

ORDINANCE
O2018-51

WHEREAS, the DeKalb County Board has determined that it is necessary to amend Chapters 1 and 2, as it pertains to the Codification of the County Code and to the Rules of the County Board, and

WHEREAS, the County Board did appoint a bi-partisan Ad Hoc Rules Committee to review current rules and to make recommendations for amendments and improvements of those Rules, and

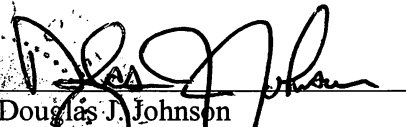
WHEREAS, the Ad Hoc Rules Committee has recommended that Chapters 1 and 2 of the DeKalb County Code be amended with various changes impacting the formatting, publication, and responsibility for the County Code; Board seating assignments; order of business for Board meetings; term limits for Board leadership positions; changes to standing committees to reflect the recently adopted changes that clarify the independent nature of the DeKalb County Forest Preserve District; rules regarding public comment periods; absences from meetings by County Board members; and administrative succession assignments when vacancies occur.

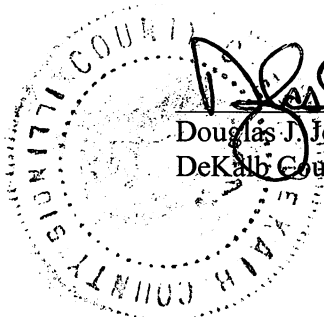
NOW, THEREFORE BY IT ORDAINED that the DeKalb County Board has reviewed the recommendation of the Ad Hoc Rules Committee as attached to this Ordinance as Exhibit A, and those changes are hereby approved as of January 1, 2019, if passed by a 2/3 majority vote as required by Sec. 2-46.

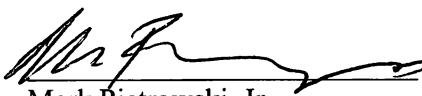
PASSED AT SYCAMORE, ILLINOIS THIS 21ST DAY OF NOVEMBER, 2018.

ATTEST:

SIGNED:


Douglas J. Johnson
DeKalb County Clerk




Mark Pietrowski, Jr.
County Board Chairman

DEKALB COUNTY GOVERNMENT CODE

Updated as of Ordinance O2018-03, February 21, 2018

Chapter 1 - GENERAL PROVISIONS

Sec. 1-1. - How Code designated and cited.

The ordinances embraced in the following chapters and sections shall constitute and be designated the "DeKalb County Code," and may be so cited.

Sec. 1-2. - Rules of Construction and Definitions.

In the construction of this Code and of all ordinances and resolutions, the rules and definitions set out in this section shall be observed, unless such construction would be inconsistent with the manifest intent of the county board. The rules of construction and definitions set out in this section shall not be applied to any section of this Code which shall contain any express provision excluding such construction, or where the subject matter or context of such section may be repugnant thereto.

Formatting. The Editor of the Code is authorized to make formatting changes to the Code in regards to such things as spelling, capitalization, punctuation, spacing, numbering, and gender.

Generally. All general provisions, terms, phrases and expressions contained in this Code shall be liberally construed in order that the true intent and meaning of the county board may be fully carried out. In the interpretation and application of any provisions of this Code, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of the Code imposes greater restrictions upon the subject matter than the general provision imposed by the Code, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

Code. The words "Code" or "this Code" shall mean the DeKalb County Code.

Computation of time. The time within which any act provided by law is to be done shall be computed by excluding the first day and including the last, unless the last day is Saturday or Sunday or is a holiday as defined or fixed in any statute now or hereafter in force in this state, and then it shall also be excluded. If the day succeeding such Saturday, Sunday or holiday is also a holiday or a Saturday or Sunday then such succeeding day shall also be excluded.

County. The words "the county" or "this county" shall mean the County of DeKalb in the State of Illinois.

County board or board. The words "county board" or "board" shall mean the county board of DeKalb County, Illinois.

Court or circuit court. The words "court" or "circuit court" shall mean the circuit court of the sixteenth judicial circuit.

Delegation of authority. Whenever a provision appears requiring the head of a department or some other county officer to do some act or perform some duty, it is to be construed to authorize the head of the department or other officer to designate, delegate and authorize subordinates to perform the required act or perform the duty unless the terms of the provisions or section specify otherwise.

Electors. The term "electors" shall mean persons qualified to vote for elective officers at county elections.

Gender. A word importing the masculine gender only shall extend and be applied to females.

ILCS. "ILCS" means the Illinois Compiled Statutes.

Joint authority. All words giving a joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

Month. The word "month" shall mean a calendar month.

Nontechnical and technical words. Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

Number. A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing, and words importing the plural number may include the singular.

Oath. The word "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

Officers and employees generally. Whenever any officer or employee is referred to by title, such as "county clerk," "county treasurer" or "sheriff," such reference shall be construed as if followed by the words "of DeKalb County."

Or, and. "Or" may be read "and," and "and" may be read "or," if the sense requires it.

Ordinances. "Ordinances" shall mean ordinances of DeKalb County and all amendments thereto.

Owner. The word "owner," applied to a building or land shall include any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety, of the whole or of a part of such building or land.

Person. The word "person," as well as all words referring to or importing persons, may extend and be applied to bodies politic and corporate as well as individuals.

Personal property. "Personal property" includes every species of property except real property, as described in this section.

Preceding, following. The words "preceding" and "following" mean next before and next after, respectively.

Property. The word "property" shall include real and personal property.

Real property. "Real property" shall include lands, tenements and hereditaments.

Resolution. "Resolution" shall mean all resolutions of DeKalb County and all amendments thereto.

Shall; may. The word "shall" is mandatory; "may" is permissive.

Signature or subscription. A signature or subscription includes a mark when the person cannot write.

State. The words "the state" or "this state" shall be construed to mean the State of Illinois.

Tenant or occupant. The words "tenant" or "occupant" applied to a building or land, shall include any person holding a written or oral lease or who occupies the whole or a part of such buildings or lands, either alone or with others.

Tense. Words used in the present tense include the future.

