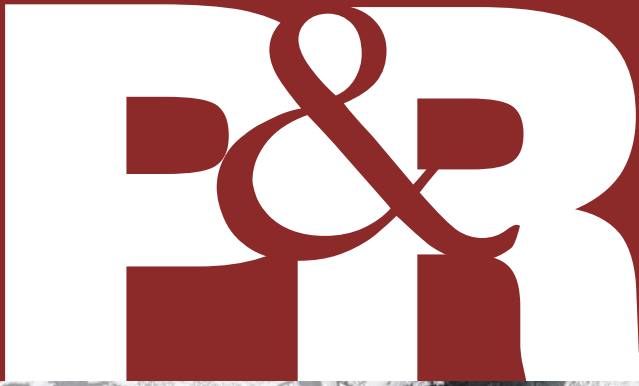


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Volume 42, Number 6 | November/December 2011



PARKS AND RECREATION

The magazine of the Illinois Association of Park Districts and the Illinois Park and Recreation Association



money matters:

Turning Concessions to Cash & Beyond Bonds

In this issue: 2012 Legal Calendar

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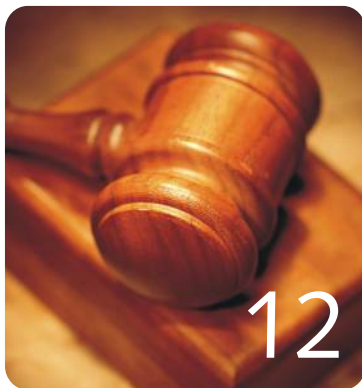
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Give Us Your Best Shot photo contest deadline is Dec. 5. Send your photos today!

FROM THE EDITOR

With 2011 drawing to a close, let's take a moment to pause and reflect. Did you spend ample quality time with family and friends? Did you embrace your job with energy and enthusiasm? Did you stop to savor simple things that bring you joy?



One of my earliest childhood memories takes me back to a sunny afternoon the year before I started kindergarten. My sister was already in school, so my entertainment options were limited. When I had grown tired of making imaginary meals for my dolls, I went looking for my mom.

I found her in the laundry room, surrounded by piles of dirty clothes waiting to be washed and a basket full of clean things yet to be folded. I stood in the doorway for a moment, taking in the scene of domestic drudgery.

"Mom?" I asked hesitantly, "Do you want to play tic tac toe?"

"Sure," she said, as she nudged the dryer door closed. Without even a glance back at the mounds of laundry, my mom walked me to the kitchen table where we played tic tac toe until I lost interest or needed to feed my dolls again. She didn't tell me she was too busy or ask me to wait until she'd finished the laundry. She made time for me – as much time as I wanted.

It took me a couple of decades to realize the significance of that afternoon. And it was another decade before I had a child of my own who made me truly appreciate what a gift my mom had given me with her undivided time and attention.

Indeed, time is like money – you decide how you spend it. We all get 24 hours a day. We just don't know how many days. That's what makes the spending decisions so poignant.

A new year is a blank page, a do over, another chance to get it right, whatever "right" means to you. Before we greet 2012, I challenge each of you to look back at how you spent your time in 2011. Review those investments just as you do their financial equivalent. I bet you find something you can do better next year. Now if you'll excuse me, I've got a four-year-old who needs to learn how to play tic tac toe.

Best regards,
— LORI HARLAN

2012 Soaring to New Heights Conference

The 2012 Soaring to New Heights Conference will be held January 26-28 at the Hyatt Regency Chicago. Using your feedback, the IAPD/IPRA planning committee has created an exceptional opportunity for conference participants to learn about the industry, network with peers and discover new products. Save \$25 when you register online at www.ilparksconference.com. You don't want to miss this event!



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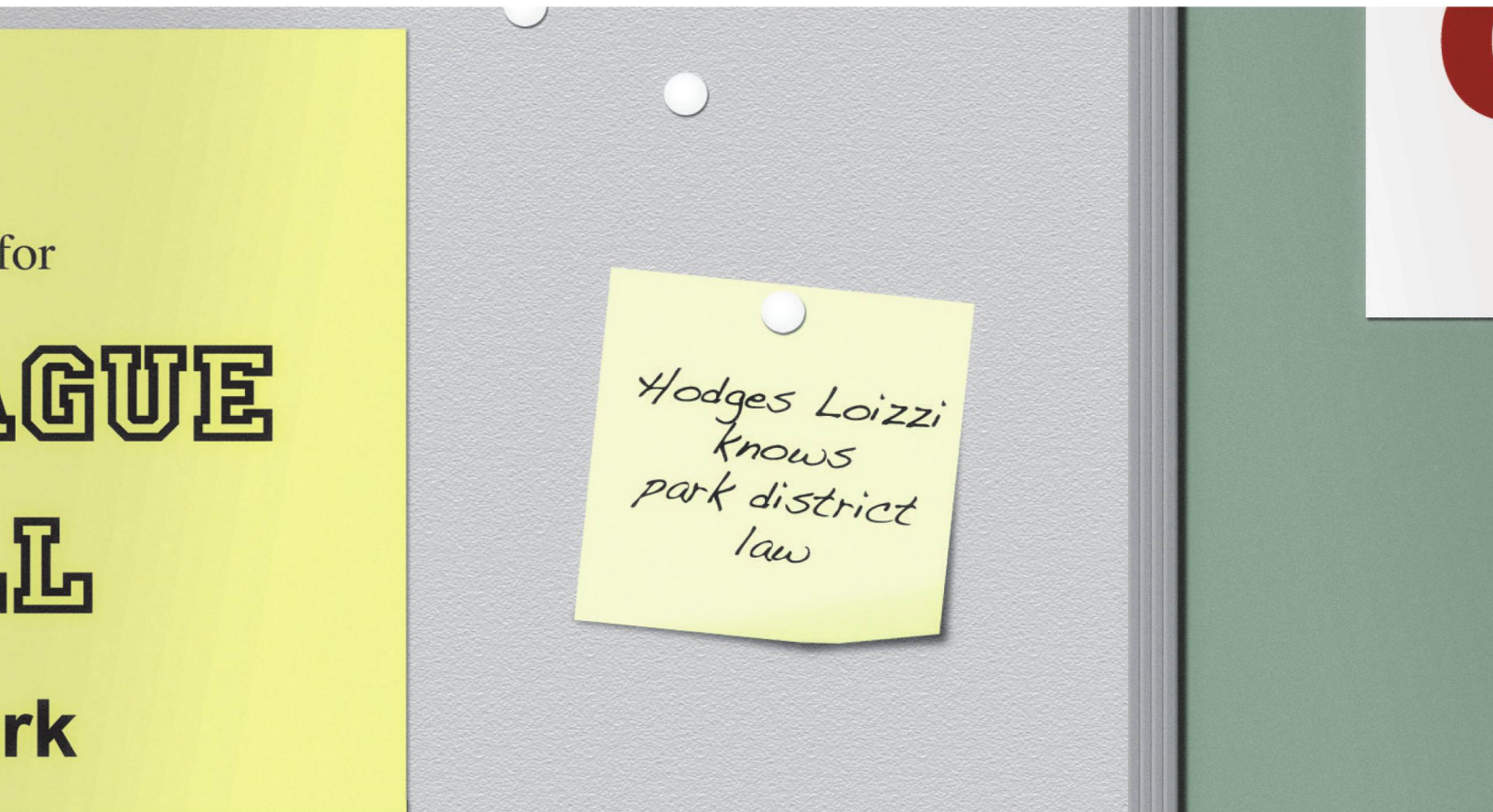
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Peter M. Murphy
IAPD President and CEO

What is Your Board's Mantra?

Highly performing boards put a priority on continuing education, not only for the park district staff, but also for themselves as locally elected officials. It is my suggestion that your mantra be "Never Stop Learning." There are so many positive outcomes if your board and agency make this commitment.

First of all, lifelong learning is something that we should all be participating in. It helps us adapt to change, and a lifelong learner will keep up with society by staying current and aware of changes in such areas as technology, finance and the law. Anyone who has children knows that they have to take every opportunity to embrace new technologies or be left in the dark.

The other benefit of lifelong learning is how it enriches and fulfills our lives. My observation is that we all have a natural desire to learn, but we need to focus on this desire and nurture it to reap its many benefits. It is a sad fact that for many their education stops before their life is half completed.

As an elected park board member this does not hold true for you because while you probably brought a great skill set to the park board when you were elected, every commissioner readily admits that there is a lot more to learn about park board governance than first anticipated.

The exciting thing about park districts is that their legal authority is based on state statute, and this is continually changing. Obviously, the IAPD works to make sure that these changes benefit our members' ability to provide outstanding park and recreation services to their constituents. This is a daunting task as the challenges of each new legislative session are met. Recent issues regarding funding and attacks on local government bear this out. So, as a board member and board, encourage lifelong learning among the district's employees and also ensure that you take part in the opportunity it provides.

Participating in IAPD educational programs also gives you the ability to network and this opportunity to listen and take part in stimulating discussion helps board members to see all sides of an issue. This give-and-take opens our minds, gives us perspective and brings us to a whole new level of understanding.

The educational event of the year, the IAPD/IPRA *Soaring to New Heights* Conference held January 26-28, 2012 at the Hyatt Regency Chicago, offers an unparalleled opportunity not only to network but also to experience dynamic, engaging speakers who are presenting new ideas and innovative strategies that you don't want to miss. This conference is a model for other park and recreation associations across the nation, and the depth and breadth of the educational offerings is truly staggering.

Many of those who attend the state conference observe that there are so many meaningful sessions going on at one time that they cannot decide which to attend. The solution to this, of course, is simple. Encourage your entire board to participate and split up the sessions of interest among you. Sessions specifically geared to elected officials and boardmanship include:

- **Strong Board and Director Teams: What Does It Take?** Beth Michaels and Dale Primer are both widely recognized for their work with boards and are presenting this session.
- **Board/Executive Director/Staff Relations.** Those of you who attended the IAPD Commissioner Boot Camps this year know firsthand the outstanding job done by Rick Hanetho as a speaker, and Michael Schyman of the Northbrook Park District will round out this presentation.

Anyone who stops learning is old, whether this happens at twenty or eighty. Anyone who keeps on learning not only remains young, but becomes constantly more valuable regardless of physical capacity.
– Harvey Ullman



- **Board Leadership: Strategies for Effective Board Meetings** is another excellent session presented by Beth Michaels and Dale Primer.
- **Board Member Practices and Procedures: Meetings, Policies and Contracts Oh My!** Presented by Robert Bush and Derke Price, Attorneys, Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, P.C.
- **Ask the Commissioner.** With a collective 77 years of park board experience, Christine Garry, President, Barrington Park District, Fred Hohnke, President, Woodridge Park District, and Ron Lehman, Commissioner, Channahon Park District, are prepared to answer even the most challenging questions.
- **Managing Conflict in the Board Room.** Presented by Nancy Sylvester, Professional Registered Parliamentarian and an expert on boardmanship.

