



VETERANS ASSISTANCE COMMISSION OF WINNEBAGO COUNTY

555 N Court ST - Suite 300

Rockford, IL 61103

815-516-2850

05/20/2024

Fiscal Year 2025 Budget

Commissioners,

I present to you the fiscal year 2025 Veterans Assistance Commission Budget. The proposed budget of \$1,639,803.01 includes updated salaries, office rental space, capitalization fund and operating expenses.

Personnel – 38.376744% of budget total

Veteran Service Officers (VSOs) with the Illinois Department of Veteran Affairs (IDVA) in the Winnebago County area earn an average of \$73,050.00, while VSOs with the Veterans Assistance Commission (VAC) earn an average of \$48,510.80. VAC VSOs are responsible for administering public aid, managing cases for families on public assistance, and providing federal claims representation. These VSOs are nationally accredited and maintain good standing with the Veterans Administration's Office of General Counsel. The proposed budget includes an increase in the average VSO salary to \$54,529.80.

In addition to salary expenses, we must account for employee benefit costs. Before January 1, 2024, VAC employees did not receive benefits. However, [Public Act 102-1132](#) now requires counties to provide VAC employees with the same benefits available to all other county employees. Consequently, the VAC currently bears these benefit costs.

Supplies and Services – 53.3905594%

Supplies and Services includes operations costs of the VAC to include \$500,000 in veteran public aid. Details of these lines are available in the attached budget form.

Building Rental and Capital Account – 7.9277815% of budget total (part of the 53.3905594%)

Although the MVAA mandates that the county provide funding for VAC space, we have been unable to secure a facility that meets our needs. During our meeting with the owner of 555 N. Court to inquire about space availability within the health department building, it was concluded that they could not accommodate our request for additional space. Our current objective is to acquire a space that includes access by public transit, public facing, sufficient parking, ADA compliance, reception area, at least 10 offices, a break room, and a meeting room.

The VAC is currently situated at 555 N. Court Street, Suite 300, Rockford, Illinois 61103. The office layout features a reception area, three individual offices, a storage room that doubles as an office, and an open community space. The first three offices are occupied by the Superintendent and two VSOs. The storage room serves as a fourth office but shares a common access way with this additional "office



VETERANS ASSISTANCE COMMISSION OF WINNEBAGO COUNTY

555 N Court ST - Suite 300

Rockford, IL 61103

815-516-2850

space." The common area is presently occupied by the transportation team, Executive Assistant, Administrative Assistant, and our fourth VSO.

VSOs are legally required to provide private spaces for consultations with veterans to ensure confidentiality and respect for their personal information and issues. These legal requirements, grounded in various privacy laws and regulations, including the Health Insurance Portability and Accountability Act (HIPAA) and the Department of Veterans Affairs (VA) policies, mandate that VSOs must facilitate an environment where veterans can discuss their personal and health-related matters without fear of eavesdropping or unintended disclosure. The designated private spaces must be secure, ensuring conversations cannot be overheard, and should be free from interruptions. This requirement is critical for maintaining the trust and confidence of veterans, encouraging them to seek assistance without concerns about their privacy being compromised. Compliance with these legal standards is regularly monitored to protect the rights and dignity of veterans during their interactions with VSOs.

The space currently used by the VAC is insufficient to provide our staff and veterans with the privacy and dignity they deserve. Our budget includes \$130,000.00 for building rental to secure a space that ensures the VAC complies with all required privacy laws and regulations. Additionally, we propose creating a capital fund account to enable the VAC to purchase its own land and/or build its own building within the next 2-5 years.