Wholesale, wholesaler, etc. In all cases where the words "wholesale," "wholesaler" or "wholesale dealer" are used in this Code, unless otherwise specifically defined, they shall be understood and held to relate to the sale of goods, merchandise, articles or things in quantity to persons who purchase for purposes of resale, as distinguished from a retail dealer who sells in smaller quantities direct to the consumer.

Written and in writing. "Written" and "in writing" may include printing and any other mode of representing words and letters; but when the written signature of any person is required by law to any official or public writing or bond, required by law, it shall be in the proper handwriting of such person or, in case he is unable to write, his proper mark, except as otherwise provided by law.

Year. The word "year" shall mean a calendar year.

Sec. 1-4. - Catchlines of sections and other headings.

The catchlines of the several subsections, sections, divisions, articles and chapters of this Code printed in boldface, italic or roman type are intended as mere catchwords to indicate the contents of the subsection, section, division, article or chapter and shall not be deemed or taken to be the title of such subsections, sections, divisions, articles or chapters, nor as any part of the subsection, section, division, article or chapter, nor, unless expressly so provided, shall they be so deemed when any of such subsections, sections, divisions, articles or chapters, including the catchlines, are amended or reenacted.

Sec. 1-5. - References and notes.

Cross references, state law references, editor's notes and history notes are by way of explanation only and shall not be deemed a part of the text of any section of this Code.

Sec. 1-6. - Amendments to Code.

- (a) All ordinances, resolutions or motions passed subsequent to this Code which amend, repeal or in any way affect this Code may be numbered in accordance with the numbering system of this Code and printed for inclusion in this Code, or in the case of repealed chapters, sections and subsections or any part thereof, by subsequent ordinances, such repealed portions may be excluded from the Code by omission from reprinted pages affected thereby and such subsequent provisions as

numbered and printed, or omitted, in the case of repeal, shall be prima facie evidence of them until such time as this Code and subsequent provisions numbered or omitted are readopted as a new code by the county board.

- (b) Amendments to any of the provisions of this Code may be made by amending such provisions by specific reference to the section number of this Code in substantially the following language: "That section _____ of the DeKalb County Code, is hereby amended to read as follows:...." The new provisions shall then be set out in full as desired.
- (c) If a new section not heretofore existing in this Code is to be added, the following language may be used: "DeKalb County Code is hereby amended by adding a section, to be numbered _____, which section reads as follows:...." The new section shall then be set out in full as desired.

Sec. 1-7. - Supplementation of Code.

- (a) By contract or by county personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the county board. A supplement to the Code shall include all substantive parts of permanent and general ordinances passed by the county board during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages that have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest ordinance included in the supplement.
- (b) In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.
- (c) When preparing a supplement to this Code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, nonsubstantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary to do so to embody them into a unified Code. For example, the codifier may:
 - (1) Organize the ordinance material into appropriate subdivisions.
 - (2) Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles.
 - (3) Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers.
 - (4) Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections _____ to _____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the Code).
 - (5) Make other nonsubstantive changes necessary to preserve the original meaning of ordinance sections or the alphabetical arrangement of new chapters inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

Sec. 1-8. - Effect of repeal of ordinance, resolution, etc.

- (a) When any ordinance, resolution or motion repealing a former ordinance, resolution, motion, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, resolution, motion, clause or provision unless it shall be therein so expressly provided.
- (b) The repeal of an ordinance, resolution or motion shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed or cause of action arising under the ordinance, resolution or motion repealed.

Sec. 1-9. - Ordinances not affected by adoption of Code.

The repeal provided for in the ordinance adopting this Code shall not affect any of the following:

- (1) Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of such Code. If any penalty, forfeiture or punishment is mitigated by any provision of a new ordinance, such provision may, by the consent of the party affected, be applied to any judgment announced after the new ordinance takes effect.

- (2) Any ordinance or resolution promising or guaranteeing the payment of money for the county, or authorizing the issuance of any bonds of the county or any evidence of the county's indebtedness, or any contract or obligation assumed by the county.
- (3) Any right or franchise granted by any ordinance of the county, except as this Code may contain provision for such matters, in which case this Code shall be considered as amending such ordinance in respect of such provisions only.
- (4) Any ordinance dedicating, accepting the dedication of, naming, establishing, locating, opening, closing or restricting travel on, paving, widening, vacating, etc., any road, street, alley, public way or public park in the county.
- (5) Any appropriation ordinance.
- (6) Any ordinance levying or imposing taxes or special assessments, or authorizing tax fund transfers not inconsistent with this Code.
- (7) Any ordinance rezoning specific property or any amendment thereto.
- (8) Any ordinance establishing or prescribing grades in the county.
- (9) Any ordinance providing for local improvements and assessing taxes therefor.
- (10) Any ordinance dedicating or accepting any plat or subdivision in the county.
- (11) Any ordinance prescribing the number, classification or compensation of any county officers or employees, not inconsistent herewith.
- (12) Any ordinance declaring certain property to be a public nuisance and authorizing procedures for the demolition of the property.
- (13) Any ordinance establishing fire lanes on private property.
- (14) Ordinance No. 92-12, establishing fees for subdivision plats.
- (15) Any ordinance establishing traffic or parking regulations for specific roads or streets, or portions thereof, not inconsistent with this Code.
- (16) Any temporary or special ordinance.
- (17) Any ordinance respecting conveyance or acceptance of real property or easements in real property.
- (18) The zoning ordinance of the county or any amendment thereto.

Sec. 1-10. - Severability of parts of Code.

The sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

Sec. 1-11. - Unauthorized alteration or tampering with Code.

It shall be unlawful for any person in the county to change or amend, by additions or deletions, any part or portion of this Code, or to insert or delete pages, or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the county to be misrepresented thereby.

Sec. 1-12. - Publication of Code.

This Code shall be and is hereby authorized to either (a) be printed and published in book form and/or (b) be available on the County's Website, by authority of the County Board.

Sec. 1-13. - General penalty for violation of Code; separate offenses.