- **Nowhere to Hide: A Municipal Bond Update, The Latest Rules and How They Affect Your Agency.** Lynda Given, Partner and nationally recognized board attorney, and Anjali Vij, Associate, Chapman and Cutler LLP and Dave Phillips, a leader in the field and Senior Vice President, Speer Financial, Inc.
- **How to Protect You and Your Agency from Computer Crime.** Mike Bazzell is a Computer Crime Detective who draws on experience with the FBI Cyber Crime Task Force. You don't want to miss this informative session.
- **Locating Personal Information Online.** One of IAPD's top-rated speakers, Mike Bazzell explores personal information in cyberspace and explains how to keep your agency, as well as your family, safe online.
- **Legal/Legislative Part I.** Presented by Robert Bush, Attorney, Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, P.C., and Jason Anselment, IAPD Legal/Legislative Counsel
- **Legal/Legislative Part II:** Presented by Charlene Holtz, Partner, Tressler LLP and Jason Anselment, IAPD Legal/Legislative Counsel.
- **For Board Members Only: A Primer on Board Powers and Duties.** Presented by Cynthia DeCola and Bob Kohn, Attorneys, Hodges, Loizzi, Eisenhammer, Rodick & Kohn LLP
- **FOIA-AAGHH! The Dark Side of the Illinois Sunshine Laws.** Presented by Robert Bush, Attorney and Keri-Lyn Krafthefer, Partner, Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, P.C.
- **Public and Private Partnerships: More for Less!** This session will provide insight into how to create strong partnerships that provide great results.
- **Intergovernmental Agreements: Collaboration is More Essential Than Ever.** Presented by Scott Puma and Adam Simon, Attorneys, Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, P.C.
- **Director Contracts: Pros and Cons.** Presented by leading attorney in this area, Keri-Lyn Krafthefer, Partner and Robert Porter, Director of Special Projects tackle the topic in a comprehensive way.
- **The Troubled Contractor Means Trouble for You.** Presented by Ralph Kooy, Partner, Tressler LLP

There are so many more programs that are available in addition to these, and the General Session featuring Rob "Waldo" Waldman is also not to be missed.

Audiences connect with Waldo not only because of his extensive business background, but also because he truly speaks from the heart and has an infectious passion for helping people. He makes a striking parallel that is memorable and exciting and brings fighter-pilot energy into each engagement. Waldo's captivating personal stories will encourage you to prepare diligently for every mission, face challenges with courage, build more meaningful relationships and maximize your potential both in business and in life. Waldo is a graduate of the U.S. Air Force Academy and also holds an MBA with a focus on Organizational Behavior.

In addition, the opportunities to network with elected officials across the state are simply amazing. That is why most commissioners count this educational opportunity as one that cannot be missed.

So let one of your park board mantras be "Never Stop Learning," and think of lifelong learning as a fitness center for your brain. An active mind can stimulate physical activity, create a positive attitude and make a real difference as you deliberate local issues at the park district level that affect your agency.

Summer of Success for IAPD's 2011 Golf Tour

I would like to personally recognize the sponsors who made the 10th Annual IAPD Summer Golf Tour such a great success.

Special thanks to our tour sponsor, W-T Engineering, Inc. and our event sponsor for the September outing, SRBL Architects. Thank you to our tour hole sponsors: Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, P.C., Call One, Chapman & Cutler LLP, FGM Architects, Hyatt Regency Chicago, IPARKS, PDRMA, Sikich LLP, Speer Financial, Inc., Stantec, Unilock Chicago, Inc. and Williams Architects. We also appreciate our hole sponsors: 3D Design Studio, Gewalt Hamilton Associates, Leopardo Companies, Lohmann Golf Designs, Inc., Musco Sports Lighting, Rainbow Farm Enterprises, Rose Paving Company, SRBL Architects and Wild Goose Chase, Inc. Thank you also to Mesirow Financial, Inc. for their donation and Planning Resources, Inc. for their fundraising efforts.

A big thank you also goes to the hosts of the 2011 Summer Golf Tour: Tanna Farms Golf Club (GolfVisions Management), Steeple Chase Golf Club (Mundelein Park and Recreation District), Orchard Valley Golf Course (Fox Valley Park District and Billy Casper Golf) and Bridges of Poplar Creek Country Club (Hoffman Estates Park District).

I sincerely appreciate the generosity of everyone involved in this summer's tour. Our success is a direct result of your support, and I'm looking forward to seeing you on the links next summer.

~ Peter

2011/12 CALENDAR OF EVENTS

November 17
IMRF Webinar

2012
January 26-28
IAPD/IPRA Conference
Hyatt Regency Chicago

April-May
Flying 4 Kids
Statewide Kite Fly

May 1
Parks Day at the Capitol
State Capitol, Springfield

May 1
Legislative Reception
Illini Country Club,
Springfield

May 2
Legislative Conference
Crowne Plaza, Springfield

July 19
Legislative Golf Outing
Bensenville Park District's
White Pines Golf Course

August 18
Park District
Conservation Day
Illinois State Fairgrounds

October 11
Legal Symposium
Hamburger University,
Oak Brook

October 16-18
NRPA Congress & Exposition
Anaheim, California

For the most up-to-date Calendar of Events, please visit the IAPD website at www.ilparks.org.

EYE ON THE PROFESSION

A CLOSER LOOK AT TRENDS AND ISSUES IN THE PARK AND RECREATION PROFESSION



Jan R. Arnold
Executive Director, IPRA

Leaders Know How and Want To Be Held Accountable

When I hear about a successful organization, I immediately want to learn more about the organization's employees and its culture. What is the vision of their leader, what is the morale like at the agency and how do employees view their responsibilities? I think we all know that the success or failure of an organization is often based on its staff. Employees who are not encouraged to take calculated risk, and are not held accountable for their performance, do not flourish.

Too often I hear of and witness a lack of accountability within organizations. This inability of an organization to hold employees accountable for their performance protects the poor performers and deflates the high achievers. Your employees can easily identify your agency's weakest performer – just ask them. If employees perceive that this weak performer will not be held accountable for meeting expectations, poor morale and job dissatisfaction can begin to develop. Employees want to know what YOU as the leader are going to do: either provide tools to the poor performer to meet peers' expectations and be expected to be an equal contributor or communicate to the employee that this is not the position for them. I am a firm believer that individuals want to be held accountable. That accountability helps employees know leadership is paying attention and also that their efforts are noticed and appreciated. So the question is, how can an organization change its culture to increase accountability and improve staff performance and satisfaction?

Research shows that there are four key elements to accountability: 1) accepting responsibility for one's actions; 2) doing what is right; 3) exhibiting personal integrity; and 4) consistently engaging in behaviors that support one's agency (Mark Samuel, *Creating the Accountable Organization*, 2006).

We all know that you can't make people be accountable. Rather, organizational leaders must create a culture that employees embrace in which employees feel invested in the organization, and they want to be responsible and accountable to their co-workers and community.

By increasing employee accountability, organizations experience improved customer service and improved quality of services, as well as a true sense of ownership by employees at all levels within the organization.

How can you create an "accountable" organization? Several books have been published on this topic including *The Oz Principle* by Roger Connors, Tom Smith and Craig Hickman and *Creating the Accountable Organization* by Mark Samuel. Both of these books emphasize the importance of individual and organizational accountability, as well as the need for an organization to create a culture of accountability from the front desk to the back office to have the buy-in necessary for moving your organization strategically in the "right" direction.

"The Buck Stops Here"



Additionally, Eric Kurjan, president of Six Disciplines, outlines the following six-step framework for building organizational accountability:

- 1. Decide What's Important** – Develop mission and set strategic direction
It is important that you identify the two or three areas where you would like to focus your energy. Trying to do too many things at once will dilute your efforts and potentially sabotage your success.
- 2. Set Goals That Lead** – Establish performance measures and targets
If you have not already, I encourage you to identify the key performance measures for your agency. These measures become the drivers for your organization's desired outcomes. Remember the age old expression, "What gets measured, gets done."

"How can an organization change its culture to increase accountability and improve staff performance and satisfaction?"

3. **Align Systems** – Streamline processes and focus resources on goals

It is easy to fall to the trap of, “We’ve always done it this way.” But successful organizations and true leaders are always asking, “Why do we do it this way?” Make sure that you are not just going through the motions, but that you are evaluating how to improve processes that impact your customers and make the necessary adjustments to help you reach your organizational goals.

4. **Work the Plan** – Ensure that employee work plans match organizational goals

Once your performance measures have been identified and your systems have been aligned to match those goals, you must ensure that your employees’ performance goals match the agency’s goals. The annual performance appraisal is a great time to ensure that each employee’s performance plan matches the agency’s desired outcomes.

5. **Innovate Purposefully** – Make informed decisions

Innovation is not coming up with a cute name for a class. Innovation is bringing an idea to life. Innovation is linked to performance, which is realized through improvements in efficiency and quality. Making a commitment to innovation is a step toward leading your agency to a higher level of accountability.

6. **Step Back** – Assess progress and redirect if necessary

It is always important to stop and evaluate. Make changes as necessary, but keep moving forward. An accountable organization is an organization with a desire to succeed.

Regardless of which model you decide to adopt, I encourage you to position your organization as one that holds not only individuals accountable, but also the organization. In today’s climate, agencies need not only to be transparent, but also to be accountable.

I would like to offer a notable quote from former President Harry S. Truman, “The Buck Stops Here.” This could be the most well-known and clear description of accountability since it leaves no question as to where final accountability lies.

I encourage you to take a stern look at the results your agency is producing and make the necessary adjustments to change your organization to an accountable organization. Your employees and customers will both respond positively and reward your decision with high levels of productivity and organizational loyalty.

Don't Miss IPRA's First Annual Education Institute - Members Only!

2012 is going to be an exciting year for IPRA Members. We have a great conference, great trainings and some new resources in store for our members. As identified in the Membership Survey, meaningful networking opportunities, quality training and valuable resources are three of the most important elements that members expect from their membership to IPRA and that is exactly what IPRA plans to deliver.

On April 20, IPRA will host its first Annual Education Institute at the DoubleTree in Oak Brook, where Craig Hickman, author of *The Oz Principle* will present on “Getting Results Through Individual and Organizational Accountability.” An emphasis on how people and organizations, armed with attitudes of accountability, can overcome the obstacles, excuses and biases that keeps them from getting the results they want. This is a **members only** event, so don't delay – renew your membership today. **Renew by December 9 and receive \$15 off.**

UPCOMING IPRA EDUCATIONAL OFFERINGS

2011 Professional Development School: The Pirate's Map to Discovering Buried Treasures!
Date: November 13 - 16

FM and REC Joint Section Workshop, Luncheon and Awards Meeting
Date: November 14 - 9 AM

Developing an Innovative Culture: An Innovation Renovation Workshop
Date: December 2 - 9 AM

CPRP Exam Preparation Course
Date: December 8 - 10 AM

New Member Orientation - 4th Quarter
Date: December 15 - 10 AM

For the most up-to-date Calendar of Events, please visit the IPRA website at www.ILipra.org.





