



County of Union, Illinois
Office of the Chief Information Officer
309 W. Market—Room 115
Jonesboro, IL 62952

Rollie Hawk, CIO
(618) 925-2470
cio@unioncountyl.gov
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December 7, 2015

[sent via email]

Chris Anderson

mugolf85@aol.com

Mr. Anderson:

Please consider this our response to your attached November 30, 2015 Freedom of Information Act request, summarized below:

The purpose of this FOIA request is to determine how often (if at all) these THREE (3) different types of taxing districts have levied (if at all) for a working cash fund which is designed to be used as an alternative to Tax Anticipation Warrants.

F.O.I.A. Request #1: Please provide the public record(s) in electronic format (a spreadsheet file is preferable, but a pdf file of MS Word records is o.k.) that indicates the years each park district in the county has levied for its WORKING CASH FUND. The statute authorizes only FOUR (4) levies unless the fund has been reestablished after a 10year period since the prior working cash fund had been abolished.

F.O.I.A. Request #2: Please provide the public record(s) in electronic format (a spreadsheet file is preferable, but a pdf file of MS-Word records is o.k.) that indicates the years each library in the county has levied for its WORKING CASH FUND.

F.O.I.A. Request #3: Please provide the public record(s) in electronic format (a spreadsheet file is preferable, but a pdf file of MS-Word records is o.k.) that indicates the years each PUBLIC LIBRARY DISTRICT in the county has levied for its WORKING CASH FUND.

Regarding the levy of a working cash fund for park districts, we have no park districts in Union County. As such, we are neither in the custody nor the possession of any responsive records.

Regarding the levy of a working cash fund for an individual library or library districts, per County Clerk Terry Bartruff, our library districts have not levied for such a fund. As such, we are neither in the custody nor the possession of any responsive records.

We feel this completes your request. If we may be of further assistance, please let me know.

Sincerely,

Rollie Hawk, Chief Information Office

Enclosure

Cc: Tyler Edmonds, State's Attorney
Terry Bartruff, County Clerk

FW: This is a F.O.I.A. Request for public records. Please forward to F.O.I.A. Officer(s)

From: Terry Bartruff <tbartruff@unioncountyil.gov>
To: Rollie Hawk <rhawk@unioncountyil.gov>, Tyler Edmonds <tedmonds@unioncountyil.gov>
Subject: FW: This is a F.O.I.A. Request for public records. Please forward to F.O.I.A. Officer(s)
Date: Tuesday, December 01, 2015 3:02 PM
Size: 24 KB

I looked and do not see where the library districts levy money for working cash and we have no park districts within the county.

TERRY BARTRUFF
UNION COUNTY CLERK/RECORDER
309 W. MARKET ST.
RM 116
JONESBORO,IL.62952

OFFICE # 618-833-5711
FAX # 618-833-8712

From: Chris Anderson [mailto:smugolf85@aol.com]

Sent: Monday, November 30, 2015 12:40 PM

To: popeco76@shawneelink.com; jhancock029@gmail.com; dankuhn@co.putnam.il.us; gwaly@email.com; countyclerk@richlandcogov.com; kkinney@ricountyclerk.org; salinecoclerk@salinecountyil.com; sancoele@co.sangamon.il.us; clerk85@schuylercounty.org; scottcoclerk@frontier.com; shcoclerk@shelbycounty-il.com; countyclerk@co.st-clair.il.us; starkcoclerk@starkco.illinois.gov; votte@co.stephenson.il.us; cwebb@tazewell.com; tbartruff@unioncountyil.gov; cjenkins@vercounty.org; wccr1@frontier.com; warrencoclerk@frontier.com; nancy.heseman@washingtonco.illinois.gov; countyclerk@waynecountygovil.com; clerk@whitecounty-il.gov; countyclerk@whiteside.org; coclrk@willcountyillinois.com; abarnes@williamsoncountyil.gov; mmullins@wincoil.us; cntyck@woodford-county.org

Subject: This is a F.O.I.A. Request for public records. Please forward to F.O.I.A. Officer(s)

Dear County Clerk:

The purpose of this FOIA request is to determine how often (if at all) these THREE (3) different types of taxing districts have levied (if at all) for a working cash fund which is designed to be used as an alternative to Tax Anticipation Warrants.