Whenever in this Code or in any ordinance, resolution or motion of the county, any act or omission is prohibited or is made or declared to be unlawful or an offense, or whenever in the Code or ordinance, resolution or motion the doing of any act or the failure to do any act is declared to be unlawful or an offense or is prohibited, and no specific penalty is provided therefor, and state law does not provide otherwise, the violation of any such provision of this Code or any ordinance, resolution or motion shall be an offense punishable by a fine of up to \$500.00. Unless specifically provided otherwise, or the context

thereof so dictates, each day any violation of any provision of this Code or any ordinance, resolution or motion shall continue shall constitute a separate offense.

Sec. 1-14. - Officers, employees not liable to fine for failure to perform duties.

No provision of this Code designating the duties of any county officer or employee shall be so construed so as to make such officer or employee liable for any fine or penalty provided in this Code for a failure to perform such duty, unless the intention of the county board to impose such a fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.

Sec. 1-15. - Acts punishable under different sections.

In all cases where the same offense is made punishable or is created by different clauses or sections of this Code, the prosecuting officer may proceed under both; but not more than one recovery shall be had against the same person for the same offense, provided that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

DEKALB COUNTY GOVERNMENT CODE

Updated as of Ordinance O2018-03, February 21, 2018

DIVISION 1. - GENERALLY

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. - Redistricting.

In addition to the criteria mandates that are stipulated by federal and state laws for redistricting of county board districts, the following procedures shall be used:

- (1) County board districts shall each have a population as nearly equal as practical to the ideal population to each other. County board districts shall not vary in population from the ideal district population except as necessary to comply with one of the other standards enumerated in this section.
- (2) County board districts shall divide townships or municipalities only when necessary to conform to the population requirement of paragraph (1) of this section. To the extent possible, district boundaries shall coincide with the boundaries of townships and municipalities. The number of townships and municipalities divided among more than one district shall be as few as possible. When there is a choice between dividing townships and/or municipalities, the more populous shall be divided before the less populous.
- (3) No county board district shall be drawn for the purpose of favoring a political party, incumbent board member, or other person or group, or for the purpose of augmenting or diluting the voting strength of a language or racial minority group. In establishing districts, no use shall be made of any of the following data:
 - a. Addresses of incumbent county board members;
 - b. Political affiliations of registered voters;
 - c. Previous election results;
 - d. Demographic information, other than population, except as required by the Constitutions and the laws of the United States and the State of Illinois.
- (4) County board districts shall be created in such a manner so that no precinct shall be divided between two or more districts, insofar as is practicable.
- (5) In no case shall the quotient, obtained by dividing the total of the absolute values of the deviations of all district populations from the applicable ideal district population (numerator) by the number of districts (denominator) established, exceed three percent of the applicable ideal district population.
- (6) No county board district shall have a population which exceeds that of any other county board district by more than eight percent.
- (7) No county board district shall have a population which varies by more than five percent from the applicable ideal district population.
- (8) County board districts shall be comprised of contiguous territory, as nearly compact as practicable. Areas which meet only at the points of adjoining corners shall not be considered contiguous. In general, reasonably compact districts are those which are square, rectangular, or hexagonal in shape, and not irregularly shaped, to the extent permitted by natural or political boundaries.

- (9) If it is necessary to compare the relative compactness of two or more districts, or of two or more alternative districting plans, the tests prescribed by paragraphs a. and b. below shall be used.
- a. *Length-width compactness.* The compactness of a district is greatest when the length of the district and the width of the district are equal. The measure of a district's compactness is the absolute value of the difference between the length and the width of the district. In general, the length-width compactness of a district shall be calculated by measuring the distance from the northernmost point or portion of the boundary of a district to the southernmost point or portion of the boundary of the same district, and the distance from the westernmost point or portion of the boundary of the district to the easternmost point or portion of the boundary of the same district. The absolute values computed for individual districts under this paragraph may be cumulated for all districts in a plan in order to compare the overall compactness of two or more alternative districting plans for the county.
 - b. *Perimeter compactness.* The compactness of a district is greatest when the distance needed to traverse the perimeter boundary of a district is as short as possible. The total perimeter distance computed for individual districts under this paragraph may be cumulated for all districts in a plan in order to compare the overall compactness of two or more alternative districting plans for the county, or for a portion of the county.
- (10) The County AAdministrator, the planning Community Development Director, and the Information Management Office Director, utilizing the County's Geographic Information System (GIS), shall each independently develop a potential plan for redistricting. If a vacancy exists in one of these offices, then the County Engineer will fill the open spot. These individuals shall not discuss or share any details of his or her plan with the others, or with any member of the Board, until such plans are presented to the County Board for consideration.
- (11) All three plans shall be presented directly to the county board for consideration not later than the regular monthly meeting of the county board which next occurs 90 days after the release of the census data. No county board committee shall first review the three plans nor make a recommendation on a preferred plan. The county board shall strive to adopt a plan within the legal time-frame parameters for such action.

Sec. 2-27.2. - 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, neither of whom may serve more than three full terms in a 12 year period in that position, 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.

- (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 unless physical limitations or other unforeseen circumstances, as agreed to by the Board Chairman, necessitate a variation.

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 7:00 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) In the first calendar quarter of each year following the County Board's Organizational Meeting, the County Board Chairman may set a special workshop for all County Board Members. The agenda for the meeting will be approved by the Executive Committee, but the intent is to only have discussion items, such as regarding Board Member orientation or an in-depth examination of specific issue, with no formal actions being taken by the Board at this workshop.
- (d) 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.

- (e) Standing committee meetings may be cancelled by a two-thirds 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 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) Roll Call Calling the roll.
- (2) Approval of Agenda
- ~~(3) Approval of ing mMinutes of the last meeting.~~
- ~~(3) Reading of agenda, additions, deletions, approval.~~
- ~~(4) Communications & Proclamations and referral of new matters to committee.~~
- ~~(5) Public Comments Persons to be heard from the floor.~~
- ~~(6) Reports of sStanding eCommittees with Ordinances & Resolutions.~~
- ~~(7) Reports of sSpecial eCommittees with Ordinances & Resolutions.~~
- ~~(8) Old Business Unfinished business.~~
- ~~(9) New bBusiness & Referral of Matters to Committee and resolutions.~~
- (10) Adjournment

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 township address. If a speaker desires more time, up to one person in attendance may yield their

three minutes to the speaker, making the maximum presentation time six minutes. 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 eChairman, vVice-eChairman, and Standing eCommittees.