Jason Anselment
Legal/Legislative Counsel

'Tis the (Election) Season

If you have watched the national news lately, you are well aware that the 2012 election season is already upon us. In fact, as the chart on the following page shows, the deadline for filing public policy questions for the March 20 general primary election is just around the corner. As districts prepare for possible referenda in 2012, it is important to remember that state law limits the election activities of public bodies and their officials and employees.

Don't Let Passion Cloud Your Judgment

During my year and a half with IAPD, I have been extremely impressed with the level of dedication and passion exhibited by both professionals and commissioners in the park, recreation and conservation fields. It is clear why Illinois is the nation's leader in delivering these services. Because referenda results are almost always critical to an agency's future and involve months (and sometimes years) of planning, it would be easy for individuals to let their commitment to the agency's success influence their actions. Indeed, there is no denying that the district and the individuals who serve it have a stake in the outcome of every referendum. For these reasons, it is especially important that individuals remain cognizant of legal boundaries and mindful of what, when and where they may and may not engage in certain activities so that fervor does not obscure judgment.

Be Very Careful with the Public's Dime

Hopefully, most readers are already aware that public funds cannot be used to urge any elector to vote for or against a referendum. This well-established principle has been codified in the Election Code for many years.¹ For example, no matter how much a district needs a facility, it absolutely cannot use public funds to print pamphlets urging voters to vote "yes" at an upcoming election. Violations of this law are punishable as a Class B misdemeanor for a first offense and as a Class A misdemeanor for a second offense.

Readers are probably also aware that this provision in the Election Code does not prohibit the use of public funds to disseminate purely factual information that does not urge any elector to vote for or against a proposition.² Whether factual information crosses the line into advocacy is sometimes unclear. Accordingly, where public funds are used to disseminate factual information, districts must tread carefully. Challenges to the expenditure of public funds in connection with ballot measures happen; simply search the Internet for "Illinois ethics referendum".

Don't Forget the District's Ethics Ordinance

Since 2004, your agency has been required to have an ethics ordinance governing the activities of its employees and officials as part of the State Officials and Employees Ethics Act (Act).³ Although as its name suggests, the Act establishes ethical standards for state officials and

employees, it also requires units of local government to adopt ordinances that are at least as restrictive as the Act. As such, any activity that is banned by the Act for state officials and employees should be banned by units of local government for their own officials and employees.

"Prohibited political activities" are one category of illegal conduct banned by the Act. While it is intuitive for nearly everyone that an employee cannot campaign for public office while at work at a park district, prohibited political activities are not limited to campaigns involving candidates. They are also banned in connection with questions of public policy that appear on the ballot such as bond referenda.

Prohibited Political Activities

An abbreviated list of "Prohibited Political Activities" as set forth in the Act appears below.⁴ These activities are illegal if performed by public officials and employees during time when they are compensated by the government unless the individual is on paid leave such as vacation, personal or compensatory time off. District property and resources also must not be used in connection with any of these activities. Note in particular the prohibitions as they relate to referenda.

- Preparing for, organizing or participating in any political meeting, rally, demonstration or other political event.
- Soliciting contributions for any political fundraiser, meeting or other event.
- Soliciting or preparing campaign-related documents or reports.
- Planning, conducting or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
- Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
- Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
- Initiating for circulation, preparing, circulating, reviewing or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

- Distributing or mailing campaign literature, signs or other material on behalf of any candidate for elective office or for or against any referendum question.
- Campaigning, or managing or working on a campaign, for any elective office or for or against any referendum question.

Examples of Prohibited Conduct

Some conduct prohibited by the Act is obvious, and unfortunately, some is not. District employees should not send an email to anyone during work hours that invites the person to attend a political fundraiser. This prohibition also applies to coordinating or inviting anyone to attend the meeting of a private citizens' committee formed to support the referendum. It makes no difference that the e-mail is sent from a private account if the employee uses his or her district computer.

Contributions related to the referendum should not be collected on district property, even if they are to fund a citizens' committee. While at work, district employees should not call potential voters to find out whether they intend to support the referendum at an upcoming election. If they are participating in Election Day activities such as poll watching or "get-out-the vote" campaigns, employees must use time off. The district's copy machine must not be used to copy materials that urge voters to support the referendum regardless of whether it is after business hours. A "yes" vote cannot be urged on the district's website or in newsletters.

All of these activities are prohibited by the Act, and by extension, the district's ethics ordinance.

Private Citizens' Committees

In order to avoid violations of the law, private citizens' groups are often formed. To effectively prevent violations, however, individual employees and officials must still take extra precautions to separate their involvement on these committees from the job duties and responsibilities at the district. Not only are these individuals restricted to their personal time and resources, but their official capacities should not be connected to their involvement with the citizens' committee. For example, the district's executive director should not be coordinating activities of the committee at the park district's office or on district time. A billboard asking voters to vote "yes" should not have a testimonial by the board's president in his or her official capacity. Other laws still apply as well. If multiple board members are participating, they must ensure that they do not unlawfully meet in violation of the Open Meetings Act.

Although it is beyond the scope of this article, private citizens' committees must also comply with campaign finance and disclosure laws, which have undergone changes in recent years. At least one court case suggests that districts may also be required to abide by such campaign laws if they expend more than \$3,000, even though they can only distribute factual information.⁵

State Law Does Not Prohibit What You Do with Your Own Resources

While employees cannot advocate or campaign in support of a referendum while they are on the clock or on district property, state law does not prohibit them from fully supporting the measure when they are not on district property, not using district resources and are not being compensated by a public agency. Determining whether activities are performed during compensated time can be more difficult for upper level employees who are salaried because they often do park district work outside of regular business hours. For that reason, when invited to speak publicly about the referendum, employees such as executive directors are well advised to remember where they are and whether they are there in an official capacity. Because unpaid elected officials such as park commissioners are not compensated by the district, the

time in which to perform activities may not be as constrained as an employee's. However, commissioners still must limit their conduct during times when they are acting in an official capacity as a park commissioner. For example, the board president should not promote passage of a referendum at a park district event.

Furthermore, while state law does not prohibit what an official or an employee does on his or her own time, districts potentially have policies that are more restrictive than the Act. Regardless, local government employees in Illinois do not forfeit their political rights just because they are public employees. In fact, not only is some conduct perfectly legal, it is illegal for a local government to prohibit it. The Local Governmental Employees Political Rights Act⁶ prohibits units of local government from making or enforcing any rule or ordinance that in any way inhibits or prohibits employees from exercising their political rights such as the right to petition, to make public speeches, to campaign for or against political candidates, to speak out on questions of public policy, to distribute political literature, to make campaign contributions and to seek public office *when the employee is not at work or on duty.*

Don't Jeopardize the Referendum or Your Career

Illegal activity is not necessary to have a successful referendum, and unintentional violations are avoidable. Remembering what, where and when certain activities must be avoided will help prevent embarrassment and punishment. There are gray areas, and whether a certain activity violates election law or ethics law (or both) is determined based on specific facts. Therefore, officials and employees are well advised to consult their attorneys if there is any uncertainty.

Key Referendum Dates for the 2012 General Primary Election

January 3 – Last day for boards to adopt a resolution or ordinance to place public questions on the ballot.

January 12 – Last day for local election official to certify any binding public question or advisory referenda to election authority.

February 21 – First day for election authority to publish notice of public policy question.

March 12 – Last day for election authority to publish notice of public policy question. Local election official must post a copy of the notice at district's principal office, or if none, at the building in which it held its first meeting in 2012.

March 20 – General Primary Election

Key Referendum Dates for the 2012 General Election

August 20 – Last day for boards to adopt a resolution or ordinance to place public questions on the ballot.

August 30 – Last day for local election official to certify any binding public question or advisory referenda to election authority.

October 9 – First day for election authority to publish notice of public policy question.

October 29 – Last day for election authority to publish notice of public policy question. Local election official must post a copy of the notice at district's principal office, or if none, at the building in which it held its first meeting in 2012.

November 6 – General Election

Additional information and key election dates can be found in the 2012 Legal Calendar located on pages 12-15 of this issue.

¹10 ILCS 5/9-25.1

²Id.

³5 ILCS 430/1-1 et seq.

⁴For a complete list, see 5 ILCS 430/1-5

⁵*Citizens Organized to Save the Tax Cap v. State Board of Elections*, 392 Ill. App. 3d 392 (1st Dist. 2009)

⁶50 ILCS 135/1 et seq.

legal calendar 2012

Prepared by Peter M. Murphy, IAPD President/CEO & Jason Anselment, IAPD Legal/Legislative Counsel

The following park district calendar includes key dates based on a fiscal year that begins on May 1 and ends on April 30. For those park districts that have adopted another date for the commencement of the fiscal year (70 ILCS 1205/4-4), this calendar must be adjusted for those duties that must be performed at times related to the fiscal year. The calendar is also established around regular park board meetings held on the third Thursday of each month selected. Selected election dates are based on the General Primary Election to be held on March 20, 2012, and the General Election to take place on November 6, 2012.

All references are to the Illinois Compiled Statutes (ILCS).

