555 Court Street, Rockford, IL 61103 - 815-516-2850 - vac@vac.wincoil.gov

AGENDA

Date: 8 January 2025 @ 1730 hours

I.	OPENING							
	A. Hybrid Meeting held in Person at the 555 North Court Street Room 115, Rockford, IL 61103 and							
	via Zoom Meetings (internet-based meeting platform).							
	B. Opening Ceremonies: Salute Flag, Pledge of Allegiance, Moment of Silence.							
	C. Roll Call of Commission Officers, Certified Organizations Delegates & Alternates that are							
	Present In-Person. Officers Delegates Alternates Cert. Org							
	D. Allow Zoom Attendees to join and participate in the Meeting.							
	*Motion to allow Zoom Attendees to join and participate in the Meeting by:							
	2 nd *R/C Vote: Y_N_ AB_ Result of Vote:							
	Roll Call of Commission Officers, Certified Organizations Delegates & Alternates on Zoom . Officers Delegates Alternates Cert. Org							
	E. Recognition of Guests and Visitors: Jesus Pereira, Superintendent, Debi Hoover, VAC Secretary							
	F. Accept the AGENDA: Are there any additions or changes to be made? NOTE: Additions can be made. NO MOTIONS or VOTES TAKEN until the following meeting. Votes are taken by Roll Call (R/C) or Voice Votes.							
	*Motion is presented by reading of the agenda. 2 nd *Voice Vote: Y_N_ AB_ Result of Vote:							
	G. PUBLIC COMMENTS – There is a 3-minute time limit. Comments only NO questions.							
	H. Reading and Disposition of last month's minutes.							
	*Motion to waive the reading of last month's minutes because they were sent to the body. 2 nd *Voice Vote: Y_N_ AB_ Result of Vote:							
II.	REPORTS							
	A. VAC-Administration Reports							
	1. President							
	a. Welcome							
	b. Appoint Sargent at Arms							
	c. Refer all budget questions and comments to Superintendent							
	d. Validation Letters will be sent after January 1, 2025 – delegate and alternate							
	e. OMA – Training							
	f. Encourage order during meetings							
	g. Encourage Commissioners to speak during meetings							
	h. Meeting at neutral location							
	2. Administrative Coordinator							
	a. 02/06/2025 1300 Commission Meeting AAR & Agenda prep Review 922 7 th Street							
	b. 02/12/2025 1730 Commission Meeting 555 North Court Street Room 115, Rockford, IL							

c. 03/06/2025 1300 Commission Meeting AAR & Agenda prep Review 922 7th Street

555 Court Street, Rockford, IL 61103 - 815-516-2850 - vac@vac.wincoil.gov

- d. 03/12/2025 1730 Commission Meeting 555 North Court Street Room 115, Rockford, IL
- e. 04/03/2025 1300 Commission Meeting AAR & Agenda prep Review 922 7th Street
- f. 04/06/2025 1730 Commission Meeting 555 North Court Street Room 115, Rockford, IL
- g. 05/08/2025 1300 Commission Meeting AAR & Agenda prep Review 922 7th Street
- h. 05/14/2025 1730 Commission Meeting 555 North Court Street Room 115, Rockford, IL

3. Services Coordinator

- a. Services Report: will need a Service Manual update committee meeting
- **b.** Personnel Report no report

4. Finance Coordinator

FY Report

Committee Meeting – 1/02/2025

Visual GA – Committee Unanimously recommended purchase of Visual GA Approximately \$17,000 first year/\$3,000 annual maintenance

*Motion to approve purch	hase of Visual GA	2^n	ıd
*Roll Call Vote: Y N	AB Result of V	ote:	

B. Superintendent Operations Report

III. CORRESPONDENCE

IV. UNFINISHED BUSINESS

- **A.** Banking Institution Search Veteran Friendly/Financially Challenged
 - a. Woodforest National Bank
 - **b.** Rosecrance Veteran Services
- **B.** Personal devices vs. governmental devices
- C. Financial Assistance Notice & Management Compliance
- **D.** Present Superintendent Evaluation

V. NEW BUSINESS

A. Bylaws – first reading

VI. VETERAN COMMUNITY EVENTS

- A. 3rd Monday of ea. month American Legion Scholarship Dinner Post 1207
- **B.** VA/SheVets every Tuesday 9:00 am 11:00 am Breakfast Johnny Pamcakes
- **c.** 1/15/2025 Understanding Service Connection Presentation Veterans Memorial Hall

VII. CLOSED SESSION

A. Annual Superintendent Evaluation

VIII. CLOSING

A. Closing Ceremonies

	555 Court Street, Rockford, IL	. 61103 – 815-516-2850 <u>– vac@vac.wincoil.gov</u>
В.		2025 at 1730 hours aka 5:30 pm
	*Motion to Adjourn *Voice Vote: Ayes Nays Meeting Adjourned at:	

Veterans Assistance Commission of Winnebago County December 11, 2024 - Commission Meeting Minutes

Meeting Opened: 1730 hours - 5:30 pm

Attendees:

Board Members	<u>Guests</u>
Terrell Lewis – President (Rock Valley AmVets #922)	Jesus Pereira – Superintendent
Nancy Clark – Administrative Coordinator (VFW Post #5149)	Debra Hoover – VACWC Secretary
Eric Willard – Finance Coordinator (VVA Post #984)	Francesca Montanez – VACWC
Lana McCants – Service and Personnel Coordinator (VFW Post #342)	Mayra Toral – VACWC
Gary Holmes (American Legion Post #332)	Luz Ortiz-Rivera – VACWC
Dave Davis (American Legion Post #1207)	Timothy Hotchkiss – VACWC
George Meissen (American Legion Post #1207)	Willie Borden – VACWC
Reuben Hernandez (VFW Post #2955	Crystal DesRoberts – Guest
Gene Schaefer (VFW Post #9759)	Julie Weis – Guest
Ken VanLandeghem (American Legion Post #288	Kristine Spivey – Guest
Donald Reynolds (Marie Corps League Post #083)	Gary Christopher – Guest
John Kline – Zoom – Blackhawk DAV Chapter #29)	Ray Richmond – Guest
	John Clark - Guest

- Motion to Allow Zoom Attendees: Don Reynolds 2nd Ruben Hernandez Voice Vote Unanimous
- Elected Official Roll Call 10 attendees from 9 posts
- Motion to Waive reading of Agenda: Gary Holmes 2nd Dave Davis Voice Vote Unanimous
- Motion to Waive reading of Minutes: Gary Holmes 2nd Don Reynolds Voice Vote Unanimous
- Public Comments: (Max. 3 minutes each)
 - o Ray Richmond Jr.
 - Crystal DesRoberts
 - Kristine Spivey
 - Julie Weis
 - Debra Hoover

President's Report – Terrell Lewis – Welcome

- If you get any questions from the press regarding the current budget issue please refer to Superintendent Jesus Pereira
- Required to complete OMA and FOIA Training Reach out to Debi if you need the training link
- Considering a Confidentiality Agreement that will be a requirement of all board members to sign

Admin Coordinator Report – Nancy Clark

- Presented dates for upcoming meetings
- No longer have the week after recap meeting move to Agenda Prep meeting

Appeals Committee

- Gary we should be honoring the current bylaws
- Nancy MVAA trumps the bylaws in regards to appeals
- Jesus the appeal process is a state law
- Attorney reviewed the law and the process we will need to follow

Gary Holmes left the meeting at 6:11 pm

Services and Personnel Coordinator – Lana McCants

We should not be required to sign a confidentiality agreement until it is added to our bylaws

Finance Coordinator - Eric Willard

• We are at 13% of our expenditures and completed 16% of the year

Superintendent Report – Jesus Pereira

- Reported on VAC business
 - Office update Power Point Presentation
 - Appeals working with States Attorney Lafa on the proper procedure this is new for the county so they need to come up with a process
 - Outreach for November
 - Need for additional volunteers for VA Transportation Program (VTN)
 - o Met with Volunteer Drivers to explain the different between VTN and VTS
 - There have been some unfavorable Facebook Posts remind clients they can send complaints on our website

Unfinished Business

- Continue search for Veteran friendly banking institution Woodforest National Bank
- Use of personal phones and computers for VACWC business looking into County providing phones/computers and e-mail addresses for elected officers

New Business

- Virtual GA new program for the VAC to track General Assistance and Emergency Assistance
- Cheaper than one new employee
- \$17K to purchase and \$3K per license

Went into Closed Session at 6:44 pm – Superintendent Evaluation Motion to go into Closed Session – Nancy Clark 2nd Don Reynolds – Voice Vote Unanimous Closed Session Ended at 7:50 pm

Closing: Next Full Commission Meeting 1/8/20254 - 5:30 pm - 555 N. Court St., Room 115, Rockford

Commencement of Meeting - 7:56 pm

• Motion to adjourn Lana McCants 2nd Ken VanLandeghem Voice Vote: Yes - unanimous



YEAR-TO-DATE BUDGET REPORT 2025

FOR 2025 12							
	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0181 VETERAN'S ASSISTANCE FUND							
48100 VETERAN'S ASSISTANCE							
48100 42110 SUPPLIES 48100 42211 PATA PROCC 48100 42240 GAS & OIL 48100 42240 GAS & OIL 48100 42290 OTHER SUPP 48100 43159 EXPENSES 48100 43167 SW SUBS 48100 43183 VAC SALARY 48100 43190 OTHER PRO 48100 43210 TELEPHONE 48100 43212 WIRELESS 48100 43220 POSTAGE 48100 43230 INTERNET 48100 43310 TRAVEL 48100 43510 LIAB INSUR 48100 43510 LIAB INSUR 48100 43540 UNEMP INSU 48100 43730 E REP & MA 48100 43731 AUTO REPAI 48100 43731 AUTO REPAI 48100 43731 OFF EQU RE 48100 43941 DUES & MEM 48100 43941 DUES & MEM 48100 43941 DUES & SCHO 48100 43941 CENT PRINT 48100 44110 CENTERAL S 48100 44110 CENT PRINT 48100 44130 CENT VERNOX 48100 44140 CENT PRINT 48100 44180 PHONE 48100 44190 INTERNET 48100 44235 ADM & SUPP 48100 44440 OTHER EQU	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	441.50 .00 .00 .00 .00 .00 317.16 839.90 144,111.92 3,570.00 .00 .00 .777.68 400.00 .00 .00 .00 .00 .00 .00 .00 .00	.00 .00 .00 .00 .00 .00 .00 .00 .00 .00	-441.50 .00 .00 .00 .00 .00 .317.16 -839.90 585,191.09 -3,570.00 -1,437.90 -32.00 .00 -777.68 -400.00 .00 .00 .00 .00 .00 .00 .00 .00 .	100.0% .0% .0% .0% .0% .0% 100.0% 1100.0% 1100.0% 1100.0% 1100.0% 100.0%
TOTAL VETERAN'S ASSISTANCE	1,119,000	0	1,119,000	231,087.90	.00	887,912.10	20.7%
TOTAL VETERAN'S ASSISTANCE FUND	1,119,000	0	1,119,000	231,087.90	.00	887,912.10	20.7%
TOTAL EXPENSES	1,119,000	0	1,119,000	231,087.90	.00	887,912.10	
GRAND TOTAL	1,119,000	0	1,119,000	231,087.90	.00	887,912.10	20.7%

1



YEAR-TO-DATE BUDGET REPORT 2025

FOR 2025 12							
	ORIGINAL	TRANFRS/	REVISED			AVAILABLE	PCT
	APPROP	ADJSTMTS	BUDGET	YTD EXPENDED	ENCUMBRANCES	BUDGET	USED

** END OF REPORT - Generated by Jesus Pereira **



YEAR-TO-DATE BUDGET REPORT 2025

FOR 2025 12								
		ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
P481 VAC PAYROLL								
P4810 VAC PAYROLL								
P4810 39990 OTHER REV P4810 41110 REG SAL P4810 41120 TEMP SAL P4810 41221 LIFE-EMPLO P4810 41231 IMRF-EMPLO P4810 41241 FICA-EMPLO P4810 48211 HLTH-EMP		-729,303 523,644 0 600 30,000 40,059 135,000	0 0 0 0 0	-729,303 523,644 0 600 30,000 40,059 135,000	-144,111.92 113,587.60 .00 70.00 5,622.56 8,444.90 14,045.88	.00 .00 .00 .00 .00	-585,191.09 410,056.40 .00 530.00 24,377.44 31,614.11 120,954.12	19.8% 21.7% .0% 11.7% 18.7% 21.1%
TOTAL VAC PAYROLL		0	0	0	-2,340.98	.00	2,340.98	100.0%
TOTAL VAC PAYROLL		0	0	0	-2,340.98	.00	2,340.98	100.0%
	TOTAL REVENUES TOTAL EXPENSES	-729,303 729,303	0	-729,303 729,303	-144,111.92 141,770.94	.00	-585,191.09 587,532.07	
	GRAND TOTAL	0	0	0	-2,340.98	.00	2,340.98	100.0%

^{**} END OF REPORT - Generated by Jesus Pereira **

Statement Ending 12/31/20

ADDRESS SERVICE REQUESTED

VETERANS ASSISTANCE COMMISSION OF WINNEBAGO COUNTY ILLINOIS 555 N COURT ST STE 300 ROCKFORD IL 61103-6804

Managing Your Accounts

Illinois Bank & Trust m a division of HTLF Bank

Customer Care Center:

877.280.1853

Website: IllinoisBank.com

Summary	of A	Accounts
---------	------	----------

Account Type Account Number Ending Balance SMALL BUSINESS CHECKING XXXXXX6345 \$173,078.86

SMALL BUSINESS CHECKING - XXXXXX6345

Account Summary

Date Description **Amount** 12/01/2024 **Beginning Balance** \$173,154.86 0 Credit(s) This Period \$0.00 1 Debit(s) This Period \$76.00 12/31/2024 **Ending Balance** \$173,078.86

Other Debits

Description **Amount** Date 12/18/2024

INTUIT * TSheets \$76.00

VETERANS ASSISTANCE CO

0244327

1 item(s) totaling \$76.00

Daily Balances

Date	Amount	Date	Amount	
11/30/2024	\$173,154,86	12/18/2024	\$173.078.86	

FOR A CHANGE OF NAME OR ADDRESS PLEASE COMPLETE THE FORM BELOW

NAME			
ADDRESS			
CITY	STATE	ZIP	
SOCIAL SECURITY _			
SIGNATURE	1	DATE	

HOW TO BALANCE YOUR ACCOUNT

- Subtract from your check register any service, miscellaneous, or automatic charge(s) posted on this statement, and add to your register any interest posted on this statement.
- Mark (*) your register after each check listed on front of statement.
- Check off deposits shown on the statement against those shown in your check register.
- 4. Complete the form at right.
- The final "balance" in the form to the right should agree with your check register balance. If it does not, read 'HINTS FOR FINDING DIFFERENCES" below.

HINTS FOR FINDING DIFFERENCES

Recheck all additions and subtractions or corrections.

Verify the carryover balance from page to page in your check register.

Make sure you have subtracted the service or miscellaneous charge(s) from your check register balance, and added the current interest.

This section applies exclusively to electronic fund transfers governed by Regulation E

In case of errors or questions about electronic transfers, telephone us or write to us at the address printed on this statement as soon as you can, if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- 1. Tell us your name and account number (if any).
- Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- 3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will recredit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation.

