addressed by the operator.
- ☺ Require the replenishment of the Financial Assurance if used to cover public safety/emergency repairs or for decommissioning of a portion of a project.

### Siting Decision Timetable

Amend Siting Decision Requirement to require counties to make siting and permitting decisions not more than 60 days after the conclusion of the public hearing.

### NPDES Permit Requirement

Amend Act to state a NPDES Permit is required for projects that disturb more than 1 acre of land and conservation plan needs to be filed.

### Berm Requirement for Solar Projects

Amend to allow counties to require earth berms for ground-based solar farm projects.

### LaSalle/Sinclair Zoning Standards

Amend to require LaSalle / Sinclair zoning standards apply to siting permit approval process.

### Zoning District Placement

Clarify that wind and solar projects can be placed in zoning districts primarily intended for agricultural and manufacturing uses.

### Permitted User Option

Allow counties to make commercial wind and solar projects permitted users.

### Residential Development Areas

Permit counties to deny special use permits for commercial wind and solar projects in areas planned for residential development by either a county plan or a municipal plan.

### Commercial Solar Project Zoning Parity with Wind Projects

Require commercial solar projects next to municipalities to either annex to the municipality or be under municipal zoning regulations (which is what occurs with commercial wind projects)

## The Wind and Solar

# Facility Resident Protection Act

By: Joe McCoy, Executive Director

*The following content explains the provisions within ISACo's wind and solar facility legislation (HB 3563/SB 2416).*

## Authorize Counties and Drainage Districts to Review Drainage Plans

The legislation requires a commercial wind or solar energy facility to have a farmland drainage plan approved by the county and impacted drainage districts. The plan must be created by an independent consultant selected by the county and paid for by the facility developer. The county and impacted drainage districts have 60 days to review the plan before approval or rejection with recommendations for modification.

### Why It's Necessary

Elected county officials have a responsibility to protect the land and environment on behalf of their constituents. An effective farmland drainage plan is critical because it enhances crop productivity, reduces soil erosion, manages stormwater runoff, and ensures compliance with environmental regulations. Current law does not allow county governments or drainage districts to approve the drainage plan or make recommendations for changes that would result in approval. The law allows the plan to be created by the facility developer. The only obligation is for the facility developer to file the plan with the county. This outsources a plan intended to protect against soil erosion and stormwater runoff to private entities. Without county government review and approval, who is looking out for the residents? The requested change in law would allow the county to select the consultant while requiring the facility owner to pay that cost.

## Provide Counties with Sufficient Financial Assurance for Repairs and Decommissioning

Counties and their taxpayers have a compelling interest to make sure that wind and solar facilities are decommissioned responsibly, ensure public safety and maintain agricultural integrity. The

Illinois Renewable Energy Facilities Agricultural Mitigation Act mandates that commercial solar or wind energy facility owners provide a Deconstruction Plan to the county where the facility is located. The legislation adds provisions from the Illinois Department of Agriculture's (IDOA) standard wind farm impact mitigation agreements, with changes, to the Illinois Counties Code.

### Why It's Necessary

County governments represent the residents living in unincorporated areas. These residents should not be placed at risk from unaddressed safety issues or be expected to fund the cost of site mitigation if a facility is abandoned. The county has a compelling interest to have a professional engineer of its choice review the deconstruction plan and either approve or reject the plan with reasons why the plan was rejected so that the facility owner can address the issues identified. The private entity should not select the engineer to review its own plan. The legislation requires financial assurance to cover 100% of the estimated deconstruction costs prior to the commercial operation date. This revenue can be used to cover public safety or emergency repairs not timely addressed by the facility owner and to pay for facility deconstruction if the facility is abandoned. County taxpayers should not fund these expenditures.

## Allow Additional Time for Siting and Permitting Decisions

The legislation grants counties additional time (60 days instead of 30 days) after the conclusion of a public hearing to make a siting and permitting decision.

### Why It's Necessary

Not every county has sufficient staff to conduct a thorough and proper review of a siting or special use permit. The additional time would accommodate these staffing differences. The proposal also removes a conflict between the existing solar/wind regulations and the existing regulations contained in 55 ILCS 5/5-12009 and 5/5-12014 (c) which grants certain townships and municipalities the right to file formal objections to map amendments and variances within specific timeframes.



