



American Federation of State, County and
Municipal Employees, AFL-CIO

212 S. First Street • Rockford, IL 61104
(815) 968-0447

April 20, 2023

**AFSCME's Opinion of the IL State Law
Requiring a referendum**

Dear Esteemed Board Member:

As the exclusive representative of the AFSCME Council 31 Local 2399 members employed at the Stephenson County Nursing Home, Walnut Acres, I am writing to you regarding the letters of intent to purchase the Home, which, per the County Board Meeting Agenda for April 20, 2023, you may be discussing tonight.

As you are likely aware, the Illinois Statute regarding the establishment and maintenance of County Homes, 55 ILCS 5/5-21001/9 requires that a county home erected after referendum approval by the voters of the county shall not be sold or disposed of except after referendum approval thereof by a majority of the voters of the county voting thereon.

In 1969, what was known as the Benjamin Stephenson County Home no longer met the State of Illinois standards for operation and was closed. Minutes from the County Board that year reflect the Board's willingness to seek public approval for the construction and erection of a new County Home, which is now called Walnut Acres. The new home, with a core administrative center and two separate wings was constructed after a public referendum for the \$800,000 bond required to build the facility was overwhelmingly passed.

Of note, the 1970 ballot referendum was not a levy increase or debt referendum to make repairs of the existing home, but rather it was a directive from the constituents of Stephenson County to construct a new facility that met state standards.

Considering that the Stephenson County Home was created via voter referendum on April 17, 1970 and erected thereafter, the home shall not be sold or closed without approval of the majority of voters of the county in a referendum vote.

We urge you to follow the state statute in this situation and proceed with a ballot referendum before any further actions are taken to close or sell the County Home, lest the County be at peril of violating the state statute, possibly causing any legal fees and debt associated with such violation.

Very truly yours,

Sara Dorner
Staff Representative
AFSCME Council 31

in the public service