- (a) Not less than one week prior to the organizational meeting of the eCounty bBoard, members shall hold their respective party caucuses. Each caucus shall select three of its members to serve on an aAd hHoc nNominating eCommittee. It shall be the responsibility of the aAd hHoc nNominating eCommittee to recommend to the eChairman of the eCounty bBoard elected at the organizational meeting, a vVice-eChairman, members of each eCommittee, and the eChairsmen and vVice-eChairsmen for each of the seven sStanding eCommittees, plus an advisory recommendation to the Forest Preserve President for Forest Preserve Standing Committees. The eCommittee eChairmanships shall be proportional to each party's representation on the bBoard. The majority party shall have the first selection of sStanding eCommittee eChairmanships and the parties shall then select alternately until the minority allotment has been filled. Minority party eChairmanship allotments shall be as follows: If the minority party holds nine, ten or 11 seats it shall be entitled to three eCommittee eChairmanships. If the minority party holds six, seven, or eight seats it shall be entitled to two eChairmanships. If the minority party holds two, three, four, or five seats it shall be entitled to one eChairmanship. A party holding less than two seats shall be entitled to no sStanding eCommittee eChairmanships. The eChairman of the eExecutive eCommittee shall be the eCounty bBoard eChairman. The vVice-eChairman of the bBoard and eExecutive eCommittee shall be a member of a minority party.
- (b) The aAd hHoc nNominating eCommittee shall submit its recommendations for eCommittee memberships, with the goal of each County Board Member serving on two of either the County's or Forest Preserve's Standing Committees, and eCommittee eChairmanships in writing to the eChairman of the eCounty bBoard elected at the organization meeting of the bBoard. The eChairman, following the recommendations of the aAd hHoc eCommittee insofar as possible, shall thereupon appoint members, vVice eChairsmen, and eChairsmen of all sStanding eCommittees of the bBoard subject to the consent of the bBoard expressed by roll call vote.

Sec. 2-41. -- Executive Committee and Standing Ccommittees Eenumerated.

(a) Executive Committee. The Cchairman of the Eexecutive Ccommittee shall be the Ccounty Bboard Cchairman. The Vvice-Cchairman of the Eexecutive Ccommittee shall be the Vvice-Cchairman of the Ccounty Bboard. The Eexecutive Ccommittee consists of the Cchairsmen of the seven Sstanding Ccommittees, or in their absence, the Vvice-Cchairsmen of those Sstanding Ccommittees and is Cchaired

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.

(ba) There shall be eight standing committees of the county board. All Standing Committees serve in an advisory capacity and perform such functions as are determined by the County Board plus those responsibilities noted below:

(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. The Finance Committee monitors the budget revenues and expenses throughout each fiscal year and may propose measures during the year to help meet annual budget goals.

~~(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 chairman of the seven standing committees, or in their absence, the vice chairman 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.~~

(24) 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.

(35) 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.

(46) 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.

(57) 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.

(68) 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, sheriff's 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.
- (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 full county 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.

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. In addition, as a courtesy to the public, audio recordings of committee meetings will be made available, as soon as practical, via the county's web site for a period of 12 months following the date of the meeting.

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.

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.

Secs. 2-47—2-65. - Reserved.

ARTICLE III. - OFFICERS AND EMPLOYEES GENERALLY

Sec. 2-66. - County Administrator.

- (a) *Position created.* There is hereby created the position of county administrator.
- (b) *Appointment.* The county administrator position, when vacant, shall be filled via the following procedure:
 - (1) The executive committee shall act as a selection committee.
 - (2) The committee shall review the credentials of all applicants and select a group of not less than three persons for personal interviews.
 - (3) Following completion of all scheduled interviews, the selection committee shall forward to the full board at its next meeting a recommendation to hire one of the candidates.

- (4) A majority vote of those members present in favor of the hiring resolution shall end the selection process. Should the motion fail, the selection committee shall restart the process outlined above.
- (c) *Qualifications.* The county will seek candidates with relevant education, administrative, management, and government experience. Candidates who are not credentialed by the International City/County Management Association (ICMA), may be required to obtain that certification, or pursue other professional development opportunities, as a condition of employment. The selection committee is authorized to use discretion in evaluating candidate qualifications to bring forward their recommendation to the county board for appointment.
- (d) *Authority, duties and responsibilities.*
 - (1) The county administrator reports directly to the county board through the chairman and the executive committee.
 - (2) The county administrator is responsible for gathering and disseminating to the board objective information which will aid in their decision-making process including, where appropriate, staff recommendations.
 - (3) The county administrator facilitates and promotes communication between the board, the public, department heads, county employees, external boards, commissions and their governments.
 - (4) The County Aadministrator provides key staff support to the Board in its policy formulation efforts and makes recommendations as appropriate. The County Aadministrator assures that the actions of the board, as expressed through their various ordinances and resolutions, are carried out. The County Administrator also serves as the Editor of the County Code and is responsible to see that all actions of the County Board, as appropriate, are timely codified and made available to the public in an organized format.
 - (5) The county administrator is responsible for the day-to-day coordination and operation of all county services that are under the control of the county board.
 - (6) The county administrator is authorized, pursuant to a departmental request, to amend departmental budgets between line-items and categories within a department's total appropriation of all their cost centers within a fund, but only the county board may increase or decrease the total fund appropriation for a department.
 - (7) In the event of an emergency, the county administrator, in consultation with the chair, vice-chair, the finance chair, and the chair of the relevant jurisdiction committee, may authorize additional spending to address the emergency, but such expenditures must be reported to the finance committee at their next regular meeting.
 - (8) The county administrator is responsible for the allocation, use, renovation, safety, and stewardship of the county's buildings and grounds.
 - (9) The county board retains the authority to approve the number of authorized positions for each department, but the county administrator may approve staff re-organizations within a department where the resulting annualized expenses do not exceed the monies already budgeted.
 - (10) Labor contracts are to be negotiated and recommended by the county administrator to the county board for the board's final approval. Before negotiations begin, the county administrator shall gather input from the executive committee and then the county administrator, Board chair, and board vice-chair shall establish negotiation parameters and strategy. Labor disputes and policy interpretations arising above the departmental level will be handled by the county administrator.
 - (11) When a vacancy exists at the department head level (other than that of county administrator), the county administrator, the chair of the relevant jurisdiction committee, and either the board chair or vice-chair (to even out political party representation if possible), are responsible for bringing forward to the appropriate county board committee up to five candidates for consideration by the committee. If none of the candidates are found to be acceptable by the committee, or the county board, the process starts over.
 - (12) Performance evaluations for county board appointed department heads will be conducted by the county board in a manner determined from time to time by the executive committee of the county board. The county administrator may submit input to the board as part of that evaluation process. The county administrator may also choose to perform interim evaluations as deemed appropriate.
 - (13) In situations where the county administrator deems it necessary, the county administrator shall have the power to order the immediate suspension of a county board appointed department