Т	NEW BALANCE TRANSFER AMOUNT FROM OTHER SIDE			\$	
A	\DD				
	SINC	E END	S MADE ING DATE TEMENT		
				BTOTAL	
	HECKS NOT L TATEMENTS	ISTED	ONTHIS O	R PRIOR	
	NUMBER		AMOUN	NT	
ĺ					
11.	OTAL CHECK	S		>	
CI	SUBTRACTTOTAL CHECKS NO LISTED FROM SUBTOTAL ABOVE				

THIS SHOULD AGREE WITH YOUR CHECK REGISTER BALANCE

Balance subject to interest rate.

Average daily balance method (including current transactions): We figure the interest charge on your account by applying the periodic rate to the "average daily balance" of your account. To get the "average daily balance" we take the beginning balance of your account each day, add any new (purchases/advances/fees), and subtract (any unpaid interest or other finance charges and) any payments or credits. This gives us the daily balance. Then, we add up all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle. This gives us the "average daily balance".

This section applies exclusively to information pertaining to credit extended primarily for personal, family, or household purposes. WHATTO DO IF YOU THINK YOU FIND A MISTAKE ON YOUR STATEMENT

If you think there is an error on your statement, write to us at the address printed on this statement.

In your letter, give us the following information:

- Account information: Your name and account number.
- Dollar amount: The dollar amount of the suspected error.
- Description of the Problem: If you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake.

You must contact us within 60 days after the error appeared on your statement.

You must notify us of any potential errors in writing. You may call us, but

may have to pay the amount in question.

While we investigate whether or not there has been an error, the following are true:

- We cannot try to collect the amount in question, or report you as delinquent on that amount.
- The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
- While you do not have to pay the amount in question, you are

FACTS	WHAT DOES HTLF DO WITH YOUR PERSONAL INFORMATION?
Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	The types of personal information we collect and share depend on the product or service you have with us. This information can include: Social Security Number and Income Account Balances and Payment History Credit History and Credit Scores
	When you are no longer our customer, we continue to share your information as described in this notice.
How?	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons HTLF chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does HTLF share?	Can you limit this sharing?
For our everyday business purposes— such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes— to offer our products and services to you	Yes	Yes
For joint marketing with other financial companies	Yes	No
For our affiliates' everyday business purposes—information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes—information about your creditworthiness	Yes	Yes
For our affiliates to market to you	Yes	Yes
For nonaffiliates to market to you	Yes	Yes

To limit	If you want to limit sharing, please call your institution at the toll-free number listed below.
our sharing	HTLF Bank Divisions:
	Arizona Bank & Trust 877-280-1857
	Bank of Blue Valley 877-280-1862
	Citywide Banks 877-280-1859
	Dubuque Bank and Trust Company 877-280-1851
	First Bank & Trust 877-280-1864
	Illinois Bank & Trust 877-280-1853
	Minnesota Bank & Trust 877-280-1860
	New Mexico Bank & Trust 877-280-1856
	Premier Valley Bank 877-280-1863
	Wisconsin Bank & Trust 877-280-1855
	Please note:
	If you are a <i>new</i> customer, we can begin sharing your information 30 days from the date we sent this notice.
	When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.
	However, you can contact us at any time to limit our sharing
Ougstions?	
Questions?	Call your institution at the toll-free numbers listed above, if you have questions.

Who we are	ho we are		
Who is providing this notice	Heartland Financial USA, Inc. and its subsidiaries that provide financial services (collectively referred to herein as "HTLF").		
What we do			
How does HTLF protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.		
How does HTLF collect my personal information?	We collect your personal information, for example, when you open an account or deposit money apply for a loan or seek advice about your investments tell us about your investment or retirement portfolio We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.		
Why can't I limit all sharing?	Federal law gives you the right to limit only sharing for affiliates' everyday business purposes—information about your creditworthiness affiliates from using your information to market to you sharing for nonaffiliates to market to you State laws and individual companies may give you additional rights to limit sharing. See below for more on your rights under state law.		
What happens when I limit sharing for an account I hold jointly with someone else?	Your choices will apply to everyone on your account.		

Definitions	
Affiliates	Companies related by common ownership or control. They can be financial and nonfinancial companies. • Our affiliates include companies with a HTLF name and Heartland Financial USA, Inc. Insurance Services.
Nonaffiliates	Companies not related by common ownership or control. They can be financial and nonfinancial companies, such as credit card providers. • Nonaffiliates we share with can include credit card providers.
Joint marketing	A formal agreement between nonaffiliated financial companies that together market financial products or services to you. • Our joint marketing partners include insurance companies and credit cards providers.

Other important information

State Laws:

Nevada Residents: We are providing you this notice pursuant to state law. You may be placed on our internal Do Not Call List by calling the phone number listed under the To Limit Our Sharing section.

Nevada law requires we provide the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number is 702-486-3132; Email: BCPINFO@ag.state.nv.us.

California Residents: Under California law, we will not share information we collect about you with companies outside of HTLF and its affiliates, unless the law allows. For example, we may share information with your consent, to service your accounts, or to provide rewards or benefits you are entitled to. We will limit sharing among our companies to the extent required by California Law.

VETERANS ASSISTANCE COMMISSION OF WINNEBAGO COUNTY, ILLINOIS

Jesus M. Pereira, Superintendent



ANNUAL REPORT

Fiscal Year 2024

Table of Contents

Glossary of Terms	7
Veterans Assistance Commission Delegates and Alternates 2024	8
Successes	9
Challenges	11
Budget Deficit Impact	13
Financial Assistance	17
Veteran Benefits Application Assistance and Representation	18
Outlook for Fiscal Year 2025	18
References	19

December 26, 2024

Honorable Governor J. B. Pritzker 207 State House Springfield, Illinois 62706

Dear Governor Pritzker,

It is with great pleasure that I present you with the annual report of the Veterans Assistance Commission of Winnebago County (VACWC), Illinois.

The VACWC offers essential support and services to military veterans who have served in the United States Armed Forces, ensuring assistance for those with an Honorable or General Under Honorable Conditions discharge. Moreover, the Commission extends just and necessary aid to the families of veterans and deceased veterans with service, recognizing their need for such support and services.

Winnebago County ranked 8th in Veteran population and 96th out of 102 counties in the State of Illinois in disability compensation utilization. During fiscal year of 2024, the VACWC documented 5,507 engagements with veterans in the county and disbursed \$495,951 in General and Emergency Assistance. We completed 737 forms for VA compensation and benefits and accounted for over a \$1,000,000 in reoccurring compensation payments to Veterans and families in Winnebago County.

This past year we achieved a major milestone by offering employees health, life, and dental insurance for the first time, as mandated by the Military Veterans Assistance Act (MVAA). However, this progress faced resistance from the County Finance Department, Finance Committee, and County Board due to its impact on the FY 2025 budget. Increased costs for the VACWC's employers portion of health benefits, rising salaries, and a forecasted \$500,000 in public aid pushed the budget to \$1,639,803.01. Following a \$500,000 budget cut by the County Board, the VACWC began pursuing measures to clarify and enforce funding obligations outlined in the MVAA.

Counties and Veterans Assistance Commissions (VACs) across Illinois often interpret the funding provisions of the MVAA differently, leading to ongoing issues such as underfunding,

underrepresentation, understaffing, and mismanagement—challenges our VAC in Winnebago County also faces.

Initially the VAC makes a recommendation of an amount that it believes to be appropriate under the law. The county board then acts upon that recommendation, either to approve or disapprove the recommendation.

(Gustafson,319 Ill. App. 255, 49 N.E.2d 311.) If the board approves the VAC's recommendation, the matter is resolved. If the board disapproves the recommendation, the VAC then has two options: it may submit a new recommendation for a different amount or the superintendent may seek judicial relief for mandamus. After listening to the views of the parties, the circuit court may issue a writ of mandamus for either the amount sought by the VAC or a different amount. People ex rel. City of Chicago v. Board of Review (1927), 326 Ill. 124, 141, 157 N.E. 186

<u>Veterans Assistance Comm'n v. County Bd., 274 Ill. App. 3d 32, 35 (Ill. App.</u> Ct. 1995)

(bold-faced emphasis added)

"The term "approve" is not the same as the words "formulate," "enact" or "authorize." To "approve" is to "confirm, ratify, sanction, or consent to some act or thing done by another." (Black's Law Dictionary 94 (5th ed. 1979)"

Veterans Assistance Comm'n v. County Bd., 274 Ill. App. 3d 32, 35 (Ill. App. Ct. 1995)

In the absence of clear rulings, we have relied on informal opinions from the Attorney General while awaiting decisions on writs of mandamus. Meanwhile, county representatives frequently make statements like "we gave," "we are giving," or "we are not," when discussing VAC budgets, reflecting the ongoing confusion and discord.

LOCAL

Rockford area veterans could take Winnebago County to court over budget dispute



Published 4:09 a.m. CT Sept. 20, 2024 | Updated 4:09 a.m. CT Sept. 20, 2024



The <u>Veterans Assistance Commission</u> of Winnebago County has authorized its superintendent to take legal action if the Winnebago County Board doesn't acquiesce to its budget demands.

Figure 1 Rockford Register Star Article Commission authorizes legal action

As I reflect on my first year with the Veterans Assistance Commission of Winnebago County, I am compelled to consider a profound question shaped by our county's practices and future outlook: Are the veterans of Winnebago County indebted to the taxpayers, or is it the taxpayers who owe a debt of gratitude to the veterans who have selflessly served our community and nation?

By Anthony Ferretti
Published: Aug. 28, 2024 at 10:48 PM CDT

∞n×∞ iii

ROCKFORD, III. (WIFR) - The Veterans Assistance Commission (V.A.C.) of Winnebago County claims the county board cut its budget by \$500,000, but the board says that assessment is inaccurate.

Jesus Pereira proposed a roughly \$1.6 million budget for the V.A.C. in Fiscal Year 2025. The board says the organization will receive \$1.12 million, \$500,000 less than the initial proposal.

"I want to be clear; the Winnebago County Board is not cutting their budget," says McDonald.

Keith McDonald is not only a Winnebago County Board member – he's also a veteran. He says he would love to accept the organization's proposal, but those tax dollars have already been accounted for and it's not that easy to move \$500,000 around.

Figure 2 WIFR Article "I want to be clear; the Winnebago County Board is not cutting their budget," says McDonald. ..." but those tax dollars have been accounted for"

We extend our heartfelt gratitude for your steadfast support of our county's veterans. Your commitment is truly valued. Should you have any questions, comments, or concerns, please do not hesitate to reach out to me.

Very Respectfully,

Jesus M Pereira

Operation Iraqi Freedom Veteran Sergeant First Class, U.S. Army

Retired

Superintendent

Glossary of Terms

Compensation: See "Disability Compensation"

Dependency and Indemnity Compensation (DIC): A tax-free monetary benefit paid to eligible survivors of military service members who died in the line of duty or eligible survivors of Veterans whose death resulted from a service-related injury or disease.

Disability Compensation: A tax-free monetary benefit paid to Veterans with disabilities that are the result of a disease or injury incurred in or aggravated during active military service.

Functional Zero: A goal that is reached when the number of Veterans experiencing homelessness within a community is less than the average number of Veterans being connected with permanent housing each month.

Intent-to-File: An application for Veterans and survivors who intend to file a claim for VA compensation, pension, or survivors' benefits which preserves the effective date of future benefits while the claimant is gathering supporting documentation for their formal claim.

Non-Service-Connected Pension: See "Pension"

Pension: A tax-free needs-based monetary benefit paid to wartime Veterans, who meet certain age or non-service-connected disability requirements.

Pension Management Center: A department at certain VA Regional Offices that is responsible for processing and adjudicating claims for pension, survivor's pension, dependency and indemnity compensation, and burial benefits.

Regional Office: One of 56 VA offices located nationwide responsible for processing and adjudicating VA benefits which primarily includes disability compensation.

Superintendent: The executive powers of the Veterans Assistance Commission vest within this individual and that individual acts as the Chief Veterans Advocate for the Veterans of the County.

Survivor's Pension: A tax-free needs-based monetary benefit payable to a low-income, unremarried surviving spouse and/or unmarried child(ren) of a deceased wartime Veteran.

VA Health Care: A comprehensive medical benefits package available to qualifying Veterans which includes primary and specialty care at VA hospitals and clinics.

Veterans Service Officer: An individual who is accredited by the U.S. Department of Veterans Affairs who assists Veterans and their dependents in the filing of claims, and advocacy for, benefits with the VA.

Work/Study Student: A Veteran student who is using VA education benefits and is paid by the VA to do VA related work at no cost to the County.

Veterans Assistance Commission Delegates and Alternates 2024

Title	Name	Post/Ship/
President	Terrell Lewis	Am Vets Rock River Valley Chapter #922
Administrative Coordinator	Nancy Clark	Veterans of Foreign Wars – VFW Ross/Pearson Post #5149
Finance Coordinator	Eric Willard	Vietnam Veterans of America Chapter #984
Services Coordinator	Lana McCants	Veterans of Foreign Wars – Thomas Lawler Post #342
Delegate	Ken VanLandeghem	American Legion Holtz – Hirst Post #288
Alternate	Raymond Dhom	American Legion Holtz – Hirst Post #288
Delegate	Gary D. Holmes	American Legion Walter Graham Post # 332
Alternate	Amy Mullins	American Legion Walter Graham Post # 332
Delegate	George Blake	American Legion Jefferson/Horton Post #340
Alternate	Willie Evans	American Legion Jefferson/Horton Post #340
Delegate	A.C. Davis	American Legion Robert Carlson Post #1207
Alternate	George Meissen	American Legion Robert Carlson Post #1207
Delegate	Todd Burton	Disabled American Veterans Blackhawk Life Chapter #29
Alternate	John Kline	Disabled American Veterans Blackhawk Life Chapter #29
Delegate	Donald Reynolds	Marine Corps League Post #83
Alternate	Al Laskie	Marine Corps League Post #83
Delegate	Stephanie Gilberto	Navy Club Ship #1
Alternate	Debra Nelson	Navy Club Ship #1
Alternate	Jerome Egilske	Vietnam Veterans of America Chapter #984
Alternate	Jeff Greer	Veterans of Foreign Wars – Thomas Lawler Post #342
Delegate	Rueben Hernandez	Veterans of Foreign Wars – VFW Roscoe Post #2955
Alternate	David Draeger	Veterans of Foreign Wars – VFW Roscoe Post #2955
Alternate	Fernando Delgado	Veterans of Foreign Wars – VFW Ross/Pearson Post #5149
Delegate	Gene Schaefer	Veterans of Foreign Wars – VFW Loves Park Post #9759
Alternate	John Hood	Veterans of Foreign Wars – VFW Loves Park Post #9759

Table 1 Delegates and Alternates

Successes

We begin by accounting for over \$1,000,000 in reoccurring VA disability compensation payments in which we aided veterans and eligible dependents apply for and receive in fiscal year 2024. The local impact in VA health care utilization is not computed in this report but we intend on determining this impact in the fiscal year 2025 report.

Office hours were extended from 9:00 A.M. – 3:00 P.M. to 8:00 A.M. to 4:00 P.M. The <u>vacwc.org</u> website went live and ease of use and functionality are notable. Our brand-new Chrysler Pacifica's received their new livery and makes a statement going down the road.



