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DeKalb County Government
Sycamore, Illinois

**Ad Hoc Rules Committee Minutes
February 14, 2019**

The Ad Hoc Rules Committee of the DeKalb County Board met on Thursday, February 14, 2019 in the Administration Building's Conference Room East in Sycamore, Illinois. Chairman Pietrowski called the meeting to order at 6:30 p.m. Those Members present were Mr. Tim Bagby, Mr. Scott Campbell, Vice Chairman John Frieders, Ms. Dianne Leifheit, Mr. Jeff Whelan, Ms. Suzanne Willis, and Chairman Mark Pietrowski, Jr. Mr. Steve Faivre was absent. A quorum was established with seven Members present and one absent.

Others present were Gary Hanson and Sheila Santos.

APPROVAL OF THE AGENDA

Mr. Whelan moved to approve the agenda as presented and Ms. Willis seconded the motion. The motion was carried unanimously by voice vote.

APPROVAL OF THE MINUTES

It was moved by Mr. Bagby, seconded by Mr. Whelan, and it was carried unanimously by voice vote to approve the minutes from the last meeting which was held on November 14, 2018 meeting.

PUBLIC COMMENTS

There were no public comments made.

OLD BUSINESS

Personnel Policy Update

County Administrator Gary Hanson reviewed a handout that illustrated the County's 2018 Full Time Equivalent Employees. The purpose of the sheet was to provide the breakdown of which individuals the County Board oversees, which are Elected Department Heads, which are under the supervision of the 23rd Judicial Circuit, and which have additional Independent Operating Boards they report to. Out of 545.78 FTE County employees/positions, the County Board oversees 84.21 of those.

Mr. Hanson additionally reviewed a draft outline of the DeKalb County Government Employee Handbook which is still being worked out. He shared that the County's Labor Attorney will be visiting the County on February 21st to meet with Mr. Hanson to review this outline and provide additional input on the revamped Personnel Policy. Once there is a better outline, Mr. Hanson will bring items that there will need to be decisions made on by the Committee at a future meeting.

ADDRESSING PUBLIC COMMENTS SECTION AT COMMITTEE & COUNTY BOARD MEETINGS

Chairman Pietrowski shared with the Committee that this is a topic that he brought up and been in consultation with the State's Attorney on for some time now. He added that the opinion that

came from the State's Attorney Office what that: They (Rick Amato & David Berault) believe that public comments should not be limited by the rules – yet the usage of those comments for voting purposes should continue to be avoided. The County Board Meeting is not a Public hearing, and the allowance of people to speak their mind should not be utilized as a method to re-open Public Hearings with question and answer sessions. The Office also shared that they would be comfortable with the issue being raised with the Attorney General's PAC by the County Board if they want to have the lead law enforcement agency on OMA and FOIA examine the issue.

The Chairman shared that the County Board currently regulates comments from the public to be up to three minutes on any topic of their choosing, except on issues that have been the subject of a properly noticed and legally held public hearing conducted by a Hearing Officer. He would be seeking a recommendation to eliminate the restriction on the content of the public comments but not on the three minute time per comments and thirty minute overall timeframe of public comments. The Chairman additionally emphasized the importance of Public Hearings and that those venues are for gathering evidence.

Vice Chairman Frieders noted that he has been seeing an increase of back and forth discussions with Board Members and public at full County Board Meetings and that is something he doesn't think should be occurring. He noted that conversations like that can occur at Committee Meetings where there is a less formal structure and where the work is being done on a topic but at the full County Board Meeting that time has passed.

Mr. Hanson presented potential changes to 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 themselves by name and township.

~~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." ["Public Comments"]~~

The Committee discussed the potential changes and all agreed to completely eliminate the opportunity to yield time which they recently changed.

Mr. Hanson shared that he has asked the Public Access Counselor (PAC) on their opinion and has yet to hear back with a response but he did hear they received the questions.

The Committee also briefly discussed putting more of an enforcement on Sec. 2-31(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

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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.”

Vice Chair Frieders suggested posting some important County Board Rules for the public on the screens in the Gathertorium to make everyone aware of some rules they may not even be aware of.

The Members discussed the overall 30 minute timeframe for public comments and comments from the public overall. It was also suggested that once the Committee felt they updated all the changes they sought, they then would remind the Board Members to review the rules in order to provide a good refresher.

The final determination on the Public Comments at Committee and Board Meetings was to allow individuals to speak up to 3 minutes per person with a 30 minute total allotment for all comments. There will be no yielding of time from one individual to another and the requirement that no one may speak on any topic that was subject to a Public Hearing will be removed (there will be no monitoring of content). Individuals will speak under Public Comments but the Chair will have the discretion to allow comments at a certain agenda item if they deem appropriate.