head, with or without pay as deemed appropriate, until acted upon by the county board. In such cases, the county board shall act on the suspension at their next regular monthly meeting to reinstate, or take other appropriate action, or to permanently remove the department head.

- (e) *Limitations on authority.* No provision of this section is intended to vest in or grant to the county administrator any duty or any authority which is vested by general law or ordinance in any other county officer, official, or employee. No provision of this section shall be construed to delegate to the county administrator any authority reserved to the county board by law; nor may the county administrator purchase or sell real estate on behalf of the county, nor bind the county to any debt obligation, unless specifically granted such authority by an ordinance or resolution.
- (f) *Removal.* The county administrator is an employee at will who serves at the pleasure of the board. The county administrator may be removed by a majority vote of the full county board at any regular meeting of the board. In situations where the chairman deems it necessary, the chairman shall have the power to order the immediate suspension of the county administrator with pay until acted upon by the board. In such cases, the board shall act on the suspension at their next regular meeting, voting to remove permanently, or take other appropriate action, or reinstate the county administrator.
- (g) *Performance Evaluations.* The Executive Committee will perform evaluations of the County Administrator in a manner as determined appropriate, from time to time, by the Committee. The intent of the evaluation will be to keep lines of communication open, to facilitate the accomplishment of County Board goals, and to foster positive relationships between the County Board and County Administrator.

Sec. 2-67. - Deputy County Administrator.

One or more deputy county administrators may be hired by the county board to serve as key staff to the board and county administrator and shall serve at the pleasure of the county board. Deputy county administrators shall provide executive, administrative, and operational support and analysis to the county board and county administrator and shall assist in the formulation and implementation of policies and procedures for the county. Deputy county administrators serve under the direction of the county administrator and their duties shall include all duties as assigned by the board and county administrator including, but not limited to:

- (1) Serve as a resource to the county board, the county administrator and county department heads in the formulation of overall county policy. Assist the county administrator in the formulation of operating policies and procedures.
- (2) Provide advice and guidance to the county board, its committees, the county administrator and department directors on a variety of strategic planning, financial, and management matters; recommend policy, interpret procedures, answer questions, and offer information both generally and concerning specific projects.
- (3) Assist the county administrator and participate in the formulation and administration of personnel policies, personnel procedures, and union negotiations. Serve as the county's privacy officer as it relates to employee matters. Confer with and advise the county administrator and county board on difficult work problems, and develop, implement and monitor new work procedures.
- (4) Initiate and craft internal and external communications on behalf of the county board and county administrator on matters of information of concern, public policy, and of general interest.
- (5) Working with the county administrator, department heads, and the county board coordinator, prepare and articulate an annual federal and state legislative agenda on behalf of the county board. The deputy county administrator should stay abreast of local initiatives and issues throughout the county and communicate any impact of those issues on the county with recommendations for policy positions as necessary.
- (6) Participate in the development of the annual county budget in cooperation with the county administrator and finance director. Attend, as necessary, all county board, committee and public budget hearings.
- (7) Stay abreast of applicable Freedom of Information Laws, the Illinois Open Meetings Act, and the County Code as it pertains to meetings; serve in an advisory capacity to the county board and county administrator, as needed, regarding same.
- (8) The county administrator shall appoint one deputy county administrator as chief deputy county administrator to perform the duties of the county administrator, in the administrator's absence.
- (9) The county administrator shall identify and recommend appropriate candidates to fill this position to the executive committee. The executive committee of the county board shall have

the authority to further define the duties of deputy county administrators as needed, from time to time.

Sec. 2-68. - Finance director.

The finance director shall serve as the chief financial officer of the county and exercise direct control over such functions as accounting, auditing, budget management, financial planning and reporting, inventory control, risk management, payroll and benefits, and issuance of bonds. The finance director shall serve as key staff to the county board and the county administrator and provide them with financial and operational analyses to assist in the formulation of policy and procedures. In addition, the finance director shall have the duty to:

- (1) Plan, organize, direct and participate in the review of general financial procedures for the county to include: retirement fund and payroll administration, accounting, auditing, employee benefits, grants, purchasing, bill payment, record keeping and reporting; monitoring and coordinating cost accounting activities of county departments with the general accounting system.
- (2) Develop and consolidate the annual county budget in cooperation with the county administrator and deputy county administrator; assess budget proposals submitted by individual departments and review with the county administrator and department directors; research, estimate and compute both current and projected budgetary revenues and expenditures; attend all county board, committee, and public budget hearings to receive comments, answer questions, give interpretations and make recommendations; advise news media and answer questions about county finances and the budget.
- (3) Provide advice and guidance to the county board, its committees, the county administrator, deputy county administrator, and department directors on a variety of financial matters; recommend financial policy, interpret procedures, answer questions, and offer information and advice concerning specific financial projects and policies.
- (4) Directly administer county insurance, self-insurance, and risk management programs, recommend policies and procedures to be instituted; represent the county to insurance agencies, report to the county board on insurance activities; answer questions and requests for information from employees.
- (5) Prepare, audit, and recommend to the county board all invoices to be paid by the county each month. Prepare a variety of financial and statistical reports analyses and informational summaries; examples include: Finance Director's quarterly report, annual budget book, bond reports, asset replacement and capital project schedules, census report, grant reports, appropriate personnel reports, and management costs studies.
- (6) Supervise and oversee the work of finance office employees; hire, train, evaluate, discipline and dismiss department employees.