Figure 3 VACWC Local Transportation Vehicle

The VACWC's finances now benefit from enhanced transparency by utilizing the county finance team, ensuring greater accountability. Transactions can be monitored through the <u>Online</u> <u>Checkbook</u>, providing taxpayers with a clear view of how funds are utilized. Additionally, vehicles are now equipped with fleet cards for fuel purchases, offering improved control and safeguarding funds by restricting usage to authorized vehicle operators.

In January of 2024 the employees of the VACWC enjoyed access to the same benefits as county employees previously unavailable, including life, health, and dental insurance. Furthermore, with the Munis add-on provided by the county, employees can conveniently track their leave and view paychecks online.

We take pride in offering competitive wages that align with industry standards and reflect our commitment to attracting and retaining top talent. By ensuring our compensation is both fair and in line with others in our professional field, we demonstrate the value we place on the skills, dedication, and expertise our team members bring to the organization. This approach not only supports employee satisfaction and retention but also fosters a workplace environment where individuals are motivated to excel and contribute to our overall success.

Highest salary at Veterans Assistance Commission of Winnebago County in year 2023 was \$43,560. Number of employees at Veterans Assistance Commission of Winnebago County in year 2023 was 9. Average annual salary was \$23,787 and median salary was \$20,736. Veterans Assistance Commission of Winnebago County average salary is 49 percent lower than USA average and median salary is 52 percent lower than USA median salary.

(Veterans Assistance Commission of Winnebago County Salaries, 2024)

	2017	2018	2019	2020
VAC Employees	5	5	5	5
Avg. Annual Wage			\$23,440	\$20,953

Table 2 Average Salary 2017 - 2020

	2021	2022	2023	2024
VAC Employees	6	6	6	9
Avg. Annual Wage	\$22,611	\$29,293	\$23,787	\$50,120

Table 3 Average Salary 2021 - 2024

Lastly, the VACWC added an in-office Notary which is available at no charge for Veterans and their families to utilize.

Challenges

Fiscal year 2024 has brought about many challenges most notably the attempt of the VACWC to utilize the provisions, specific to funding, emphasized in Public Acts $\underline{102-732}$ and $\underline{102-1132}$ as well as the provisions outlined in $\underline{330 \text{ ILCS } 45}$.

(330 ILCS 45/2 (1)) The supervisor of general assistance or the county board shall provide such sums of money as may be just and necessary to be drawn by the commander, quartermaster or commandant of any veterans service organization, in the city or town, or the superintendent of any Veterans' Assistance Commission of the county, upon the recommendation of the assistance committee of that veterans service organization or Veterans' Assistance Commission.

(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)

The Winnebago County Board took it upon themselves to formulate the amount needed to fund the just and necessary needs, salaries and operations of the VACWC for FY 2025. The County Board decided to construe the terms "minimum amount to be provided" in 330 ILCS 45/2(B) as the amount the county had the authority to determine to fund. Despite multiple attempts to inform members of the county finance committee, the county finance team, and the full board that the determination of the just and necessary needs of the VACWC, along with the funds required to pay its employees, was the determination of the VACWC alone and not the county,

these efforts were disregarded. The action of the county led to a Five Hundred Thousand Dollar deficit (\$500,000) in the VACWC's approved fiscal year 2025 budget.

53... Thus, under section 2 of the Act, the VAC submits its recommendation for its direct assistance budget to the county board, and the county board either approves or disapproves the recommendation. If the county board disapproves of the recommendation, the VAC may submit a new recommendation for a different amount or may seek a writ of mandamus. Veterans Assistance Comm'n, 274 III. App. 3d at 37, 210 III.Dec. 920, 654
N.E.2d 219

Lavite v. Dunstan, 434 III. Dec. 960, 976 (III. App. Ct. 2019)

(bold-faced emphasis added)

By Anthony Ferretti

Published: Sep. 27, 2024 at 11:25 PM CDT

∞ G X Ø ⊞

(WIFR) - The Winnebago County Board approves its \$73.5 million fiscal year 2025 budget Thursday evening, but one organization isn't pleased with how much the board allocated for them.

The Veterans Assistance Commission (VAC) proposed \$1.6 million and the board allocated \$1.1 million. Now the organization gets the state's attorney's office involved.

The VAC claims the county board has no authority to modify or reject their proposal, but the Winnebago County State's Attorney sent a letter to the commission stating the board isn't required to simply rubber stamp whatever is proposed.

Winnebago County Board member Paul Arena says the budget the board approved Thursday has a more than \$2 million operational deficit because there are more needs than they have income.

Figure 4 WIFR Article Board to allocate 1.1 million

Budget Deficit Impact

The \$500,000 budget cut has significantly impacted critical services, including transportation and staffing.

The VA's FY23 GDX report reveals that 31.9% of Veterans in Winnebago County (4,486 unique patients) utilize VA healthcare services, exceeding the state average by 5.7% (National Center for Veterans Analysis and Statistics, n.d.). This demonstrates a significant reliance on VA healthcare by Veterans in the county.

However, due to this year's budget cuts, the Veterans Assistance Commission of Winnebago County (VACWC) was forced to suspend local Veteran transportation services to healthcare appointments and lay off our full-time driver. These measures have had a profound negative impact on many Veterans, surviving spouses, and families in Winnebago County.

The VACWC also forecast a budget shortfall heading into the 4th quarter of fiscal year 2025. Commissioners have mentioned reducing the level of support provided in the financial assistance program in order to land inside this shortfall. Cutting assistance to veterans and their eligible families has been a code Americans vowed not to break. I intend to maintain that code and work through the mandamus or mediation process to cure this deficit.

Veterans Assistance Commission suspends one transportation service

ROCKFORD, Ill. (WIFR) - The Veterans Assistance Commission (VAC) of Winnebago County offers two transportation services though one of them is suspended until further notice while they push for more funding.

Local medical transportation provided to veterans with one of their vehicles will be suspended until further notice. This is because the VAC is responsible for operation costs.

The commission's superintendent says this is a service they wanted to expand, but now has to cut back because their budget is \$500,000 less than expected. The superintendent says one alternative is getting a free bus pass from the Rockford mass transit district. Last month the commission put its \$1.6 million budget proposal in front of the county board. They were only able to receive \$1.1 million.

Figure 5 VACWC Suspends Transportation Services

The budget cut also created challenges during salary negotiations with an employee, who subsequently submitted their resignation shortly after the announcement of the FY 2025 salaries.

In accordance with 330 ILCS 45/2(2), the VACWC will be seeking relief through mandamus action. A comparison of the fiscal year 2024 and 2025 budgets is in a table below for review. Attorney General Informal Opinion I-24-008 opines 330 ILCS 45/10(e) imposes an affirmative obligation to pay from its general fund items highlighted in yellow. (Creel, 2024)

(330 ILCS 45/10)

(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, including, but not limited to, human resources and payroll support; information technology services and equipment; telephone services and equipment; printing services and equipment; postage costs; and liability insurance. Any litigation or legal settlement that has a financial impact to the county is subject to the approval of the county board.

(bold-faced emphasis added)

		FY 2024	FY 2025	Difference
41110	Salaries	\$447,000.00	\$523,644.00	\$76,644.00
41231	IMRF	\$35,760.00	\$30,000.00	(\$5,760.00)
	Payroll Taxes	\$44,700.00	\$40,059.01	(\$4,640.99)
41241	FICA		\$35,000.00	\$35,000.00
41221	Life Insurance		\$600.00	\$600.00
48211	Health Insurance	\$57,250.00	\$135,000.00	\$77,750.00
	Personnel Total	\$584,710.00	\$764,303.01	\$179,593.01
43991	Veterans Assistance	\$478,453.00	\$500,000.00	\$21,547.00
43942	Instruction & Schooling	\$10,000.00	\$20,000.00	\$10,000
43941	Dues and Membership	\$1,750.00	\$1,500.00	(\$250.00)
43810	Building Rental	\$50,000.00	\$130,000.00	\$80,000
	Insurances All		\$6,000.00	\$6,000.00
43731	Auto Repair/operation/recap	\$35,900.00	\$19,000.00	(\$16,900)
43420	Advertising	\$18,787.00	\$30,000.00	\$11,213.00
43310	Travel		\$20,000.00	\$20,000.00
43220	Postage	\$900.00	\$5,000.00	\$4,100.00
43212	Cell Phone		\$10,000.00	\$10,000.00
43190	Other Professional Services	\$64,500.00	\$100,000.00	\$35,500.00
43167	Software Subscription		\$6,000.00	\$6,000.00
43159	Event & Speaker		\$8,000.00	\$8,000.00
42250	Food & Beverage		\$5,000.00	\$5,000.00
42240	Gas & Oil		\$5,000.00	\$5,000.00
42110	Supplies	\$35,000.00	\$10,000.00	(\$25,000.00)
	Operations Total	\$695,290.00	\$875,500.00	
	Grand Total	\$1,280,000.00	\$1,639,803.01	
		\$1,280,000.00	\$1,039,803.01	
	Board Approved	31,113,000.00		
	Shortage		(\$520,803.01)	

Table 4 Budget Comparison



Figure 6 Budget timeline – Budget announced September 27th, 2024

	VAC	Finance	Purchasing	SOA
Regular Salaries	\$526,644.00	\$581,393.60	\$326,917.34	\$747,752.85
# of Employees	9	6		14
Life Insurance	\$600.00	\$273.00	\$227.50	\$592.00
IMRF – Employer Contribution	\$30,000			
FICA – Employer Contribution	\$35,000			
Payroll Taxes	\$40,059.01			
Total	\$629,303.01	\$581,666.60	\$327,144.84	\$748,344.85

Figure 7 Personnel budget comparison to county departments – Employer contributions for the county are not shown or accounted for here.

Financial Assistance

The Commission extends financial support to all Honorable or General Under Honorable Conditions discharged Veterans and their families, encompassing various forms of assistance such as rental and mortgage aid, utility payments, assistance for medically indigent individuals, emergency shelter for homeless Veterans, those at risk of homelessness, and those displaced by natural disasters. Additionally, the Commission provides burial assistance for indigent Veterans. This year the VACWC provided \$495,951.00 in financial assistance to qualified veterans and applicants.

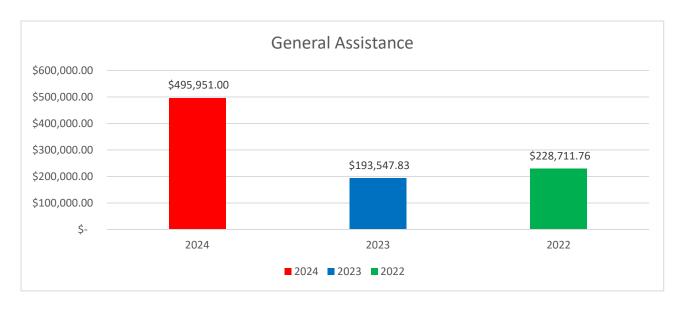


Figure 8 General Assistance Chart

Veteran Benefits Application Assistance and Representation

In the FY23 GDX Report Winnebago County ranked 8th in Veteran population and 96th out of 102 counties in the State of Illinois in disability compensation utilization. However, Winnebago County ranked 57th in the State of Illinois in VA Healthcare utilization by Veterans.

In fiscal year 2024 the VACWC implemented a customer relation platform and we were able to account for 205 VA Power of Attorneys. 78 applications for disability compensation, 150 Intent to file, and a total of 737 forms completed by our Veterans Service Officers.

Outlook for Fiscal Year 2025

As we address the mandamus related to the fiscal year 2025 budget, we foresee potential funding disputes arising during the planning process for the fiscal year 2026 budget. Should similar resistance occur regarding the FY 2026 budget, it is likely that another mandamus complaint will be necessary to seek relief. Additionally, the VACWC continues to evaluate potential locations that would best serve the needs of both the Commission and the Veterans of the County

The Superintendent of the Veterans Assistance Commission of Winnebago County is committed to collaborating with the County Board to carefully manage our future fiscal requirements. This collaboration aims to ensure the effective operation of a well-staffed and efficient Veterans Assistance Commission.

References

- Creel, K. M. (2024, 12 05). Assistant Attorney General. *Provision of Information Technology Services*. Springfield, Illinois.
- National Center for Veterans Analysis and Statistics. (n.d.). Retrieved from U.S. Department of Veteran Affairs: https://www.va.gov/vetdata/expenditures.asp
- Veterans Assistance Commission of Winnebago County Salaries. (2024, 12 16). Retrieved from GovSalaries: https://govsalaries.com/salaries/IL/veterans-assistance-commission-of-winnebago-county



555 N Court ST - Suite 300 Rockford, IL 61103 815-516-2850

January 10th, 2024

State of the VACWC

Good evening, esteemed delegates, alternates, members of the general public, and VAC employees. I express my gratitude for the honor and privilege of serving as your superintendent for the Veterans Assistance Commission of Winnebago County. These past two months have been a valuable experience in my veterans services career, shaping my perspective and dedication to the cause. As a veterans services advocate, leader, and administrator, I have consistently delivered, and I seek your support to continue this positive trajectory, aiming to restore the VACWC's reputation in Winnebago County.

The objective of this State of the VACWC is to perform a thorough evaluation, emphasizing areas where our organization needs improvement and showcasing the progress achieved within a span of two months. My main emphasis will be on the following critical aspects:

- 1. Upholding professional work standards
- 2. Boosting morale among VACWC employees
- 3. Cultivating a positive work relationship with Winnebago County employees and the board
- 4. Enhancing the efficiency of service delivery to veterans
- 5. Broadening the resources accessible to veterans through strategic partnerships with Veteran service organizations and companies.

Upon my appointment as Superintendent on November 1st, 2023, we immediately tackled the task at hand. Employees were eagerly awaiting employment benefits promised by the recently updated MVAA, which was enacted early in 2023. Our collaboration with the county on finance and HR administration began, ensuring the highest standards through the expertise of subject matter professionals in these fields. I extend my gratitude to Chairman Chiarelli, County Administrator Patrick Thompson, CFO Steve Schultz, HR Director Debbie Crozier, Finance director Molly Terrinoni and the dedicated team in the county, for their commitment to service, resulting in adherence to the MVAA. The county's generosity and support, dispatching employees to facilitate the benefits transition and training, has been invaluable.

In reaching out to community organizations and stakeholders in the veteran services sector, we emphasized our commitment to collaboration. Our partnerships with the VA HUD/VASH team, Vet Center, and IDVA reflect our dedication to working as a cohesive team to serve veterans effectively. Special thanks to Melissa Luciani Beckford and the IDVA team for their assistance in discharge documentation retrieval, significantly reducing processing times. Additionally, Melissa Johnson's collaboration on addressing homeless veteran needs is pivotal as we combine



555 N Court ST - Suite 300 Rockford, IL 61103 815-516-2850

resources with HUD/VASH to enhance the transition from homelessness to permanent supportive housing.

Addressing internal challenges, I observed a lack of decorum among some VACWC employees towards the Interim Superintendent and colleagues. Verbal altercations in common areas persisted without correction. Moving forward, employee conduct will be held to the highest standards, with corrective actions or dismissal for non-compliance. Chronic tardiness, abuse of paid leave, and deviations from work standards will no longer be tolerated, as we aim to elevate the morale of VACWC employees through adherence to professional conduct. I can only surmise that the failure to comply with work standards might be influenced, at least in part, by the relationships between employees and commissioners. While I encourage employees to actively engage with commissioners, it is crucial to unequivocally emphasize that such interactions or relationships do not grant immunity from VACWC work standards and fundamental professional conduct.

