

ARTICLE II. COUNTY BOARD

DIVISION 1. GENERALLY

(Updated on: June 10, 2014)

Sec. 2-26. Size.

The county board shall consist of 24 members elected as provided by law.

Sec. 2-27. Number of districts and representation of districts.

There shall be 12 multimember districts, with two members elected from each district. The 12 districts shall be as depicted on the official DeKalb County Board District Maps as maintained by the County Clerk, and as described on the basis of the number of precincts that have been approved for the County. No person shall be eligible to hold the office of County Board Member unless he or she is a legal voter and has been a resident of the County, and the County Board District from which elected (or appointed), for at least one year immediately preceding the General Election (or date of appointment if filling a mid-term vacancy), and registered to vote at a residence located in said district at the time of filing their statement of candidacy (or at the time of appointment).

Sec. 2-27.1. Certification: Beverage alcohol sellers and servers education training program.

The county board does recommend that all future county board chairmen become B.A.S.S.E.T. certified during their first year of service as county liquor commissioner, and that the county reimburse those chairmen for the expense of obtaining said certification.

DIVISION 2. RULES

Sec. 2-28. Scope.

The provisions of this division shall govern all meetings of the county board or any committee of the county board.

Sec. 2-29. Officers.

(a) At the organizational meeting of the county board held the first Monday of December in each even numbered year, and whenever a vacancy in the offices of chairman or vice-chairman shall occur, the board shall elect from its membership a chairman and a vice-chairman who shall be nominated and voted upon separately as follows:

The chairman pro tem shall ask for nominations for the office of chairman.

- (1) When there is one nominee, a voice vote shall be taken.
- (2) When there are only two nominees to be voted on, a roll call vote shall be taken with the members stating the name of their choice. A tie vote shall result in a re-vote or re-votes until a chairman has been elected.

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- (3) When there are more than two nominees a roll call vote shall be taken with the members stating the name of their choice. If no nominee receives a majority of the votes cast a runoff election shall be conducted between the two top vote getters.
- (4) When there is a three-way tie for top vote getter an "odd man out" coin flip shall determine the runoff nominees.
- (5) When one nominee has a larger number of votes, but not a majority, and two or more candidates are tied for second, a coin flip, or series of coin flips shall be conducted until only one nominee has a coin showing "heads." That nominee shall then participate in a runoff election against the nominee with the larger number of votes.

The chairman shall ask for nominations for the office of vice-chairman (if that office is vacant) and shall follow the same process outlined above to elect a vice-chairman.

(b) It shall be the chairman's responsibility to preside over the meetings of the board, to appoint the committees of the board with the advice of the ad hoc nominating committee and the consent of the entire board, to compile the agenda for board meetings that the chairman calls, and to perform such other duties as the board may from time to time assign.

(c) It shall be the vice-chairman's responsibility to preside over the meetings of the board in the absence of the chairman and to perform such other duties as the board may assign from time to time.

Sec. 2-30. Seating.

Members of the county board shall be seated in alphabetical order.

Sec. 2-31. Rules of order.

The rules contained in Robert's Rules of Order, Newly Revised, shall govern the county board in all cases to which they are applicable, and in which they are not inconsistent with the rules of the board including, but not limited to, the following rules:

- (1) The chairman shall preserve order and decorum and decide all questions of order, subject to an appeal to the board without debate.
- (2) No member shall have the privilege of the floor until he shall respectfully address the chair, rise, if practical, and be recognized. Members shall remain standing when addressing the chair or the board.