Admin Support – 8.2326962%

The Health Insurance Employer portion is covered by the VAC and is listed under Admin Support. Our projection is based on 6 employees utilizing the provide health care coverage which amounts to \$135,000

Thank you

Jesus M Pereira

Superintendent

Veterans Assistance Commission of Winnebago County

555 N Court Street, Suite 300

Rockford, IL 61103

Phone: 815-516-2850

Fax: 815-516-2851

jpereira@vac.wincoil.gov

Michael J. Phillips

Attorney At Law

1490 Willowbrook Drive
Belvidere, Illinois 61008-7068
(815) 378-1479 Voice
(815) 232-5500 Facsimile
Email: MichaelJamesTaylorPhillips@Frontier.com

May 17, 20240

Jesus Pereira, Superintendent
Veterans' Assistance Commission
555 North Church Street, Suite 300
Rockford, Illinois 61103

RE: Availability To VAC of Annual Real Estate Tax Per 305 ILCS 5/12-21.13

Dear Superintendent Pereira:

You recently requested that I prepare this Legal Opinion Letter describing the parameters of the VACWC's Annual Real Estate Tax Levy. As you know, last year the Illinois General Assembly passed, and Governor Pritzker approved, two Public Acts which fundamentally changed the financing of county veterans assistance Commissions (that is, Public Act No. 102-732 and Public Act No. 102-1132). This Legal Opinion Letter thus supersedes my July 29, 2020 Legal Opinion Letter which was issued prior to the enactment of Public Acts Nos. 102-732 and 102-1132.

Minimum Real Estate Tax Levy for VACWC:

Under the Public Aid Code (305 ILCS 5/12-21.13) the VACWC is guaranteed an Annual Minimum Real Estate Tax Rate of 0.02% of the full equalized assessed value of the real property located within Winnebago County. Said statute reads as follows, in pertinent part:

In a county of less than 3 million population in which there is created a County Veterans Assistance Commission, the county shall levy for assistance to military veterans and their families, within the time that such levy is authorized to be made, a tax of an amount which, when added to the unobligated balance available for such purpose at the close of the preceding fiscal year will equal .02% of the last known assessed value of the taxable property in the county, . . .

This means that the VACWC shall annually receive an amount of funds from the Real Estate Tax Levy equal to 0.02% UNLESS either (A) the full VACWC votes to request a lower amount or (B) there exists an amount of UNOBLIGATED Carryover Funds which reduces the amount of the real estate tax levy by the amount of unobligated Carryover. As of today, there is no method to determine the amount of the possible Carryover Funds which will exist as of October 1, 2024.

Section 2(1)(B) of the Illinois Military Veterans Assistance Act, as amended (hereinafter referred to as the “ACT”), clearly states that the minimum amount that the VACWC receives from the Annual Real Estate Tax Levy shall be an amount equal to not less than 0.02% when it states as follows:

(B) The **minimum amount to be provided annually** to Veterans Assistance Commissions is provided in Section 12-21.13 of the Illinois Public Aid Code, unless the delegates of the County Veterans Assistance Commission determine that a lesser amount covers the just and necessary sums. **(bold-faced emphasis added)**.

Maximum Real Estate Tax Levy for VACWC:

Similarly, there exists another state statute describing the amount of the Annual Real Estate Tax Levy for the use of the VACWC. Section 5-2006 of the Illinois Counties Code [codified as 55 ILCS 5/5-2006, as amended] provides, in pertinent part, as follows:

Sec. 5-2006. Tax for Veterans Assistance Commission. The county board of each county having a population of less than 3 million in which there is a Veterans Assistance Commission as provided in Section 9 of the Military Veterans Assistance Act **may levy a tax of not to exceed .03% of the assessed value annually on all taxable property of the county**, for the purpose of providing assistance to military veterans and their families pursuant to such Act. **(bold-faced emphasis added)**.

By this statute the maximum amount which the VACWC could receive is an amount equal to 0.03% of the equalized assessed value of all taxable property within Winnebago County. Neither I nor the Elections Division of the Winnebago County Clerk’s Office is aware of the passage by the registered voters of Winnebago County of a public referendum that would have increased the VACWC’s Annual Real Estate Tax Levy rate to 0.04% as is authorized by Section 5-2006 of the Illinois Counties Code [codified as 55 ILCS 5.5-2006, as amended].