I am committed to training, equipping, and empowering employees for optimal service delivery to Winnebago County's veterans. With your support, I intend to lead the VACWC into a new era of excellence in veterans services. Sincerely,

Jesus M Pereira

Superintendent Winnebago County Veterans Assistance Commission 555 N Court Street, Suite 300 Rockford, II 61103 Phone: 815-516-2850

Fax: 815-516-2851

jpereira@vac.wincoil.gov



555 N Court ST - Suite 300 Rockford, IL 61103 815-516-2850

January 8th, 2025

State of the VACWC

Good evening, distinguished members of the Veterans Assistance Commission of Winnebago County, esteemed veterans, colleagues, and guests.

It is with great pride and a deep sense of accomplishment that I stand before you today to deliver the 2025 State of the VACWC address. As we reflect on the progress we have made and the challenges we have faced, we also look ahead with renewed determination and vision for the future. The past year has been a pivotal one for the VACWC, and as we move into 2025, we are poised to build on the momentum of our achievements and continue to honor the dedication and sacrifice of our veterans.

This year's address is not just an overview of where we stand—it is a commitment to the ongoing improvement of the services we provide, the advocacy we champion, and the support we offer to our veterans and their families. Together, we have turned a corner, stepping boldly into a future defined by unwavering dedication, unity, and the promise of brighter days for our veterans and their families.

Now, as we prepare to tackle the challenges and seize the opportunities that lie ahead, let us reaffirm our collective commitment to ensuring that our veterans always receive the care, respect, and support they deserve.

On January 10th 2024, I delivered my inaugural State of the VACWC address, outlining several key challenges we faced:

Professionalism

The organization faced significant internal conduct challenges, including a lack of professionalism among employees. Chronic tardiness, misuse of paid leave, and non-compliance with established work standards further exacerbated these issues.

Morale

Low employee morale was fueled by internal conflicts and unprofessional behavior. The organization needed to rebuild trust and establish high professional standards to foster a more productive and harmonious work environment.

Service Delivery

Document retrieval took months as VSO's waited for responses from the legacy National Archives System. Intent to files would expire and theories of entitlements were simply off the mark.

Employee Benefit Delivery

Delays in transitioning employment benefits also emerged as a concern, necessitating collaboration with the county to align with the updated MVAA.



555 N Court ST - Suite 300 Rockford, IL 61103 815-516-2850

Resource and Partnership Development

The VACWC was renowned for the place **not to go to** and stakeholders wanted very little to do with us.

County Relations

Winnebago County employees and board members utilized the VACWC in the fashioned they saw fit and not the other way around.

Leadership and Organizational Standards

Decisive leadership was nonexistent but needed to correct misconduct and enforce adherence to professional expectations.

Last year I stated,

Moving forward, employee conduct will be held to the highest standards, with corrective actions or dismissal for non-compliance. Chronic tardiness, abuse of paid leave, and deviations from work standards will no longer be tolerated, as we aim to elevate the morale of VACWC employees through adherence to professional conduct.

I am proud to report that the objectives outlined in my address on January 10th, 2024 have been successfully achieved, paving the way for a brighter and promising future.

Over the past year, I have prioritized several key areas to strengthen the operations and impact of the VACWC. To uphold professional work standards, I implemented stricter guidelines for conduct, addressed issues of tardiness and workplace decorum, and established clear expectations for employee behavior, fostering a more professional environment. Recognizing the importance of morale, I have worked to improve workplace dynamics by addressing internal challenges, promoting accountability, and fostering mutual respect. Additionally, I have established a relationship with Winnebago County employees, the board, and county leadership to ensure alignment on shared goals and strengthen collaboration.

Efficiency in service delivery has been significantly enhanced through partnerships with organizations and service providers such as VA Homeless Program, Veterans Path to Hope (SSVF Provider), and the Illinois Department of Veterans Affairs which have improved processes like discharge documentation retrieval and expanded housing solutions access for homeless veterans. Notably, these organizations now maintain office hours at the VACWC, further streamlining services.

I would be remiss if I did not take a moment to highlight the additions to the team representing the VACWC which I am sure you will agree are more than qualified to provide these services.



555 N Court ST - Suite 300 Rockford, IL 61103 815-516-2850

Luz Ortiz-Rivera

- Bachelor of Science in Criminal Justice with a concentration in Criminology
- Interim Director of Veterans Services in a department overseeing both Public Aid and VA Claims
- Accredited with the National Association of County Veteran Service Officers
- Holyoke Veteran's Home Access, Inclusion, and Diversity Committee
- Chair of the Patriotic Events Committee for the City of Holyoke.

Mayra Toral

- Executive Assistant Rockford Public Schools District Human Resources Department
- Administrative Assistant in the Winnebago Courts
- Student Academic Supporter
- Program Development and Event Coordinator
- Parent and Community Engagement Coordinator

Timothy Hotchkiss

- Master's degree in Clinical Mental Health
- Master's in Divinity with a focus on Pastoral Leadership
- Executive Director of New Life Community Center
- Clinical Mental Health Therapist
- 88th Readiness Division Family Life Chaplain
- Social Worker for the Freeport Police Department
- Major in the United States Army Reserve
- Served both as an enlisted soldier and as an officer since 1990, bringing over three decades of dedicated service to his role

Willie Borden

- Maryland Department of Veterans Affairs Veterans Benefits Specialist
- Special Assistant for Quality Assurance and National Pre-Discharge Claims Representative for the Veterans of Foreign Wars National Delegation
- Veteran advocate and benefits liaison for the Wounded Warrior Project
- U.S. Army veteran, Mr. Borden served from 1991 to 2012
- Proud member of Toastmasters International, a nonprofit organization dedicated to building confidence and teaching public speaking and leadership skills.

Francesca Montanez

- Rockford Public School Special Needs Classroom Para
- Rockford Park District Summer Program Director
- Rockford Park District Site Coordinator After School Program
- Rockford Register Star Media Classified Advertising



VETERANS ASSISTANCE COMMISSION OF WINNEBAGO COUNTY

555 N Court ST - Suite 300 Rockford, IL 61103 815-516-2850

Debi Hoover

- Degree in Business Administration and Early Childhood Education
- 20 Years Executive Assistant/Office Manager Experience
 - o Including Two Fortune 500 Companies
 - Textron -4 years
 - Verizon 13 years (7 years Executive Assistant 6 years HR)
 - 17 years Human Resource Experience
 - Verizon Time Management/FMLA HR Supervisor 6 years
 - Shields Animal Shelter Foundation
- Director 501c3 Organization 17 years
 - Shields Animal Shelter Foundation

This upcoming year I intend to lead the way in the State of Illinois in ascertaining the intent of the 102^{nd} General Assembly's passage of Public Act 102-732 and 102-1132.

I am pleased to share that an informal opinion provided by the Attorney General to the States Attorney of Winnebago County affirms that the Military Veterans Assistance Act places an affirmative obligation on Winnebago County to pay from its General Fund the office and provide all necessary furnishings, supplies, for the VACWC. Additionally, the county shall provide or fund services, including, but not limited to, human resources and payroll support; information technology services and equipment; telephone services and equipment; printing services and equipment; postage costs; and liability insurance.

This alone was a huge win for the VACWC in 2024 and we await the county's response to this informal opinion.

Applying the method utilized by the Attorney General we can then conclude that in addition to the sums needed to provide just and necessary assistance for our Veterans and their families there is also an affirmative obligation for county to provide for the funding of employees of the VACWC.

The VACWC legal counsel has prepared a final complaint against the county for its failure to adequately fund the VACWC, among other allegations in our fiscal year 2025 budget. The era of the VACWC being underfunded, underrepresented, understaffed, staffed with inexperienced employees, and mismanaged has officially come to an end.

In closing, I would like to take a moment to recognize our Counsel, Attorney Michael Phillips, for his unwavering support and guidance throughout the year. Your responsiveness to my numerous inquiries and your skilled, dedicated representation in 2024 have been invaluable.

To the Officers of the Commission, while we may have had our differences at times, I want to acknowledge your commitment and your consistent presence. Despite the occasional challenges, you continue to show up when it matters most, and I deeply appreciate that.



VETERANS ASSISTANCE COMMISSION OF WINNEBAGO COUNTY

555 N Court ST - Suite 300 Rockford, IL 61103 815-516-2850

Finally, to the members of the Commission, thank you for your trust and confidence in me as your Superintendent. I recognize that it can be difficult to place your faith in someone who is considered an "outsider," but I assure you, I share the same core values and experiences as you—above all, I am a veteran, just like each and every one of you.

Thank you all for your dedication, your service, and your continued support as we move forward into another year of progress for the VACWC.

Jesus M Pereira

Superintendent
Winnebago County Veterans Assistance Commission
555 N Court Street, Suite 300
Rockford, Il 61103
jpereira@vac.wincoil.gov



VETERANS ASSISTANCE COMMISSION OF WINNEBAGO COUNTY

Office Updates

- 275 Veterans Served
 - 17 Veterans Transported to Madison and Back
- \$ 155,730.80 Retro Payments FYTD
- \$1,460,919.00 Reoccurring
- \$ 25,335.95 Provided in EA & FA
- Visual GA May be able to be paid for by county (will review)
- Phone Calls 666
 - 133 to transportation
- Governors report delivered and online as well https://vacwc.org/about/governors-reports/
- State of the VACWC FY 2025 Complete

Governors Report Key Achievements (FY 2024)

- Supported 5,507 veterans, disbursing \$495,951 in financial aid.
- Secured over \$1 million in recurring VA disability compensation.
- Expanded office hours and improved transparency via online tools.
- Added benefits (health, life, and dental insurance) for VACWC employees.
- Hired highly qualified staff to enhance service delivery.

Governors Report Challenges

- Faced a \$500,000 budget cut, affecting:
 - Transportation services for veterans.
 - Staffing levels and service continuity.
- Engaged in legal measures to enforce funding provisions under the Military Veterans Assistance Act (MVAA).

Governors Outlook for FY 2025

- Addressing fiscal challenges through legal actions and advocacy.
- Exploring new locations to optimize services for veterans.
- Strengthening collaboration with Winnebago County leadership for sustainable operations.

2025 State of the Veterans Assistance Commission (VACWC

Key Achievements:

•Professionalism:

- Improved conduct and workplace decorum.
- Addressed tardiness and misuse of paid leave.

•Morale Boost:

- Fostered accountability and mutual respect.
- Resolved internal conflicts.

•Enhanced Service Delivery:

- Partnered with key organizations (e.g., VA Homeless Program, Veterans Path to Hope).
- Improved document retrieval and housing solutions for veterans.

•Resource & Partnership Development:

Strengthened relationships with stakeholders.

•Staffing Excellence:

Welcomed highly qualified team members across diverse roles.

2025 State of the Veterans Assistance Commission (VACWC

Looking Ahead:

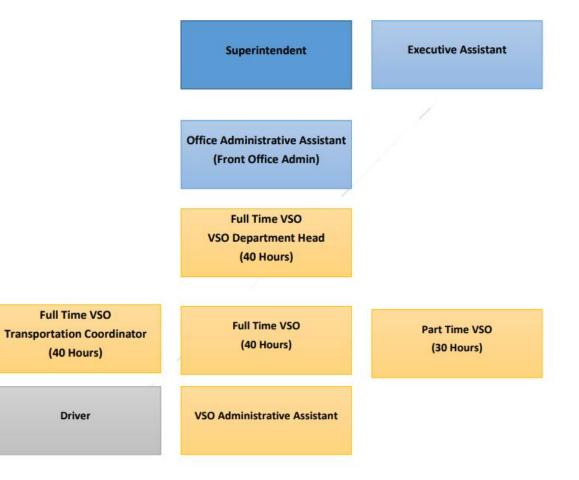
- •Enforcing Public Acts 102-732 and 102-1132 to secure proper funding.
- •Legal action prepared to address funding and support obligations.

Closing Commitment:

•Continued dedication to enhancing services, advocacy, and support for veterans.

VACWC Executive Staff

Organizational Chart of the VAC-O



- 1. Resigned on 9/13/2024 due to "serious ethical and mismanagement within the leadership of this organization."
- 2. Retaliatory terminations
- 3. False accusations of forgery
- 4. "exploitation of the Military Veterans Assistance Act as a tool for a personal and political 'money grab,' including his push to sue the county board for an inflated budget increase.
- 5. "Repairing relationships with community partners"
- 6. Lunch and Hard Rock Casino and Gaming on Sunday September 8, 2024
- 7. "unethical and unprofessional behavior"
- 8. "openly dismissed candidates from Winnebago County as 'tainted and neurodivergent,"

- 1. Budget increase was due to giving myself a raise
- 2. I have a tendency to not like white women
- 3. Only want to hire people who speak Spanish
- 4. Lied on Resume



LET ME FACE MY ACCUSER, OH I CANT Jesus Pereira MADE IT UP TRYING TO INSULT MY INTEGRITY AND MY FUTURE. MARIJUANA IS LEGAL EVEN IF THAT WAS THE CASE. HE KEEPS ASSAULTING ME AND I AM WILLING T SHARE ALL EMAILS

HE FIRED ME ONCE BEFORE FOR DOING MY JOB. SUGGESTIOPN FOR LAWSUIT THIS GUY IS NOT LIKE US Illinois VETERANS HE DOESNT EVEN HAVE A GOOD CONDUCT. IM SURE THE BOARD DIDNT DO ITS HOMEWORK. FIRED Ray Richmond, Gary Christopher. Julie Weis, Sue Michaelsen, KRISTINE SPIVEY, KRYSTAL DESROBERTS. HE HAS HURT OUR FAMILIES FOR HIS AGENDA AND HAS PERSOMALLY ASSUALTED MY REPRETATION, IT IS KNOW MY DUTY TO GET HIM OUT. HE HAS A TENDONCY TO NOT LIKE WHITE WOMEN, AND KNOW IM LEAD TO BELIEVE THAT HE ONLY WANT TO HIRE PEOPLE WHO SPEAK SPANISH

REPRETATION, IT IS KNOW MY DUTY TO GET HIM OUT. HE HAS A TENDONCY TO NOT LIKE WHITE WOMEN, AND KNOW IM LEAD TO BELIEVE THAT HE ONLY WANT TO HIRE PEOPLE WHO SPEAK SPANISH

"Lied on Resume"

Holyoke Veterans Services se prepara para ayudar a los reclamantes de la Ley PACT

Published: Aug. 18, 2022, 9:45 p.m.