- (3) When two or more members shall address the chair at the same time, the chair shall name the member to speak first.
- (4) No member shall speak to a question for more than five minutes the first time, and no member may speak twice on the same question until all members who wish to have spoken. A member may speak for no more than five minutes the second time unless granted permission by the chair.
- (5) No member shall absent himself before the formal close of the day's session, unless excused by the chairman of the board.
- (6) A member may abstain from voting on any issue, provided that an abstaining member shall not be counted as a voting member for any purpose. No member shall pass a vote.
- (7) No motion shall be debated before it has been seconded; when seconded, it shall be stated by the chair before being debated, and every such motion shall be reduced to writing and made a part of the board's minutes stating the name of the moving member and seconder.
- (8) After a motion is stated by the chairman or read by the clerk, it shall be deemed to be in the possession of the board, but may be withdrawn by the moving member with consent of the second at any time prior to an amendment or decision thereon.
- (9) A roll call vote shall be called on any question upon the demand of any one member.
- (10) The clerk shall call the names of members in alphabetical order when calling the roll or when polling a vote. Beginning at the first regular or special meeting of the county board following adoption of the ordinance from which this section derives the clerk shall call the first member in alphabetical order and cycle through the alphabet one member per meeting, skipping members who may be absent, until the last member in alphabetical order has voted first and then begin the process again. The clerk shall restart the process at the beginning of each session of the board starting with the first roll call vote following the seating of the new board at the organizational meeting held on the first Monday of December of each even-numbered year by beginning with the first member in alphabetical order.
- (11) A motion to reconsider can be made only at the same meeting and by a member voting with the majority.

- (12) A motion to adjourn shall always be in order and shall be decided without debate, unless a question of what time to adjourn to shall occur.
- (13) No alteration shall be made in any of the rules of the board without the consent of a majority of the members of the board nor without two weeks' notice being given to the motion therefor but the rules may be suspended in any particular case by vote of two-thirds of the members voting.
- (14) No unauthorized person or persons may enter into or remain in the seating area for the county board or those areas immediately adjacent to the seating area of the county board beginning one half-hour prior to county board meetings and ending one half-hour after adjournment of the county board. No unauthorized person or persons may distribute materials or speak to members of the county board in the board seating area during such periods.
- (15) Full board meetings and committee meetings may be recorded by a third party or the county in any form, except where the meeting is held in closed session or where an individual providing testimony to the committee or full board objects. Where a witness objects to providing testimony while recorded by a third party, the third party shall cease any and all recording during the testimony, but may resume, once the testimony is completed.
- (16) Any member of the public who persists in disrupting or interfering with the orderly business of the board shall be removed from the meeting premises by a law enforcement officer at the direction of the chairman.
- (17) A consent agenda may be presented by the chairman at the beginning of a meeting. Items may be removed from the consent agenda at the request of any member. Items not removed may be adopted by general consent without debate. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the member requesting the item's removal from the consent agenda. Expenditure of funds may never be subject to a consent agenda.

Sec. 2-32. Meetings generally.

(a) Regular meetings of the county board shall commence promptly at 7:30 p.m. and shall end no later than 10:30 p.m. unless extended by majority vote of the members present. Meetings shall be held on the third Wednesday of each month. Special meetings may be called by the chairman in accordance with the requirements of the Illinois Open Meetings Act. The meeting agenda, board minutes, committee reports, and a compilation of bills to be paid shall be made

available to board members and to the public on the county's website not less than five calendar days prior to regular board meetings.

(b) Special meetings of the board shall be held when requested by at least one-third of the members of the board, which request shall be in writing, addressed to the clerk of the board, and specifying the time and place of such meeting. The clerk shall then give notice of such special meeting to members and to the general public as required by law.

(c) Regular meetings of the county board may be cancelled by a two-thirds majority vote of the executive committee. Notice of cancellation shall be provided by e-mail to board members and department heads within 12 hours of the vote to cancel the meeting. A vote to cancel a regular meeting may be overridden by written petition signed by a majority of the members of the county board and delivered to the board office not less than six calendar days before the meeting was scheduled to occur. Written petition may include e-mail correspondence sent to the county board coordinator and board chairman. In such event, the executive committee shall meet not less than three calendar days before the meeting to prepare an agenda for the meeting. No more than two meetings may be cancelled in any calendar year. Regular meetings of the board may be cancelled upon shorter notice, in the discretion of the board chairman, in case of emergency, inclement weather, act of God, or other extraordinary circumstance or event.

(d) Standing committee meetings may be cancelled by a 2/3 majority vote of committee members. A Committee Chairman may cancel a meeting in case of emergency, inclement weather, act of God, or other extraordinary circumstance or event. If the Committee Chairman determines that there is an apparent lack of business items to warrant the cancellation of a meeting, the County Administrator or designee will contact each of the Standing Committee members for concurrence in cancelling the meeting. If during that process a member suggests a business item to the County Administrator or designee, a new round of contacts will be made. If two-thirds (2/3) of the Committee members agree to cancel the meeting, the meeting will be cancelled.

