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A Short History of Belvidere's First Water Tower

by David Larson

Five years after the June Manufacturing Company came to Belvidere, in 1886, the city constructed its first water tower. It wasn't until 1900 that Capron took that step toward civilization. The foundation of the Belvidere tower is still in good shape and is being used today. Unfortunately, the tank was not the best design and was only used for a relatively short time.

The picture here is of a subsequently-built water tower, because there is no-known photograph of the original. This picture is of a tower at the corner of Whitney Boulevard and Pleasant Street at a time when Pleasant connected South Main Street and Whitney Boulevard. Today, the former Pleasant Street is a parking lot directly across the street from the Belvidere City Hall.

This water tower, we assume, was used by the railroad to recharge the steam locomotives that stopped in Belvidere. The Belvidere Depot is at the lower left of the photo. Behind the tower are empty freight cars. And, behind those freight cars is Farmers Co-Op, a dealer in farm products. Farmers Co-Op was on the corner of Whitney Boulevard and Buchanan Street. An early water tower had been built and removed by 1912 on Fifth Street. It was 40 feet tall, with a brick foundation. The contract to remove the tower was given to R. P. Knox. As partial payment, Knox was given the water tower lot. Perhaps a house is located on that lot today, on Fifth Street. In the end rope was attached to the frame of the tower, and it was pulled over by a team of horses.

The idea of building a water tower on North Main Street began its journey through municipal mechanics in the summer of 1891. We assume this was the first water tower built in Belvidere. The idea of water under pressure at an interior faucet must have been like getting broadband Internet service after having dial-up for years! Maybe a little bit better. It made Belvidere into more than a settlement. Sanitary sewer and crude storm sewers followed quickly, as well as electricity and telephones. The conveniences we take for granted did not exist, for the most part, and certainly not for the common man. It is worth noting today that it was democracy, not an emperor whose authority coordinated these radical changes.

By September of 1891, the well for the tower had reached a level of 280 feet with a natural flow of 16,800 gallons per hour or 403,200 gallons per day. Water was directed into the water mains to check if the system was mission ready for the water tower to be put brought on line once it was constructed. Until the tower could provide pressure, pumps provided pressure to the hydrants throughout the system.

A year later in July, a foundation was built for the water tower. The city required permission from the county for the foundation of the tower because it was on county property, which was and still is a county park surrounded by the city. In exchange, it was agreed that the city would dig a connection to the County Court house and plumb the Court House at 615 North Main Street. It was also agreed that the park in where it was located



would be provided with a water fountain for public use. The local newspaper of the day, *The Belvidere Standard*, made an editorial comment about the public water fountain in the park, "This will be a fine improvement to the square, which also ought to be graded, being now full of pitchholes and hummocks." It was a massive foundation and when the tower was removed about 10 years later, the foundation was utilized as the foundation of a 40 feet granite statue of a Union Soldier Memorial, which stands today directly across the street from the County Court House.

In the end, despite regular maintenance, the tower was considered unsafe and removed by 1904. While the foundation was solid the materials used for the tower were not up to the job.

What Happened Nov 3 in Boone County

By David Larson

Boone County voters took a different path to register their choice than in past elections according to Julie Stapler, Boone County Clerk. 55% of the votes registered in Boone County came from those who chose to vote by mail or to vote early at the County Administration Building before November 3rd. Of the 24,841 votes cast about 6200 voted by mail and 6750 voted early. In past years Stapler stated that about 850 would vote early. She stated that her office was averaging about 300 early voters per day and that

lines were quite long - into the parking lot in this unprecedented election. Stapler felt that it was Covid that motivated people to vote early and by mail.

By the end of the evening all ballots received by mail in her office by November 3 and all other votes were counted and are available at <http://il-boone.pollresults.net>. Two races are yet undecided in Boone County and the deadline to receive mail-in ballots post marked November 3 or earlier is November 17th. At 3:00 p.m. on the 18th all ballots received that qualify will be counted and the final vote tallied. The two races are in County Board District 1 between Johnathan Van LAAR (R), David R. Wiltse (R) and Marilyn Spradling (D). Again, in District 3 Kathleen Clanin Brodhacker (R) and Jessica Muellner (D) where only 7 votes separates the two favoring Clanin Brodhacker.

620 known post-Nov. 3 mail in ballots remain and 44 provisional ballots. A provisional ballot is a ballot that is held until its qualification can be determined. Stapler said in most cases this resulted from a voter who requested a ballot but chose to vote in person. They are asked to sign an affidavit and the County Clerk's office will review the vote to make sure that only one vote is counted per person. Stapler said that in past years the county would hold only 3 or 4 provisional ballots in an election.

Staple said her office registered people to vote on election day in her office. One voting precinct misunderstood the processes and she personally went to the precinct at 6:30 in the morning on the 3rd to make sure everyone got to vote. And to top it off the Clerk was notified of a potential physical threat at a polling place but nothing developed out of it.



Mildred (Johnson) Salathe, 78, of Belvidere, IL passed away peacefully on November 2, 2020 in Rockford, IL. Mildred was born on September 14, 1942 to Clare and Hazel (Chamberlain) Johnson in Ft. Pierre, SD. She married her sweetheart, Leon Salathe, on December 7, 1963 in Ft. Pierre, SD. Mildred loved playing bingo, watching soap operas and game shows, and doing puzzle books. Most importantly, she loved spending time with her family, and she will be truly missed.

Mildred will be missed by her son, Tracy Salathe; daughter, Tammy Hall; brother, DuWayne Johnson; sister, Irene Green; 4 grandchildren, Daimen Salathe, Ashley Fouks, Amanda Kempke, and Makayla Hall; 2 great-grandchildren, Reyce Kempke and Jaymeson Fouks; and son-in-law, Will Kempke.

She was preceded in death by her parents, Clare and Hazel Johnson; husband, Leon Salathe; and siblings, Martha Lane, Clarence Johnson, Ellie Johnson, and Marvin Johnson.

The walk-through visitation will be from 9:00 a.m. to 10:45 a.m., Saturday, November 21, 2020 at Anderson Funeral and Cremation Services, 218 W. Hurlbut Ave., Belvidere, IL, 61008. The memorial service will be private with a live streaming of the service at 11:00 a.m., Saturday, November 21, 2020. Memorial contributions in Mildred's name may be gifted to the family to establish a memorial at a later date. To leave the family a memory, please visit www.AndersonFCS.com.



Carl Greenwood

Veterans Day 2020

Remembering the 'frozen Chosin' – a deadly retreat that was also a proud moment in Marine Corps history

By Dr. Mark DePue

For many of us, the Korean War is truly a 'forgotten war,' lost to our consciousness between America's triumph in World War II and the tragedy of the Vietnam War. But for the last two decades the Korean peninsula has once again caught our attention, chiefly because of the incessant saber rattling by one of the newest nuclear powers, North Korea, led by the world's most enigmatic leader, Kim Jong-un.

With that in mind, it is worth remembering the Marine Corps' desperate fight in late 1950 at the Chosin Reservoir, deep inside North Korea. Carl Greenwood, a young Marine with the First Marine Division, was there, fighting in bitter cold as the Marines and U.S. Army troops were overwhelmed by a flood of Chinese soldiers. The Marines were forced to withdraw, but with such valor that the Chosin Reservoir is heralded as one of the Marine Corps' finest moments.

Greenwood was only 19 in 1950, a young kid from the river town of Havana, Ill., where his

father hunted and fished in order to keep food on the table. Greenwood followed his dream and joined the Marines in 1947.