ANNUAL REQUIREMENTS

AT THE BEGINNING OF THE CALENDAR (OR FISCAL) YEAR:

- Post the date, time and place of park district regular meetings for the year. Mail copies to the news media. (5 ILCS 120/2.02)
- Review the requirement that all closed sessions are to be recorded verbatim by audio or video. (5 ILCS 120/2.06)
- Review requirement that open meeting minutes must be approved within 30 days after the meeting or at the public body's second subsequent regular meeting, whichever is later, and made available for public inspection within 10 days after approval. (Public Act 96-1473; 5 ILCS 120/2.06)
- Review the requirements that all Open Meetings Act and Freedom of Information Act officers must complete the Attorney General's annual training requirements. Newly appointed officers must complete the training within 30 days after designation or assuming the position. (5 ILCS 120/1.05; 5 ILCS 140/3.5(b))
- Review new requirement that elected or appointed members of a public body must successfully complete the electronic training curriculum on the Open Meetings Act developed by the Illinois Attorney General's Public Access Counselor by January 1, 2013. A copy of the certificate of completion must be filed with the public body. Members of a public body [who are newly elected or appointed] after January 1, 2012, must complete the training within 90 days of their oath of office or otherwise assuming their responsibilities if no oath is required (Public Act 97-0504).
- Review with the park district treasurer the requirement that all funds of the district not immediately needed for disbursement must be invested within two working days at

- prevailing interest rates or better. (30 ILCS 225/1)
- Review the requirement that every person, other than the treasurer, receiving money for the district must keep a triplicate record of the money, and deliver the money to the treasurer not later than the middle of the month following the month of receipt. (30 ILCS 20/1)
- The American flag must be displayed and flown each day of the week from each City Hall or Village Hall and Village Square and at the principal entrance to all public parks. (5 ILCS 465/3b)
- Contributions to the Illinois Municipal Retirement Fund (IMRF) must be deducted each pay period from covered employees' pay and remitted to the IMRF along with the contribution from the local government. This requirement is mandatory for municipalities over 5,000 population where Social Security is not provided, and elective for others. (40 ILCS 5/7-132, 7-172, 7-173)
- Districts that have employees under Social Security must send their FICA contributions at such times as may be designated by the Internal Revenue Service. (40 ILCS 5/21-105.2, 21-109)
- Review the requirements that all newly hired employees must be reported to the Illinois Department of Security. (820 ILCS 405/1801.1)
- Review the requirement that while participating in a public works project, each contractor and subcontractor must submit a certified payroll to the public body in charge of the project every month. The public body must maintain these records for at least 3 years. (820 ILCS 130/5)
- For persons or entities required to report under the Lobbyist Registration Act, review reporting requirements for expenditures made during the 2012 calendar year. (P.A. 96-1358; 25 ILCS 170/6, 170/6.5)

EVERY SIX MONTHS

Unpublished written minutes of all closed meetings are to be reviewed not less than semiannually. Minutes are to be reviewed to determine if (a) the need for confidentiality still exists as to all or part of those minutes, or (b) if the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The results of the review are to be reported in the open session of the board of commissioners. (5 ILCS 120/2.06)

OCTOBER 2011

OCTOBER 20

First day notice of intention to file a petition to create a political subdivision whose officers are to be elected, rather than appointed, may be published in a newspaper within the proposed political subdivision, or, if none, in a newspaper of general circulation within the proposed territory for General Primary Election. (10 ILCS 5/28-2(g))

NOVEMBER 2011

NOVEMBER 21

Last day notice of intention to file a petition to create a political subdivision whose officers are to be elected, rather than appointed, may be published in a newspaper within the proposed political subdivision, or, if none, in a newspaper of general circulation within the proposed territory for General Primary Election. (10 ILCS 5/28-2(g))

NOVEMBER 21

Last day to file petitions (must contain original sheets signed by voters and circulators) to create a political subdivision with the appropriate officer or board for General Primary Election. (10 ILCS 5/28-2(b))

NOTE: Objections can be filed on or before the date of the hearing with the appropriate circuit court clerk. (10 ILCS 5/28-4)

NOTE: If initial officers are to be elected at the election for creation of a new unit of government, candidates for such offices shall file nomination papers 113-106 days before such election (November 28 – December 5, 2011). (10 ILCS 5/10-6)

NOTE: The circuit court clerk shall publish the hearing date for a public policy petition filed in his/her office not later than 14 days after the petition is actually filed, but at least 5 days before actual hearing (final orders within 7 days of hearing). (10 ILCS 5/28-4)

NOVEMBER 30

Last day to file objections to petitions to create a political subdivision in the office of the circuit clerk for General Primary Election. (10 ILCS 5/10-8, 5/28-4)

DECEMBER 2011

DECEMBER 19

Last day for filing of petitions (must contain original sheets signed by voters and circulators) for referenda for the submission of questions of public policy (local) for General Primary Election. Objections to petitions for local referenda are filed with the same officer in which the original petitions were filed. (10 ILCS 5/28-2, 28-6, 28-7)

[EXCEPTION: proposition to create a political subdivision, referenda initiated under the Liquor Control Act, and Section 18-120 of the Property Tax Code.]

DECEMBER 27

Last day to file objections to petitions for the submission of questions of public policy (local) for

General Primary Election. Objections to petitions for local referenda are filed with the same office that has the original petitions. (10 ILCS 5/10-8, 28-4)

[EXCEPTION: proposition to create a political subdivision, referenda held under the provisions of Article IX of the Liquor Control Act, and Section 18-120 of the Property Tax Code.]

JANUARY 2012

JANUARY 3

Last day for local governing boards to adopt a resolution or ordinance to allow binding public questions to appear on the ballot for General Primary Election. (10 ILCS 5/28-2C)

JANUARY 3

Last day for County, Municipal, School, Township and Park Boards to adopt a resolution to allow advisory public questions to appear on the ballot for General Primary Election. (55 ILCS 5/5-1005.5; 60 ILCS 1/80-80; 65 ILCS 5/3.1-40-60; 70 ILCS 1205/8-30; 105 ILCS 5/9-1.5)

JANUARY 12

Last day for the circuit court clerk and the local election official to certify any binding public question or advisory referenda to the election authority having jurisdiction over the political subdivision for General Primary Election. (10 ILCS 5/28-5)

JANUARY 19

Regular January Board Meeting.

JANUARY 26-28

Attend the IAPD/IPRA Annual Conference, Hyatt Chicago.

JANUARY 31

Last day to file with the chief county assessment officer for all tax-exempt real estate an affidavit/certificate of exempt status stating whether there has been any change in the ownership or use of the exempt real estate and the nature of any such change to continue the exemption of park property from real estate taxes. (35 ILCS 200/15-10)

NOTE: Copies of leases or agreements related to exempt property that is leased, loaned, or otherwise available for profit must be filed with the assessment officer. (30 ILCS 200/15-15)

FEBRUARY 2012

FEBRUARY 1

Last day by which the chief administrative officer or his or her designee for a unit of local government with persons described in items (h), (i) and (k) of Section 4A-101 shall certify to the appropriate

county clerk a list of names and addresses of those persons described in items (h), (i) and (k) of Section 4A-101 that are required to file statements of economic interest pursuant to the Illinois Governmental Ethics Act. In preparing the lists, each chief administrative officer or his or her designee shall set out the names in alphabetical order. (5 ILCS 420/4A-106)

FEBRUARY 16

Regular February board meeting.

FEBRUARY 21

First day for the election authority to publish a notice of any question of public policy to be voted upon within the jurisdiction of the General Primary Election. (10 ILCS 5/12-5)

MARCH 2012

MARCH 12

Last day for the election authority to publish a notice of any question of public policy to be voted upon within the jurisdiction. The election authority shall also post a copy of the notice at the principal office of the election authority. The local election official shall also post a copy of the notice at the principal office of the political or governmental subdivision. If there is no principal office, the local election official shall post the notice at the building in which the governing body of the political or governmental subdivision held its first meeting of the calendar year in which the referenda is being held. (10 ILCS 5/12-5)

MARCH 15

Regular March board meeting.

MARCH 20

GENERAL PRIMARY ELECTION

MARCH 27-29

Attend NRPA Mid-year Meeting in Washington, D.C.

APRIL 2012

APRIL 1

Last day by which the county clerk of each county shall notify all persons whose names have been certified to him, other than candidates for office who have filed their statements with their nominating petitions, of the requirements for filing statements of economic interests. The Illinois Governmental Ethics Act, 5 ILCS 420/4A-101, requires the following persons to file verified written statements of economic interests: (g) Persons who are elected to office in a unit of local government, and candidates for nomination or election to that office; (h) Persons appointed to the governing board of a unit of local government and persons

appointed to a board or commission of a unit of local government who have the authority to authorize the expenditure of public funds but not members of boards or commissions who function in an advisory capacity; (i) Persons who are employed by a unit of local government and are compensated for services as employees and not as independent contractors and who:

1. are, or function as, the head of a department, division, bureau, authority or other administrative unit within the unit of local government, or who exercise similar authority within the unit of local government;
2. have direct supervisory authority over, or direct responsibility for the formulation, negotiation, issuance or execution of contracts entered into by the unit of local government in the amount of \$1,000 or greater;
3. have authority to approve licenses and permits by the unit of local government (this item does not include employees who function in a ministerial capacity);
4. adjudicate, arbitrate, or decide any judicial or administrative proceeding, or review the adjudication, arbitration or decision of any judicial or administrative proceeding within the authority of the unit of local government;
5. have authority to issue or promulgate rules and regulations within areas under the authority of the unit of local government; or
6. have supervisory responsibility for 20 or more employees of the unit of local government. (5 ILCS 420/4A-106; 5 ILCS 420/4A-101)

APRIL 5

The suggested date to prepare the budget and appropriation ordinance in tentative form and place on file for public inspection at least 30 days prior to final action. (All park districts are required to adopt a combined budget and appropriation ordinance within or before the first quarter of each fiscal year.) (70 ILCS 1205/4-4) NOTE 1: Beginning January 1, 2012, IMRF employers must post on their website or at their principal office the total compensation package of employees with a total compensation of \$150,000 or more per year at least 6 days before the employer approves the total compensation package. The employer must also post the total compensation package within 6 business days after approving their budget for employees with a total compensation package in excess of \$75,000 or more. (Public Act 97-0609)

NOTE 2: Beginning January 1, 2012, before an IMRF employer increases the earnings of an officer, executive or

manager by more than 12%, the employer must obtain a "Pension Impact Statement" from the IMRF which states the effects of the salary increase on the employee's pension benefits. (Public Act 97-0609)

APRIL 19

Regular April board meeting.

MAY 2012

MAY 1

The last date for filing Statements of Economic Interest for persons who have not previously filed during the calendar year. (5 ILCS 420/4A-105) NOTE 1: Failure to file a statement of economic interests within the time prescribed shall not result in a fine or ineligibility for, or forfeiture of, office or position of employment, provided that the failure to file results from not being included for notification by the appropriate agency, clerk, secretary, officer or unit of government, and that a statement is filed within 30 days of actual notice of the failure to file. (5 ILCS 420/4A-105)

NOTE 2: All statements of economic interests shall be available for examination and copying by the public at all reasonable times. (5 ILCS 420/4A-105)

NOTE 3: Any person required to file a statement of economic interests who willfully files a false or incomplete statement shall be guilty of a class A misdemeanor. Failure to file a statement within the time prescribed shall result in ineligibility for, or forfeiture of, office or position of employment, as the case may be; provided, however, that if the notice of failure to file a statement of economic interests is not given by the county clerk, no forfeiture shall result if a statement is filed within 30 days of actual notice of the failure to file. (5 ILCS 420/4A-107)

NOTE 4: The County Clerk with whom a statement is to be filed may, in his or her discretion, waive the late fees & penalties, and the ineligibility for or forfeiture of office or position for failure to file when the person's late filing of or failure to file is due to (i) serious or catastrophic illness that renders the person temporarily incapable of completing the statement or (ii) military service. (5 ILCS 420/4A-105)

MAY 1

Suggested date to send notice to the Illinois Department of Labor requesting determination of current prevailing rate of wages for the district's area. (820 ILCS 130/4; 130/9)

MAY 1
(Beginning of new fiscal year.) The date to post the dates, times and places of park district regular meetings for the fiscal year. Mail copies to news media. (As an alternative, this can be done at the beginning of the calendar year.) (5 ILCS 120/2.02; 2.03)

MAY 1
The date to start the annual audit. Every governmental unit is required to make an annual audit to cover the immediately preceding fiscal year. The audit must "be completed and the audit report filed with the Comptroller within six months after the close of the fiscal year." All governmental units are also required to file a copy of the completed report with the county clerk. (50 ILCS 310/2 and 310/3)
NOTE: Any governmental unit receiving revenue of less than \$850,000 for any fiscal year is required to file a financial report with the Comptroller in lieu of an audit. Any governmental unit receiving revenue of \$850,000 or more shall, in addition to complying with the audit requirements, file a financial report on forms required by the Comptroller. (50 ILCS 310/3)

MAY 1
The date to begin preparation of the Statement of Receipts and Disbursements. (30 ILCS 15/1)

MAY 1-2
Attend the IAPD Legislative Conference in Springfield. The Legislative Reception is held the evening of May 1 with the conference starting the next morning on May 2. May 1 is Parks Day at the Capitol with park district and forest preserve displays lining the Capitol Rotunda.