Jesus Pereiraes el director de Servicios para Veteranos de Holyoke. (Don

Longmeadow Historical Commission Meeting Minutes For March 23, 2017

Attendees: Maggy Cohn, Chair, Beth Hoff, Steve Weiss, Alex Hogan Meeting Called to Order at the Longmeadow Adult Center at 7:02 pm

- 1. Minutes from February 16, 2017 Meeting had already been read and approved at that meeting.
- 2. A bit of New Business first: our guest, Mr. Jesus Pereira, the Director of Veterans' Services, spoke to us about a proposal he is putting forth to erect a monument commemorating the Purple Heart Veterans of Longmeadow. The Purple Heart commendation has been around in the armed forces since Revolutionary days (1782) when it was called the Badge of Merit. He showed us several models of monuments and spoke about the number of veterans who are residents of Longmeadow and deserve to be recognized in some small way. We referred him to Sandra Krein, Chair of the Historic District Commission, which has control over the various monuments currently on the Green. We also recommended he set up a table at Long Meddowe Days so as to inform our residents about the monument and all the wonderful work he oversees in service for our Veterans. NOTE: August 9th is Purple Heart Day.



Gary Christopher

•••











Most relevant ~



Gary Christopher

YOU SNAKE GO BACK TO MASSECUSETT THEY DONT EVEN HAVE A VAC HE LIED ON RESUME AND THE BOARD FELL FOR IT WHY PUNISH ME, OH I KNOW WHY CAUSE OF MY EMAIL IN FEBUARY, STAY TUNE FOR THE CAMPAIGN I INVITE YOU TO CALL THE REAL WINNEBAGO COUNTY BOARD AND SHARE YOUR CONCERNS

9h Like Reply



Imme Brown

Oh damn they let beast come out

9h Like Reply



Gary Christopher

go to vac page and post wow Veterans **Assistance Commission of Winnebago** County

9h Like Reply



Ed Davis

They might want to see if he was even a veteran, all the hype the media gave this dude and to hear he's a fake.

1h Like Reply











Public Letter From Former Employee Sharing Concerns About Former Employee

Inappropriate Communication:

There have been instances of the employee in question sending inappropriate email texts and pictures to both current and past colleagues. This behavior is unprofessional and creates an uncomfortable work environment.

Scheduling and Attendance:

The employee seems to be unable to call and reschedule appointments, leading to disruptions in our daily operations. Additionally, there are concerns about the unlimited vacation time taken, which has not been adequately accounted for or approved.

Alleged Fabrication of Leave Time:

There are suspicions that the employee has fabricated leave time. I have spoken to Steve, who confirmed these concerns, and it is crucial to investigate this matter thoroughly.

Improper Use of Time Clock System:

There have been instances of the employee not using the time clock system appropriately, which further raises questions about their dedication to their responsibilities.

Failure to Prioritize Veteran Services:

The employee seems more focused on their title as a "Community Liaison Officer" rather than fulfilling the role of a Veteran Service Officer. This lack of emphasis on core responsibilities is affecting the quality of service we provide to our veteran clients.

Misuse of Professional Appearance:

The employee's professional appearance might be giving cover to their inappropriate actions. This issue needs to be addressed promptly.

We believe that addressing these concerns is crucial for maintaining a healthy work environment and ensuring the efficient functioning of our office. The majority of the workload falling on other employees, extended client waiting times, and improper processing of client files are just a few examples of the consequences of these issues.

Thank you for your prompt attention to this matter.

Sincerely,

Gary Christopher

Veterans Service Officer

About Superintendent Pereira

My agenda is to provide the Veterans of Winnebago County with competent representation with their VA Benefits Applications and Services. Additionally, provide public aid in accordance and compliance with the public aid code.



- Retired Sergeant First Class
- Director of Veterans Services Longmeadow, MA
- Director of Veterans Services City of Holyoke, MA
- Trainer for the National Association of County Veterans Service Officers
- Sgt at Arms Illinois Association of County VAC's
- Past Vice President of the Western Massachusetts Veterans Service Officers Association
- Past Member Executive Board Member for the Massachusetts Veteran Service Officer Association
- Past Member Massachusetts Department of Transitional Assistance Advisory Board Member
- Founder and Pilot Vet Air
- Involved in Veterans Services Since 2016

Allegation #1

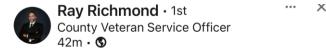
Resigned on 9/13/2024 due to "serious ethical and mismanagement within the leadership of this organization."



After much reflection, I have decided to step down from my role at the Veteran Assistance Commission of Winnebago County. This decision wasn't easy, as my time here has been deeply fulfilling and impactful. I have cherished the opportunity to work with such incredible clients and to hear their inspiring stories.

However, creative differences and a work environment that didn't align with my personal growth, values, and family obligations have led me to this decision. While I'm saddened to leave, I am optimistic about the future and committed to continuing my support and advocacy for veterans and members of the Armed Forces.

Thank you to everyone who has been a part of this journey. I am grateful for the experiences and connections I've made, and I look forward to finding new ways to contribute to our community.



After much reflection, I have decided to step down from my role at the Veteran Assistance Commission of Winnebago County. This decision wasn't easy, as my time here has been deeply fulfilling and impactful. I have cherished the opportunity to work with such incredible clients and to hear their inspiring stories.

However, creative differences and a work environment that didn't align with my personal growth, values, and family obligations have led me to this decision. While I'm saddened to leave, I am optimistic about the future and committed to continuing my support and advocacy for veterans and members of the Armed Forces.

Thank you to everyone who has been a part of this journey. I am grateful for the experiences and connections I've made, and I look forward to finding new ways to contribute to our community.

Allegation #1

Resigned on 9/13/2024 due to "serious ethical and mismanagement within the leadership of this organization."

However, creative differences and a work environment that didn't align with my personal growth, values, and family obligations have led me to this decision. While I'm saddened to leave, I am optimistic about the future and committed to continuing my support and advocacy for veterans and members of the Armed Forces.

Allegation #1 Serious - Ethical concerns

§ 14.632 Standards of conduct for persons providing representation before the Department

- (a) .
- (1) All persons acting on behalf of a claimant **shall faithfully execute their duties as individuals providing representation** on a particular claim under § 14.630, representatives, agents, or attorneys.
- (2) All individuals providing representation are required to be truthful in their dealings with claimants and VA.
- (b) An individual providing representation on a particular claim under § 14.630, representative, agent, or attorney shall:
- (1) Provide claimants with competent representation before VA. Competent representation requires the knowledge, skill, thoroughness, and preparation necessary for the representation. This includes understanding the issues of fact and law relevant to the claim as well as the applicable provisions of title 38, United States Code, and title 38, Code of Federal Regulations;
- (2) <u>Act with reasonable diligence and promptness in representing claimants.</u> This includes responding promptly to VA requests for information or assisting a claimant in responding promptly to VA requests for information.

Allegation #1 - Serious Ethical concerns

- § 14.632 Standards of conduct for persons providing representation before the Department
- (c) An individual providing representation on a particular claim under § 14.630, representative, agent, or attorney **shall not:**
- (7) **Delay, without good cause**, the processing of a claim at any stage of the administrative process;
- (8) <u>Mislead, threaten, coerce, or deceive a claimant regarding benefits or other rights under programs administered by VA;</u>

Allegation #1 - Mismanagement

- Funds bank
- Employees had debit cards
- Debit cards used for fuel
- Work hours 9AM 3 PM
- FA Coordinator worked outside open hours
- Employees came and went no accountability
- Verbal altercations between employees
- Professionalism of staff was nonexistent
- 30 Hour contracted VSO
- 2 Employed VSO's at 30 hours a week
- 1 Employed VSO at 20 Hours a week (PIV)
- No health care benefits
- No vision plan
- Reporting took multiple hours by multiple people
- Technology was dated

- Funds treasury viewable Online Checkbook
- Credit Card
- Fleet cards used for fuel
- Work hours 8 AM 4 PM
- VSO now do GA (FA) during work hours
- Employees clock in and out
- Altercations simply don't happen at all anymore
- Stop by and just see the staff at work...
- 30 Hour Employed VSO Compliance with 38 CFR
- 2 Employed VSO's at 40 hours a week
- Added another 40 hour employee
- Jan 1, 2024 health care and employee benefits began
- VetraSpec -15 min reporting
- County purchased new laptops for the VACWC

Allegation #1 - Mismanagement

- Access to Munis
- Transitioned away from Quickbooks
- Teams for internal office communication
- Worked with Rep West to introduce a Bill to define a Veteran in Illinois
- Received informal AG opinions from other VAC's on numerous topics.
- Worked a rotating schedule with IDVA, HCHV, SSVF to work out of the VAC.
- Helped to define eligible organizations to participate on the commission
- Amended Personnel and Services manual
- Engaged county board member regarding compliance with source of funding for services and items.

Allegation #2

Retaliatory Terminations

(All Employees of the VACWC are "At Will" Employees)

Reorganization of the VAC (Eliminated Part Time 20 Hour VSO and FA Coordinator)

Not one person at the VACWC has ever done anything to the Superintendent for the Superintendent to "retaliate" against them.

Employees simply were not used to accountability.

Allegation #3

False accusations of forgery

Still under investigation and more will follow

"Exploitation of the Military Veterans Assistance Act for an inflated budget increase."

Budgeting Approach for Fiscal Year 2025

- Zero-Based Budgeting for Personnel Costs:
 - Initiated from a zero balance due to lack of historical data on employee costs.
 - Accounted for increased Pay for all employees
 - Benefits included for the first time, as they were not historically part of the budget.
- Historical Budgeting for Public Aid:
 - Utilized historical data to forecast FY 2025 public aid needs.

https://govsalaries.com/salaries/IL/veterans-assistance-commission-of-winnebago-county

"Exploitation of the Military Veterans Assistance Act for an inflated budget increase."

Historical Salaries & Staffing

Highest salary at Veterans Assistance Commission of Winnebago County in year 2023 was \$43,560. Number of employees at Veterans Assistance Commission of Winnebago County in year 2023 was 9. Average annual salary was \$23,787 and median salary was \$20,736. Veterans Assistance Commission of Winnebago County average salary is 49 percent lower than USA average and median salary is 52 percent lower than USA median salary.

	2017	2018	2019	2020
VAC Employees	5	5	5	5
Avg. Annual Wage			\$23,440	\$20,953
	2021	2022	2023	2024
VAC Employees	2021 6	2022 6	2023 6	9

https://govsalaries.com/salaries/IL/veterans-assistance-commission-of-winnebago-county

		FY 2024	FY 2025	Difference
41110	Salaries	\$447,000.00	\$523,644.00	\$76,644.00
41231	IMRF	\$35,760.00	\$30,000.00	(\$5,760.00)
	Payroll Taxes	\$44,700.00	\$40,059.01	(\$4,640.99)
41241	FICA		\$35,000.00	\$35,000.00
41221	Life Insurance		\$600.00	\$600.00
48211	Health Insurance	\$57,250.00	\$135,000.00	\$77,750.00
	Personnel Total	\$584,710.00	\$764,303.01	\$179,593.01

43991	Veterans Assistance	\$478,453.00	\$500,000.00	\$21,547.00
43942	Instruction & Schooling	\$10,000.00	\$20,000.00	\$10,000.00
43941	Dues and Membership	\$1,750.00	\$1,500.00	(\$250.00)
43810	Building Rental	<mark>\$50,000.00</mark>	<mark>\$130,000.00</mark>	<mark>\$80,000.00</mark>
	Insurances All		\$6,000.00	\$6,000.00
43731	Auto Repair/operation/recap	\$35,900.00	\$19,000.00	(\$16,900.00)
43420	Advertising	\$18,787.00	\$30,000.00	\$11,213.00
43310	Travel		\$20,000.00	\$20,000.00
43220	Postage Postage	<mark>\$900.00</mark>	<mark>\$5,000.00</mark>	<mark>\$4,100.00</mark>
43212	Cell Phone		<mark>\$10,000.00</mark>	<mark>\$10,000.00</mark>
43190	Other Professional Services	\$64,500.00	\$100,000.00	\$35,500.00
43167	Software Subscription	0	\$6,000.00	\$6,000.00
43159	Event & Speaker	0	\$8,000.00	\$8,000.00
42250	Food & Beverage	0	\$5,000.00	\$5,000.00
42240	Gas & Oil	0	\$5,000.00	\$5,000.00
42110	<u>Supplies</u>	<mark>\$35,000.00</mark>	<mark>\$10,000.00</mark>	(\$25,000.00)
	Operations Total	\$695,290.00	\$875,500.00	\$180,210.00

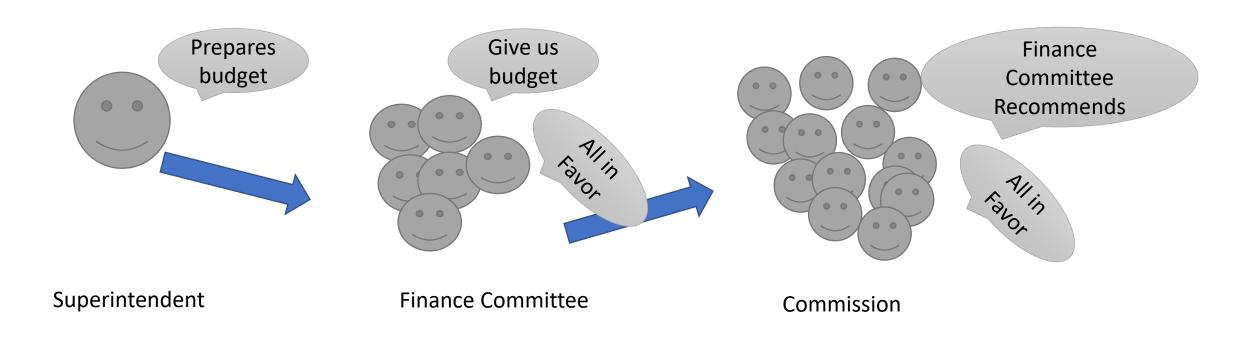
"Exploitation of the Military Veterans Assistance Act for an inflated budget increase."

Grand Total \$1,280,000.00 \$1,639,803.01

\$359,803.01

"Exploitation of the Military Veterans Assistance Act for an inflated budget increase."

The Superintendent doesn't just make a budget and fund a budget. There is a process for approval and the commission is the approving authority.



Thank you to those who stood by me and the VACWC during the budget process.



Response to Accusations

Thank you to those who stood by me and the VACWC during the budget process.



Response to Accusations



Allegation #4 Continued

¶ 53... Thus, under section 2 of the Act, the VAC submits its recommendation for its direct assistance budget to the county board, and the county board either approves or disapproves the recommendation. If the county board disapproves of the recommendation, the VAC may submit a new recommendation for a different amount or may seek a writ of mandamus. Veterans Assistance Comm'n, 274 III. App. 3d at 37, 210 III.Dec. 920, 654 N.E.2d 219 Lavite v. Dunstan, 434 III. Dec. 960, 976 (III. App. Ct. 2019) (bold-faced emphasis added)

Allegation #4 Continued

Initially the VAC makes a recommendation of an amount that it believes to be appropriate under the law. The county board then acts upon that recommendation, either to approve or disapprove the recommendation. (Gustafson, 319 Ill. App. 255, 49 N.E.2d 311.) If the board approves the VAC's recommendation, the matter is resolved. **If the board** disapproves the recommendation, the VAC then has two options: it may submit a new recommendation for a different amount or the superintendent may seek judicial relief for mandamus. After listening to the views of the parties, the circuit court may issue a writ of mandamus for either the amount sought by the VAC or a different amount. People ex rel. City of Chicago v. Board of Review (1927), 326 Ill. 124, 141, 157 N.E. 186 Veterans Assistance Comm'n v. County Bd., 274 Ill. App. 3d 32,

35 (Ill. App. Ct. 1995)

"Repairing relationships with community partners"



 \hookrightarrow

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning Mr. Superintendent (Jesus),

It was my great honor to speak at the event and I am so proud of the partnership we have with the VAC—along with the entire community.