The Korean War began in June 1950 when Kim Il-sun, Kim Jong-un's grandfather, unleashed the North Korean Army in an attempt to unite the Korean peninsula under communist rule. The United States rushed troops to the port city of Pusan and with the aid of the United Nations, halted the Communists just short of their goal. Then came the Marines' surprise landing at Inchon, followed by the UN's drive deep into North Korea toward the Yalu River and the border of China. By the end of November, the Marines had reached the Chosin Reservoir.

Greenwood was assigned as a machine gunner in his unit's heavy machine gun platoon. His weapon was a water cooled .30 caliber machine gun they named Beulah. Their mission: dig in at Koto-ri and guard the road connecting the lead Marine and Army units a few miles north at the Chosin Reservoir with the Korean port city of Hungnam.

But then came one of the worst intelligence failures in American history. The Chinese launched a massive offensive on Nov. 27 with hundreds of thousands of seasoned troops, veterans of the Chinese Civil War, who caught the Americans flat footed. They quickly surrounded the UN forces at the Chosin and along the entire length of the road, cutting it in several places.

Greenwood remembers one night vividly. It was bitter cold, and he and his squad mates were fighting a losing battle to stay warm.

"We had a cup of cocoa out of the C rations," he explained during an interview with the Oral History Program at the Abraham Lincoln Presidential Library and Museum. "That cocoa tasted pretty good. ... Just before dark, before we settled in—we're just finishing off this little cup of cocoa and Lucas said, 'I thought I heard a bugle.' And I said, 'Well, I know darn well I did.'"

"The bugle blew and here they come, screaming, hollering. Well, they walked into a pair of heavy machine guns down on that flat ground." Before it was done, recalled Greenwood, some 300 Chinese lay in the snow.

That was only the beginning of a desperate fight against a relentless foe, fought in the rugged North Korean terrain where temperatures dropped as low as 40 below zero.


"It was a combination of hell," said Greenwood. "It's bad enough just trying to survive during that condition. ... That cold weather just plays on you."

"You're sleeping on the ground, and it's just a gradual deterioration of your body," he continued. "... And then when the people are shooting at you at the same time, it's a nightmare. But when you look around, you see your other guys doing the same thing, and if they can do it, you know, by God, you can do it."

Greenwood and his buddies kept their sector of the road open, then fought their way south along with the rest of the UN forces, with the Marines

Obituaries

- Benzel, Donald, 70, Belvidere, November 2
- Erickson, Paul, 88, Belvidere, October 31
- Gibbs, Donald, 50, Belvidere, October 27
- Hanson, James, 97, Poplar Grove, November 5
- Keating, Dawn, 58, Belvidere, November 1
- Kohley, Kenneth, 81, Garden Prairie, Nov. 5
- Peterson, Patrick, 69, Belvidere, November 5
- Rickelman, Evelyn, 77, Belvidere, November 8
- Mildred (Johnson) Salathe, 78, Bel, Nov. 2



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Publisher/Editor Senior Writer/Editorial Advertising Photography Office	David C. Larson Charles Herbst Bethany Staniec Susan Moran Amanda Nelson
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David Grimm April 1938 - Dec. 2000
Richelle Kingsbury Aug. 1955 - June 2013

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Each week, the Journal seeks to present a variety of voices.
Letters. Every attempt will be made to print all letters received with the exception of those that are libelous or obscene. Letters should be signed and include an ID or phone number, so that we can contact the author prior to publication to verify authenticity.
Guest columns. Community leaders are encouraged to submit guest columns consistent with our editorial guidelines for possible inclusion in the Journal.
Opinions. The opinions expressed in the Journal are those of their authors and do not necessarily reflect the opinions of The Boone County Journal management or ownership.


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taking their casualties and their equipment with them. Over 2,900 Americans died during the battle, and thousands more were wounded. Another 7,000 Marines suffered cold weather injuries, including Greenwood, who ended up with a case of "walking pneumonia." His lungs have been scarred ever since.

"I'm not a hero," Carl stated at the end of his interview. "I didn't do anything that anybody else didn't do." The Marine Corps takes a different view, however. They consider the fight at the Chosin Reservoir to be one of their finest moments, a heroic stand against overwhelming odds.

Mark DePue is the Director of Oral History at the Abraham Lincoln Presidential Library and Museum. You can hear Carl Greenwood's entire story, as well as hundreds of other veterans, at the program's web site at www.oralhistory.illinois.gov.

In our 25th year publishing

through his crowd of supporters, shook his hand and congratulated him," former Gov. Jim Edgar told me Monday. "I didn't really want to do it, but I knew it was the right thing to do."

After the divisiveness of an election, supporters of the opposing candidates need to be brought together to work toward a common good, Edgar said.

"They don't have to like each other. But civility is an important part of our political process. You can't call someone a 'crook' and expect they will be willing to work with you," he said.

Civility is the grease that keeps the gears of democracy moving.

Former state Sen. Denny Jacobs, an East Moline Democrat, says such acts are becoming less common.

"I lost two elections during my time in politics. Both times I conceded. One time was to Pat Quinn when we both ran for (the Democratic nomination for) Secretary of State. I called him up and congratulated him. He told me I never should have run. I told him, 'Watch it, Pat. I'm the guy whose ass you just kicked.' ... I never have had much use for him. But that doesn't mean we can't be civil."

Jacobs added most of the candidates he defeated during his decades in politics never called him to concede.

When I was in graduate school at what is now the University of Illinois-Springfield, my political science professor Jack Van Der Slick compared the ballot box to Communion within the church.

It's an intimate act that makes one part of a greater whole.

But when a president denigrates the foundation of American democracy, a fair and free election, we have reason for concern because it undermines who we are as a people.

And President Donald Trump is challenging the apparent outcome of the election in court by alleging voter fraud.

If there is evidence of widespread fraud, the president should present it. But so far, the evidence to support his claims have been at best underwhelming.

I might add that while the president has the right to go to court, one can question its advisability.

Edgar noted that in the 1960 presidential election, Richard Nixon declined to demand recounts in Illinois and Texas despite rumors of voting irregularities because he thought it would be a bad thing to put the nation through.

Former Illinois Congressman and

U.S. Transportation Secretary Ray LaHood said he anticipates Trump will concede soon.

"Republican leaders are going to him and telling him it's time to concede. In the end, he'll do the right thing. It was a hard-fought race, but now it's time to move on," he said.

He added he anticipates that President Trump will participate in Biden's inauguration.

"With COVID, I doubt it will be a traditional inauguration with crowds of thousands and hundreds of people on the platform," he said. "But, yes, I anticipate President Trump will be there."

Both Edgar and LaHood are Republicans who supported Biden.

Edgar said Trump's unsubstantiated claims of a "rigged election" are harmful to the nation.

"Some of his supporters are going to believe that claim and if they do, it diminishes the legitimacy of the next president."

OP ED

Concede

By Scott Reeder

A candidate concession speech is an important rite in a democracy that is done not for the benefit of the winner or the loser but as a means of honoring the voters and our system of government.

Sometimes the speech is done at a podium before a crowd, but more often than not it happens with the loser calling the winner with a word of congratulations.