## Require NPDES Permit

The proposed legislation would prohibit approval of siting or special use permits for commercial wind or solar energy facilities, or modifications to such permits, if the total proposed area of disturbance will exceed one acre of land, unless the Facility Owner obtains a National Pollution Discharge Elimination System (NPDES) permit from the Illinois Environmental Protection Agency (IEPA). Additionally, the Facility Owner must secure all required local stormwater and floodplain permits related to site development.

### *Why It's Necessary*

County lakes, rivers and streams must be protected from pollutants associated with the construction and maintenance of wind and solar energy facilities. Land clearing, grading and excavation can lead to erosion and sediment runoff into nearby waterways and pollutants (e.g., oils, chemicals and debris) entering water bodies. Additionally, stormwater runoff from access roads, substations and maintenance areas may contain pollutants like (e.g., oils, grease and metals). The proposal clarifies that counties can enforce their stormwater ordinances which they are allowed to create under 55 ILCS 5/5-1062, 55 ILCS 5/5-1062.1, 55 ILCS 5/5-1062.2, 55 ILCS 5/5-1062.3, and applicable Federal law.

## Keep Facilities Out of Residential Zoning Areas

The legislation proposes that commercial wind and solar energy facilities can only be located within zoning districts primarily intended for agricultural or manufacturing uses. It would also provide that a county may designate the facilities as permitted users for certain zoning districts. Furthermore, the legislation states that a county may deny a request for a special use permit for a facility in areas planned for residential development by either a county comprehensive plan or a municipal comprehensive plan.

### *Why It's Necessary*

Locating wind and solar energy facilities in residential areas can create problems related to aesthetics, noise, property values, safety, land use conflicts and community dissatisfaction. County governments must have flexibility to avert these problems. The legislation clarifies that wind and solar facilities shall not be placed in areas intended to be residential and not agricultural, even though some agricultural activities might be allowed.

## Application of LaSalle Zoning Standards

The proposed legislation makes facility siting approval by a county contingent on meeting the LaSalle Zoning Standards as determined through evidence presented at a public hearing. The legislation writes the LaSalle Standards into the Illinois Counties Code. The proposed legislation also clarifies that solar and wind

special use permits shall be evaluated under the same criteria as other special use permits.

### *Why It's Necessary*

The LaSalle Standards are a staple of Illinois zoning law and are applied on a case-by-case basis to determine the validity of zoning ordinances. The LaSalle factors serve as a framework to balance individual property rights with the community's interests in land use regulation. It is detrimental to county residents that this balancing framework does not exist in the current Illinois wind and solar energy facility siting law.

## Berm Requirement for Solar Projects

The legislation authorizes counties to require vegetative screening around ground-based commercial solar energy facilities.

### *Why It's Necessary*

Solar farms sometimes face opposition due to visual impact. Berms can be planted with vegetation to create natural buffers, reducing visibility and improving aesthetics. They also help absorb and deflect noise from inverters and other equipment, minimizing disturbances for nearby residents. They also help control runoff and manage drainage, preventing flooding around solar panel foundations and electrical components.

## Establish Commercial Solar Project Zoning Parity with Wind Projects

The proposed legislation requires that a commercial wind or solar energy facility proposed for an unincorporated area within a municipality's extra-territorial zoning jurisdiction must either be annexed to the municipality or comply with its zoning regulations. The municipality can waive this requirement by submitting a letter to the county. The primary reason for the annexation requirement is to ensure the orderly development of municipalities, that wind and solar projects are effectively integrated into the municipality, and to avoid conflicts between wind and solar uses and uses planned by municipalities in their comprehensive plans.

### *Why It's Necessary*

The current wind and solar facility siting law provides that wind energy facilities in an unincorporated area within a municipality's extra-territorial zoning jurisdiction must be annexed to the municipality or comply with its zoning regulations. The statute lacks similar language for solar energy facilities. This is being remedied within the proposed legislation. The primary reason for the annexation requirement is to ensure the orderly development of municipalities, that wind and solar projects are effectively integrated into the municipality, and to avoid conflicts between wind and solar uses and uses planned by municipalities in their comprehensive plans.