MAY 4
The suggested date to publish notice of public hearing on the budget and appropriation ordinance (must be done at least one week prior to hearing). (70 ILCS 1205/4-4)

MAY 17
Regular May board meeting. This is the suggested date to hold the public hearing on the budget and appropriation ordinance and the date for enacting the ordinance at the board meeting following the hearing. (70 ILCS 1205/4-4)
NOTE 1: The budget and appropriation ordinance must be made available in tentative form for public inspection at least 30 days prior to final action thereon.
NOTE 2: All taxing districts are also required to file a certified copy of their budget and appropriation ordinances with the county clerk within 30 days of adoption, as well as an estimate, certified by the district's chief fiscal officer, of revenues, by source,

anticipated to be received by the taxing district in the following fiscal year. Failure of a district to file the required document will authorize the county clerk to refuse to extend the tax levy imposed by the governing authority until such documents are filed. (35 ILCS 200/18-50)

MAY 31
General Assembly scheduled to adjourn.

JUNE 2012

JUNE 7
First day notice of intention to file a petition to create a political subdivision, whose officers are to be elected rather than appointed, may be published in a newspaper within the proposed political subdivision, or if none, in a newspaper of general circulation within the proposed territory for General Election. (10 ILCS 5/28-2(g))

JUNE 15
The last day for filing a copy of the district's budget and appropriation ordinance with the county clerk, as well as a certified estimate of revenue by source anticipated to be received in the following fiscal year (assuming a passage adoption date of May 17).

JUNE 21
Regular June board meeting.

JUNE 30
The last day to: (a) investigate & ascertain prevailing rate of wages to be paid for work on public works projects, and (b) publicly post or keep available for inspection in the main office of the public body its determination of such prevailing wage rates. The district must promptly file, no later than July 15 of each year, a certified copy of its determination with the Illinois Secretary of State and the office of the Illinois Department of Labor. (820 ILCS 130/9)
NOTE: Pursuant to 820 ILCS 130/4, a park district may request the Illinois Department of Labor to ascertain the prevailing rate of wages.

JULY 2012

JULY 9
Last day notice of intention to file a petition to create a political subdivision, whose officers are to be elected rather than appointed, may be published in a newspaper within the proposed political subdivision, or if none, in a newspaper of general circulation within the proposed territory for General Election. (10 ILCS 5/28-2(g))

JULY 9
Last day to file a petition (must contain original sheets signed by voters and circulators) to create a political subdivision with the appropriate officer or board for General Election. (10 ILCS 5/28-2(b))
NOTE: The specific statutory provisions governing the creation of political subdivisions can be found in the relevant Code governing such subdivisions.
NOTE: Objections can be filed on or before the date of the hearing with the appropriate circuit court clerk. (10 ILCS 5/28-4)

NOTE: If initial officers are to be elected at the election for creation of a new unit of government, candidates for such offices shall file nomination papers 113-106 days before such election. (July 16 – 23, 2012). (10 ILCS 5/10-6)
NOTE: The circuit court clerk shall publish the hearing date for a public policy petition filed in his/her office not later than 14 days after the petition is actually filed, but at least 5 days before actual hearing. Final order within 7 days of hearing. (10 ILCS 5/28-4)

JULY 15
Last day to file certified copy of prevailing wage rate determination with Illinois Secretary of State and the office of the Illinois Department of Labor if determination was made by district and not Department of Labor. (820 ILCS 130/9)

JULY 16
Last day to file objections to petitions to create a political subdivision in the office of the circuit court for the General Election. (10 ILCS 5/28-4)

JULY 19
Attend the Legislative Golf Outing at the Bensenville Park District.

JULY 19
Regular July board meeting.

AUGUST 2012

AUGUST 1
First date nominations for the Board of Trustees of the Illinois Municipal Retirement Fund Board are to be made for terms beginning the next January 1. (Between August 1 and September 15.) (40 ILCS 5/7-175)

AUGUST 6
Last day for filing petitions (must contain original sheets signed by voters and circulators) for referenda for the submission of questions of public policy (local) for General Election. Objections to petitions for local referenda are filed with the same officer in which the original petitions are filed. (10 ILCS 5/28-2(a), 28-6, 28-7)

[EXCEPTION: proposition to create a political subdivision, referenda held under the provisions of Article IX of the Liquor Control Act, and Section 18-120 of the Property Tax Code.]

AUGUST 13
Last day to file objections to petitions for the submission of questions of public policy (local) for General Election. Objections to petitions for local referenda are filed with the same office that has the original petitions. (10 ILCS 5/10-8, 28-4)
[EXCEPTION: proposition to create a political subdivision, referenda held under the provisions of Article IX of the Liquor Control Act, and Section 18-120 of the Property Tax Code.]

AUGUST 14
The last date to publish determination of prevailing rate of wages (if determination was made by the district and not the Department of Labor) and mail copies of rates to requesting parties if filed with Secretary of State on the last possible date (July 15). (Publication must be within 30 days of date of filing with Secretary of State.) (820 ILCS 130/9)

AUGUST 16
Regular August board meeting.

AUGUST 20
Last day for local governing boards to adopt a resolution or ordinance to allow binding public questions to appear on the ballot for General Election. (10 ILCS 5/28-2(c))

AUGUST 20
Last day for County, Municipal, School, Township and Park Boards to adopt a resolution to allow advisory public questions to appear on the ballot for General Election. (55 ILCS 5/5-1005.5; 60 ILCS 1/80-80; 65 ILCS 5/3.1-40-60; 70 ILCS 1205/8-30; 105 ILCS 5/9-1.5)

AUGUST 30
Last day for the circuit court clerk and the local election official to certify any binding public question or advisory referenda to the election authority having jurisdiction over the political subdivision for General Election. (10 ILCS 5/28-5)

SEPTEMBER 2012

A good month to review and update park district policies and ordinances.

SEPTEMBER 20
Regular September board meeting.

OCTOBER 2012

OCTOBER 3

The suggested date to review documents to determine which records can be destroyed.

Permission of Local Records Commission required. See 50 ILCS 205/7 for authorization to digitize records. (50 ILCS 205/1)

OCTOBER 9

First day for the election authority to publish a notice of any question of public policy to be voted upon within the jurisdiction for General Election. (10 ILCS 5/12-5)

OCTOBER 11

Attend the IAPD Legal Symposium Hamburger University, Oak Brook

OCTOBER 16-18, 2012

Attend the NRPA Congress in Anaheim, CA.

OCTOBER 18

Regular October board meeting. Review non-referendum bonding needs preparatory to selling bonds before close of calendar year. (70 ILCS 1205/6-4)
NOTE: Before adopting any ordinance selling non-referendum general obligation bonds or limited bonds, the district must hold a public hearing concerning the intent to sell the bonds. Although the hearing may be part of a regular meeting, the ordinance authorizing the bonds may not be adopted for a period of 7 days after the hearing. Notice of the hearing must be published not less than 7 nor more than 30 days before the hearing. (30 ILCS 352/10, 352/15, 352/25)

OCTOBER 18

The suggested date for the board to determine the amount of money estimated to be necessary to be raised by the tax levy ordinance and to determine whether the funds to be raised exceed, by more than 105 percent of the amount, which has been extended or is estimated to be extended, upon the final aggregate levy of the preceding year. (This determination must be made at least 20 days prior to enactment of the levy ordinance.) (35 ILCS 200/18-60; 200/18-65)

NOTE 1: Local governments must file either a certificate of compliance or a certificate indicating the inapplicability of the Truth in Taxation Law with the tax levy ordinance filed with the county clerk. (35 ILCS 200/18-90)

NOTE 2: 35 ILCS 200/18-185 provides park districts in the tax cap counties the authority to levy a tax for handicapped programs outside the restrictions of the tax cap.

NOTE 3: It is recommended that the

park district attorney review all determinations and proceedings relating to this reference, which is the Truth in Taxation Law. (35 ILCS 200/18-55 *et seq.*)

OCTOBER 29

Last day for the election authority to publish a notice of any question of public policy to be voted upon within its jurisdiction. The election authority shall also post a copy of the notice at the principal office of the election authority. The local election official shall also post a copy of the notice at the principal office of the political or governmental subdivision. If there is no principal office, the local election official shall post the notice at the building in which the governing body of the political or governmental subdivision held its first meeting of the calendar year in which the referenda is being held for General Election. (10 ILCS 5/12-5)

OCTOBER 31

The last day to publish annual statement of receipts and disbursements and file a copy with the county clerk for districts on a May 1-April 30 fiscal year. In lieu of publishing the annual statement of receipts and disbursements, the district can publish a notice of availability of its audit report that includes the time period covered by the audit, the name of the firm conducting the audit, and the address and business hours where the audit may be publicly inspected. (Must be accomplished within six months after expiration of fiscal year.) (30 ILCS 15/1; 15/2)

OCTOBER 31

The last day to file annual audit report (or financial report if district received revenue of less than \$850,000) with the Comptroller of the State of Illinois and county clerk (within six months of close of fiscal year) and make a copy open to public inspection. Any governmental unit receiving revenue of \$850,000 or more shall, in addition to complying with the audit requirements, file a financial report on forms required by the Comptroller. (50 ILCS 310/2; 310/3; 310/6)

NOVEMBER 2012

NOVEMBER 5

The suggested date to publish notice of hearing (Truth in Taxation Law) if the district's proposed levy is greater than 105 percent of last year's extension or estimated extension. Must publish not more than 14 days, nor less than 7 days prior to the date of the public hearing. Publication date assumes a hearing date of November 12-16, 2012. (35 ILCS 200/18-70; 200/18-75)

NOTE: The form of the notice is set forth in the Truth in Taxation Law. Be sure to check special publication requirements found in statute. Further, any notice that includes information in excess of that specified and required by the Act shall be considered an invalid notice. (35 ILCS 200/18-80)

NOVEMBER 6 GENERAL ELECTION

NOVEMBER 15

Regular November board meeting and the suggested date to hold a hearing pursuant to the Truth in Taxation Law. (35 ILCS 200/18-55 *et seq.*)

NOVEMBER 15

The suggested date to enact tax levy ordinance at the regular meeting following the Truth in Taxation hearing (if required).