"I remember running for the legislature when I was 28 years old and losing. I thought my political career was over, but I walked over to the courthouse, where my opponent was. I walked

Quidnunc



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"The Gong Show"

BY ORDER OF THE DEPARTMENT OF NATURAL RESOURCES
Colleen Callahan, Director
DEPARTMENT OF NATURAL RESSOURCES
OFFICE OF REALTY & CAPITAL PLANNING
DIVISION OF REAL ESTATE SERVICES & CONSULTATION
NOTICE OF SEALED BID PROPOSALS FOR FARM LEASING

Sealed bids for farm leasing will be accepted by the Department of Natural Resources for agriculture lease, consisting of approximately 97 acres respectfully. The acreage is located near the Rock Cut State Park, forms and related information will be discussed at a Mandatory Vendor Conference to be conducted by the Department of Natural Resources at the rock Cut State Park Office at 7218 Harlem Road, Loves Park, Illinois 61111 on November 23, 2020 at 2:00 p.m.

Prospective bidders will need to download and print the necessary forms from the Bid-Buy website at www.bidbuy.illinois.gov prior to the vendor conference. Plan to arrive early for assistance in registering on Bid-Buy or register prior to the meeting online at www.bidbuy.illinois.gov. Masks are required and vendors must practice social distancing.

Bids and supporting documents are due on December 8, 2020 by 2:00 p.m. to: Department of Natural Resources, Attn: Leigh Ann Henline, Fiscal/Procurement, One Natural Resources way, Springfield, IL 62702.

Bids will be opened on December 8, 2020 at 2:00 p.m. via Webex. The farm lease shall be awarded to the responsive, responsible, qualified bidder with the highest price.

The State of Illinois, Department of Natural Resources, shall not unlawfully discriminate based on race, color, sex, national origin, age or handicap in admission to, or treatment or employment in, programs or activities.

The Department of Natural Resources reserves the right to reject any or all proposals. For more information visit <https://www2.illinois.gov/dnr/CLM/Documents/AgLeaseWebsite.pdf>

An Independent Look at the Unemployment Insurance Problem in Illinois

By David Jackson

Better Government Association.
bettergov.org

Gov. J.B. Pritzker held off filling top vacancies at Illinois' unemployment office because he was planning to merge it with another state department. Then COVID-19 upended the nation.

In March, as authorities shut down businesses and schools and two million Illinois workers applied for jobless benefits, the state Department of Employment Security was already at one of its weakest moments in recent history, records and interviews show.

Agency staffing was at an "all-time low," according to its then-acting director. Veteran employees were retiring in droves to be replaced by rookies. And when key jobs were filled it was sometimes with political aides who had little or no agency experience.

Before the national health crisis, Illinois had been ranked among national leaders for speedy delivery of unemployment benefits.

Suddenly, IDES plunged to being among the worst in the nation on several key performance measures. In the months since, as problems have persisted, the administration has offered a range of explanations for its inability to handle the surge of claims.

Continued on Page 4

Charles Herbst

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- IRS Representation
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Insurance *Continued from page 3*

Pritzker has blamed his Republican predecessor for hollowing out IDES and leaving the agency with inadequate staff and outdated technology. And he has criticized President Trump for “unfair” and chaotic rollouts of federal unemployment benefits.

But government records and interviews offer a more complex portrait, and reveal the frenzy inside an agency diminished by staff vacancies at every level in the first 18 months Pritzker was in charge — even before the crisis:

- In recent months, IDES has issued around 1% of its unemployment checks within seven days of the initial applications, making it the slowest state in the nation by that measure. Before the pandemic, it was among the fastest.

- In June, the overwhelmed and understaffed agency told a senate oversight panel, in writing, that it moved jobless claims that came through elected officials to “the front of the line” over applications that came directly from taxpayers, the BGA found.

- On some key federal measurements for processing unemployment claims, IDES performed better during the pandemic than other big states or than the nation as a whole. But Illinois failed to meet standards in five of 10 performance measures collected by federal authorities, ranging from timely benefits distribution to the soundness of internal audits that detect fraud and underpayments.

Deputy Governor Dan Hynes acknowledged the agency had problems, but said unfilled leadership positions at IDES had little impact.

“There was not instability at the top,” Hynes said in an interview. “I think what was lacking was everything underneath there. “There was great attrition in the rank-and-file employees who were at the front lines of services. There was outdated technology, a lack of investment in technology that had occurred over the last 10 years. That’s really what was lacking.”

Hynes said IDES worked “under incredible stress” to pay out a staggering \$14.2 billion in benefits to 2.1 million Illinois claimants from March through August.

Pritzker this summer named Kristin Richards, a former chief of staff to two Democratic state senate presidents, the new acting director at IDES.

“More so than anything, I feel a responsibility to try and bring some stability for claimants, find some stability for people that are attempting to reach us,” Richards said.

From best to worst

Before the pandemic, Illinois had been paying about 80% of initial unemployment claims within seven days.

That quick payout rate plummeted to around 1% and held there through September, putting Illinois last among states on this timeliness

measure, according to new data from the federal labor department.

IDES told the BGA these quick payments slowed because Illinois — like many states — waited one week before starting the clock prior to the pandemic.

After the crisis, Illinois and 36 other states cut out the “waiting week” in an effort to get more money out quickly. But agency officials offered no explanation why Illinois performed so much worse than all other states, including those that waived the waiting week.

Federal guidelines require states to pay out nearly 90% of all initial unemployment checks within 21 days. On that 21-day measure Illinois also fell short by distributing only 61%, but still performed better than most states.

Still, every day matters to laid-off Illinois workers, said Richards, the IDES acting director.

“There is no standard for seven days,” Richards said. “I agree with you it is important to claimants. Every day is important to claimants.”

‘This is not good’

Illinois was first among states to begin paying out the initial \$600-per-week Federal Pandemic Unemployment Compensation payments on April 6, records show.

But that early success quickly became a footnote as IDES was overwhelmed with 519,269 new claims for regular unemployment benefits that month — more than 10 previous Aprils combined — and federal authorities poured \$500 billion in crisis relief into an alphabet soup of new and existing programs for laid-off workers.

Illinois became the 44th state to apply for the \$300-per-week “Lost Wage Assistance” benefit: While most states deployed that program in August, Illinois did not start making payments until September 4, records show.

It was not among the 27 states that offered workers partial benefits when their employers reduced hours instead of laying them off.

IDES told the senate oversight panel in August it decided against that benefit because its staff was “stretched thin.” Illinois also trailed all but seven states in processing the federal Pandemic Unemployment Assistance to independent contractors and “gig workers.”

Illinois did not begin processing PUA payments until May 11, and didn’t start paying until a week later. Government emails detail the pressure inside IDES as Illinois’ PUA program was rolled out.

“Folks - I am counting on you to launch the independent contractor unemployment system ASAP and no later than May 11,” Pritzker wrote to then-IDES Acting Director Thomas Chan and Hynes at 7:43 a.m. on May 4. “Can you confirm that will happen? JB.”

IDES hustled to update its policies and computer code, and minutes before midnight on May 10 Chan emailed Hynes that he did a test run by filing a small sample of claims.

“Minor hiccups but no show stoppers,” Chan wrote.

Within minutes of Illinois’ PUA system going live the next morning, Hynes conducted his own test.

“I called the 800 number. Hit the correct prompts for PUA,” Hynes wrote in an email to Chan at 8:01 a.m.

An automated voice told Hynes there was a high volume of calls, then hung up on him, Hynes emailed.

“It’s not even 830,” Hynes wrote. “This is not good.”

Front of the line

Amid the chaos, IDES fell so far behind in processing claims that it triaged cases by prioritizing people referred by local politicians, the BGA found.

In a June 5 report to the bipartisan Senate oversight panel, IDES responded to questions about the lack of uniformity in how unemployment claims are handled.

“Claimants continue to call IDES in addition to their elected officials,” the report said. “Therefore, often, even though we move an elected official’s constituent to the front of the line, the constituent has often already been able to get through to the call center.