Sec. 2-69. - Community Development Director.

The Community Development Director shall serve as the building officer, plat officer, planning director and zoning administrator of the county and exercise direct control over all professional and technical work of the Community Development department. In addition, he shall serve as key staff to the county board and the County Administrator, and provide them with research, plans and professional recommendations to assist in the formulation of policy and procedures.

Sec. 2-81. - Indemnification of officers, employees and certain appointees.

To the fullest extent permitted by the Constitution of the State of Illinois of 1970 and applicable law, all county Officers and their employees, including the following:

County board chairman
County board members
Forest preserve commissioners
County circuit court judges
County clerk and recorder
County hearing officer
Circuit clerk
Information management office director
State's attorney

County treasurer and collector
 ESDA director
 Deputy county administrator
 Deputy director of court services
 Drug court administrator
 Problem-solving court teams
 Finance director
 Public health administrator
 Contracted health department physicians
 Contracted health department animal control veterinarian administrator
 Contracted health department advanced practice clinicians (nurse practitioners and physician assistants)
 Public defender
 County coroner
 Regional superintendent of schools
 County sheriff
 County supervisor of assessments
 County planning director
 Forest preserve superintendent
 Community action director
 County administrator
 County facilities manager
 County home administrator
 County home manager
 Contracted county home medical director
 County engineer
 County historian
 Mental health administrator
 Veterans assistance superintendent
 Certain county appointees who serve as members of the:
 Community mental health board
 County board of health
 County board of review
 County farmland assessment review committee
 Community services advisory board
 County jury commission
 County building board of appeals
 County public building commission
 Sheriff's merit commission
 Sheriff's auxiliary
 Sheriff's radio watchers
 ESDA weather-spotters
 County soil and water conservation district
 County emergency telephone system board
 County nursing home foundation board
 County rehab and nursing center operating board
 County members of the River Valley Workforce Investment Board
 County regional planning commission
 County supportive living facility—Not for profit, directors
 Regional board of school trustees
 Veterans assistance commission
 County stormwater management planning committee

shall be indemnified, defended and held harmless by the county from and against all liabilities, expenses or investigation, judgments and amounts paid in settlement which may be imposed upon or reasonably incurred or paid by such officer, employee or appointee in connection with or resulting from any claim made against him or her, or any action, suit, proceeding or investigation in which he or she may be involved by reason of his or her being or having been such officer, employee or appointee of the county, whether or not he or she continues to be such officer, employee or appointee at or after the time of such

claim, action, suit, proceeding or investigation; provided however, that the foregoing indemnity shall not extend to any of the following:

- (1) Any liability or cost with respect to any matter as to which such officer, employee or appointee is finally adjudged to be guilty of bad faith, or actual malice, or willful and wanton misconduct in the performance of his or her duties as such officer, employee or appointee.
- (2) Any payment, expense or cost arising out of a settlement of any claim, action, suit or proceeding, unless:
 - a. Such settlement has been approved by the court having jurisdiction over such claim, action, suit or proceeding, with express knowledge of the existence of the indemnification provided hereby; or
 - b. Such settlement has been made with the approval of the state's attorney, a special assistant state's attorney, or special state's attorney, to the effect that there is no reasonable ground for any finding of bad faith, or of actual malice, or willful and wanton misconduct on the part of such officer, employee or appointee and that the anticipated cost of such settlement will not substantially exceed the estimated cost and expense of defending such claim, action, suit or proceeding to a final conclusion.
- (3) Any liability of judgment payable to the county itself.
- (4) The cost of legal representation, except as provided by: the state's attorney; a special assistant state's attorney, duly appointed by the state's attorney; or a special state's attorney, appointed by a court having jurisdiction over such claim, action, suit or proceeding.
- (5) Any liability or costs incurred as a result of the county officer's, county employee's or appointees failure to provide timely notice of such claims, action, suit or proceeding.
- (6) Any liability of costs incurred as a result of the county officer's, county employee's or county appointee's failure to reasonably cooperate in the defense of such claim, action, suit or proceeding.

The foregoing rights of indemnification shall be in addition to any other rights to which such officer, employee, or appointee may otherwise be entitled as a matter of law.

Sec. 2-82. - Internet usage policy.

- (a) The county provides internet access to employees for their use to transact county business.
- (b) Department heads may request, in writing, for individual employees to have access to the internet through the county's system, certifying that said employee has a business need for access.
- (c) Authorized employees may access the internet for their own use, during hours that are outside of the normal county work day. Typically this would be before 8:00 a.m. and after 5:00 p.m., Monday through Friday, plus weekends, when the volume of business transactions will be significantly reduced.
- (d) The county may choose to restrict access to various internet sites. Absent specific blocking of a site, employees are expected to refrain from accessing sites which would be considered offensive by community standards, except where such access is necessary for the execution of county business.
- (e) The county will not monitor individual internet usage as a routine matter. There may be a need for the county to occasionally review individual internet usage in a specific area.
- (f) Employees that access the internet must be aware that the hardware and software utilized for the internet access has the ability to log all county internet activity, including linked sites.
- (g) Nothing in this policy shall prohibit law enforcement officials from examining any internet usage in the course of an on-going investigation of civil or criminal or activity. The county reserves the right to disclose any internet activity to law enforcement officials, but will notify the state's attorney's office prior to any investigation being initiated.
- (h) When accessing the internet, employees are expected to use anti-virus software on their workstations and particular caution for computer viruses should be exercised if files are downloaded.
- (i) Any conduct that violates this policy may result in disciplinary action up to and including dismissal.
- (j) The county reserves the right to change this policy at any time, with such prior notice, if any, as may be reasonable under the circumstances.
- (k) No one shall receive authorized access to the internet until he or she has received, reviewed, and agreed, in writing, to comply with this policy. Such documentation shall be retained in the employee's personnel file.