NOVEMBER 27

Last day for appropriate canvassing board to canvass the results of referenda submitted to the voters at the General Election. (10 ILCS 5/22-17)

NOVEMBER 30

(If levy ordinance was enacted on Nov. 15, 2012) The last day to publish Truth in Taxation notice if levy amounts as enacted exceed prior published figures, or if levy exceeds 105 percent of last year's extension and there was not prior publication. (Notice must be given within 15 days of the date the levy ordinance was enacted.) (35 ILCS 200/18-85)

DECEMBER 2012

DECEMBER 1

The suggested date to verify that, for real estate acquired in 2012, appropriate applications have been filed to exempt the real estate from real estate taxes. (35 ILCS 200/15-5)

DECEMBER 4

The suggested date to confirm that a certified copy of the levy ordinance was properly filed with the county clerk. (70 ILCS 1205/5-1 and 35 ILCS 200/18-15 require that a certified copy of the levy ordinance be filed with the county clerk not later than the last Tuesday in December.)

DECEMBER 20

The regular December board meeting date and suggested date to enact bond ordinance for non-referendum bonds to be issued prior to the end of calendar year. (70 ILCS 1205/6-4)

DECEMBER 21

In most counties, the last day to: (a) file certified copy of tax levy ordinance with county clerk (70 ILCS 1205/5-1; 35 ILCS 200/18-15), and (b) file board president's certificate of compliance with county clerk. (35 ILCS 200/18-90)

NOTE: State statutes require a certified copy of the tax levy ordinance to be filed with the county clerk on or before the last Tuesday in December. In 2012, the last Tuesday falls on Christmas Day and many offices will also be closed on Christmas Eve. Therefore, the certified copy of the tax levy ordinance should be filed no later than Friday, December 21.

NOTE: State statute requires that all local governments file either certificate of compliance or a certificate indicating the inapplicability of the Truth in Taxation Law with the certified copy of the tax levy ordinance filed with the county clerk.

DECEMBER 28

The suggested date to prepare and file with the Supervisor of Assessments the annual affidavit/certificate of exempt status stating whether there has been a change in the ownership or use of the district's exempt real estate and the nature of any such change to continue the exemption of park property from real estate taxes. (Last day for filing is January 31, 2013.) (35 ILCS 200/15-10)

DECEMBER 28

The suggested day by which bond ordinances should be filed with county clerk in order to receive extensions of taxes for the payment of principal and interest on general obligation bonds or limited bonds for 2012 taxes collected in 2013. The filing must actually take place prior to March 1, 2013. (30 ILCS 350/16)
NOTE: This filing has no relationship to the General Tax Levy filed by park districts.

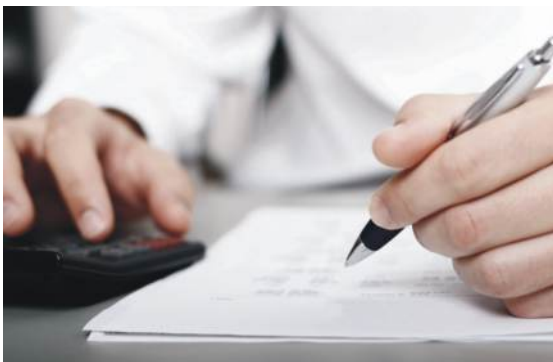
JANUARY 2013

JANUARY 9

Newly elected members of the General Assembly shall convene and organize their respective chambers. (Illinois Constitution, Article IV, Sections 5 and 6(b))



AFTER THE BOND SALE: ENSURING COMPLIANCE



The closing is typically the major milestone in a tax-exempt or tax credit (e.g. Build America Bonds) bond financing; however, post-issuance federal tax and securities law compliance is an equally important part of a park district's debt management activities. Bonds, including subsequent refunding bonds, often remain outstanding for many years – in some instances, up to 40 years. Throughout this time, it is imperative that a park district complies with certain rules to ensure the tax-exempt or tax-subsidized status of its bonds and to maintain access to the public securities market.

This article will address four post-issuance compliance topics:

- I. Arbitrage rebate and the importance of monitoring the investment of bond proceeds
- II. Private use of bond-financed facilities
- III. Continuing disclosure obligations
- IV. Policies and procedures to monitor compliance

I. Arbitrage Rebate

Arbitrage is the spread between the net interest payable on a tax-exempt or tax-subsidized bond and the earnings on the investment of such tax-exempt or tax-subsidized bond proceeds in higher yielding securities. The Internal Revenue Service (IRS) has two sets of rules regarding arbitrage: yield restriction and arbitrage rebate. Any issue of tax-exempt or tax-subsidized bonds may be subject to yield restriction, arbitrage rebate, or both.

Yield restriction prohibits bond proceeds from being invested above the bond yield unless certain conditions are met. A park district generally receives a three-year “temporary period” of unrestricted investment that begins on the closing date. To qualify, the park district must (i) reasonably expect to spend at least 85% of the net sale proceeds on capital projects within three years, (ii) incur within six months of the issue date a substantial binding obligation to a third party to spend at least five percent of the net sale proceeds on the capital projects and (iii) proceed with due diligence to complete the capital project. If the park district has proceeds remaining after the three-year anniversary, the remaining proceeds become yield restricted to 0.125% (one-eighth of a percentage point) over the bond yield.

Arbitrage rebate requires that any arbitrage profit that the park district earns be paid to the federal government unless one of several exceptions to the rebate requirement applies. The two main exceptions to arbitrage rebate apply to small issuers and issuers that meet one of three various spend down exceptions.

Small Issuer Exception – Generally applies to bond issuances of less than \$5 million. This exception is based on all tax-exempt or tax-subsidized borrowings in a single calendar year. Current refunding bonds are not taken into account when applying the \$5 million limit as long as such refunding bonds do not exceed the amount of the bonds being refunded. In order for advance refunding bonds to qualify for this exception, (i) the refunded bonds must have qualified for the Small Issuer Exception, (ii) the refunding bonds cannot extend the average maturity of the refunded bonds and (iii) the refunding bonds must mature within 30 years of the date the original bonds were issued.

Spending Exceptions – Based on the expenditures of net sale proceeds plus investment earnings. A park district is excepted from arbitrage rebate if it meets any of the following spend down schedules:

MILESTONE	2 YEAR CONSTRUCTION EXCEPTION ⁽¹⁾	18 MONTH EXCEPTION	6 MONTH EXCEPTION
6 - months	10%	15%	95%
12 - months	45%	60%	100%
18 - months	75%	100%	n/a
24 - months	100%	n/a	n/a

Two-year construction exception requires at least 75% of proceeds to be spent on construction expenditures.



The private payment test is generally satisfied if more than 5% of bond proceeds are directly or indirectly: (i) secured by any interest in property used or to be used for a private business use, (ii) secured by any interest in payments in respect of property used or to be used for a private business use, or (iii) derived from payments in respect of property, or borrowed money, used or to be used for private business use. Payments are taken into account whether or not they are used by a park district to pay debt service on the bonds and whether or not they are paid by the private user or some other party.

A finance officer should take care to identify in advance any new sale, lease or license, management contract, service contract or other arrangement involving private use, and contact finance professionals with questions. Copies of these documents related to the use of bond-financed property by private entities should be kept in the bond file along with the bond transcript.

Generally, if these exceptions are not met, any arbitrage profit the park district earns above bond yield must be rebated to the federal government. The first installment of arbitrage rebate is generally due on the fifth anniversary of the bond issuance, plus 60 days.

Even in the current short-term low interest rate environment, post-issuance record keeping on investments is necessary regardless of whether the bonds are subject to yield restriction or are generating arbitrage profit. Generally, bond proceeds remaining after three years become subject to yield restriction and interest rates could be very different at that time. Therefore, ongoing tracking of investments and expenditures should be used to demonstrate tax compliance. Material records should be kept as long as the bonds (including any refunding bonds) remain outstanding, plus three years after the final maturity or redemption date.

II. Private Use

In general, tax-exempt or tax-subsidized “governmental purpose” bonds can be issued to finance capital costs of a project so long as the bond-financed property is not used in a private business use. Bonds may lose their tax-exempt or tax-subsidized status if certain actions by a park district cause the bonds to be converted into private activity bonds. Bonds may become private activity bonds by satisfying a two-part test: the private *business use* test and the private *payment* test.

The private business use test is generally satisfied if more than 5% (10% for certain related use) of bond proceeds are used for private business use. Private business use is measured as the average annual private business use over the term of the bonds. Private business use can arise in many different ways, such as through (i) ownership, a lease or a preferential right to the use of bond-financed property by a person other than a state or local governmental unit, (ii) management or other service contracts with a private party covering bond-financed property, and (iii) output contracts or utility service contracts.

“ A finance officer should take care to identify in advance any new sale, lease or license, management contract, service contract or other arrangement involving private use, and contact finance professionals with questions. ”

III. Continuing Disclosure

When issuing bonds above \$1 million in a public offering, a park district is required to enter into a Continuing Disclosure Undertaking to provide certain information to the market on an ongoing basis while such bonds are outstanding. This information is posted electronically at the Electronic Municipal Market Access (EMMA) portal and keeps the market apprised of the financial condition of the district well beyond the date the bonds are issued.

Two categories govern the types of information a district is obligated to disclose. If a district has less than \$10 million of bonds outstanding at the time of issuance, it is subject to a "limited" continuing disclosure obligation and must file its Audited Financial Statements annually on EMMA and Reportable Events as they arise. If a district has more than \$10 million of bonds outstanding at the time of issuance, it is subject to a "full" continuing disclosure undertaking and must file its Audited Financial Statements and Annual Financial Information.

Districts are obligated to file notice of the occurrence of Reportable Events on EMMA within 10 days of the event occurring. A few of the most common Reportable Events include principal and payment related delinquencies, adverse tax opinions, bond calls, defeasances and rating changes. The complete list of Reportable Events can be found in the Continuing Disclosure Undertaking included as part of the bond transcript.

