



# Lake County Illinois

## Legislation Text

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**File #:** 18-1516, **Version:** 1

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Joint resolution authorizing the dissolution of the Seavey Drainage District ("District") according to the Illinois General Assembly (ILGA) Public Act 100-0874.

- The Seavey Drainage District was established to maintain and operate the Seavey Drainage Ditch (Ditch).
- For decades, the District has not levied taxes or expended funds to operate or maintain the Ditch, portions of which are believed to be located within the Villages of Libertyville, Mundelein, and Vernon Hills (Affected Local Governments), as well as some unincorporated areas of the Lake County (County).
- Instead, all District functions have been assumed by the respective communities in which parts of the Ditch lie.
- As a part of the Fiscal Year 2018 County Legislative Agenda's focus on reducing the number of governmental units and maximize efficiencies, the County sought legislation to eliminate the District and devolve maintenance of the affected drainage facilities to the County and the Affected Local Governments.
- The bill, sponsored by Senator Dan McConchie, passed both houses and was approved by the Governor on August 14, 2018.
- Pursuant to ILGA Public Act 100-0874, the County Board may dissolve the District no later than December 31, 2019, by resolution.

### RESOLUTION

**WHEREAS**, the District had been established to maintain and regulate various drainage facilities within its corporate limits in the central County area; and

**WHEREAS**, following diligent investigation, the County has been unable to ascertain the District boundaries, but it is believed that they extend within the Affected Local Governments; and

**WHEREAS**, since the District has been defunct for decades, it has not imposed a levy for at least 10 years, and the responsibilities for its facilities have been assumed by private property owners and the Affected Local Governments; and

**WHEREAS**, there are no outstanding debts of the District that have been filed with the County Clerk; and

**WHEREAS**, federal or state permits or grants will not be impaired by dissolution of the District; and

**WHEREAS**, the precise physical boundaries of the District have become indeterminate due to the passage of time; and

**WHEREAS**, to ensure accountability for the drainage facilities of the District and to protect the health, safety, and welfare of the County's residents affected by such facilities, the County Board has

determined that the District be dissolved as authorized under 70 Illinois Compiled Statutes (ILCS) 605/10-7.2, ILGA Public Act 100-0874, and that the Affected Local Governments assume the District powers as authorized by ILGA Public Act 100-0874.

**NOW, THEREFORE, BE IT RESOLVED**, that the Seavey Drainage District be dissolved on February 12, 2019.

**BE IT FURTHER RESOLVED** that with the District's dissolution, as provided by statute, all drains, levees, and other works constituting the drainage system of the District and the rights-of-way, if any, on which the same are situated shall be deemed to be for the mutual benefit of the lands formerly in the District as provided in the Illinois Drainage Code, 70 ILCS 605/10-11;and

**BE IT FURTHER RESOLVED** that upon such dissolution, additional powers of the District (except those in Article V of the Illinois Drainage Code), shall be exercised by the respective municipalities where the various parts of the former District are located and by Lake County for any unincorporated areas contained in the former District; and

**BE IT FURTHER RESOLVED** that, no later than 60 days after the date of dissolution of the District, the County Administrator shall notify the Illinois Environmental Protection Agency of the dissolution of the District, which shall include a certified copy of this resolution.

**DATED** at Waukegan, Illinois, on this 12<sup>th</sup> day of February, A.D., 2019.