Sec. 2-83. - E-mail usage policy.

- (a) The county provides e-mail (electronic mail) to employees for their use to transact county business.
- (b) The county recognizes that employees have substantial interest in, and reasonable expectations of, privacy with regard to the e-mail messages they send or receive. However, the county can make no guarantees that absolute privacy of e-mail messages will be experienced.
- (c) Time spent on e-mail messages, which are personal, is expected to be either incidental in nature, or confined to time periods which are not a part of the employee's paid work hours.
- (d) Employees are expected to refrain from sending, or encouraging the receipt of, messages for which the content would be considered offensive by community standards, except where such messages are necessary for the execution of county business.
- (e) The county reserves the right to access and disclose the contents of e-mail messages, but will do so only when it has a legitimate business need, or when the urgency of the need is sufficiently strong to offset the county's commitment to honor the employee's interest in privacy.
- (f) The county will not monitor e-mail messages as a routine matter. There may be a need, however, for the county to occasionally review e-mail content for a specific reason.
- (g) Nothing in this policy shall prohibit law enforcement officials from examining any e-mail messages in the course of an on-going internal investigation of civil or criminal activity for alleged use or misuse by a county employee. The county reserves the right to disclose any e-mail messages to law enforcement officials, but will notify the state's attorney's office prior to any investigation being initiated.
- (h) In case of termination or extended absence, work-related e-mail messages may be forwarded to the most appropriate employee.
- (i) The unauthorized viewing and/or retrieval of another person's e-mail messages, and other forms of electronic snooping, are prohibited.
- (j) The State's Attorney, the County Administrator, and the Finance Director deputy county administrator, will review any request for access to the contents of e-mail messages. In the absence of one of those individuals, the Information Management Office Director may be substituted. Such requests must be approved in advance by a majority, and any access undertaken without such approval, is a breach of County policy for which there may be disciplinary action.
- (k) Any conduct which violates this policy may result in disciplinary action up to and including dismissal.
- (l) The county reserves the right to change this policy at any time, with such prior notice, if any, as may be reasonable under the circumstances.
- (m) No one shall receive authorized access to the e-mail system until he or she has received, reviewed, and agreed, in writing, to comply with this policy. Such documentation shall be retained in the employee's personnel file.

Sec. 2-68.5. - Government vehicle operation policy.

- (a) *Policy.* The operation of vehicles is indispensable in conducting county business, and the way in which each vehicle is handled directly affects the production of county departments. First, the safety of our employees is our primary concern. Second, vehicular collisions are potentially the most costly losses we can incur when the summation of property damage, bodily injury, fatalities, and liability suits is considered. Such costs can mount to proportions that will adversely affect every department in efforts to accomplish its mission and maintain good public relations.
- (b) *Coverage.* This policy applies to all departments of county government headed by appointed officials or those headed by elected officials who have chosen to adopt these policies. This policy shall be in addition to any existing policies previously put in place by the various departments of the county.
- (c) *Responsibilities/procedure.*
 - (1) Department heads and elected officials who have adopted these policies shall:
 - a. Once these policies have been adopted, insure departmental compliance by monitoring internal implementation procedures and periodically checking on employee compliance.
 - b. Notify all employees of the existence of these policies and the potential disciplinary actions that may be taken against those employees who show a disregard for these policies.
 - c. Assure that all county-owned vehicles are maintained adequately for safe operations.
 - d. Establish periodic inspections of county-owned vehicles for safety discrepancies, malfunctions, signs of abuse, unreported damage and cleanliness. If repairs are necessary, such repairs shall be made as soon as possible.
 - e. Support the county's on-line driving training program and require all covered drivers to complete it.
 - (2) Supervisors, having direct authority over employees, shall:

- a. Insure that employees do not drive any county vehicle unless they have valid State of Illinois driver's licenses, are familiar with state laws and this policy, and for employees whose primary duty is driving shall be required to have a valid license of the proper class.
 - b. Insure that only authorized personnel be allowed to operate county vehicles, special purpose vehicles and trucks.
 - 1. An employee shall not be certified as authorized to operate a special purpose vehicle until he/she has satisfactorily demonstrated his/her complete familiarity with its functions. The employee shall thoroughly understand the manufacturer's operating instructions, vehicle limitations, and emergency procedures and be able to successfully pass an operator's checkout test to the satisfaction of the supervisor.
 - 2. These procedures shall be accomplished for each type of special purpose vehicle and truck the operator is required to operate.
 - c. Insure that unsafe vehicles are not driven until safety discrepancies have been corrected.
 - d. Insure that all employees are briefed and understand that the use of seat belts while driving or riding in a county vehicle is mandatory.
- (3) Employees are required to follow defensive driving practices, which are established for the protection of themselves, their fellow employees and the citizens of the county. Every driver of a county-owned vehicle and every county employee who routinely (average of once per week or more) operates their own vehicle on county business must pass the on-line course within six months of the effective date of this policy. Course cost will be paid by the tort fund. Department heads may mandate that all drivers that drive on county business pass the on-line course. Following the effective date of this policy, new hires will be expected to pass the on-line course prior to completion of their probation period. Employees shall also:
- a. Inspect the vehicle which he/she is about to drive in accordance with the following:
 - 1. If there is evidence of accident damage, the employee shall report it to his/her supervisor before driving. Otherwise he/she could be charged for the accident he/she didn't have.
 - 2. If the vehicle is found to be unsafe, the employee shall report it before driving and request another vehicle.
 - 3. Vehicles having steering or braking defects shall not be driven. They shall be towed to a garage and repaired before being returned to service.
 - b. Report to the supervisor in writing all defects noted during the trip.
 - c. Wear seat belts at all times while driving, requiring passengers to do same.
 - d. Call police in the jurisdiction responsible to investigate all collisions involving county vehicles and report details to immediate supervisor (or other supervisor if immediate is not available) as soon as possible.
 - e. Employees operating a vehicle in service to the county shall follow these operating rules:
 - 1. Removal of any equipment from a county-owned vehicle without written permission of the immediate supervisor and/or the department head is prohibited.
 - 2. Operating any vehicle on county business while impaired in any way is a violation of this policy and subject to disciplinary action up to and including discharge for a first offense. Impairment includes any physical, mental or emotional state or condition naturally or artificially induced that would lessen the ability of the driver to safely operate the motor vehicle.
 - 3. No alcoholic beverage (whether opened or unopened), narcotics, firearm or explosive material may be transported in a vehicle being utilized for county business purposes unless designated as part of the driver's responsibility.
 - 4. County vehicles shall not be parked in front of or in parking areas associated with taverns or liquor stores unless employee is on official county business with said establishment. (Restaurants serving liquor are not included in this prohibition.)
 - 5. Each driver who operates his/her personal vehicle in service to the county must present his/her supervisor with a valid certification of insurance and renewals of it. Each driver must provide initial proof of a valid State of Illinois driver's license and notify their supervisor immediately of the loss, revocation or suspension of those driving privileges.
 - 6. Modification of any vehicle or of any equipment in a county-owned vehicle without written permission of the immediate supervisor and/or the department head is prohibited.
 - 7. Employees who operate a county vehicle shall restrict use of the vehicle to official county business and incidental personal use.
- (4) The county finance office shall:

- a. Maintain and administer an aggressive program for county employees that seeks to reduce vehicular collisions and liability claims against the county.
 - b. Provide access to an on-line driving course for county employees. Departments will be responsible for maintaining compliance records and making sure employees complete training on a timely basis.
 - c. Recommend safety equipment requirements and specifications for purchasing new vehicles.
 - d. Maintain a database of driver's licenses of county employees who drive in service to the county and periodically spot check that drivers are maintaining a valid license.
 - e. Maintain complete records on county collisions, property damage, and liability claims.
- (5) Take-home policy. The decision regarding assignment of county vehicles to employees, and the subsequent decision to allow the vehicles to be driven to and from work each day, shall be left to the discretion of the department head.
- a. County-owned vehicles parked at employee's homes shall be locked and secured.
 - b. On-street parking should be avoided to the extent possible. County vehicles should be parked and stored in the safest possible manner at all times.
- (6) Accident reporting requirements. Any accident involving a county-owned, rented or leased vehicle or privately owned vehicle used in service to the county shall be reported as follows:
- a. Summon medical care for any injured parties.
 - b. Notify appropriate law enforcement authorities.
 - c. Notify employee's immediate supervisor.
 - d. The supervisor shall be responsible for initiating the departmental investigation of the accident, completing all required reports and recommending any follow-up preventative actions.
- (7) Personally owned vehicles used in service to the county.
- a. The county's self-insurance program provides for excess liability coverage, but does not cover physical damage to an employee's personal vehicle. For excess liability coverage to apply, the accident must be determined by the finance office to have occurred during the course and scope of the employee's work duties.
 - b. An employee's personal automobile insurance policy is primary to any county coverage. Employees who use personally owned vehicles for county business might wish to confirm with their insurance carrier that their personal automobile insurance policy provides coverage for this use.
- (8) Reporting requirements. All vehicle operators are required to notify their immediate supervisor immediately of any temporary or permanent suspension, revocation or loss of driving privileges. Such reports shall be forwarded to the finance office by the applicable department. Employees who become ineligible to drive, and whose job requires them to do so, are subject to reassignment or discharge at the sole discretion of the employer.

Sec. 2-85. - Fiscal year.

The fiscal year for the county shall be a period commencing January 1 of each year and ending December 31 of each year.

Sec. 2-86. - Department credit cards.

The purpose of this section is to allow departments to purchase goods and services directly from vendors when those items are needed, but it is not expedient, practical, or desirable to have either a check or cash available when payment is demanded.

- (1) The finance office will select a company to use to obtain the necessary credit cards and establish a line of credit with that company. Consideration will be given a company who can meet the general purchasing needs of the various county departments and the billing and payment requirements of the county.
- (2) Each department head will determine how many cards are needed for their department and which employees will be allowed to use them. All employees issued a credit card must sign an

acknowledgment form recognizing their responsibility to comply with the county's policy regarding credit cards.

- (3) The finance office will establish appropriate credit limits for each card, recognizing that individual cards may vary with the types of goods and services which are anticipated to be acquired.
- (4) The use of this card is restricted for the county government to acquire goods and services which are appropriate for the conduct of the county's business.
- (5) Each department head is responsible for the use of the cards by their department. The department head is responsible to make sure that any charges are authorized county expenditures and that adequate monies are available within the department's approved budget.
- (6) No personal expenditures are allowed by employees with the credit cards, even if the intent is to re-pay the county at a future point.
- (7) Credit card bills submitted to the finance office for payment must include supporting documentation, such as receipts and invoices, which clearly show what goods and services were purchased using the credit card.

Sec. 2-87. - Residency Requirement.

County Department Heads who are appointed by resolution by the County Board are required to live in DeKalb County within eighteen (18) months of their first day of employment (work). This requirement may only be waived or modified by action of the County Board. Failure of a Department Head to comply with this requirement is grounds for dismissal, but dismissal is subject to formal action by County Board. *Employees hired before March 1, 2018, are "grandfathered" and this provision does not apply.*

Sec. 2-88. - Filling Departmental Staff Vacancies.

When a staff vacancy exists in a Department where the County Board appoints the Department Head, before those vacancies can be filled, the over-sight Standing Committee must first approve that the need exists for the position. The Department Head will provide six month status updates to the Standing Committee during the vacancy period. The Finance Committee, as provided for in Section 2-41 (a) (1), may impose additional conditions on filling vacancies based on budgetary concerns. Each Standing Committee, if request by a Department Head, may approve a list of "critical employees" for whom the above approval process would then not apply when a vacancy occurs.

Sec. 2-70 – 2-80 & 2-89 & 2-90. - Reserved.