“We will continue to pull our staff out of the call center to call claimants sent to us by an elected official,” that report added.

In an email to the BGA, Pritzker spokeswoman Jordan Abudayyeh called the IDES practice of responding to claims referred by elected officials “an attempt for the Department and its employees to help as many people as possible at a time when there was no structure in place.”

Staffing levels hit ‘all-time low’

Illinois’ struggle to roll out the new federal benefits came amid staffing shortfalls at every level of IDES.

Chan was a placeholder pending the governor’s merger plans. And there were months-long vacancies in the deputy director and audit positions.

On March 14, 2020 — as Pritzker was closing Illinois schools and limiting gatherings to no more than 50 people — Chan sent Hynes an urgent email:

“I need permission to fill IDES’ Chief Operating Officer position as soon as possible,” Chan wrote. “Please know that I’m doing everything in my power to get you what is needed. But I need some help.”

Beyond leadership vacancies, rank-and-file numbers also were dropping.

Under Democratic Gov. Pat Quinn, the agency headcount plummeted from almost 2,000 to around 1,300 when Republican Gov. Bruce Rauner took over in 2015. By this April, that number had slipped to 1,041.

“Heading into this downturn, our baseline staffing numbers, the employees hired to operate our programs and meet minimum federal performance standards, were, despite our best efforts, at an all-time low,” Chan told the state’s Employment Security Advisory Board.

What’s more, experience had been drained from the agency. Managers “are serving in multiple roles and performing the work of multiple employees,” Chan added.

A Christmas tree on fire

Illinois’ difficulties were reflected in score cards required by the federal labor department, which ranks states for the promptness of payments, the effectiveness of audits and other agency functions.

States indicate adequate performance or something less by labeling each part of reports with a green or red mark. IDES veterans call this chart “the Christmas tree.”

Asked for the state’s scorecard data through June, Pritzker administration officials declined:

“The Christmas tree is a document put together for internal purposes only and is not available for public consumption,” IDES spokeswoman Rebecca Cisco told the BGA in an email.

The BGA, however, obtained a copy of that report. It shows Illinois failed five of 10 performance measures.

This story was produced by the Better Government Association, a nonprofit news organization based in Chicago.

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Community News & Events

In our 25th year publishing

The Boone County Journal November 13, 2020 5

Illinois Tollway Announces 10th Annual Student Art Contest: The 2021 Tollway Map Cover Art Contest rules and all required entry forms are posted on the Tollway's website at www.Illinoistollway.com

Vacancies of the Boone County Volunteer Board:

Term Expires Length of Term

Boone County Board of Review
June 1, 2021 Remainder of Term

Boone County Conservation District
June 30, 2023 Remainder of Term

Commissioners of the Housing Authority
January 1, 2025 (5) Year Term
January 1, 2023 (5) Year Term

Fire Protection District #3
July 20, 2023 (3) Year Term
July 20, 2023 (3) Year Term

Regional Planning Commission
December 31, 2020 Remainder of Term
December 31, 2021 Remainder of Term

Boone County Ethics Commission
June 30, 2021 (1) Year Term

Interested parties are asked to send a letter and/or resume expressing your interest and qualifications along with your contact information to Boone County Board Chairman Karl Johnson, Administration Campus, 1212 Logan Ave., Suite 102, Belvidere, IL 61008. Please respond by November 1, 2020 to assure being considered.

C-SPAN'S 17th Annual Studentcam Video Competition: Mediacom and C-SPAN announce the start of this year's annual student documentary competition and encourage middle school and high school students to participate in the video documentary competition known as "StudentCam." Students are asked to create a short video documentary and submit it online between November 1, 2020 and January 20, 2021.

This year, the new topic for 2021 submissions is "Explore the issue you most want the president and new Congress to address in 2021." Students are asked to analyze the current and/or historical significance of their chosen issue and include differing points of view. Participants present their views by creating a short video documentary, five to six minutes in length. Students can work in teams or individually to create their videos.

Cash prizes of up to \$100,000 in total will be awarded to winning documentaries. Winners will be announced in March 2021 and the top-rated videos will be televised on C-SPAN in April 2021. Complete competition details and entry forms are available on the C-SPAN StudentCam website <http://www.studentcam.org>.

Community Building Complex Committee Regular Board Meeting: Thursday November 19, 2020 at 5:00 p.m. in the Community Building Board Room.

Community Building Complex Finance, Rules & Regulations and Building & Grounds Committee Meeting: Tuesday, December

1, 2020 at 11:45 a.m. at The Boone County Community Center.

Genoa Area Chamber of Commerce Holiday Light Show: Illuminate Genoa and show your holiday spirit! Judging will take place on Monday, December 14, 2020 from 6:00 PM to 8:00 PM. All homes must be registered by December 7, 2020 and must have a Genoa address to participate in the contest. Register your home by emailing your name, address and phone number to info@genoaareachamber.com

Lawmakers Eye Limits on Qualified Immunity for Law Enforcement

Witnesses testify on consequences of keeping or ending qualified immunity

By **RAYMON TRONCOSO**
Capitol News Illinois | Report For America

State legislators are considering eliminating or limiting aspects of qualified immunity for law enforcement.

Qualified immunity isn't an explicit federal statute or law but a legal doctrine established in its current form by the U.S. Supreme Court in the 1982 case *Harlow v. Fitzgerald* which grants government officials immunity from civil suits in the course of their duties. It is most often used in cases of alleged police misconduct or brutality.

At a joint hearing of the Senate Criminal Law and Public Safety committees on Thursday, lawmakers heard testimony from legal experts, law enforcement and municipal officials on the impact of qualified immunity and its potential

removal. The committee also discussed officer liability and amendments to the Uniform Peace Officers' Disciplinary Act.

State Sen. Robert Peters, D-Chicago, co-chaired the hearing.

"Qualified immunity is often used as justification for excessive force and other forms of police misconduct," Peters said in a release after the hearing. "If officers had to worry about facing consequences from their actions, maybe they would think twice before brutalizing our communities. We cannot and will not win real safety and justice until police officers are able to be held accountable for their actions."

In order to lose qualified immunity, officers must violate "clearly established statutory or constitutional rights of which a reasonable person would have known."

Supreme Court scholar Carolyn Shapiro, who has argued cases in the state and federal supreme courts, testified to lawmakers that this standard has meant that unless a nearly identical case of police misconduct has previously appeared before a court, officers could not have reasonably known their misconduct was violating the rights of the plaintiffs.

"Increasingly courts require more and more precise identity between the allegations that the plaintiffs are making and the pre-existing cases," Shapiro said.

Shapiro offered two examples to the joint committee of when the lack of precedent has led to officers being shielded from civil liability for their misconduct.