Second, the letter looks great—I hope it works out in getting new space for the team.

Happy early Veterans Day!

Sincerely,



"Repairing relationships with community partners"

I cannot express enough gratitude for the incredible work that Jesus and the Winnebago County Veterans Assistance Commission does for our community. The new leadership has brought a fresh perspective and innovative ideas to the table, resulting in a more efficient and effective organization, while always being mindful of current laws and best practice.

They have a deep understanding of the challenges faced by Veterans and are dedicated to providing the best possible support and resources. As a key community stakeholder, they have shown a complete turnaround in their efforts to support and assist our Veterans in the past few months.

Their dedication and commitment to improving the lives of those who have served our country is truly commendable. Not only is the Winnebago County Veterans Assistance Commission communicative and responsive, but they also serve as a great coalition member. They understand the importance of collaboration and work tirelessly to build partnerships within the community to better serve our veterans.

"Repairing relationships with community partners"

I have witnessed firsthand the impact that the Winnebago County Veterans Assistance Commission has had on the lives of our Veterans. They go above and beyond to provide resources, support, and advocacy for those who have served our country. Their unwavering dedication and passion for their work is truly inspiring. I am proud to support and stand behind the Winnebago County Veterans Assistance Commission and their mission to improve the lives of our Veterans.

They are an invaluable asset to our community and I cannot thank them enough for all that they do. Thank you, Winnebago County Veterans Assistance Commission, for your incredible service and for making a positive difference in the lives of our veterans.

Melissa Johnson LCSW– Homeless Program Social Work Supervisor

Lunch at Hard Rock Casino and Gaming on Sunday September 8, 2024

This is 100% true.

Sunday September 8th of 2024 we attended a Yellow Ribbon Pre-Deployment briefing at the Radisson Hotel located at 200 S Bell School Road, Rockford II. I did offer to buy lunch with my Hard Rock Casino points and I did game prior to returning back to the event.

"I refused to participate, knowing that this had violated the standards of our personnel manual. "

I never ask employees to participate in gaming.

The Personnel Manual has no mention of this type of scenario but I understand the commissions concern of optics.

"openly dismissed candidates from Winnebago County as 'tainted and neurodivergent,"

All Former Employees were direct hires

VSO 1. Barber

VSO 2. Limited to 20 Hours a week of work

VSO 3. Five (5) year history of tardiness, Worked unauthorized overtime, enjoyed perceived immunity

VSO 4. Terminated once before by previous Superintendent, often forcefully told office scheduler to not schedule more clients for them to see

Financial Assistance Coordinator. - gas station employee, Worked from 6 am to 1pm (not available to the public for 3 of the hours of the day), failed to verify income, assets, job search requirements of eligible applicants

"openly dismissed candidates from Winnebago County as 'tainted and neurodivergent,"

I direct hired one employee which was Luz Ortiz-Rivera who was the interim Director of Veterans Services, Financial Assistance investigator, an accredited VSO with NACVSO, and PIV card holder for the City of Holyoke. The commission authorized a relocation stipend and I made an employment offer to Ls. Ortiz-Rivera. Luz Ortiz-Rivera had the skillset to walk in the door carrying out the work of FA and VA claims which is what the VACWC transitioned to. All three VSO's at the time where challenged with the extra workload and Luz had the experience with this type of work.

Our admin assistant was selected from among Seventy-five applicants and the final selection was made by my Executive Assistant.

The two recent VSO hires where from among thirty applicants from across the country. The qualified applicants were placed before the team at the VAC and they selected the candidates to interview. We interviewed the candidates as a team and the team selected Willie. During the team interview with team and Tim at the conclusion I offered Tim the position.

Why this process for selecting employees?

After that direct hire I was accused of wanting to get rid of "white women" for Latin women. Which of course was brought up again after the hire of Mayra. This allegation was again brought up to me and after it being disclosed that my Executive Assistant made the selection the accusation subsided.

The VSO team interview process was implemented to avoid yet again a racially motivated allegation on hiring practices. Applicants where brought in based on ability and professional history not race or the zip code they live in.

Complaints

Ray,

I am so disappointed in you and your organization. You made me waste a lot of time and resources I did not have. I will go ask for help somewhere else as I do not trust you know what you are doing with my disability claim or anything else for that matter. You lied, you never told me I had to do any of those things. You seem to be acting in bad faith and I can't seem to figure it out why. I feel discriminated against and I plan to file a complaint with the VA.

Response from Ray:

Your disappointments have come from your own misleading or withholding correct and valid personal information to us and the Department of Veteran Affairs. If you remember correctly you were sent to HUDvash who is the VA and informed you that you did not provide factual information in your application to them. I'm sure they will be pleased at your complaint that includes this information. That overpayment was caused by you. Are you stating that you did not in fact provide me the three quotes of acceptable options? See attached emails from you. Are you now saying that you are not in fact in an Emergency situation that requires assistance for the purchase of tires?

If you are now NOT taking the tires that you applied for Emergency Financial Assistance for it will result in an overpayment and the process for overpayments is listed below. This office provides necessary financial assistance to veterans whose standards of needs fall under the federal poverty level. You have continued to falsely represent that at every point of contention. Maybe the stipulations and requirements for financial assistance doesn't quite fit your life style at this moment and that's ok. I do wish you the best of luck. If you are still in need and would like to continue with assistance we would love to help

08/14/2024 10:21 AM

"And no wonder, for Satan himself masquerades as an angel of light."

"Truly malevolent people camouflage themselves as victims"

2024

Questions?

Thank you



OFFICE OF THE ATTORNEY GENERAL

STATE OF ILLINOIS

KWAME RAOUL ATTORNEY GENERAL

December 5, 2024

I - 24 - 008

COUNTIES:

Provision of Information Technology Services for the Veterans Assistance Commission

The Honorable J. Hanley State's Attorney, Winnebago County 400 West State Street, Suite 619 Rockford, Illinois 61101

Dear Mr. Hanley:

We have your letter inquiring whether the county may pay for information technology services and equipment and other supplies for its veterans assistance commission (Commission) from the proceeds of a tax levied pursuant to section 5-2006 of the Counties Code (55 ILCS 5/5-2006 (West 2022)) or from the county's general corporate fund. For the reasons stated below, the proceeds of a tax levied pursuant to section 5-2006 of the Counties Code may not be used to pay for information technology services and equipment for the Commission's office. Accordingly, expenses for information technology services and equipment for the Commission must instead be paid from the county's general corporate fund.

BACKGROUND

Commissions are organized pursuant to the Military Veterans Assistance Act (the Act) (330 ILCS 45/0.01 *et seq.* (West 2022)) to provide financial assistance and services to veterans whose last discharge from the service was honorable or was general under honorable conditions, their families, and the families of deceased veterans. 330 ILCS 45/2 (West 2022). The Act authorizes the organization of a Commission in any county having two or more veteran service organizations. 330 ILCS 45/9(a) (West 2022). A Commission is comprised of delegates



and alternates from each qualifying veteran service organization within the county. 330 ILCS 45/9(a) (West 2022). The delegates, together with the Commission superintendent, are charged with administering the provisions of the Act. 330 ILCS 45/9(a), (b), 10(a) (West 2022).

Commissions do not have the authority to levy taxes. Funding for Commissions may be derived from three sources, if applicable: (1) a special property tax levied pursuant to section 5-2006 of the Counties Code and section 12-21.13 of the Illinois Public Aid Code (the Public Aid Code) (305 ILCS 5/12-21.13 (West 2022)); (2) appropriations from the county's general corporate fund; and (3) State funds from the Department of Human Services. 330 ILCS 45/2(1)(A)(i) through (1)(A)(iii) (West 2022). The minimum amount of funds to be provided annually to the Commission is set out in section 12-21.13 of the Public Aid Code, unless the delegates of the Commission "determine that a lesser amount covers the just and necessary sums." 330 ILCS 45/2(1)(B) (West 2022); see also 330 ILCS 45/2(3) (West 2022) (money shall be drawn in the manner provided under section 5-2006 of the Counties Code and section 12-21.13 of the Public Aid Code).

According to the information you have provided, Winnebago County's Commission is seeking information technology services and equipment and other supplies from the county.³ The Commission has requested that these expenditures be funded through the county's general corporate fund and not the tax levy authorized by section 5-2006 of the Counties Code. You have inquired whether the county's general corporate fund or revenue from the tax levied pursuant to section 5-2006 of the Counties Code is the proper funding source for the requested services.

¹State funding under section 12-21.13 of the Public Aid Code is only available to Commissions located in counties where the county board levied the Commission-related tax authorized by section 5-2006 of the Counties Code. Section 12-21.13 provides, 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, or which will equal .03% of such assessed value if such higher amount is authorized by the electors of the county, as provided in Section 5-2006 of the Counties Code.

²With respect to the third source of funding, counties that levy the Commission-related property tax may qualify to receive State aid from the Department of Human Services under section 12-21.13 of the Public Aid Code to fund the activities of the Commission. *See* 55 ILCS 5/5-2006 (West 2022); 305 ILCS 5/12-21.13 (West 2022). We have not been provided with information indicating whether the Commission receives State funding.

³You have not specified the "other supplies" to which you are referring. We will assume for purposes of your inquiry that "other supplies" falls within a category of information technology equipment.

ANALYSIS

The primary purpose of statutory construction is to give effect to the intent of the General Assembly, the most reliable indicator of which is the language of the statute, given its plain and ordinary meaning. *People v. Casler*, 2020 IL 125117, ¶ 24. In determining the plain meaning of a statute, one must consider the statute in its entirety, the subject it addresses, and the apparent intent of the General Assembly in enacting it. *Midwest Sanitary Service, Inc. v. Sandberg, Phoenix & Von Gontard, P.C.*, 2022 IL 127327, ¶ 24.

Section 10 of the Act (330 ILCS 45/10 (West 2022)) addresses the county's provision of funding for the Commission's office and related services and provides, in pertinent part:

(a) The executive powers of the Commission shall be vested in a superintendent selected or appointed by a vote from a majority of the full Commission membership and who shall have received an honorable discharge from the armed forces of the United States.

* * *

- (d) The designated superintendent of the Veterans Assistance Commission of the county shall, under the direction of the Commission, have charge of and maintain an office in the county building or a central location within the county, to be used solely by the Commission for providing the just, necessary, and needed services mandated by law.
- (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, including, but not limited to, human resources and payroll support; information technology services and equipment; telephone services and equipment; printing services and equipment; postage costs; and liability insurance. (Emphasis added.)

Subsection 10(e) of the Act (330 ILCS 45/10(e) (West 2022)) thus requires the county to "provide for the funding" of the Commission's office and to "provide or fund services, including, but not limited to, * * * information technology services and equipment[.]" However, section 10 of the Act does not explicitly indicate the proper funding source for information technology services and equipment.

Section 5-2006 of the Counties Code, which authorizes a special tax levy to fund a Commission's operations, provides, in pertinent part:

The proceeds of any tax so levied shall be used exclusively for the assistance purposes authorized thereunder, and a portion thereof may be expended for the salaries of any officers or employees of the Veterans Assistance Commission, for the authorized reimbursement of any officer or employee of the Veterans Assistance Commission, as provided in Section 10 of the Military Veterans Assistance Act, or for any other expenses incident to the administration of such assistance.

Section 5-2006 further provides that counties that levy the Commission-related property tax may qualify to receive State aid to fund the activities of the Commission:

If a county has levied the tax herein * * * or otherwise meets the conditions set out in Section 12-21.13 of the Illinois Public Aid Code, to qualify for State funds to supplement local funds for public purposes * * * and otherwise meets the conditions * * * for receipt of State aid, the Illinois Department of Human Services shall allocate and pay to the county such additional sums as it determines to be necessary to meet the needs of assistance to military veterans and their families in the county and expenses incident to the administration of such assistance.

Section 5-2006 thus provides that the proceeds of the special tax levy for providing assistance to military veterans and their families must be used "exclusively for the assistance purposes authorized [under the Act]," including "the salaries of any officers or employees of the Veterans Assistance Commission, for the authorized reimbursement of any officer or employee of the Veterans Assistance Commission, as provided in Section 10 of Military Veterans Assistance Act, or for any other expenses incident to the administration of such assistance."

In informal opinion No. I-16-002, issued February 25, 2016, this office was asked to determine whether a county may pay rent for office space to house its Commission in a privately-owned building from the proceeds of the tax levied pursuant to section 5-2006 of the Counties Code (55 ILCS 5/5-2006 (West 2014)). Informal opinion No. I-16-002 concluded that rent for private office space for a Commission's office could not be funded by the proceeds of the property tax or the supplemental State public aid funds pursuant to section 5-2006 of the Counties Code and section 12-21.13 of the Public Aid Code. In reaching this conclusion,

informal opinion No. I-16-002 noted that section 10 of the Act (330 ILCS 45/10 (West 2014)) imposed a mandatory obligation on the county to provide office space for the Commission.⁴ Ill. Att'y Gen. Inf. Op. No. I-16-002 at 3-5.

Next, with regard to the proper source of funding for rental of office space, informal opinion No. I-16-002 examined the language of section 5-2006 of the Counties Code, which was substantially similar to the language set out above. Because section 5-2006 of the Counties Code did not contain "specific language * * * referencing" costs of rent and using the proceeds for rent "would reduce the amount of funds available" for assistance to veterans and their families, informal opinion No. I-16-002 concluded that neither the proceeds from the special tax under section 5-2006 of the Counties Code nor the State public aid funds under section 12-21.13 of the Public Aid Code could be used for the cost of rent for the Commission's office. Ill. Att'y Gen. Inf. Op. No. I-16-002 at 5.

Subsequent to the issuance of informal opinion No. I-16-002, the General Assembly amended several provisions of the Act and section 5-2006 of the Counties Code. First, Public Act 102-732, effective January 1, 2023, amended section 2 of the Act to explicitly reference the three sources of funding available to the county for Commissions and to expressly define the minimum amount of funding required to be provided annually to a Commission.⁶ Public Act 102-1132, effective February 10, 2023, further amended section 10 of the Act, in pertinent part, to require the county to "provide or fund services" to the Commission "including, but not limited to * * * information technology services and equipment[.]"⁷ Additionally, Public

⁴After informal opinion No. I-16-002 was issued, the Illinois Appellate Court similarly noted that section 10 "mandates that the county provide the office for the [Commission] and furnish it with all the necessary supplies." *Veterans Assistance Comm'n of Grundy County v. County Board of Grundy County*, 2016 IL App (3d) 130969, ¶ 48. In 2022, the General Assembly amended section 10 of the Act to require the county to "provide *for the funding of* the office[.]" (Emphasis added.) *See* Public Act 102-732, effective January 1, 2023. The legislative debates for House Bill 5184, which as enacted became Public Act 102-732, provide no rationale for the change from the county's obligation to "provide the office" to "provide for the funding of the office[.]"