Who Determines The Amount of the Annual Appropriation for the VACWC?:

Section 10 of the ACT provides in pertinent part as follows:

(330 ILCS 45/10) (from Ch. 23, par. 3090)

Sec. 10. Superintendents and counties.

. . . .

(e) **The county shall provide for the funding** of the office and provide all necessary furnishings, supplies, and services as passed by the county board in its annual appropriation, and the county shall provide or fund services, . . .

(f) **The county shall also provide** to the employees of the Commission all benefits available to county employees, including, but not limited to, benefits offered through the Illinois Municipal Retirement Fund or any other applicable county retirement fund; health, life, and dental insurance; and workers compensation insurance. . . .

(g) The county board shall, in any county where a Veterans Assistance Commission is organized, in addition to sums appropriated for these just, necessary, and needed services as provided by law and approved by the Commission under this Act, **appropriate such additional sums, upon recommendation of the Veterans Assistance Commission**, to properly compensate, in accordance with the requirements of subsection (g) of Section 9 and subsection (e) of this Section, the officers and employees required to administer such assistance. The county board shall also provide funds to the Commission to reimburse the superintendent, officers, delegates and employees for certain expenses which are approved by the Commission.

The above-quoted statutes clearly impose mandatory obligations upon Winnebago County to pass an annual appropriation ordinance which fulfills the above mandatory duties and is in an amount no less than as recommended by the VACWC. Thus while the County Board actually passes the Appropriation Ordinance to fund the operations of the VACWC, but the annual appropriation ordinance to fund the VACWC must be in an amount as recommended by the VACWC.

Who Determines The Amount of the VACWC's Annual Real Estate Tax Levy?:

Each year the County Board passes a Real Estate Tax Levy Ordinance to fund the operations of the VACWC. That Tax Levy Ordinance must be on file in the Office of the Winnebago County Clerk's on or before the last Tuesday in December of each year. This Tax Levy Ordinance must be passed upon the amounts set forth in the portion of the County's Annual Appropriation Ordinance that fund the VACWC. Section 2(2) of the ACT provides in pertinent part as follows:

(2) If any . . . **county board fails or refuses after such recommendation to provide just and necessary sums of money for such assistance**, then the veteran service organization or the superintendent of any Veterans' Assistance Commission located in the district of such supervisor of general assistance or such county board **shall apply to the circuit court of the district or county for relief by mandamus** upon the supervisor of general assistance or county board **requiring** him, her or **it to pay, or to appropriate and pay such sums of money**, and upon proof made of the justice and necessity of the claim, the circuit court shall grant the sums so requested. (**bold-faced emphasis** added)

The above-quoted statute establishes a method by which the VACWC, or its Superintendent, to challenge the amount of the annual appropriation by the County Board for the use of the VACWC. This statute also refers to the VACWC recommending to the County Board the amount of the Annual Appropriation Ordinance.

Section 9(b) of the ACT sets forth the authority of the VACWC:

(b) The **Commission** and its selected or appointed superintendent **shall have oversight of the distribution of all moneys and supplies appropriated for the benefit of military veterans and their families**, subject to such rules, regulations, administrative procedures or audit reviews as are required by this Act and **as are necessary as approved by the Commission to carry out the spirit and intent of this Act**. No warrant authorized under this Act may be issued for the payment of money without the presentation of an itemized statement or claim, approved by the superintendent of the Commission. (**bold-faced emphasis added**).

Thank you for your patience and your assistance. If you have any questions about this or any other matter, please feel free to call me and we can discuss it.