Sec. 2-33. Order of business.

The order of business at meetings of the county board shall be as follows:

- (1) Calling the roll.
- (2) Approving minutes of the last meeting.
- (3) Reading of agenda, additions, deletions, approval.
- (4) Communications and referral of new matters to committee.
- (5) Persons to be heard from the floor.
- (6) Report of standing committees.
- (7) Report of special committees.
- (8) Unfinished business.
- (9) New business and resolutions.

Sec. 2-34. Quorum.

Thirteen members of the county board shall constitute a quorum for meetings of the full board.

Sec. 2-35. Agenda of the county board.

(a) The chairman, with the advice and consent of the executive committee, shall prepare an agenda for each regular and special meeting of the county board. The agenda shall be in writing and shall be distributed to board members and made available to the public and to the news media not less than five calendar days prior to the meeting for which the agenda is prepared.

(b) The agenda shall be sufficiently itemized to apprise members and the public of the matters to be considered by the board.

(c) Only members shall have the right to have matters placed on the agenda. All matters to be placed on the agenda shall originate from a standing or ad-hoc committee, unless the executive committee votes by a two-thirds majority to place such item on the agenda.

(d) A matter not on the agenda may be discussed upon a motion made, seconded and passed by two-thirds of the members voting. No final action may be taken on items not part of the published agenda for that meeting.

Sec. 2-36. New business.

New matters presented to the county board shall be stated in writing and shall be referred to the appropriate committees by the chairman without debate. Any matter can be discussed by the board at any time upon motion made, seconded and passed by two-thirds of the members voting. No final action may be taken on items not on the published agenda.

Sec. 2-37. Comments from public.

A time shall be provided on the agenda of each regular meeting of the county board for members of the public to be heard. Such time shall not exceed 30 minutes. Each person desiring to be heard shall be allotted three minutes in which to address the board and each speaker shall identify himself by name and address. No member of the public may address the board on any issue that has been the subject of a properly noticed and legally held public hearing, conducted by a hearing officer. Time limits may be waived by a vote of the majority of the members present. Members of the public wishing to speak on an item that is on that evening's agenda may do so either at the beginning of the meeting or at the time the county board considers that particular item. Comments on items not on the agenda shall be made under "Persons to be heard from the floor."

Sec. 2-38. Claims.

No claim or bill shall be submitted to the county board until such claim or bill has been submitted first to the finance director. Each board member shall be provided with a list of the monthly claims, and it shall not be necessary for the claims to be read.

Sec. 2-39. Decorum of members.

All members shall comport themselves in a manner befitting that of an elected public official. Members shall be respectful of one another, of county staff, and of those members of the public whom they serve. Members shall attend meetings of the full board dressed in business casual or professional attire.

Sec. 2-40. Nomination of chairman, vice-chairman, and committees.

(a) Not less than one week prior to the organizational meeting of the county board, members shall hold their respective party caucuses. Each caucus shall select three of its members to serve on an ad hoc nominating committee. It shall be the responsibility of the ad hoc nominating committee to recommend to the chairman of the county board elected at the organizational meeting, a vice chairman, members of each committee, and the chairmen and vice-chairmen for each of the seven standing committees. The committee chairmanships shall be proportional to each party's representation on the board. The majority party shall have the first selection of standing committee chairmanships and the parties shall then select alternately until the minority allotment has been filled. Minority party chairmanship allotments shall be as follows: If the minority party holds nine, ten or 11 seats it shall be entitled to three committee chairmanships. If the minority party holds six, seven, or eight seats it shall be entitled to two chairmanships. If the minority party holds two, three, four, or five seats it shall be entitled to one chairmanship. A party holding less than two seats shall be entitled to no standing committee chairmanships. The chairman of the executive committee shall be the county board chairman. The vice-chairman of the board and executive committee shall be a member of a minority party.

(b) The ad hoc nominating committee shall submit its recommendations for committee memberships and committee chairmanships in writing to the chairman of the county board elected at the organization meeting of the board. The chairman, following the recommendations of the ad hoc committee insofar as possible, shall thereupon appoint members, vice chairmen, and chairmen of all standing committees of the board subject to the consent of the board expressed by roll call vote.

Sec. 2-41. Standing committees enumerated.