⁵In *Lavite v. Dunstan*, 2019 IL App (5th) 170114, ¶ 66, the Illinois Appellate Court similarly indicated that the proceeds raised from this annual tax levy "must be used exclusively for the veterans assistance purposes authorized under the Act." In an unpublished opinion issued after informal opinion No. I-16-002 and *Lavite*, the Illinois Appellate Court cited section 5-2006 of the Counties Code to suggest that the cost of office space could be considered "expenses incident to the administration of such assistance[.]" *Tangen v. Lake County*, 2022 IL App (2d) 200634-U, ¶ 70.

⁶Specifically, Public Act 102-732 amended section 2 of the Act by providing that the minimum amount to be provided annually by counties to the Commission was to be determined under the standards of section 12-21.13 of the Public Aid Code, unless the delegates of the Commission "determine that a lesser amount covers the just and necessary sums." Public Act 102-1132 also amended section 2 of the Act, but those changes are not relevant to the instant inquiry.

⁷Section 10 of the Act was also amended by Public Act 102-732 and by Public Act 102-056. However, none of the changes made by these enactments are relevant to the instant inquiry.

Act 102-1132 amended section 5-2006 of the Counties Code to include the "authorized reimbursement of any officer or employee of the Veterans Assistance Commission, as provided in Section 10 of the Military Veterans Assistance Act" as an authorized use of proceeds.⁸

None of the recent enactments change the analysis applied in informal opinion No. I-16-002. While subsection 10(e) of the Act now places an affirmative obligation on the county to provide funding for information technology services and equipment for the Commission, the General Assembly did not amend section 5-2006 of the Counties Code to explicitly permit the proceeds of the special tax levy to be used to pay these expenditures. Because the Act places a mandatory obligation on the county to provide or fund information technology services and equipment, such costs do not fall under the "expenses incident to the administration of such assistance" in section 5-2006 of the Counties Code. Further, using proceeds from the tax levy to pay for services not explicitly authorized by section 5-2006 would "reduce the amount of funds available for the primary purpose of funding assistance to veterans and their families[.]" Ill. Att'y Gen. Inf. Op. No. I-16-002 at 5.

Based upon the foregoing, the county may not use proceeds from the tax levied pursuant to section 5-2006 of the Counties Code to fund information technology services and equipment. Accordingly, the county must pay for these services from the county's general corporate fund.

CONCLUSION

Section 10 of the Military Veterans Assistance Act imposes an affirmative duty on counties to provide or fund information technology services and equipment for veterans

⁸Section 5-2006 of the Counties Code was also amended by Public Act 102-732, but none of those changes are relevant to the instant inquiry.

⁹The specific source of funding for the specified items was not discussed during the legislative debates on either enactment. Rather, the legislative sponsors in each chamber made general remarks indicating that both enactments were intended to clarify the role of counties with respect to Commissions. *See* Remarks of Rep. Kifowit, January 10, 2023, House Debate on House Bill No. 2369 (which upon enactment became Public Act 102-1132), at 71-72 ("[w]hat this culminates is a lot of legislative intent * * * in addition to a lot of court cases * * * with the legislation that goes back decades, multiple decades, * * * stat[ing] * * * that the VAC[] is * * * a bit of a separate entity from the county. And that still maintains today"); Remarks of Sen. Wilcox, March 31, 2022, Senate Debate on House Bill No. 5184 (which upon enactment became Public Act 102-732), at 14 ("House Bill 5184 * * * reiterates rulings out of the court systems establishing that the VAC's are the administrators of * * * military assistance and reduces some rub between VAC's and county boards").

¹⁰Rather, the only additional authorized use for proceeds from the property tax levied under section 5-2006 after the issuance of informal opinion No. I-16-002--"for the authorized reimbursement of any officer or employee of the Veterans Assistance Commission as provided in Section 10 of the Military Veterans Assistance Act"—does not address information technology services and equipment.

assistance commissions. The cost for such services and equipment should not be paid from the proceeds of the property tax levied pursuant to section 5-2006 of the Counties Code and must be paid from the county's general corporate fund.

This is not an official opinion of the Attorney General. If we may be of further assistance, please advise.

Very truly yours,

KRISTIN M. CREEL

Assistant Attorney General

Chief, Public Access and Opinions Division

KMC:LAS:DRL:an



KWAME RAOUL ATTORNEY GENERAL

November 27, 2024

Joel A. Benoit
Assistant State's Attorney
Civil Division Chief
Sangamon County State's Attorney
Room 402 County Complex
200 South Ninth Street
Springfield, Illinois 62701

Shawn Miller Chairperson Veterans Assistance Commission of Sangamon County 901 South 11th Street Springfield, Illinois 62703

Joshua D. Herman Partner Miller, Hall & Triggs, LLC 416 Main Street, Suite 1125 Peoria, Illinois 61602

Re: Veterans Assistance Commission of Sangamon County

Dear Mr. Benoit, Mr. Miller, and Mr. Herman,

Thank you all for participating in the Illinois Attorney General's mediation process. I very much appreciate your time and efforts, and your dedication. This letter serves as the culminating response to the initial Request for Assistance (RFA) concerning this matter.

As you are aware, this mediation between the Veterans Assistance Commission of Sangamon County (VACSC) and Sangamon County (the County) was initiated when Shawn Miller, Chairperson of the VACSC, submitted a RFA to the Military and Veterans Rights Bureau (MVRB) of the Office of the Illinois Attorney General. Upon reviewing the RFA and correspondence from Brian McFadden, Sangamon County Administrator, to Shawn Miller on the matter, I sent an initial mediation letter to Sangamon County Administrator Brian McFadden. I later received a response from Sangamon County Assistant State's Attorney (ASA) Joel Benoit on behalf of Sangamon County. ASA Benoit's response included copies of correspondence from Attorney Joshua Herman of Miller, Hall & Trigs, LLC, on behalf of the VACSC to County Administrator McFadden and ASA Benoit, and ASA Benoit's subsequent response to Attorney Herman.

I have reviewed all the correspondence offered in support of both positions. Additionally, I have met telephonically with Chairperson Miller, Attorney Herman, and ASA Benoit. Having reviewed the correspondence and discussed the matter with each party, I drafted this letter in an attempt to identify the legal issues and offer an explanation and analysis of the applicable provisions of the Military Veterans Assistance Act (MVAA). The issues are defined as follows: (1) Is there a minimum amount that the County is mandated to fund the VACSC? If so, does the MVAA establish the minimum amount, or is the minimum amount only that which the VACSC can demonstrate to be just and necessary? (2) Must the VACSC adopt the County's employee policies regarding compensation without adjustment for its own employees?

As stated above, this letter attempts to explain the relevant provisions of the MVAA and the application of those provisions to the issues raised in this mediation. The explanation and application of the MVAA herein are specific to the facts and questions that pertain solely to this mediation. This letter is not a formal or informal opinion of the Illinois Attorney General, nor should this letter be construed as legal advice.

Is there a minimum amount that the County is mandated to fund the VACSC? If so, does the MVAA establish the minimum amount, or is the minimum amount only that which the VACSC can demonstrate to be just and necessary?

Yes, the MVAA establishes the minimum amount that the County is mandated to fund the VACSC. The MVAA mandates that a county with a Veterans Assistance Commission (VAC) shall fund that VAC. ¹ Paragraph (1) of Section 2 of the MVAA provides that "[t]he supervisor of general assistance or the county board shall provide such sums of money as may be just and necessary to be drawn by the commander, quartermaster or commandant of any veterans service organization, in the city or town, or the superintendent of any Veterans' Assistance

330 ILCS 45/2(1)

¹ 330 ILCS 45/2(1).

Commission of the county..." ² The MVAA further requires that this funding meet a minimum threshold. ³ Subparagraph (B) of paragraph (1) of Section 2 of the MVAA provides that "[t]he 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." ⁴

Section 2 of the MVAA clearly establishes the minimum amount that is mandated for the funding of a VAC. Even prior to Public Act 102-732, a county was required to fund its VAC. However, Public Act 102-732 now specifies what the minimum amount of that funding shall be. This minimum threshold should not be ignored or replaced with the notion that the general standard for determining the correct amount of that funding is what a county finds to be just and necessary. The General Assembly included the statutory language concerning the minimum amount in Public Act 102-732. Statutory language should be construed in such a manner as to render no word or phrase superfluous or meaningless. ⁵ In this case, the specific provision identifying the minimum amount to be provided annually to a VAC carries its meaning. Subparagraph (B) of paragraph (1) of Section 2 of the MVAA identifies the minimum threshold of funding by establishing that there is a minimum funding amount, and by pointing to the Illinois Public Aid Code for the determination of that minimum amount.

Section 12-21.13 of the Illinois Public Aid Code addresses local funds that are required to qualify for State aid, and provides in relevant 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, or which will equal .03% of such assessed value if such higher amount is authorized by the electors of the county, as provided in Section 5-2006 of the Counties Code."

The MVAA points to the Illinois Public Aid Code for the purpose of identifying the minimum amount of VAC funding. The position that the minimum amount of .02% of the last known assessed value of the taxable property in the county is only applicable where a county seeks State funding is not in keeping with the intent of the General Assembly or the language of

² *Id*.

³ See 330 ILCS 45/2(1)(B).

^{4 330} ILCS 45/2(1)(B).

⁵ Kraft, Inc. v. Edgar, 138 III. 2d 178, 189, 561 N.E.2d 656, 149 III. Dec. 286 (1990).

^{6 305} ILCS 5/12-21.13.

the MVAA. Such reading of subparagraph (B) of paragraph (1) of Section 2 of the MVAA would undo the legislative intent to fund VACs at a set minimum threshold and negate any requirement for a minimum funding threshold unless a county sought State funds. This would run afoul of the purpose of the MVAA, which is "in part, to provide, in accordance with this Section, just and necessary assistance and services to military veterans". ⁷

Section 2 of the MVAA points to Section 12-21.13 of the Illinois Public Aid Code for the calculation of the minimum amount to be provided annually to a VAC. The MVAA contains no conditional provision concerning qualification for State funding; that language is found in the Illinois Public Aid Code. Accordingly, the MVAA minimum funding requirement is not predicated upon whether a county seeks State funding pursuant to the Illinois Public Aid Code. The mandate of the MVAA is not forfeited by the provision of the Illinois Public Aid Code concerning local funds to qualify for State aid. The MVAA mandate concerning the minimum amount of VAC funding exists independently and relies upon the Illinois Public Aid Code for the purpose of calculating that minimum amount. In other words, Section 2 of the MVAA points us to Section 12-21.13 of the Public Aid Code for the dollar amount, not for the conditional provision concerning qualifying for State funds.

Some consideration should be given to the processes by which these funds are to be disbursed to the VAC. Although the law mandates the funding of a VAC at a minimum threshold, the law does not mandate that such funding be transferred to a VAC as a lump sum. Paragraph (3) of Section 2 of the MVAA establishes the means by which funds shall be drawn. The mechanism by which funds are dispersed is established in the Counties Code and Illinois Public Aid Code. "Such sums of money shall be drawn in the manner now provided under Section 5-2006 of the Counties Code and Section 12-21.13 of the Illinois Public Aid Code..." 8

The remaining consideration is the proper application of "just and necessary" as the phrase pertains to the minimum funding mandate. ASA Benoit's letter to Mr. Herman, dated May 8, 2024 relies upon *Lavite v. Dunstan* for the position that determining what constitutes "just, necessary, and needed..." is determined through the annual budgeting process. ⁹ The letter goes on to correctly note that *Lavite* was decided before the most recent amendment to the MVAA. This is relevant because, as mentioned above, Public Act 102-732 amended the general mandate that a county fund its VAC with the specific provision that "[t]he minimum amount to be provided annually to Veterans Assistance Commissions is provided in Section 12-21.13 of the Illinois Public Aid Code,..." ¹⁰

⁷ 330 ILCS 45/2.

^{8 330} ILCS 45/2(3).

⁹ See Lavite v. Dunstan, 2019 IL App (5th) 170114 (2019) at para. 53.

¹⁰ 330 ILCS 45/2(1)(B).

The fundamental rule of statutory construction is to ascertain and give effect to the intent of the legislature. ¹¹ Moreover, "[i]t is a fundamental rule of statutory construction that where there exists a general statutory provision and a specific statutory provision, either in the same or another act, which both relate to the same subject, the specific provision controls and should be applied." ¹² Here, as the newer and more specific language controls the general, a comparison of the general "just and necessary" language with the specific provision concerning a "minimum amount" of funding for VACs will show that the specific reference to a minimum amount controls the general provision.

Whether a lessor amount may constitute the required funding to adequately see to the "just, necessary and needed assistance" is a determination to be made by the VACSC. The minimum amount is statutorily established as the threshold "... unless the delegates of the County Veterans Assistance Commission determine that a lesser amount covers the just and necessary sums." ¹³ If the County takes it upon itself to decide on a lessor amount, the MVAA provides for a remedy for the VACSC in circuit court. ¹⁴ In such cases, the MVAA directs the VACSC to file a writ in circuit court. It is foreseeable that in such instance, a pertinent consideration might be which entity, the County or the VACSC, is best suited to determine what is the just, necessary, and needed funding amount to assist the veterans of Sangamon County.

Must the VACSC adopt the County employee policies regarding compensation without adjustment for its own employees?

Yes, the VACSC must adopt the County employee policies regarding compensation. However, the VACSC must also **adapt** those policies to fit its own organizational structure, thereby adjusting the policies for itself. Those policies then become the policies of the VACSC. The MVAA sets forth three provisions that are most relevant to the analysis of the questions concerning employee policies and compensation.

First, subsection (g) of Section 10 of the MVAA mandates that the County shall provide funding for VACSC employees' compensation upon the recommendation of the VACSC. Second, subsection (g) of Section 10 of the MVAA further provides that the VACSC employees are employees of the VACSC and not the County.

"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,

¹¹ Gaffney v. Bd. of Trs., 2012 IL 110012, ¶ 56, 969 N.E.2d 359, 360 III. Dec. 549.

¹² People v. Villarreal, 152 III. 2d 368, 379, 604 N.E.2d 923, 928, 178 III. Dec. 400 (1992).

¹³ 330 ILCS 45/2(1)(B), emphasis provided.

¹⁴ 330 ILCS 45/2(2).

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 superintendent and other employees shall be employees of the Veterans Assistance Commission, and no provision in this Section or elsewhere in this Act shall be construed to mean that they are employees of the county." ¹⁵

Third, subsection (g) of Section 9 of the MVAA requires the VACSC to adopt the County employee policies regarding compensation, and then adapt the policies to fit the VACSC.

"Each Veterans Assistance Commission shall, in writing, adopt all applicable policies already established and in place in its respective county, including, but not limited to, policies related to compensation... and shall adapt those policies to fit its organizational structure. Those policies shall then be considered the policies of the Veterans Assistance Commission..." ¹⁶

It should be noted that the MVAA does not grant the County any enforcement authority in this matter. In this light, taking the relevant provisions of the MVAA together with the principle that the VACSC is a unit of local government will lead to the understanding that the VACSC has certain mandates under the MVAA as well as a measure of autonomy. ¹⁷ The VACSC must adopt the County's employment policies; however, the VACSC has the authority to adapt such policies, including those policies pertinent to employee compensation, according to its organizational structure, thereby making the policies its own.