The first was a case in the 9th U.S. Circuit Court of Appeals in which officers serving a search warrant in 2013 removed more than \$200,000 of the homeowner's possessions and underreported what was seized, allegedly keeping the difference for themselves. In subsequent litigation, the

Continued on Page 8

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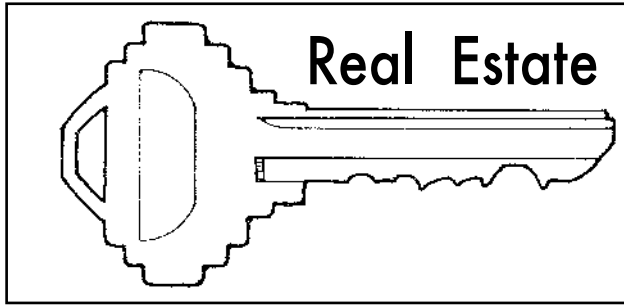
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IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
 COUNTY OF BOONE - BELVIDERE, ILLINOIS
 MIDFIRST BANK;
 Plaintiff,
 vs. 19 CH 150
 SHANE M. KOVACH; KAYLYNNE KOVACH; THE UNITED STATES OF AMERICA, SECRETARY OF HOUSING AND URBAN DEVELOPMENT; UNKNOWN OWNERS AND NON RECORD CLAIMANTS; MILESTONE MORTGAGE SOLUTIONS, INC.; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ITS SUCCESSORS AND ASSIGNS;
 Defendants,
 NOTICE OF SALE
 PUBLIC NOTICE is hereby given that pursuant to a Judgment of Foreclosure entered in the above entitled cause Intercounty Judicial Sales Corporation will on Thursday, December 3, 2020, at the hour of 12:15 p.m. inside the front entrance of the Boone County Courthouse, 601 North Main Street., Belvidere, Illinois 61008, sell to the highest bidder for cash, the following described mortgaged real estate:
 Commonly known as 1035 Maple Avenue, Belvidere, IL 61008. P.I.N. 05-35-276-016.
 The improvement on the property consists of a single family residence. If the subject mortgaged real estate is a unit of a common interest community, the purchaser of the unit other than a mortgagee shall pay the assessments required by subsection (g-1) of Section 18.5 of the Condominium Property Act.
 Sale terms: 10% down by certified funds, balance within 24 hours, by certified funds. No refunds.
 The property will NOT be open for inspection.
 For information call Sales Department at Plaintiff's Attorney, Manley Deas Kochalski, LLC, One East Wacker Drive, Chicago, Illinois 60601. (614) 220-5611. 19-036040 F2
 INTERCOUNTY JUDICIAL SALES CORPORATION
 intercountyjudicialsales.com
 13158611
 Published in *The Boone County Journal* Oct 30; Nov 6, 13, 2020

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
 COUNTY OF BOONE - BELVIDERE, ILLINOIS
 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, IN TRUST FOR REGISTERED HOLDERS OF LONG BEACH MORTGAGE LOAN TRUST 2006-WL1, ASSET-BACKED CERTIFICATES, SERIES 2006-WL1 Plaintiff,
 vs. 19 CH 22
 MIGUEL ALVARADO; MICHELE HENRY; Defendants,
 NOTICE OF SALE
 PUBLIC NOTICE is hereby given that pursuant to a Judgment of Foreclosure entered in the above entitled cause Intercounty Judicial Sales Corporation will on Thursday, December 10, 2020, at the hour of 12:15 p.m. in the office of inside the front entrance of the, Boone County Courthouse, 601 North Main Street., Belvidere, Illinois 61008, sell to the highest bidder for cash, the following described mortgaged real estate:
 Commonly known as 11065 MEADOWLARK LANE, BELVIDERE, IL 61008.
 The improvement on the property consists of a single family residence. If the subject mortgaged real estate is a unit of a common interest community, the purchaser of the unit other than a mortgagee shall pay the assessments required by subsection (g-1) of Section 18.5 of the Condominium Property Act.
 Sale terms: 10% down by certified funds, balance within 24 hours, by certified funds. No refunds. The property will NOT be open for inspection.
 For information call Mr. Ira T. Nevel at Plaintiff's Attorney, Law Offices of Ira T. Nevel, 175 North Franklin Street, Chicago, Illinois 60606. (312) 357-1125. File Number 19-00516
 INTERCOUNTY JUDICIAL SALES CORPORATION
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 Published in *The Boone County Journal* Nov 6, 13, 20, 2020

LEGAL NOTICES

Foreclosures

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
 COUNTY OF BOONE - BELVIDERE, ILLINOIS
 MIDFIRST BANK;
 Plaintiff,
 vs. 19 CH 150
 SHANE M. KOVACH; KAYLYNNE KOVACH; THE UNITED STATES OF AMERICA, SECRETARY OF HOUSING AND URBAN DEVELOPMENT; UNKNOWN OWNERS AND NON RECORD CLAIMANTS; MILESTONE MORTGAGE SOLUTIONS, INC.; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ITS SUCCESSORS AND ASSIGNS;
 Defendants,
 NOTICE OF SALE
 PUBLIC NOTICE is hereby given that pursuant to a Judgment of Foreclosure entered in the above entitled cause Intercounty Judicial Sales Corporation will on Thursday, December 3, 2020, at the hour of 12:15 p.m. inside the front entrance of the Boone County Courthouse, 601 North Main Street., Belvidere, Illinois 61008, sell to the highest bidder for cash, the following described mortgaged real estate:
 Lot Six (6) in Block Two (2) of A.H. Allen's Re-Survey of the city of Belvidere, as platted and recorded in the Recorder's Office of Boone County, Illinois, situated in Boone County, State of Illinois.
 Commonly known as 1035 Maple Avenue, Belvidere, IL 61008. P.I.N. 05-35-276-016.
 The improvement on the property consists of a single family residence. If the subject mortgaged real estate is a unit of a common interest community, the purchaser of the unit other than a mortgagee shall pay the assessments required by subsection (g-1) of Section 18.5 of the Condominium Property Act.
 Sale terms: 10% down by certified funds, balance within 24 hours, by certified funds. No refunds.
 The property will NOT be open for inspection.
 For information call Sales Department at Plaintiff's Attorney, Manley Deas Kochalski, LLC, One East Wacker Drive, Chicago, Illinois 60601. (614) 220-5611. 19-036040 F2
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IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
 COUNTY OF BOONE - BELVIDERE, ILLINOIS
 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, IN TRUST FOR REGISTERED HOLDERS OF LONG BEACH MORTGAGE LOAN TRUST 2006-WL1, ASSET-BACKED CERTIFICATES, SERIES 2006-WL1 Plaintiff,
 vs. 19 CH 22
 MIGUEL ALVARADO; MICHELE HENRY; Defendants,
 NOTICE OF SALE
 PUBLIC NOTICE is hereby given that pursuant to a Judgment of Foreclosure entered in the above entitled cause Intercounty Judicial Sales Corporation will on Thursday, December 10, 2020, at the hour of 12:15 p.m. in the office of inside the front entrance of the, Boone County Courthouse, 601 North Main Street., Belvidere, Illinois 61008, sell to the highest bidder for cash, the following described mortgaged real estate:
 LOT FORTY (40) AS DESIGNATED UPON THE PLAT OF BEVER-KREEK, A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 44 NORTH, RANGE 3 EAST OF THE THIRD PRINCIPAL MERIDIAN, THE PLAT OF WHICH IS RECORDED AS DOCUMENT NO. 3591 IN THE RECORDER'S OFFICE OF BOONE COUNTY, ILLINOIS. SITUATED IN THE COUNTY OF BOONE AND THE STATE OF ILLINOIS. P.I.N. 05-03-376-005.
 Commonly known as 11065 MEADOWLARK LANE, BELVIDERE, IL 61008.
 The improvement on the property consists of a single family residence. If the subject mortgaged real estate is a unit of a common interest community, the purchaser of the unit other than a mortgagee shall pay the assessments required by subsection (g-1) of Section 18.5 of the Condominium Property Act.
 Sale terms: 10% down by certified funds, balance within 24 hours, by certified funds. No refunds. The property will NOT be open for inspection.
 For information call Mr. Ira T. Nevel at Plaintiff's Attorney, Law Offices of Ira T. Nevel, 175 North Franklin Street, Chicago, Illinois 60606. (312) 357-1125. File Number 19-00516
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 Published in *The Boone County Journal* Nov 6, 13, 20, 2020