Districts subject to full continuing disclosure must also file Annual Financial Information in addition to their Audited Financial Statements. Annual Financial Information is defined either in the Official Statement or in the Continuing Disclosure Undertaking and references quantitative data usually presented in chart format within the Official Statement. Examples often include topics such as the trend of equalized assessed valuation, outstanding debt, debt limit capacity, debt service extension base capacity, tax rates and fund balances. This information must be updated annually and posted to EMMA. If charts and tables do not truly explain the district's financial condition, the district may consider also filing narratives explaining significant trends and deviations as part of the annual update.

Most issuers file their Audited Financial Statements and their Annual Financial Information at the same time. Generally, the Continuing Disclosure Undertaking requires the filing of Annual Financial Information within 210 days after the end of the fiscal year. If a district's Audited Financial Statements are not available at that time, the district must submit unaudited financial statements, with Audited Financial Statements to follow within 30 days of their availability.

Failure to comply with continuing disclosure obligations within the past five years must be reported in the Official Statement, which may adversely affect the marketing of a district's bonds. Both the Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board have expressed their intention to enhance the enforcement of these rules by imposing more robust consequences and penalties.

“Creating policies and procedures to implement post-issuance compliance may seem like a daunting task. But diligence with respect to arbitrage rebate, private use and continuing disclosure gives a park district protection and confidence in the event of SEC or IRS inquiries, ultimately saving the district time, expense and worry.”

IV. Compliance Policies and Procedures

In order to keep track of these rules, it is important to give a particular individual the responsibility for monitoring compliance. The IRS has strongly recommended establishing *written* procedures that can be understood and implemented over time as finance officers change. Post-compliance procedures should aim to foresee potential problems and to identify and correct problems in a timely manner after they occur. Many finance officers review a checklist at principal and interest payment dates as a reminder of the relevant tax and securities laws.

Creating policies and procedures to implement post-issuance compliance may seem like a daunting task. But diligence with respect to arbitrage rebate, private use and continuing disclosure gives a park district protection and confidence in the event of SEC or IRS inquiries, ultimately saving the district time, expense and worry.

This article was solicited by the Illinois Government Finance Officers Association (IGFOA) and authored by: **Robert Lewis**, senior vice president, managing director, PMA Securities, Inc.; **Audra Scharf**, vice president, PMA Financial Network, Inc.; **Lynda Given**, partner, Chapman and Cutler LLP; and **Anjali Vij**, associate, Chapman and Cutler LLP.



TURNING FOOD INTO FUNDS

There are few things that scare a manager or a supervisor more than the thought of operating the food service at their facility. The daunting task of training the staff, working with the Health Department and keeping up with the inventory – not to mention all the planning and tracking that goes into ensuring the food service is profitable – is enough to make a manager cringe. But the recreation industry has expanded from offering programs to managing state-of-the-art facilities that host everything from a concession operation to full banquets. Many agencies have opted to use one of the following operating models: bring in a third party vendor, ask the facility manager to do it, or use a food service manager. Each of these models has merits that can benefit the agency, but they can also detract from the overall operation and guest satisfaction.

“LOOKING AT YOUR FACILITIES AND CREATING A FOOD SERVICE PROGRAM WITH A PROFESSIONAL WHO HAS YOUR AGENCY'S GOALS AND OBJECTIVES IN MIND WILL GIVE YOUR AGENCY THE FINANCIAL BOOST IT IS LOOKING FOR IN THESE ECONOMICALLY CHALLENGING TIMES.”

Evaluating these operations will give us not only the ability to better operate our food service but turn that scary sector of our world into an unbelievable revenue source. The three types of agencies that will be evaluated are the singular food service environment, the mid-level service environment and the high-level food service environment.

What Am I?

Look all around your agency and see how many facilities have a kitchen, restaurant, concession stand, banquet or catering set-up within the facility or park. Don't forget your athletic fields' concession stands. Then see what type of room rentals, birthday parties and group admissions those individual facilities host. Don't forget any capital projects that have food service (or could have) within the next five years.

Singular Food Service. Now What?

This scenario leaves an agency with only two options – contract it out or make the manager run it. Neither of these scenarios is a great way to position your agency for success. In most situations, the best method for these facilities is to contract out the concession stand to a third-party operator, but be careful. Not operating the facility doesn't mean you don't need to manage it on a daily basis. Of course there are a few exceptions to this rule such as if the operation is a golf course, ice arena or family entertainment facility with 80,000 or more in attendance annually. I always recommend treating these facilities like a mid-level facility.

When looking for a contractor, the agency has to be ready to take the lead. Third-party contractors and consultants are looking out for their own best interest, so everything they want to do likely will directly benefit them financially. The three questions to answer are 1) What are the highest selling items in the concession stand, 2) Who are my guests, 3) What is my facility designed to handle. For the first question, you want to ensure that three out of the five top selling items remain on the menu for at least the first two years with the new concession vendor. This gives your guests a sense of security and reduces the alienation that can come with a new menu and new prices a vendor may bring in. When evaluating the second question, you must determine who is eating at your facility.

BY DAVID JAMES GILBERT

For instance, at a water park or aquatic center, your main guests are families with children. Therefore, you want your menu to reflect selections that demographic would enjoy. Additionally, if your facility is an ice arena, you want to cater your menu items toward not only those attending games but also the parents who will wait at your facility during practices, classes and events. Finally when looking at the third item, you need to review what menu items your facility was designed for: if you don't have a fryer, making fried treats is going to be hard, so prepackaged food may be the way to go. Now you can begin to ensure your vendor will be able to offer a selection that not only meets your guests' expectations but offers enough income to make you a substantial profit.



Mid-Level Can Be Magical

Not only is this going to be magical, but it allows you to have all the fun with your food service. At this level, you either have a full-time restaurant like at your golf course or you have several food service operations that allow for a full-time person to oversee the food service. The biggest mistake most districts make at this level is separating the food service out to several managers in the hopes of cutting the payroll cost of a full-time food service manager. When you do that, you break the cardinal rule for food service – consistency. By allowing one person to oversee all the food service (they may need an assistant based on size), you gain an individual who will have more buying power with your vendors, is trained in the art of food service and is able to control costs which ensure profits.

There are three things to keep in mind when going into this set-up: 1) the Food Service Manager should not report to the Facility Manager. You want to make them equals because it allows for them to work together to see the facility profit. 2) While they may not have managed all the types of facilities you oversee, they should be able to walk through a facility and give you a menu recommendation with supporting information on why they believe it will be profitable. The best references for these people are not employers but their food vendors. The food vendors can tell you if they pay bills on time, order consistently or frequently change the menus of their facility. And the big number 3) Let them spend money on reasonable improvements to the food service facility. If they need a new piece of equipment and/or a small face lift to the facility to increase its profitability, figure out how to work it into the budget. For example: selling coffee at a community center will have a 25% profit margin, but having a Starbucks-like espresso set-up will have a 75% profit margin, so work with them to get the required equipment.

High-Level to Profit-palooza

At this level, the agency needs to look to the hospitality industry on how to manage the food service area. Your agency likely has two to four concession stands, a golf course with banquet facilities, a banquet facility, a health club with snack bar or any other variety of food service items. So what do you do? A Superintendent or Director of Food Service will be needed. Additionally, at this size, expect them to have three full-time staff. That number might sound scary, but they pay for themselves and make a killer profit by year two if they are allowed to manage the facilities properly. Additionally, concession stands, vending, parties, rentals and facilities sales should go through this department. This way the staff can be trained in the art of up-selling catering packages.

Delicious Deposits

As park and recreation professionals, we receive little to no training on food operations. So many times we are forced to leave it in the hands of a contractor, consultant or even fate that our managers and vendors are able to offer a quality product to our guests that not only make the guests happy but provide an additional revenue stream. Usually this fails because we do not have the necessary tools and resources. Looking at your facilities and creating a food service program with a professional who has your agency's goals and objectives in mind will give your agency the financial boost it is looking for in these economically challenging times.

David J. Gilbert, C.P.O. is the General Manager of Sky High Sports in Naperville. He has worked in the private and public recreation field for the last nine years, especially in family entertainment venues such as water parks and arcades. You may reach him at (847) 721-1752, or at: davidg@JumpSkyHigh.com

If your agency has a successful food service, we'd love to hear from you. Send your story to editorialdept@ilparks.org



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IAPD's Best of the Best Awards Gala



Grayslake Community Park District and the Grayslake Youth Baseball Association received the first-place award for Partnership. (Back row, left to right) Wally Frasier, IAPD Chairman of the Board of Trustees, Ken Ryan, GPD Board President, Steve Fabbri, GPD Board Commissioner, Jeff Nehila, GPD Executive Director, and Peter Murphy, IAPD President/CEO. (Front row, left to right) Gayle Cinke, GPD Commissioner and Terry Toth, GPD Commissioner and Grayslake Youth Baseball Association Board Member.



Nominated by the Schaumburg Park District, Links Technology Solutions took first place in the Best Friend of Illinois Parks. Receiving the award from Peter Murphy are Links employees Bob VanValkenburg, Vice President of Sales, John Reitz, Creative Director, Tim Nyquist, Senior Web & Graphic Designer, Pavel Stoev, Senior Solutions Developer and Sharon DiMaria, Schaumburg Park District Board President.



The Glenview Park District and the Village of Glenview received a first-place award for Intergovernmental Cooperation. Receiving the award from Wally Frasier are (from left to right) Kerry Cummings, President, Village of Glenview, Angie Katsamakias, Board President, Glenview Park District, Judy Beck, Retired Glenview Commissioner and Chuck Balling, Executive Director, Glenview Park District.

Nearly 300 people filled the ballroom at the Wheeling Park District's Chevy Chase Country Club on October 14 to celebrate the best of Illinois parks, recreation and conservation during the Illinois Association of Park Districts' fifth annual *Best of the Best Awards Gala*.

IAPD Chairman Wally Frasier and IAPD President/CEO Peter Murphy presented more than 40 awards to board members, agencies, citizen volunteers, businesses and members of the media in recognition of outstanding contributions to Illinois parks, recreation and conservation.

The Wall of Wines, a popular fundraiser benefitting Friends of Illinois Parks, allowed guests to purchase an opportunity to pull a bottle of wine from the wall. For \$20, participants could pull a wrapped bottle with a value between \$20 and \$100. The event raised more than \$1,000 during the Gala. Special thanks to Call One for sponsoring the fundraiser.



Nancy McCaul, Executive Director of the Fox Valley Park District, delivers comments after accepting the first-place award for Best Green Practices.



Bob VanValkenburg, Vice President of Sales, Links Technology Solutions and Best Friend of Illinois Parks award winner, addresses the crowd.



Peter Murphy presents Brian Schauer with a Good Sportsmanship Award on behalf of the West Chicago Park District, represented by Joe Urban, Athletic Supervisor.