Sincerely,

Michael J. Phillips

Michael J. Phillips
Attorney At Law

cc: File 18-112 VACWC – Financial Matters

MJP:me

Fiscal Year 2025 Budget



Projection: 25001 - FY2025 Winnebago Co. Expenditures
 Period: Memo
 Expense Accounts

Accounts	2023 Actuals	Actuals as of 4/29/24	FY 24 Revised Budget	Dept Provided FY 2024 Projected	Admin Proposed FY 2025	Dept Requested FY2025
48100/P4810 VETERAN'S ASSISTANCE	570,102.26	653,671.37	1,115,000.00	0.00	1,639,803.01	0.00
41 PERSONNEL	0.00	126,516.66	0.00	0.00	629,303.01	0.00
41110 REGULAR SALARIES	0.00	126,516.66	0.00		523,644.00	
41120 TEMPORARY SALARI		0.00	0.00		0.00	
41221 LIFE INSURANCE-E	0.00	87.50	0.00		600.00	
41231 IMRF-EMPLOYER CO	0.00	6,265.26	0.00		30,000.00	
41241 FICA-EMPLOYER CO	0.00	9,294.36	0.00		35,000.00	
PAYROLL TAXES					40,059.01	
42 SUPPLIES & SERVICES	570,102.26	513,693.34	1,115,000.00	0.00	875,500.00	
42110 SUPPLIES	0.00	5,788.46	0.00		10,000.00	
42117 NON-CAPITAL COMPUTER EQUIP	0.00	0.00	0.00		0.00	
42210 DATA PROCESSING SUPPLIES	0.00	0.00	0.00		0.00	
42240 GASOLINE & OIL					5,000.00	
42250 FOOD & BEVERAGE					5,000.00	
42290 OTHER DEPARTMENTAL SUPPLIES	0.00	0.00	0.00		0.00	
43159 EXPS. - GUEST, EVENT & SPEAKER					8,000.00	
43167 SOFTWARE SUBSCRIPTION	0.00	0.00	1,000.00		6,000.00	

Fiscal Year 2025 Budget



Projection: 25001 - FY2025 Winnebago Co. Expenditures
 Period: Memo
 Expense Accounts

43183 VAC-PROF SVC SALARY REIMB	0.00	141,402.95	0.00	0.00		
43190 OTHER PROFESSIONAL SERVICES	406,714.00	126,934.00	584,800.00	100,000.00		
43210 TELEPHONE	0.00	0.00	0.00	0.00		
43212 CELL PH. WIRELESS SERVICES	0.00	2,139.31	10,000.00	10,000.00		
43220 POSTAGE	0.00	167.97	2,500.00	5,000.00		
43310 TRAVEL	0.00	1,774.92	15,000.00	20,000.00		
43420 ADVERTISING	0.00	11,170.57	20,000.00	30,000.00		
43731 AUTOMOBILE REPAIR				19,000.00		
INSURANCE(s) - All				6,000.00		
43810 BUILDING RENTAL				130,000.00		
43941 DUES & MEMBERSHIPS	0.00	1,900.90	1,500.00	1,500.00		
43942 INSTRUCTION & SCHOOLING				20,000.00		
43991 VETERAN'S ASSISTANCE PAYMENTS	162,577.48	190,484.60	480,200.00	500,000.00		
44130 CENTRAL STORES XEROXING	810.78	589.35	0.00	0.00		
44235 ADMINISTRATIVE & SUPPORT	0.00	4,417.57	0.00	0.00		
RESERVE FUND FOR CAPITAL IMPROVEMENTS						
48 ADMIN SUPPORT	0.00	13,461.37	0.00	0.00	135,000.00	0.00
48211 HEALTH INSURANCE EMPLOYER CONT	0.00	13,461.37	0.00		135,000.00	

38.3767444%
31.9333479%
0.0000000%
0.0365898%
1.8294880%
2.1344027%
2.4429160%
53.3905594%
0.6098293%
0.0000000%
0.0000000%
0.3049147%
0.3049147%
0.0000000%
0.4878635%
0.3658976%

0.0000000%

6.0982935%

0.0000000%

0.6098293%

0.3049147%

1.2196587%

1.8294880%

1.1586758%

0.3658976%

7.9277815%

0.0914744%

1.2196587%

30.4914674%

0.0000000%

0.0000000%

0.0000000%

8.2326962%

8.2326962%