Public Notices

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL DISTRICT
 BOONE COUNTY, ILLINOIS, In Probate
 IN RE THE ESTATE OF: MARILYN A. DEMING, deceased
 Case No. 2020 P58
 CLAIM NOTICE
 TO: CREDITORS AND CLAIMANTS
 1. Notice is hereby given of the death of MARILYN A. DEMING who died on May 18, 2020 at OSF St. Anthony Medical Center, Rockford, Illinois.
 2. Letters of Office were issued on September 17, 2020 to the Executor of the estate, ROBERT J. DEMING whose address is 2633 W. Medill Ave., Chicago, IL 60647.
 3. The attorney for the estate is Paul J. Huber, 226 Lake Summerset Rd., Davis, IL 61019
 4. The estate will be administered without court supervision unless under Section 28-4 of the Probate Act (755 ILCS 5/28-4) any interested person terminates independent administration at any time by filing a petition to terminate with the Clerk.
 4. Claims against the estate may be filed with the Office of the Clerk of the Circuit Court at 601 N. Main St., Belvidere, IL 61008 or with the Representative, or both, on or before May 3, 2021, which date is not less than 6 months from the date of the first publication of this notice and any claim not filed within that period is barred. Any claim not filed by the requisite dated stated above is barred. Copies of a claim filed with the Clerk must be mailed or delivered to the Representative and to the attorney with 10 days after it has been filed.
 Paul J. Huber, attorney for Robert J. Deming
 Name: Paul J. Huber
 Attorney for: Robert J. Deming
 Address: 226 Lake Summerset Rd. Davis, Illinois 61019
 Phone: (815) 248-4000
 Fax: (866) 529-9977
 Email: paulhuberlaw@gmail.com
 Attorney No. 06192970
 Published in *The Boone County Journal* Oct 30; Nov 6, 13, 2020

Assumed Names

ASSUMED NAME CERTIFICATE OF INTENTION
 STATE OF ILLINOIS
 COUNTY of BOONE
 This is to certify that the undersigned intend to conduct and transact a protein and tea bar business in said County and State under the name of Flo Nutrition at the following post office address: 419 Ste. B S. State Street, Belvidere, IL 61008 that the true and real full names of all persons owning, conducting or transacting such business, with respective residence address of each, are as follows: Sarah Flores, 677 Southtowne Dr., Belvidere, IL 61008 and Robert Flores, 677 Southtowne Dr., Belvidere, IL 61008; phone # 815-670-4244
 Subscribed and sworn (or affirmed) to before me, this 6th day of November, A.D. 2020
 Julie Stapler, County Clerk
 Published in Boone County Journal November 13, 20, 27

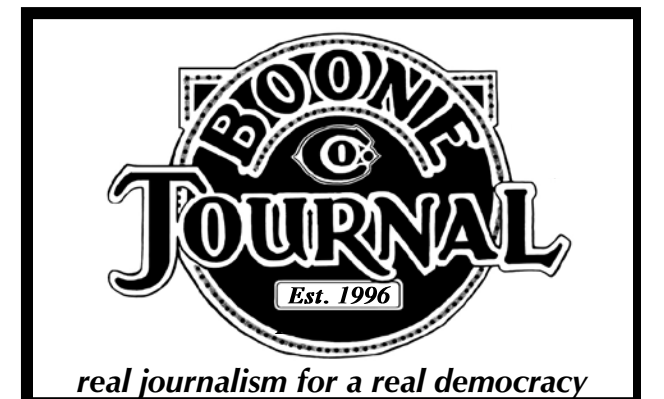
ASSUMED NAME CERTIFICATE OF INTENTION
 STATE OF ILLINOIS
 COUNTY of BOONE
 This is to certify that the undersigned intend to conduct and transact a installation of roofing business in said County and State under the name of Beiza's Roofing at the following post office address: 436 Biester Drive, Belvidere, IL 61008 that the true and real full names of all persons owning, conducting or transacting such business, with respective residence address of each, are as follows: Horacia Beiza, 436 Biester Drive, Belvidere, IL 61008; phone #815-221-7186
 Subscribed and sworn (or affirmed) to before me, this 20th day of October, A.D. 2020
 Julie Stapler, County Clerk
 Published in Boone County Journal November 13, 20, 27

ASSUMED NAME CERTIFICATE OF INTENTION
 STATE OF ILLINOIS
 COUNTY of BOONE
 This is to certify that the undersigned intend to conduct and transact a landscaping business in said County and State under the name of JMB Lawn Mowing & Service at the following post office address: 725 Starr Street, Belvidere, IL 61008 that the true and real full names of all persons owning, conducting or transacting such business, with respective residence address of each, are as follows: Jose Escobar, 725 Starr St., Belvidere, IL 61008; phone # 779-537-7935
 Subscribed and sworn (or affirmed) to before me, this 10th day of November, A.D. 2020
 Julie Stapler, County Clerk
 Published in Boone County Journal November 13, 20, 27

NOTICE OF PUBLIC HEARING
POPLAR GROVE PLANNING AND ZONING COMMISSION
 Notice is hereby given that the Village of Poplar Grove Planning and Zoning Commission will hold a public hearing on Wednesday, December 2, 2020 at 6:00 pm in the Village Board Room, 200 North Hill Street, Poplar Grove, Illinois, 61065 upon the following:
 The applicant and property owner, Capron Rescue Squad, 15878 Poplar Grove Road, Poplar Grove, IL 61065 is requesting a map amendment (rezoning) on approximately 8 acres of land from the GB, General Business District to the A-1, Agricultural/Rural District in accordance with the Poplar Grove Zoning Ordinance, Section 8-5-5 Map Amendment. The property is located at the southwest corner of Quail Trap and Poplar Grove Roads and is commonly known as 15878 Poplar Grove Road.
 The subject properties are legally described as:

Part of the Northeast Quarter of the Northeast Quarter of Section 13, Township 45 North, Range 3 East of the Third Principal Meridian, in Poplar Grove Township, Boone County, Illinois, beginning at an iron stake in the intersection of Poplar Grove Road and Quail Trap Road marking the Northeast corner of the Northeast Quarter of the Northeast Quarter of Section 13, Township 45 North, Range 3 East of the Third Principal Meridian in Poplar Grove Township, Boone County, Illinois; thence Westerly in Quail Trap Road along the North line of said Northeast Quarter of the Northeast Quarter of Section 13, at an angle of 89 degrees 02 minutes measured clockwise from the East line of said Northeast Quarter of the Northeast Quarter of Section 13, a distance of 352.0 feet to an iron stake; thence Southerly, parallel to the East line of said Quarter Quarter Section, at an angle of 90 degrees 58 minutes measured clockwise from the last described course, 976.0 feet to an iron stake; thence Easterly, parallel to the North line of said Quarter Quarter Section at an angle of 89 degrees 02 minutes measured clockwise from the last described course, 352.0 feet to an iron stake set in Poplar Grove Road, and being on the East line of said Quarter Quarter Section; thence Northerly in Poplar Grove Road and along the East line of said Quarter Quarter Section, at an angle of 90 degrees 58 minutes measured clockwise from the last described line, 976.0 feet to the Place of Beginning, all lying and being in the Northeast Quarter of the Northeast Quarter of Section 13, Township 45 North, Range 3 East of the Third Principal Meridian, situated in the County of Boone and State of Illinois. PIN: 03-13-200-005

All persons interested in the petitions may attend and be heard at the stated time and place.
 Jessica Roberts, Chairman,
 Poplar Grove Planning and Zoning Commission
 Published in *The Boone County Journal* Nov 13, 2020



A Public Notice is an important tool in assuring an informed citizenry; a conduit of information from the government to the public. Notices are mandated by legislatures to make sure there is a public window into the activities of governments, officers of the court and others holding a public trust. Among the most common types of public notices are: hearings, government budgets, notices of contract bids, foreclosures, probate notices, adoptions, and dissolution of marriages, name changes and assumed business names. There are four key elements to a public notice:

- Independent:** A public notice is published in a forum independent of the government, typically in a local newspaper.
- Archivable:** A public notice is archived in a secure and publicly available format.
- Accessible:** A public notice is capable of being accessed by all segments of society.
- Verifiable:** The public and the source of the notice can verify the notice was published, usually by an affidavit provided by the publisher.