Frank Saverino, Jr. was recognized as the Outstanding Citizen Volunteer of the Year by the IAPD and the Bloomingdale Park District. (Back row, left to right) Wally Frasier, IAPD Chairman of the Board of Trustees, Buzz Puccio, BPD Board President, Mike Vogl, BPD Commissioner and Peter Murphy, IAPD President/CEO. (Front row, left to right) Karen Johns, BPD Commissioner, Frank Saverino, Jr., and Carrie Hauptert-Fullerton, BPD Executive Director.

Congratulations to the Illinois Association of Park Districts' 2011 *Best of the Best Awards Gala* Winners

Intergovernmental Cooperation Award

Glenview Park District, First Place
 Fox Valley Park District, First Runner-Up
 Dundee Township Park District, Second Runner-Up

Partnership Award

Grayslake Community Park District, First Place
 Glenview Park District, First Runner-Up
 Waukegan Park District, Second Runner-Up

Good Sportsmanship Award

Rockford Park District, First Place
 Wood Dale Park District, First Runner-Up
 West Chicago Park District, Second Runner-Up

Top Journalist Award

Elk Grove Park District, First Place
 Princeton Park District, First Runner-Up

Best Green Practices Award

Fox Valley Park District, First Place
 Rockford Park District, First Runner-Up

Arts in the Park Award

Waukegan Park District, First Place
 St. Charles Park District, First Runner-Up
 Lincolnwood Park and Recreation Department, Second Runner-Up

Best Friend of Illinois Parks Award

Schaumburg Park District, First Place
 Round Lake Area Park District, First Runner-Up

Outstanding Citizen Volunteer of the Year Award

Frank Saverino, Jr.,
 Bloomingdale Park District, First Place
 David & Marie Wendt,
 Forest Preserve District of Will County, First Place
 Hiram Paley, Urbana Park District,
 First Runner-Up
 Bill Spriggs, Kankakee Valley Park District,
 Second Runner-Up

Agency Anniversary Awards

50 Years of Service

Wheeling Park District

65 Years of Service

Princeton Park District

100 Years of Service

Champaign Park District
 St. Charles Park District

PEOPLE & PLACES



Harris Joins Glen Ellyn as Executive Director

The Glen Ellyn Park District welcomes Dave Harris as its new executive director. Harris has more than 20 years of experience in parks and recreation. Most recently, he was executive director at Butterfield Park District. He has also worked for the Park District of Highland Park. While at Highland Park, he launched a profitable new recreation and fitness center, managed a nature center, golf course, pools, water park and an indoor ice rink. He also has

significant experience in parks maintenance, athletics, fundraising and community relations.

Crawford Named NWSRA Executive Director

Northwest Special Recreation Association (NWSRA) is proud to welcome Tracey Crawford as its new Executive Director. Ms. Crawford comes to NWSRA from Fox Valley Special Recreation Association where she served as Assistant Director.

Crawford is a leader in the field of Therapeutic Recreation with over 20 years of experience. She is actively involved in several professional organizations including the Illinois Therapeutic Recreation Section (ITRS) of the Illinois Park and Recreation Association (IPRA), the National Therapeutic Recreation Society (NTRS), the Great Lakes Regional Council (GLRC) and the National Recreation and Park Association (NRPA). She is the 2009 Past Chairman on the IPRA Board of Directors and currently sits as the NTRS Representative on the National Forum. Crawford is also a Past President for the NTRS Board of Directors. Crawford earned a Bachelor of Science degree in Therapeutic Recreation from the University of Iowa in Iowa City. She is a Certified Therapeutic Recreation Specialist (CTRS) and a Certified Park and Recreation Professional (CPRP).

Crawford takes over leadership of NWSRA from Susie Julison who stepped down as Executive Director after 23 years with NWSRA.



Time's Running Out - Give Us Your Best Shot

If you haven't entered "Give Us Your Best Shot," the annual photo contest sponsored by the Illinois Association of Park Districts and the Illinois Park and Recreation Association, don't miss your chance! Submit your best photos, and you might see them in future editions of *Illinois Parks & Recreation* magazine and other IAPD/IPRA projects.

Enter as many times as you like in four categories: **recreation, sports, wildlife** and **nature/landscapes**. All entries must feature Illinois scenes. Awards will be given for 1st place and 2nd place in each category. Winning entries will be published in *IP&R* magazine and displayed as part of a special showcase at the IAPD/IPRA Conference in Chicago in January. Winners will also receive an award presented at their agency. Photographs will be judged on the basis of exposure, clarity/focus and subject matter relative to category.

For complete guidelines and an entry form, visit ILparks.org and select Publications / IP&R Magazine / Photo Contest. Entry deadline is December 5.

Want to Read More?

Keep up with the latest milestones, new hires, promotions and award-winners in the Illinois park and recreation industry online. Visit our website, www.ILparks.org, and click on the Publications tab on the left. Select IP&R Magazine and then People and Places.

Want to submit news from your agency for People & Places?

E-mail information and jpegs to editorialdept@ILparks.org. Jpegs should be 300 dpi at about 2 inches tall.



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Improving Health	92%
Enjoying Outdoors	98%


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A. Total Number of Copies (Net press run)		4,932	4,755
B. Paid Circulation (By Mail and Outside the Mail)	(1) Sales Through Dealers and Carriers, Street Vendors, and Counter Sales (Do not include home delivery)	4,638	4,471
	(2) Paid Distribution Outside the Mail (including sales through the Internet, e-mail, or other electronic means)		
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F. Total Distribution (Sum of 16c and 16e)		4,825	4,660
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16. Signature and Title of Editor, Publisher, Business Manager, or Owner: *[Signature]* Finance Director

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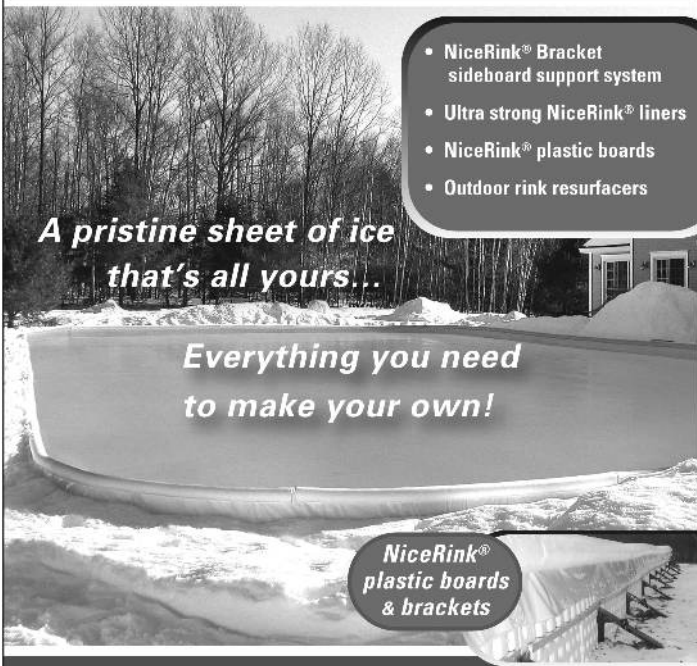
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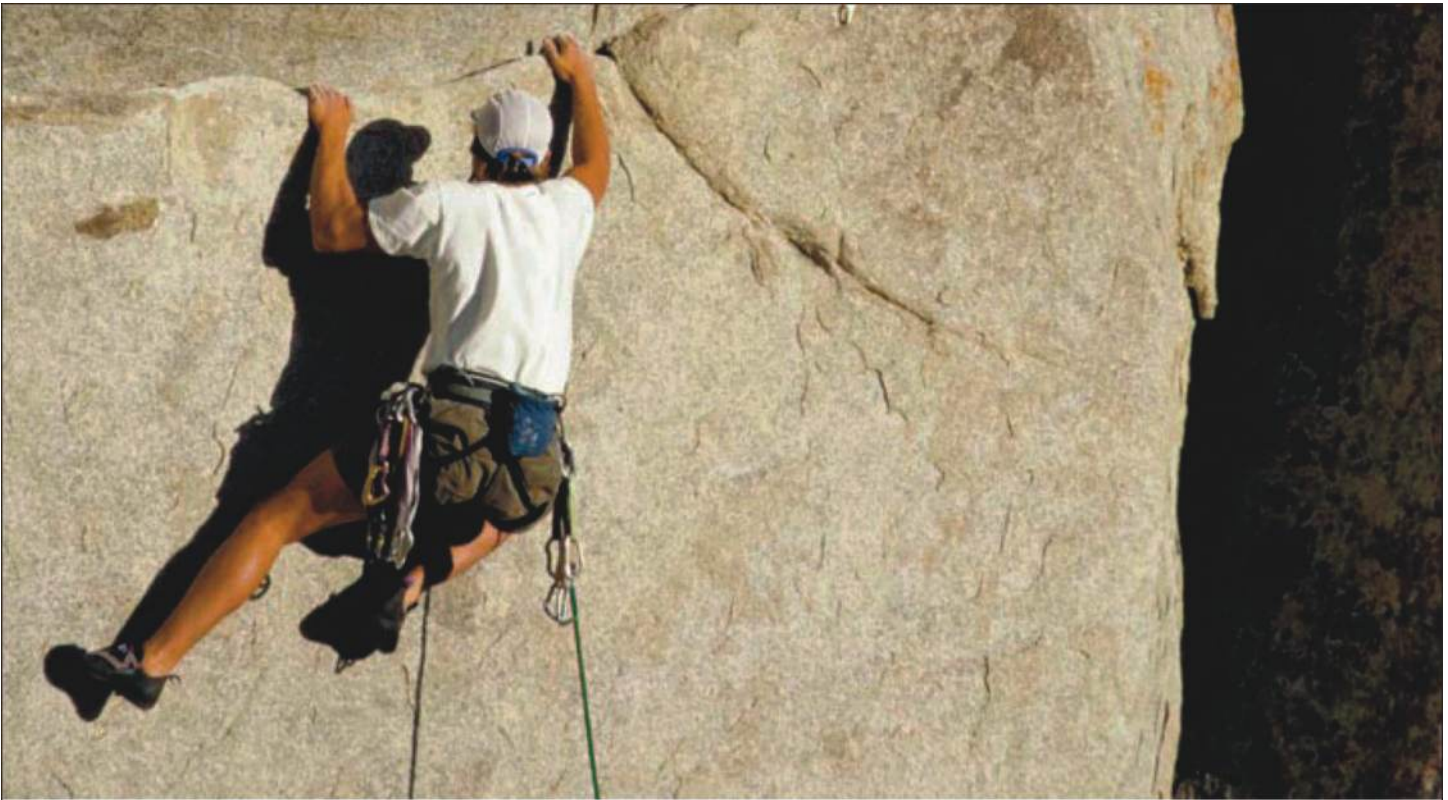
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