The issue of the VACSC's autonomy seems to underpin the County's positions, at least to some extent. However, in addition to the provisions of the MVAA cited herein, caselaw clearly addresses the issue of a VAC's autonomy in relation to the county in which it serves. In a case involving a VAC and the county in which that VAC served, the Illinois Appellate Court stated "[h]ere, the board seeks to reduce benefits to veterans in need. If we were to adopt defendants' assertion that section 9 gives the board supremacy over the VAC, we would be granting the board the power to thwart the very purpose of the Act. This we cannot do." ¹⁸

In closing, although the MVAA requires the VACSC to apply to the circuit court of

^{15 330} ILCS 45/10(g).

¹⁶ 330 ILCS 45/9(g).

¹⁷ See Attorney General Opinion 99-022.

¹⁸ Veterans Assistance Comm'n v. County Board, 274 III. App. 3d at 37, 654 N.E.2d at 222-23.

Sangamon County for relief by mandamus if the County fails or refuses to fund the VACSC's recommendation for funding, MVRB remains available for further mediation or assistance in reaching a proper outcome. If there are additional facts or considerations that were not addressed in this letter and are pertinent to the analyses offered, please feel free to contact me directly. Please note that the Illinois Attorney General's mediation process is not adversarial in nature and is designed with the sole purpose of ensuring that Illinois law is correctly applied. We do not represent the VACSC or the County in this matter.

I recognize that these issues are nuanced and complex. Please do not hesitate to contact me at (217) 725-3882 or via email at Ronald.Michel@ilag.gov with questions. Thank you.

Respectfully,

Ronald Michel

Assistant Attorney General

Military and Veterans' Rights Bureau

CC: Brian McFadden, Sangamon County Administrator



VETERANS ASSISTANCE COMMISSION OF WINNEBAGO COUNTY

BY-LAWS FOR THE VETERANS ASSISTANCE COMMISSION OF WINNEBAGO COUNTY (VACWC), ILLINOIS

Revised 27 APRIL 2023

ARTICLE I - NAME

The name of this Agency shall be the Veterans Assistance Commission of Winnebago County (VACWC), Illinois, also known as Veterans Assistance Commission (VAC) or Commission.

ARTICLE II - PURPOSE

The purpose of this Commission is to promote the welfare of the Veterans of all wars and to provide just and necessary assistance to Veterans whose final discharge is honorable or General Underral Honorable Conditions to include their families as governed codified by Chapter 23 paragraph 3080-(330 ILCS 45/0.01, rt Seq.2 thru 45/10) entitled 'Military Veterans Assistance Act' (MVAA) of the Illinois Revised Statutes to include revisions and future amendments thereto. The Commission will act as a central office for all Veteran Organizations included as members of this Commission. The Commission will also have general oversight of the distribution of all relief and supplies and services that may be appropriate for the benefit of eligible Veterans and their families. The Commission will formulate such rules and regulations that will enable it to carry out the purpose set forth.

ARTICLE III - JURISDICTION

The territory to be included within the jurisdiction for this Commission will be the County of Winnebago in the State of Illinois.

ARTICLE IV - OFFICE

Section I. The headquarters and principal office of this Commission shall be in a County building, or other suitable central location.

Section II. The office shall be provided, furnished and equipped by the County with all necessary supplies, services and equipment in accordance with the Military Veterans. Assistance Act, including telephone, printing and stationery, postage, desks, typewriters, computers, etc.

ARTICLE V - MEMBERSHIP

Section I. Every January 1, all Veterans Assistance Commissions shall publish a notice to each veteran service organization within their respective county calling on them to select

Formatted: Left, Tab stops: 3.35", Centered + 5.64",

delegates and alternates for that county's Veterans Assistance Commission by the methods provided in this subsection. The Veterans Assistance Commissions shall allow each veteran service organization until March 1 to respond, at which time those selected and duly appointed delegates and alternates shall begin their term of office with full voting rights.

Once selected, delegates and alternates are bound by the Public Officer Prohibited Activities Act.

Membership of the Full Commission shall be composed of one Delegate and/or one-Alternate from each eligible validated Military Veteran Organizations, that are Federallyor State chartered and 25% or more of its membership is located in Winnebago County, Illinois, who choose to be a Member Veteran Organization (MVO) of the Commission. Validation of MVO's must be completed by 01 March every year.

Section II. A current list of eligible Veteran Organizations of Winnebago County and a current list of MVSO and their Delegates and Alternates will be maintained by the Commission.

Section III. No Delegate (or Alternate in the absence of the Delegate) shall be permitted to vote for any <u>MVO_MVSO</u> other than the one the Delegate or Alternate officially represents.

Section IV. Each MVSO present, at any Commission meeting, is authorized only ONE VOTE per issue. In the event of a TIE-VOTE, a motion fails.

Section V. Removal of a Delegate or Alternate from the Commission can be accomplished with a vote of the majority of the body.

ARTICLE VI - OFFICERS AND COMMITTEES

Section I. All undertakings of, or actions taken by, the Commission shall require a vote from a majority of a quorum the of the full commission membership present at a meeting held in compliance with the Illinois Open Meetings Act. No committee or other subgroup of delegates and alternates formed by the Commission, whether selected or appointed, may be granted the power or authority to act in the place of or on behalf of the full body of the duly selected or appointed Commission membership.

Section II. Elected Officers of the Commission shall be the PRESIDENT, ADMINISTRATIVE COORDINATOR, FINANCE COORDINATOR, and SERVICES COORDINATOR.

Section III. All Officers shall be elected from delegates/alternates of the commission at the Annual Meeting in the month of September, and all Officers so elected shall be installed and assume their duties at the next Regular Meeting, and shall continue in office for one (1) year or until their successors are regularly elected and installed by the Commission.

Section VIII. No Officer or Member of the Commission shall serve, concurrently, on the Winnebago County Board, or in any other position within Winnebago County which may represent a conflict of interest.

Section IV. The President and Coordinators, with the PRESIDENT as Chair, shall constitute the ADVISORY COMMITTEE. to exercise general eversight of the Commission in between the Regular Meetings of the Commission. The Superintendent and VAC-A Secretary shall attend all meetings of the Advisory Committee.

Section VI. The Advisory, Finance, Services and Personnel Committees are standing committees. The standing committees shall consist of the chair, as defined below, and who is a voting member of the committee. The Chair shall select three (3) members for the standing committee. The President shall be a de-facto voting member of each standing committee. Each Committee Chair shall present a committee report at all Regular Meeting

The ADVISORY COMMITTEE functions as the Financial Committee with the Finance-Coordinator as the Chair and the Services Committee and the Personnel Committee with the Services Coordinator as the Chair,

- a. The Advisory Committee is defined in section IV listed above.
- b. The Finance Committee is chaired by the Finance Coordinator,
- c. The Services Committee is chaired by the Services Coordinator,
- d. The Personnel Committee is chaired by the Services Coordinator.

Section VII. The Appeals Committee is a <u>Standing Specialized Committee</u> and shall conveneenly as needed at the request of the President of the Commission. This committee will be made up of at least four Commissioners and the ADMINISTRATIVE COORDINATOR as the chair. The Appeals Committee has the executive authority to adjudicate a final decision of any appeal presented to the Commission and shall present their findings at the next Commission meeting for approval and posting._

Section VIII. The Commission may create temporary committees as needed. The President shall appoint the Committee Chair and, the Chair, who is a voting member of each temporary committee, shall select three (3) members of each temporary committee. The President shall be a de-facto voting member of each temporary committee. Each Committee Chair shall present a committee report at all Regular Meetings.

Section VIII. Committees have no authority to act on behalf of the Commission but are subject to the record keeping and notification requirements of the Illinois Open Meetings Act.

ARTICLE VII - MEETINGS

Section I. The Regular Meeting of the Commission shall be held on the second Wednesday of each month, at the hour of 5:30 pm, at the office of the Veterans Assistance Commission or other suitable location (with proper advance notice), and shall transact such business as may be properly brought before it.

Section II. The Advisory Committee regularly meets every Thursday (excluding holidays) at 1:00pm, at the office of the Veterans Assistance Commission or other suitable location with proper advance notice. The Advisory Committee shall meet the Thursday prior to the

Formatted: Indent: Left: 0.13", Hanging: 0", No bullets or numbering

Formatted: Font: 11 pt, Not Bold, Font color: Auto

Formatted: Font: 11 pt, Not Bold, Font color: Auto

Formatted: Font: 11 pt, Not Bold, Font color: Auto

Formatted: Font: 11 pt, Not Bold, Font color: Auto

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.13" + Indent at: 0.38"

regularly scheduled Commission meeting to review the previous Commission meeting's action items and minutes, and to prepare the agenda for the upcoming Commission meeting.

Section III. An Annual Meeting of the designated Veterans Military Organizations (MVSOs) representatives who constitute the Commission shall be held in the month of September to elect Officers. The quorum for that meeting shall be those present. The nomination process shall commence during the Regular Meeting immediately prior to the Annual Meeting and will close just prior to the voting process.

Section IV. A Special Meeting may be requested in writing by no less than three Delegates and/or Alternates representing at least three MVOs. The Advisory Committee shall have no more than seven days to review the request and the special meeting shall be held within 14 days of the original request. All delegates/alternates must receive the agenda at least three days prior to the date of said meeting. No other business shall be transacted.

Section V. Representatives of a majority of the validated Commission MVOs shall constitute a quorum for the transaction of all business at any Regular or Special Meeting, but a lesser number may adjourn any meeting.

Section VI. Proceedings for all business meetings shall be governed by the Illinois Code, these Bylaws, and the latest edition of *Robert's Rules of Order* and shall be conducted in compliance with the Illinois Open Meetings Act.

Section VII. If a quorum of the Commission is physically present, a majority may allow a member of that body to attend the meeting by video or audio conferencing if the member is prevented from physically attending because of: personal illness or disability; employment purposes or the business of the Commission; or a family or other emergency. If a Disaster Proclamation is issued, sec 7(e) of the Illinois Open Meetings Act will be followed.

Section VIII. If a commissioner is attending the meeting by video or audio conferencing for any other reason than the three reasons listed in Section VI above, that commissioner may participate in discussions only and shall not have a vote.

ARTICLE VIII - SUPERINTENDENT

Section I. The executive powers of the Commission shall be vested in the Superintendent, who shall be an Honorably Discharged Veteran appointed by the Commission and shall, under the direction of the Commission, have charge of and maintain an office to be used for carrying out assistance work in compliance with procedures and regulations adopted by the Veterans Assistance Commission and the regulations of the Department of Human Services.

Section II. The Superintendent of the Veterans Assistance Commission may hire staff as needed in accordance with the approved budget.

Section III. The Superintendent shall, with the concurrence of the Commission, obtain legal counsel and a Commission Secretary.

Section IV. The Superintendent has the duty to present monthly operational reports as

deemed necessary by the Commission.

Section V. The Superintendent and all members of the Advisory Committee shall be bonded.

ARTICLE IX - BYLAW CHANGES

Any change to these Bylaws shall be conducted as follows:

- A. Any Delegate or Alternate of an MVO may propose a change to the Bylaws. The Advisory Committee will review the proposed changes and develop a recommendation (including any recommended edits) for the Commission.
- B. Proposed changes will be placed on the agenda at the first Commission meeting after the Advisory Committee review for a first reading. Notice must be provided to all Delegates, Alternates and each MVO at least seven (7) days prior to the first reading.
- C. The vote shall follow the second reading at the first regularly scheduled meeting after the first reading. Notice must also be provided to all Delegates and Alternates at least seven days prior to the second reading and subsequent vote.
- **D.** Bylaw changes shall be enacted upon an affirmative vote of two-thirds of the voting representatives present at the meeting.

This document was voted on and approved at a Regular Veterans Assistance Commission (VAC) Meeting on 10 AUGUST 2022 and will go into effect Immediately.

Ashley C. (Dave) Davis, President

Nancy K. Clark, Administrative Coordinator

Todd R. Burton, Finance Coordinator

Terrell D. Lewis, Services Coordinator

Formatted: Indent: First line: 0"

Veterans Assistance Commission Officers Advisory Committee Meeting

Superintendent – 90 Day Review – Meeting Minutes

Date: March 20, 2024 – Special Meeting Closed Session – 1817 hours – 1853 hours

Location: Ross Pearson VFW #5149, 922 7th Street, Rockford, IL 61104

In attendance:

AC Dave Davis - President
Terrell Lewis - Services Coordinator
Nancy Clark - Administrative Coordinator
Ken VanLandeghem - American Legion - Post #288
Eric Willard - Vietnam Veterans of America #984
Lana McCants - VFW Post #342
Gene Schaefer - VFW Post #9759
Gary Holmes - via Zoom - American Legion Post #332
John Kline - Via Zoom - Blackhawk DAV Chapter #29

A quorum was present to discuss the 90 day evaluation of Superintendent Jesus E. Pereira.

A discussion and verbal votes were taken to evaluate Superintendent Pereira is ten areas:

Note: U/S-Unsatisfactory, N/1-Needs Improvement, S-Satisfactory, G-Good, E-Excellent

- 1. Mission Description None Present
- 2. Job Description None Present

Debra Hoover – VACAC-A – Secretary

- 3. Job Knowledge
 - a. Has Knowledge to Perform Duties the consensus of the Commissioners present was Excellent
 - b. Active to Improve the consensus of the Commissioners present was Good
 - c. Applies Knowledge the consensus of the Commissioners present was Excellent
- 4. Leadership Skills
 - a. Sets and Enforces Standards the consensus of the Commissioners present was Excellent
 - b. Motivates Subordinates the consensus of the Commissioners present was Excellent
 - c. Works Well With Others the consensus of the Commissioners present was Excellent
 - d. Fosters Teamwork the consensus of the Commissioners present was Excellent
 - e. Displays Imitative the consensus of the Commissioners present was Excellent
- 5. Professional Qualities
 - a. Exhibits Loyalty, Discipline, Dedication and Integrity the consensus of the Commissioners present was **Excellent**
 - b. Adheres to Standards the consensus of the Commissioners present was Excellent
 - c. Accepts Personal Responsibility the consensus of the Commissioners present was Excellent
- 6. Organizational Skills
 - a. Plans, Coordinates, Schedules and Uses Resources Effectively the consensus of the Commissioners present was **Excellent**
 - b. Schedules Work for Self and Others Equitability and Effectively the consensus of the Commissioners present was **Excellent**
 - c. Anticipates and Solves Problems the consensus of the Commissioners present was Excellent
 - d. Meets Suspense Dates can't evaluate at this time
- 7. Judgment & Direction
 - a. Makes Timely and Accurate Decisions the consensus of the Commissioners present was Excellent

- b. Emphasizes logic in decision making can't evaluate at this time
- c. Retains Composure in Stressful Situations the consensus of the Commissioners present was Excellent
- d. Recognizes Opportunities and Acts to Take Advantage of Them the consensus of the Commissioners present was **Excellent**

8. Communication Skills

- a. Listens and Speaks Effectively the consensus of the Commissioners present was Excellent
- b. Uses the Chain of Command to Maintain Effective Communications with the VAC/WA President and Board the consensus of the Commissioners present was **Excellent**
- 9. Overall Assessment Scale of 1 10
 - a. The consensus of the Commissioners present was a Score of 9

10. Additional Assessment

- a. Needs to be reminded that he is an employee of the commission not the chairman.
- b. Needs to hire a VAC-A Secretary that works only for the VAC/WA
- c. Jesus hit the road running! Everyone is pleased that the VAC is now getting more compliments than complaints. The VAC is finally getting good reviews