Mr. Whelan moved forward the amendments to Sec. 2-37 – Comments from Public as described above. Ms. Willis seconded the motion and it was approved unanimously.

ADDRESSING RULES ON BOARD MEMBERS OBTAINING LEGAL BRIEFINGS & CASE UPDATES FROM THE STATE’S ATTORNEY’S OFFICE

Chairman Pietrowski shared that he and Vice Chair Frieders have discussed with the State’s Attorney’s Office what avenues they could take to obtain updates from the State’s Attorney on litigation matters the County is involved with.

The Chairman shared that the response from the State’s Attorney Office was that they are tasked with defending the Board in litigation, and they agree that they should update the County Board as needed. As major events occur, it should be expected that the Board is informed. They would also seek the Board’s agreement to settle litigation that directly falls under their authority. (Side note – tax litigation is only settled by the State’s Attorney and this is a long-settled issue under Illinois law). There was also some discussion that the Sheriff may need to be carved out of this procedure (at least to some degree) because of his statutory authority.

The Committee discussed that procedurally, the best place for them to receive these updates from the State’s Attorney’s Office would be in Executive Session at the Executive Committee Meetings as opposed to the full Board Meetings due to logistics of more public attending and live streaming that occurs at the full Board Meetings. It was also clarified that all County Board Members are welcome to attend the Executive Committee Meetings and can stay for any Executive Sessions.

Mr. Hanson shared that he would contact the State’s Attorney’s Office to write up a new section of the Code to incorporate this new procedure for bring lawsuit updates and settlements to the County’s Executive Committee. The Committee then could meet again prior to the Executive Committee to review the wording prior to moving it forward.

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It was moved by Vice Chairman Frieders, seconded by Ms. Leifheit and was approved unanimously to request that the State's Attorney's Office draft a new section of the County Board Rules to incorporate a new procedure for bringing lawsuit updates and settlements to the County's Executive Committee under Executive Session.

COUNTY BOARD REDISTRICTING

Chairman Pietrowski shared that he remains proud of the fact that the County Board unanimously approved the implementation of this rule into the County Board back in 2014 but Mr. Bagby has brought up a potential amendment which he also agrees would be a beneficial change.

Mr. Bagby requested the Committee to focus on Sec. 2-27.1. - Redistricting.

(10.) The County Administrator, the 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.

His suggested amendment was to remove the Information Management Office Director from the three individuals developing potential plans for redistricting and replace that individual with the County Engineer. If a vacancy exists in one of those offices, then the Forest Preserve District Superintendent would fill the open spot. Mr. Bagby explained that he feels this would be a good change because he would like to see the IMO Director and Department work more as independent utility players and use them as the experts on the software and the ones who are assisting the other three individuals who will be the ones who will be drawing the plans.

Information Management Office Director Sheila Santos joined the Committee and shared that she could completely see where Mr. Bagby was coming from and agreed with him. She also provided the Committee with a brief overview of how the GIS software could work and what she and her Department could do to assist those other three individuals who would be drawing up the plans to present to the County Board.

It was moved by Mr. Bagby, seconded by Ms. Willis and it was approved unanimously to amend Sec. 2-27.1.(10) as follows:

(10.) The County Administrator, the Community Development Director, and the ~~Information Management Office Director~~ County Engineer, 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~~ Forest Preserve District Superintendent 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.

Plan for 2019 Rule Changes & Reforms

Mr. Hanson presented three additional minor changes in the County Board Rules that he found when most recently reviewing the Code:

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Sec. 2-33. - Order of business.

The order of business at meetings of the County Board shall be as follows:

- (1) Roll Call
- (2) Pledge to the Flag
- ~~(3)~~ Approval of Agenda
- ~~(4)~~ Approval of Minutes
- ~~(4.5)~~ Communications & Proclamations
- ~~(6.6)~~ Public Comments
- ~~(6.7)~~ Approval of Appointments
- ~~(8)~~ Reports of Standing Committees with Ordinances & Resolutions
- ~~(7.9)~~ Reports of Special Committees with Ordinances & Resolutions
- ~~(8.10)~~ Old Business
- ~~(9.11)~~ New Business & Referral of Matters to Committee
- ~~(10.2)~~ Adjournment

Sec. 2-66. - County Administrator.