## 2025 National Association of Counties (NACo)

# Legislative Conference Recap

By: Tiffani Homer, ISACo Staff,

The 2025 National Association of Counties (NACo) Legislative Conference took place in Washington D.C. from March 1 - 4, 2025. This legislative conference brought together county officials from across the United States to advocate for local government priorities, engage with federal policymakers and discuss key issues affecting counties.

On Saturday, March 1, ISACo and the United Counties Council of Illinois (UCCI) jointly hosted the Illinois Counties Dinner at the National Press Club in Washington D.C. Over 100 county officials and staff attended the successful dinner. Guests heard speeches from the two candidates vying for the position of NACo 2<sup>nd</sup> Vice President. The candidates are Wayne County Commission Chairwoman Alisha Bell (Michigan) and Greene County Presiding Commissioner Bob Dixon (Missouri). The election for NACo 2<sup>nd</sup> Vice President will occur during the NACo Annual Conference in Philadelphia, PA (July 11-14). Pictures from the event are available on ISACo's Facebook page.

On Tuesday, March 4, several Illinois county officials and staff attended a joint meeting with Senators Durbin and Duckworth at the Dirksen Senate Office Building. The meeting was organized by ISACo and run by the Senators and their staff onsite. Several counties had previously arranged for and attended meetings with their members of Congress. Each of these meetings presented extremely beneficial opportunities to raise and discuss issues of general importance for all counties and more localized issues for individual counties.

Illinois is well-represented within NACo leadership. This affords Illinois county officials and staff with opportunities to influence NACo activities and shape federal public policy.





Illinois county officials and staff assumed a leadership role by sponsoring 9 Interim Policy Resolutions that were considered by various NACo Policy Committees. Eight of the resolutions were approved. They are as follows:

1. Proposed Interim Resolution on Community Development Block Grant – Disaster Recovery Program Permanent Reauthorization (DuPage County)
2. Proposed Interim Resolution on Community Development Block Grant Program Reauthorization (DuPage County)
3. Proposed Interim Resolution on Homelessness Assistance (DuPage County)
4. Proposed Interim Resolution on Incentivizing Production of Housing Through Federal Tax Code (DuPage County)
5. Proposed Interim Resolution Supporting the Use of the Federal Government’s Uniform Appraisal Dataset in Assessments (Cook County)
6. Proposed Interim Resolution Supporting PFAS Passive Receiver Protections for Local Governments (Champaign County)
7. Proposed Interim Resolution Supporting Increased Funding for Uterine Fibroid Education, Research and Treatment (Cook County)
8. Proposed Interim Resolution in Support of Preventative Health (Cook County)

ISACo looks forward to joining members at the NACo Annual Conference in Philadelphia, Pennsylvania, from July 11-14, 2025!





## 2024 National Association of Counties (NACo) Legislative Conference

*Continued*



## Monica Gordon Elected as Cook County Clerk

ISACo is pleased to announce that ISACo Board of Directors Member Monica Gordon was elected as Cook County Clerk on November 5, 2024. Gordon will serve as Cook County Clerk for the next 2 years.

Gordon was selected by leaders of the Cook County Democratic Party to run in the 2024 general election to replace Cook County Clerk Karen Yarbrough, who passed away on April 7, 2024.



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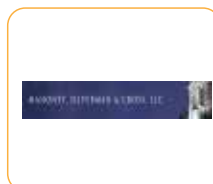
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## Become an ISACo Corporate Partner!

ISACo's Corporate Partner Program was established to provide a forum for companies and organizations to build relationships with county officials while supporting the important work of ISACo.

The program offers five options for corporations and organizations to become associate members of ISACo while receiving benefits for this status.

Please contact the ISACo Member Services and Communications Manager, Tiffani Homer at [thomer@isacoil.org](mailto:thomer@isacoil.org) to learn more.



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Counties Count!



## County Quarterly Newsletter

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