(a) There shall be eight standing committees of the county board. All standing committees serve in an advisory capacity:

- (1) *Finance committee.* This committee advises the county board in matters relating to finance, capital planning, facility management, information management technology and administrative services. Responsible annually for the submission to the county board of a balanced budget along with recommended tax levy and capital spending plan for the coming five-year period.
- (2) *Executive committee.* The chairman of the executive committee shall be the county board chairman. The vice-chairman of the executive committee shall be the vice-chairman of the county board. The executive committee consists of the chairmen of the seven standing committees, or in their absence, the vice-chairmen of those standing committees and is chaired by the county board chairman. The vice-chairman of the executive committee shall be a member of the opposite party of the county board chairman and shall represent the county board chairman in his absence and present all reports of the executive committee at meetings of the full county board. When neither the board chairman nor the vice-chairman is available the board chairman shall designate another member of the executive committee to serve as chairman for any regular or executive committee meeting. The executive committee advises the county board with regard to the agenda for its meetings, coordinates the efforts of all standing and ad hoc committees, administers the exempt employee evaluation plan and advises the board on matters relating to administrative procedures such as the conduct of public hearings. If a committee chairman is absent from the meeting, then the vice-chairman shall serve on the executive committee in his absence. If both the committee chairman and vice-chairman are absent from the meeting, then the county board chairman, with the advice and consent of the executive committee, may designate a member of the committee who is present at the meeting to serve on the executive committee in the absence of the chairman and vice-chairman.
- (3) *Forest preserve committee.* The forest preserve committee advises the forest preserve commissioners on all matters relative to county forest preserves, including personnel issues, capital issues, wetlands development and real estate donations and acquisitions associated with existing and future preserves. The forest preserve committee shall also oversee the "Go Green" efforts of the board.

- (4) *Planning and zoning committee.* The planning and zoning committee advises the county board in matters relative to the county's comprehensive plan, zoning ordinances, building and development matters, building codes and violations of various county ordinances. This committee coordinates with the regional planning commission.
- (5) *County highway committee.* The county highway committee advises the county board on all matters related to roads, bridges and other elements of public infrastructure. This committee is also responsible for intergovernmental issues related to transportation including coordination of efforts with the state, municipal and township road and bridge systems and participation in the metropolitan planning organization.
- (6) *Economic development committee.* The economic development committee advises the county board on all matters relating to growth, including residential, commercial and industrial growth and the economic opportunities and challenges associated with that growth. This committee coordinates with the county economic development corporation, and the various cities, towns and villages within the county on growth-related matters. This committee also coordinates and oversees the operation of the property tax system and recommends periodically beneficial changes in local policies and state laws.
- (7) *Health and human services committee.* The health and human services committee advises the county board on all matters pertaining to the provision of health and human services to the residents of the county, including those services provided directly by the county and/or services provided by others that are overseen and/or funded by the county. This committee coordinates and oversees a wide variety of services in the fields of health, mental health, public health and long-term care. The committee oversees the administration of the county's senior services levy and the rural transportation services and veterans' transportation services provided through the Voluntary Action Center. This committee coordinates with the board of health, 708 board and the regional superintendent of schools.
- (8) *Law and justice committee.* This committee advises the county board on all aspects of the justice system, including, but not limited to, funding and coordination of services provided by the judiciary, coroner/ESDA, sheriffs department, court services, the public defender, the circuit clerk's office and the office of the state's attorney. This committee makes periodic recommendations to the county board on tax and financial policies relative to the ongoing operational and capital needs of the justice system.

(b) In addition to advising the county board, the standing committees shall perform such functions as are determined by the county board.

Sec. 2-42. Committee members.

(a) The chairman of the county board shall be the chairman and a member of the executive committee and may be a member of such other committees which he may be appointed to with consent of the board. The chairman of the county board shall be an ex officio member of all committees.

(b) All county board committee or committee chairman appointments, after the initial regular meeting in December, shall be made by the chairman with the advice of the executive committee and consent of the entire board.

(c) Committee members shall serve until the next board election and qualification of members. At the request of a committee member, such member's committee assignment may be changed by the chairman with the advice of the executive committee and the consent of the entire board.

Sec. 2-43. Committee meetings.