The park district code (sec. 11.2-2) authorizes a TOTAL number of FOUR (4) levies for the working cash fund.

Sec. 11.2-2. For the purpose of providing monies for a working cash fund, the governing board of any park district may levy an annual tax, known as the

"working cash fund tax", for any 4 years only on all the taxable property of their district at a rate not to exceed .025% of the value, as equalized or assessed by the Department of Revenue, to provide monies for the working cash fund. Prior to the levy and collection of such a tax, a park district shall adopt a resolution authorizing the levy and collection of the tax, and, within ten days after the adoption of such a resolution, it shall be published once in a newspaper published and having a general circulation in the park district, or, if there is no such newspaper, then in some newspaper having a general circulation in the county wherein such district or the greater or greatest portion in area of said district lies. The publication or posting of the resolution shall include a notice of (1) the specific number of voters required to sign a petition requesting that the question of the adoption of the resolution be submitted to the electors of the district; (2) the time in which the petition must be filed; and (3) the date of the prospective referendum. The Secretary of the governing board of the park district shall provide a petition form to any individual requesting one.

In addition, Section 11.2-2 requires an initial RESOLUTION to be adopted prior to the FIRST levy and collection of a working cash fund extension. This RESOLUTION triggers the publication of a public notice providing the details of the backdoor referendum petition period for the working cash fund.

Given the limitation of ONLY four (4) years for this particular levy, I assume the county clerk's office has a record (perhaps spreadsheet) that is a log of the levy history for each park district's working cash fund levies over the years.

F.O.I.A. Request #1:

Please provide the public record(s) in electronic format (a spreadsheet file is preferable, but a pdf file of MS-Word records is o.k.) that indicates the years each park district in the county has levied for its WORKING CASH FUND. The statute authorizes only FOUR (4) levies unless the fund has been re-established after a 10-year period since the prior working cash fund had been abolished.

The Local Library Code (75 ILCS 5/3-9) authorizes a TOTAL number of FOUR (4) levies for the working cash fund.

75 ILCS 5/3-9. "No municipality or township may levy a tax under this Section for more than four years but the four years for which any municipality or township elects to levy such tax need not be consecutive."

In addition, Section 3.9 requires an initial ORDINANCE be adopted prior to the FIRST levy and collection of a working cash fund extension. This ORDINANCE triggers the publication of a public notice providing the details of the backdoor referendum petition period for the working cash fund.

Given the limitation of ONLY four (4) years for this particular levy, I assume the county clerk's office has a

record (perhaps spreadsheet) that is a log of the levy history for each library's working cash fund levies over the years.

F.O.I.A. Request #2:

Please provide the public record(s) in electronic format (a spreadsheet file is preferable, but a pdf file of MS-Word records is o.k.) that indicates the years each library in the county has levied for its WORKING CASH FUND.

The Public Library District Act of 1991 (75 ILCS 16/35-35) authorizes a TOTAL number of FOUR (4) levies for the working cash fund.

75 ILCS 16/35-35(c) . "(c) No public library district may levy a tax under this Section for more than 4 years, but the 4 years for which a district elects to levy the tax need not be consecutive."

In addition, Section 35-35(c) requires an initial ORDINANCE be adopted prior to the FIRST levy and collection of a working cash fund extension. This ORDINANCE triggers the publication of a public notice providing the details of the backdoor referendum petition period for the working cash fund.

Given the limitation of ONLY four (4) years for this particular levy, I assume the county clerk's office has a record (perhaps spreadsheet) that is a log of the levy history for each PUBLIC LIBRARY DISTRICT'S working cash fund levies over the years.

F.O.I.A. Request #3:

Please provide the public record(s) in electronic format (a spreadsheet file is preferable, but a pdf file of MS-Word records is o.k.) that indicates the years each PUBLIC LIBRARY DISTRICT in the county has levied for its WORKING CASH FUND.

As noted above, each of the three working cash fund statutes limits the number of times a district may levy for its working cash fund. Again, the purpose of this FOIA request is to determine how often (if at all) these types of taxing districts have levied for funds to be used as an alternative to Tax Anticipation Warrants.

This request is not for commercial purposes and if you have any questions, please contact me.

Thank you for your assistance and patience with this research project.