

RESOLUTION TO PRESENT AN ADVISORY PUBLIC QUESTION VIA A
COUNTYWIDE REFERENDUM ON WHETHER UNITS OF GOVERNMENT IN
MADISON COUNTY SHALL FIRST OBTAIN VOTER APPROVAL BY ADVISORY
REFERENDUM BEFORE INCURRING BOND DEBT

WHEREAS, Pursuant to the Illinois Election Code, 10 ILCS 5/28-1, et seq., and the Counties Code, 55 ILCS 5/5-1005.5, the corporate authorities of a county have the authority to submit a public question to the electors of the county by means of a referendum; and

WHEREAS, in the past few decades units of governments throughout Madison County have incurred tens of millions of dollars in bond debt without first seeking the approval of the voters and taxpayers; and

WHEREAS, such units of government have been able to incur such bond indebtedness without voter approval through the "backdoor referendum" process, sometimes binding generations of Madison County taxpayers to the repayment of long-term bond debt; and

WHEREAS, the "backdoor referendum" process permits a unit of government to pass an ordinance or resolution to borrow significant sums of money and unless the voters within the said unit circulate petitions and obtain an unreasonably high number of signatures within an unreasonably short period of time the bond debt will be incurred without voter approval; and

WHEREAS, units of government often initiate this process during months in which it is predictably more difficult for interested taxpayers to quickly and successfully conduct a petition drive within the limited amount of time allowed by law, including during the holidays or in the hottest months of the year; and

WHEREAS, the use of such a process by units of government of all types, including park districts, school districts, library districts, and municipalities among others, has become far too common in Madison County, having resulted in taxpayers being responsible for the repayment of millions upon millions of dollars in bond debt; and

WHEREAS, such bond debt nearly always requires the repayment of the debt with interest, sometimes at high rates, and with excessive consultant fees and other expenses for which taxpayers are also obligated to pay; and

WHEREAS, despite several successful efforts by Madison County taxpayers to combat this problem by circulating petitions, forcing the referendum onto the election ballot, and then defeating the proposed bond debt at the polls, units of government have persisted in attempts to take more bond debt without first seeking the approval of the voters; and

~~WHEREAS, officers and employees of such units of government attempting to issue bond debt without voter approval have been known to expend taxpayer funds and use taxpayer supported resources and personnel to oppose citizen petition efforts, potentially in violation of state law; and~~

WHEREAS, the units of government located within Madison County could elect not to use the backdoor referendum process and instead place advisory referendums on the ballot to first seek approval of the voters before passing any ordinance or resolution in which bond debt is incurred; and

WHEREAS, as a matter of public policy in Madison County, no bond debt of any type should be incurred by any unit of government unless the voters first grant their consent at the polls through an advisory referendum; and

WHEREAS, the voters of Madison County should have the opportunity to express their views on this important issue to the units of government to which they pay taxes and reside; and

WHEREAS, 55 ILCS 5/5-1005.5 states, "By a vote of the majority of the members of the county board, the board may authorize an advisory question of public policy to be placed on the ballot at the next regularly scheduled election in the county."; and

WHEREAS, the Madison County Board seeks to place an advisory public question before the electorate via a referendum on the November 6, 2018, countywide ballot seeking to ask Madison County voters if all units of government shall first seek the approval of voters by advisory referendum before incurring any bond debt, as follows:

"Shall all units of governments within Madison County first seek approval from the voters by advisory referendum before incurring any bond debt?"

☐ Yes

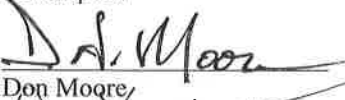
☐ No

NOW, THEREFORE BE IT RESOLVED by the Madison County Board that the aforementioned advisory question be presented to the electorate via a countywide advisory referendum on the November 6, 2018 ballot;

BE IT FURTHER RESOLVED that the Madison County Clerk shall certify the advisory public question referenced herein and notifies the Secretary of State, and the Attorney General of this request for action in accordance with Article 28 of the Election Code.

Approved and adopted this 20th day of June 2018.


Phil Chapman


Don Moore


David Michael


Michael Parkinson


Kristen Novacion-Koberna

Real Estate Tax Cycle Committee
June 12, 2018