(a) Without permission of the county board chairman, no committee may conduct business during any regular or special meeting of the board.

(b) Standing committees shall establish regular meeting dates and times which shall be published in accordance with the Illinois Open Meetings Act. The first meeting and special meetings of standing committees and meetings of other committees and subcommittees including executive sessions shall be called, public notice given, and held in compliance with the Illinois Open Meetings Act (5 ILCS 120/1 et seq.).

(c) No committee shall meet without a quorum being present. A quorum of a standing committee shall be a majority of its members. Members in attendance by other means, as provided in subparagraph (d) below, shall not be included for purposes of establishing a quorum, but shall have the right to participate fully in the meeting and vote on all matters in the same manner as if the member were present in person.

(d) If a member of a committee is prevented from physically attending a committee meeting because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency, then a quorum of the members of the committee may allow, by majority vote, a committee member to attend the meeting by other means. "Other means" shall mean by video or audio conference. If a committee member wishes to attend a meeting by other means, the member shall notify the County Board Office or committee chair before the

meeting, unless advance notice is impractical, and the County Board Office or committee chair shall make appropriate arrangements for attendance by other means by the member.

(e) Members who do not attend a committee meeting in person, but attend by other means, as defined in subparagraph (d) above, shall not receive per-diem compensation or mileage reimbursement for such attendance by other means.

(f) In the event that a committee chairman is absent or attends a meeting by other means, the committee vice chairman shall preside over the meeting. In the event that both the committee chairman and vice chairman are absent or attend by other means, the committee members shall elect a committee member to preside over the meeting.

(g) No standing committee shall schedule its regular monthly meetings between the executive committee meeting and the date of the full county board meeting without approval of the executive committee.

Editor's note— Subsection (g) becomes effective December 1, 2014. This Subsection was previously passed as letter (d), but has been updated to (g) due to a scrivener's error.

(h) Any member who will be absent from a committee meeting shall notify the county board office or committee chair of his absence prior to the meeting. If a member is absent from more than three (3) committee meetings within a calendar year, the committee chair shall notify the board chairman of such absences and the chairman shall, with the advice of the executive committee and the consent of the entire board, remove the member from the committee in which the member was absent. Attendance by other means, in accordance with subparagraph (d), shall not constitute an absence.

Editor's note—This Subsection was previously passed as (e), but has been updated to (h) due to a scrivener's error.

Sec. 2-44. Minutes of committees.

All committee minutes shall be in writing and shall be delivered to the chairman for distribution to the members of the county board. Committee minutes shall be delivered to the chairman not less than seven calendar days prior to the board meeting at which such reports are to be considered.

Sec. 2-45. Executive, closed sessions.

Executive or closed sessions of the county board and of all committees and subcommittees of the board shall only be held in accordance with the Illinois Open Meetings Act (5 ILCS 120/1 et seq.), as amended from time to time. Where permitted by the act, a meeting or a portion of a meeting may be closed upon a majority vote of members present, taken at a meeting open to the public for which notice had been given as required by law. The vote of each member on the question of holding a closed session and a citation to the specific reason for closing the meeting shall be recorded and entered into the minutes of the meeting. A verbatim record of all closed meetings in

the form of an audio or video recording shall be made and maintained. Based upon the verbatim recording, minutes shall be created, for future disclosure as hereinafter described.

Such minutes shall include, but not be limited to:

- (1) The date, time and place of the meeting.
- (2) The members recorded as either present or absent.
- (3) A general description of all matters proposed, discussed or decided, and a record of any votes taken.

Minutes of meetings closed to the public shall be available only after the board determines that it is no longer necessary to protect the public interest by keeping them confidential. In order that the public may have access at the earliest practicable time to minutes of closed meetings, the clerk shall semiannually report to the board on confidential records maintained, including therein advice as to which minutes may then prudently be made available to the public.

Although a vote may be taken in closed session, if necessary, no final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted.

Sec. 2-46. Amendments to division 2, rules.

Amendments to the county board rules shall be based on recommendations made by an ad hoc rules committee. This committee shall contain equal representatives of the opposing parties. This committee shall be appointed by the chairman, with the advice and consent of the entire board, and shall consist of not less than two or more than eight members of the county board. The full board shall have the sole authority to adopt such amendments and shall do so by a two-thirds majority.