(d) *Authority, duties and responsibilities.*

(14) The County Administrator, or their designee, will represent the County on any applicable Tax Incremental Financing (TIF) District's Joint Review Boards or related TIF Advisory Boards.

Sec. 2-32. - Meetings generally.

(f) When Special Meetings are held at the request of outside parties because the timing of the regular monthly County Board meeting will not meet their needs, the County will charge a fee of \$3,000. The fee may be waived by the County Board at their next regular monthly meeting if it is determined that the Special Meeting was also in the best interest of the general public.

It was moved by Vice Chairman Frieders, seconded by Ms. Leifheit and it was carried unanimously to forward all three amendments to the full County Board recommending their approval.

Chairman Pietrowski also shared that the Ad Hoc Rules Committee will continue to meet on a need-to basis and will poll the Members for availability prior to scheduling a meeting.

The Committee also determined that their next meeting will be Wednesday, March 13th at 6:30 p.m. prior to the Executive Committee for final approval on all the wording from the amendments that were agreed upon tonight in order for them to be forwarded onto the March 20th County Board Meeting with an April 1, 2019 effective date.

ADJOURNMENT

It was moved by Mr. Whelan, seconded by Ms. Willis and it was carried unanimously to adjourn the meeting at 8:19 p.m.

Respectfully submitted,

Chairman Mark Pietrowski

Tasha Sims, Recording Secretary

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DeKalb County Government
Full Time Equivalent (FTE) Employees
Source: Board Adopted 2018 Budget

4/17/2018		Independent Operating Boards																							
Function/Program	2018	County Board					Elected Dept Heads				23rd Judicial Circuit			Mental Health		Nursing Home			Public Health			Veterans			
	Total FTE	Dept Head	Non-Union	AFSCME	MAP	Teamsters-Hwy	Dept Head	Non-Union	AFSCME	MAP	Dept Head	Non-Union	MAP	Dept Head	Non-Union	Dept Head	Non-Union	AFSCME	Dept Head	Non-Union	AFSCME	Dept Head	Non-Union		
1 GENERAL GOVERNMENT																									
2 Administration	3.10	1.00	2.10																						
3 Finance	6.00	1.00	3.00	2.00																					
4 Information Management Office	8.00	1.00	7.00																						
5 Assessments	6.16	1.00		5.16																					
6 County Clerk & Recorder	12.00						1.00		11.00																
7 Community Development	5.13	1.00	2.13	2.00																					
8 Regional Office of Education	5.50		5.50																						
9 Treasurer	5.00						1.00		4.00																
10 Facilities Management Office	10.32	1.00		9.32																					
11 Total General Government	61.21	6.00	19.73	18.48	0.00	0.00	2.00	0.00	15.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
12 PUBLIC SAFETY																									
13 Circuit Clerk	27.00						1.00	26.00																	
14 Coroner	1.25						0.50	0.75																	
15 ESDA	1.25	0.50	0.75																						
16 Judiciary/Jury Comm/Treatment Court	15.82											14.82	1.00												
17 State's Attorney	22.48						1.00	14.00	7.48																
18 Public Defender	11.00										1.00	10.00													
19 Court Services/Probation	23.40										1.00	4.90	17.50												
20 Sub-Total Non-Sheriff	102.20	0.50	0.75	0.00	0.00	0.00	2.50	40.75	7.48	0.00	2.00	29.72	18.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
21 Sheriff - Admin/Patrol/Detective	44.00						1.00	3.50	4.50	35.00															
22 Sheriff - Communications	24.00							1.00	23.00																
23 Sheriff - Corrections	38.00							4.00	33.00																
24 Sheriff - Court Security	5.00							1.00	4.00																
25 Sub-Total Sheriff	111.00	0.00	0.00	0.00	0.00	0.00	1.00	9.50	5.50	95.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
26 Total Public Safety	213.20	0.50	0.75	0.00	0.00	0.00	3.50	50.25	12.98	95.00	2.00	29.72	18.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
27 HIGHWAY																									
28 Total Highway	24.00	1.00	4.00	5.00	0.00	14.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
29 HEALTH AND WELFARE																									
30 Community Action	4.00		4.00																						
31 Mental Health	2.00													1.00	1.00										
32 Public Health & Solid Waste	41.00																	1.00	10.00	30.00					
33 Rehab & Nursing Center	183.40																1.00	47.90	134.50						
34 Veteran's Assistance Commission	6.22																					1.00	5.22		
35 Total Health and Welfare	236.62	0.00	4.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	1.00	47.90	134.50	1.00	10.00	30.00	1.00	5.22		
36 CULTURE AND RECREATION																									
37 Forest Preserve	10.50	1.00	9.50																						
38 History Room	0.25		0.25																						
39 Total Culture and Recreation	10.75	1.00	9.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
40 GRAND TOTAL	545.78	8.50	38.23	23.48	0.00	14.00	5.50	50.25	27.98	95.00	2.00	29.72	18.50	1.00	1.00	1.00	47.90	134.50	1.00	10.00	30.00	1.00	5.22		
	2018	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V		