Enabling an informed citizenry through newspaper public notices helped America to develop participatory democracy where it counts: where money is spent, policy is made and futures charted. Public notices by government and private parties are so tightly woven into the American fabric that many citizens may take them for granted. Located in easily found sections of the newspapers, public notices reach out to interested readers, leading them to opportunities. Voices are expressed on taxation, communities are formed around planned public improvements, and assets are saved from loss to unworthy creditors – all as a result of public notices.

Public Notice Network

Kane County Restaurant Loses Appeal Over COVID-19 Restrictions

FoxFire Restaurant will appeal decision to state Supreme Court

by Sarah Mansur Capitol News Illinois

An appeals court has handed down a favorable ruling to Gov. JB Pritzker in a legal challenge to his administration's restrictions on bars and restaurants to curb the spread of COVID-19.

The 2nd District Appellate Court overruled a Kane County judge's decision to temporarily block Pritzker's indoor dining ban from taking effect at the FoxFire Restaurant in Geneva.

The state court on Friday decided that Pritzker has the power under state law to issue successive disaster proclamations.

In an email, Kevin Nelson, one of FoxFire's attorneys, said his client plans to appeal the ruling to the Illinois Supreme Court, which could accept or decline to hear the case.

"It is obvious to say that FoxFire is disappointed with the appellate court's decision. Unfortunately, the 2nd District has decided to play politics rather than applying the statute. This case is about separation of powers, which the appellate court has missed completely. Instead, the justice authoring the opinion misstates law and fact," Nelson wrote in an email. "Needless to say, FoxFire will file their appeal to the Supreme Court of Illinois where they hope justice will be served – against the governor's overreach and for the ability of a local restaurant to continue to pursue its calling, safely."

A spokesperson for the Illinois Attorney General's Office, which represents Pritzker and the state Department of Public Health, said they are pleased with the decision.

"As the first appellate court to rule on the governor's authority, the 2nd District agreed that the law clearly gives the governor the authority to issue multiple and successive 30-day disaster proclamations and executive orders, and the governor's authority to respond to the pandemic with executive orders is not limited by the Public Health Act's quarantine and business closure provisions," the spokesperson said in an email.

However, the appellate court's order was issued under Supreme Court Rule 23 — which means the order cannot be cited as precedent in other cases, with limited exceptions, and applies only to this case.

The court dissolved the temporary restraining order and sent the case back to Kane County for "further proceedings consistent with this decision."

FoxFire filed a lawsuit in response to restrictions imposed last month in Region 8, which includes Kane and DuPage counties. Those restrictions, referred to as Tier 1 mitigations, include banning indoor service at bars and restaurants, and limiting capacity of gatherings to the lesser of 25 people or 25 percent of maximum occupancy.

Kane County Judge Kevin Busch's now overruled Oct. 26 decision to grant a temporary restraining order allowed the FoxFire Restaurant to ignore those restrictions.

On Monday, Pritzker announced that Region 8 will face Tier 2 mitigations, beginning on Wednesday, Nov. 11, as a result of the area's worsening COVID-19 test positivity rate over the past two weeks. Tier 2 mitigations impose a gathering cap of 10 individuals, rather than 25, and table caps of six rather than 10, when eating outside.

FoxFire's owners argued the state's prohibition on bars and restaurants from having indoor dining could not be enforced because the state Emergency Management Agency Act only gives

the governor the authority to issue a single 30-day disaster proclamation.

The owners also maintained that business closures enforced by the state must comply with the guidelines mandated under the state's Department of Public Health Act, and they claimed these guidelines were ignored.

In reversing Busch's ruling, the appellate court found "that nothing in (the Emergency Management Agency Act's) language precludes the governor from issuing multiple disaster proclamations — each with its own 30-day grant of emergency powers — arising from one ongoing disaster," according to the court's 17-page order.

The appellate court also referenced laws passed by the Illinois General Assembly during the spring session regarding the Illinois Emergency Management Agency Act.

According to the court, "in addition to the clear language of the (IEMAA), these statutes all confirm our conclusion that the Legislature intended to allow the governor to issue successive disaster proclamations stemming from an ongoing disaster."

The appellate court also rejected the argument that restrictions imposed on businesses related to COVID-19 must follow the Illinois Department of Public Health Act's quarantine and closure guidelines.

Pritzker's latest executive order did not impact the IDPHA "because it did not reference quarantine orders, isolation orders, or the business closure orders," the court wrote in its decision.

Veto Session Canceled Amid Worsening Pandemic

Republicans cry foul, question motives behind decision

*By PETER HANCOCK
Capitol News Illinois*

The fall veto session of the Illinois General Assembly that was scheduled to begin next week has been canceled amid a worsening COVID-19 pandemic, Democratic leaders announced this week, prompting Republicans to question the motives behind that decision.

House Speaker Michael Madigan and Senate President Don Harmon, both Democrats, said in a joint statement Monday that the decision was made out of concern for the safety of lawmakers, staff, their families and the general public, although they left open the possibility that it could be rescheduled if public health conditions improve.

"The front page in (Tuesday's) Springfield paper warns of a COVID 'tsunami' sweeping the region and its health care system," Harmon, D-Oak Park, said. "This is not the time to physically bring together hundreds of people from all around the state. Given what's happening, it was an obvious decision. It's not

safe or responsible to have a legislative session under these circumstances."

"The health and safety of the people who work for and serve in the Illinois General Assembly, and their respective families, is paramount," Madigan added. "We will continue to monitor the situation, consult medical experts and do intend to schedule additional session days so we can finish our important work."

Lawmakers typically hold a brief session in the fall to deal with any legislation from the regular session that was vetoed by the governor. This year's session was scheduled to run Nov. 17-19 and Dec. 1-3.

This year, however, there were no vetoes to deal with, largely because the regular session was severely shortened due to the pandemic, which reached its initial peak in April and early May. The House and Senate held a brief, four-day special session in late May, under strict masking and social distancing requirements, after it appeared the pandemic was subsiding.

Since early October, however, cases throughout the state have been rising sharply to levels exceeding those of the early pandemic phase, particularly in Region 3 of central Illinois, which includes the capital city. As of Nov. 7, the most recent data available, the rolling seven-day average test positivity rate in Region 3 stood at 15.2 percent and had risen in eight of the previous 10 days.

The decision to call off the veto session came at virtually the same time that Sangamon County and the city of Springfield — which had initially resisted Gov. JB Pritzker's enhanced mitigation orders — announced they would begin enforcing those orders on Friday, including closing bars and restaurants to indoor service.

Even though there were no pressing veto issues to deal with, the Illinois Legislative Black Caucus had hoped to use the veto session to advance its agenda of racial justice and equity reforms across a wide range of issues — an agenda that both Harmon and Madigan said they would support.