Chapter	Section	Title
I		General Information About the County
	A	Purpose of This Handbook and Employment At-Will
	B	Employees to Whom This Handbook Applies
	C	Equal Employment Opportunities
II		Our Policy Against Harassment
	A	Prohibition on Sexual Harassment
	B	Definition of Sexual Harassment
	C	Procedure for Reporting an Allegation of Sexual Harassment
	D	Prohibition on Retaliation for Reporting Sexual Harassment Allegation
	E	Consequences of a Violation of the Prohibition on Sexual Harassment
	F	Consequences for Knowingly Making a False Report
	G	Contact Information Regarding Resolution Outside of the County
III		Our Reasonable Accommodation Policy
	A	Religious Accommodation
IV		Policy Against Workplace Bullying
	A	Definitions and Examples
	B	Retaliation is Not Allowed
V		About Your Employment
	A	Employee Classifications
	B	Probationary / Orientation Period
	C	Personnel Records
VI		Your Workday and Compensation
	A	Hours of Work
	B	Overtime
	C	Paychecks
	D	Time Records
	E	Break Time for Nursing Mothers
VII		Benefits
	A	Medical / Dental / Vision / Life Insurance Benefits
	B	Deferred Compensation Benefit Plan
	C	Worker's Compensation
	D	Vacation / Paid Time Off Policy
	E	Nepotism
	F	Demotion
	G	Manning
	H	Lay-Off

Chapter	Section	Title
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	I	Military Leave
	J	Holidays
	K	Jury Duty / Court Appearances
	L	Voting Time Off
	M	Leaves of Absences
	N	Family & Medical Leave Act (FMLA)
	O	Non-FMLA Personal Medical Leave of Absence
	P	Bereavement Leave
VIII		County Policies and Procedures
	A	Complaint Resolution Procedure (Open Door Policy)
	B	Workplace Violence
	C	Conceal / Carry Weapons Policy
	D	Drug and Alcohol Policy
	E	Absenteeism and Tardiness Policy
	F	Security / Search Policy
	G	Personal Telephone Calls
	H	Use of County Computer Equipment and Software
	I	Use of E-Mail and Voice Mail
	J	Social Media and Networking Sites
	K	Use of Cell Phones and Other Devices
	L	Advancement
	M	Transfers
	N	Dishonesty
	O	Termination of Employment
	P	Solicitation / Distribution Policy
	Q	Gift Ban Policy and Prohibitions
	R	Ethics Policy
	S	Snow Policy
IX		Reimbursement for Work Related Business Expenses
	A	State Statute
	B	Policy Statement
	C	Authorized Types of Official Business
	D	Maximum Allowable Reimbursement for Travel Expenses
	E	Standardized Reimbursement Form
	F	Expenses Exceeding the Maximum Allowable Travel Reimbursement
	G	County Board Expenses and Reimbursement
	H	Receipts and Required Documentation
	I	Insufficient Documentation
	J	Approval by the County Board
	K	Entertainment Expenses Prohibited

Chapter	Section	Title
	L	Freedom of Information Act Applicability
	M	Effective Dates
X		Guidelines for Conduct
	A	Personal Appearance, Dress, and Hygiene
	B	Safety Guidelines
	C	Personal Hygiene
	D	Standards of Conduct
	E	Fire Protection
	F	Outside Activities (Conflicts of Interest)
	G	Security of Confidential Information
	H	Smoking & Tobacco Use
	I	Required Update of Social Media Profile
	J	Illinois Municipal Retirement Fund
	K	Educational and Educational-Incentive Benefits
	L	Mileage Reimbursement Rate
XI		Conclusion
	A	Employee Acknowledgement of Receipt

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- (45) Communications & Proclamations
- (56) Public Comments
- (67) Approval of Appointments
- (8) Reports of Standing Committees with Ordinances & Resolutions
- (79) Reports of Special Committees with Ordinances & Resolutions
- (810) Old Business
- (911) New Business & Referral of Matters to Committee
- (102) Adjournment

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DEKALB COUNTY GOVERNMENT CODE

Updated as of Ordinance O2018-51, November 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 Administrator, the 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.