But Sen. Kimberly Lightford, D-Maywood, the Senate Majority Leader and chair of the ILBC, said those issues would have to wait until it is safe for the General Assembly to convene.

"We are still in the midst of a pandemic, and COVID-19 cases are surging across the state, making the risk too high for the General Assembly to gather at this time," Lightford said in a statement. "While we will not be able to pass legislation as soon as we hoped, the urgency to bring an end to systemic racism remains. The moment to put forth this critical agenda is now, and I know President Harmon and Speaker Madigan share our concerns and our commitment to making a difference."

The other significant issue pending before the General Assembly is the ongoing investigation into Madigan's role in a bribery scheme involving utility giant Commonwealth Edison. In response to a petition by House Republicans, a Special Investigating Committee was formed to determine whether there was sufficient evidence to commence disciplinary proceedings.

But that committee has only met twice, most recently on Sept. 29. After that meeting, the chair of the committee, Rep. Emanuel "Chris" Welch, D-Hillside, announced the committee would not meet again until after the Nov. 3 general election. He has since delayed proceedings indefinitely, saying the committee is waiting for ComEd officials to produce documents the panel has requested.

House rules still require that its committees meet and conduct business in person, and Republicans had hoped that the veto session would provide an opportunity for the Special Investigating Committee to resume its work. But the cancellation of the veto session prompted some GOP lawmakers to question the Democratic leaders' motives.

Continued on Page 8

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Reform

Continued from page 5

officers were granted qualified immunity on the grounds that there was no previous case or lawsuit that indicated the action would violate the homeowner's constitutional rights, Shapiro said.

The second example was a case in the 11th U.S. Circuit Court of Appeals in which a Georgia sheriff's deputy, while apprehending a criminal suspect during a chase that spilled onto private property where children were playing, held children at gunpoint. The deputy fired two errant shots at a dog belonging to one of the children, striking the 10-year-old owner of the dog once in the leg while he and the other kids laid face down on the deputy's orders.

The appellate court granted the deputy qualified immunity from civil suit from the boy's family on the grounds "that it was not clearly established it would be a constitutional violation to fire into a group of children," Shapiro said.

According to Shapiro, there are exceptions to the rules on qualified immunity in cases where "the facts are so egregious that they say any reasonable officer would recognize the constitutional violation."

The U.S. Supreme Court ruled on one such case Monday, *Taylor vs. Riojas*, denying qualified immunity to corrections officers who left an inmate in a cell covered in feces for days before leaving him naked for several more days in a different cell kept at frigid temperatures.

The high court overturned a decision by the 5th U.S. Circuit Court of Appeals, which originally had granted the correctional officers qualified immunity on the grounds they didn't have "fair warning" that their specific acts were unconstitutional."

Brad Cole, executive director of the Illinois Municipal League, testified before the joint committee Thursday that ending qualified immunity was not the answer to curtailing police brutality and enacting police reform.

"We are aware of a growing movement to abolish or limit qualified immunity, in part a reaction to widely publicized instances of police misconduct," Cole said. "While we're interested in exploring and possibly supporting aspects of policing reforms, the weakening or elimination of qualified immunity is something the Illinois Municipal League does not support."

According to Cole, ending qualified immunity would open up all government officials, not just police, to civil lawsuits, including those that are frivolous. Cole told lawmakers that taxpayers would ultimately foot the bill for frivolous lawsuits filed against city workers, county employees and police officers, which could create financial stresses for municipalities.

In written testimony submitted to the joint committee by IML, the organization called on the General Assembly to consider other methods of police reform brought up in previous hearings, such as limiting use of force, providing more departments with body cameras, establishing civilian review boards and statewide certification for officers.

Police Benevolent and Protective Association of Illinois Chief Legal Counsel Sean Smoot told lawmakers that most police officers and prosecutors don't even know they have qualified immunity, so ending it wouldn't prevent misconduct from bad actors.



"The solution is better training, more inclusion and more diversity within policing," Smoot said. "My promise to this committee is, on behalf of my members, we will sit in a room and have difficult conversations like this one in an effort to improve and try to perfect the criminal justice system and the role police play in it."

Addressing some of those claims, Shapiro cited the work of Joanna Schwartz, a UCLA law professor whose research covers qualified immunity.

According to Shapiro, Schwartz's research shows that municipalities already bear the costs of settling lawsuits and settlements for police misconduct, and ending qualified immunity would help transfer liability from municipalities and governments to individuals. Schwartz's work as cited by Shapiro also claims that ending qualified immunity would not negatively impact recruitment or retention of officers, or encourage officers to not fulfill their duties over fear of litigation.

Sen. Elgie Sims, D-Chicago, who also co-chaired the joint committee, addressed concerns and disputes between witnesses about the nature of the hearing and the reasons behind lawmakers' decision to take a critical look at qualified immunity.

"These are complicated issues, complicated questions. This is never intended to be an adversarial process. The process is one where we intend to find the best policy for the communities we all protect, represent and serve," he said.

In a news release sent Thursday, Sims emphasized the need for police reform and how it is necessary for lawmakers to consider all their options.

"You cannot quantify the loss of trust between communities and law enforcement," Sims said. "The ability to have a relationship between communities that is transparent, strong and built on trust is not a current reality, but it should be. These discussions are crucial to discover and implement meaningful solutions to rebuild trust between law enforcement and the people that they serve."

Thursday's joint hearing was prompted by the Illinois Legislative Black Caucus agenda which seeks "to end systemic racism in Illinois." Sims, Peters and other members of caucus have been discussing criminal justice reform, the economy, health care and education with the goal of introducing legislation during the veto session tentatively scheduled for Nov. 17-19 and Dec. 1-3.

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Veto

Continued from page 7

"We were able to meet safely in May in an environment that included testing, mask mandates, regular use of hand sanitizer, and more than ample room to practice social distancing," Rep. Amy Grant, R-Wheaton, said in a statement. "No one from the House, Senate or staff contracted COVID-19 during our session in May, so we know staff is capable of putting adequate safety precautions in place. Congress is meeting and there's no reason why we shouldn't be."

"I can't help but wonder if the cancellation has more to do with political unrest within the House Democratic caucus than it has to do with health and safety," Rep. Steve Reick, R-Woodstock, said in a separate statement. "I certainly hope that's not the case, because it would be a great injustice if Speaker Madigan has placed his political problems ahead of our ability to do the people's work during a scheduled veto session."

The 101st General Assembly officially comes to an end on Jan. 12, the day before the next session begins and newly-elected and reelected lawmakers are sworn into office. If the committee does not conclude its work before then, Republicans will have to petition again to form a new committee in the next General Assembly.

Democratic Gov. JB Pritzker, who had hoped to use the veto session to get legislative approval for significant budget cuts in the wake of the failure of his proposed graduated income tax amendment on Election Day, also expressed disappointment over the cancellation.

"There is so much work that needs to be done for the state, not just about the budget, but so many other matters, criminal justice reform being one example," he said at an event in Chicago Tuesday. "I'm the impatient sort. I want to get things done sooner rather than later. I've been assured by the leaders that we'll get right at it as soon as we can in January."

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Coronavirus	Flu	Allergies
<ul style="list-style-type: none"> • Fever • Dry cough • Shortness of breath • Fatigue • Chills • Muscle pain • Headache • Sore throat • New loss of taste or smell 	<ul style="list-style-type: none"> • Fever • Cough • Muscle aches • Fatigue • Headache • Runny nose • Sore throat 	<ul style="list-style-type: none"> • Sneezing • Itchy eyes • Runny nose • Watery, red or swollen eyes

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