



RULES SUBCOMMITTEE AGENDA

Room 404, Government Center

Tuesday, February 6, 2007

3:00 p.m.

1. Call to Order – Chairman Sorensen
2. Items to be presented for Subcommittee Action:
 - A. Consideration and Discussion of Amendments to Rules of the County Board of McLean County
 - 1) Request Approval of Resolution to Amend the Rules of the County Board of McLean County to Consider Remote Attendance 1-34
 - 2) Request Resolution to Amend the Rules of The County Board of McLean County to Consider Ex parte Communications 35-36
 - 3) Request Resolution to Amend the Rules of The County Board of McLean County to Consider Absence and/or Incapacity of the Chairman of the County Board 37-39
 - 4) Request Approval of Resolution of Rules of the County Board of McLean County 40-62
3. Items to be presented for Information:
 - A. General Report
 - B. Other
4. Adjournment

WILLIAM A. YODER


McLean County State's Attorney

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MEMO

TO: Chairman and Members of the Rules Subcommittee

FROM: Eric T. Ruud 

RE: Remote Attendance Amendments to the Rules of the McLean County Board

DATE: January 29, 2007

On January 1, 2007, P.A. 94-1508 took effect. It permits remote meeting attendance for members of public bodies, including county boards, their committees and subcommittees, subject to the enactment of rules in accordance with the Act.

Enclosed is a DRAFT of a proposed *Resolution to Amend the Rules of the County Board of McLean County* for the purpose of allowing remote attendance. I have also enclosed a DRAFT of the *Rules of the County Board of McLean County* as amended by the proposed Resolution. Proposed changes are underlined or ~~stricken~~. Pages where the proposed changes can be found are tabbed.

If the McLean County Board does not wish to permit remote attendance of its members, no official action is necessary. However, if the option of remote attendance is desired, the enclosed *Resolution to Amend the Rules of the County Board of McLean County* may be enacted at any time.

If you have any questions or concerns, please feel free to contact me.

Enclosure

DRAFT

**RESOLUTION TO AMEND THE RULES
OF THE COUNTY BOARD OF McLEAN COUNTY**

WHEREAS, on January 1, 2007, Public Act 94-1058, amending the Illinois Open Meetings Act, takes effect and amends the definition of a "meeting" and permits attendance of members of a public body at public meetings by a means other than physical presence; and

WHEREAS, to permit attendance by a means other than physical presence, the McLean County Board must adopt rules that conform to the requirements of the Illinois Open Meetings Act; and

WHEREAS, the McLean County Board deems it necessary and appropriate to amend its rules for the purpose of defining the term "meeting" and adopting rules pertaining to attendance and participation in any meeting of the McLean County Board, its committees and subcommittees from a remote location via telephone, video or internet connection provided that such attendance and participation is in compliance with the Illinois Open Meetings Act, now therefore

BE IT RESOLVED that the Rules of the County Board of McLean County be amended as follows:

1. That in Section 5.12, a new Section 5.12-01 be added as follows:

"The term 'meeting' as used in any existing rules, ordinances, resolutions, agendas and minutes shall mean any gathering, whether in person or by video or audio conference, telephone calls, electronic means (such as, without limitation, electronic mail, electronic chat and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of the county board, its committees or subcommittees for the purpose of discussing public business."

2. That a new Section 5.20 Remote Attendance Policy be added as follows:

“5.20 REMOTE ATTENDANCE POLICY

5.20-1 It is the policy of the McLean County Board that a member of the McLean County Board may attend and participate in any open meeting of the McLean County Board, its committees and subcommittees from a remote location via telephone, video or internet connection, provided that such attendance and participation is in compliance with this policy, the Illinois Open Meetings Act, and any other applicable laws.

5.20-2 It is the policy of the McLean County Board that a member of the McLean County Board may not attend and participate in any closed meeting of the McLean County Board, its committees and subcommittees from a remote location via telephone, video, internet connection or other means of contemporaneous interactive communication.

5.20-3 A member of the McLean County Board shall be provided the opportunity to attend an open meeting from a remote location if

- (A) In the case of a McLean County Board meeting, the member has notified the McLean County Clerk at least 24 hours before the meeting unless advance notice is impractical or, in the case of a committee or subcommittee meeting, the member has notified the recording secretary at least 24 hours before the meeting unless advance notice is impractical; and
- (B) The member has met one of three reasons described herein why he or she is unable to physically attend the meeting, including either (1) that the member cannot attend because of personal illness or disability, (2) the member cannot attend because of employment purposes or the business of the McLean County Board, or (3) the member cannot attend because of a family or other emergency; and
- (C) A quorum of the McLean County Board, the committee or subcommittee, as the case may be, is physically present.

5.20-4 After roll call, if a quorum is present, a vote of the McLean

County Board, the committee or subcommittee, as the case may be, shall be taken considering the prerequisites set forth in Section 5.20-3 on whether to allow an off-site member to participate remotely. Only the members physically present are permitted to vote on whether remote participation will be allowed. A vote of a majority of members physically present shall be necessary to decide the issue. For the meeting to continue there shall always need to be a quorum present.

5.20-5 The member participating remotely shall be considered an off-site participant and counted as present by means of video or audio conference for that meeting if the member is allowed to participate. The meeting minutes shall reflect and state specifically whether each member is physically present, present by video, or present by audio means.

5.20-6 The member permitted to participate remotely shall be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to the Rules of the County Board of McLean County. The remote member shall be heard, considered and counted as to any vote taken. Accordingly, the name of any remote member shall be called during any vote taken, and his or her vote counted, recorded and placed in the minutes for the corresponding meeting. A member participating remotely may also leave a meeting and return as in the case of any member.

5.20-7 A member participating remotely via long distance telephone shall be reimbursed for the cost of the telephone call upon a valid receipt being shown. Any other costs associated with remote participation, including video conferencing and other audio and video equipment, shall be subject to approval of the McLean County Board.”

3. That Section 5.20 shall be re-numbered 5.21.
4. That Section 5.21, 5.21-1 and 5.21-2 shall be re-numbered 5.22, 5.22-1 and 5.22-2 respectively.
5. That Section 5.22 shall be re-numbered 5.23.

6. That Section 5.23 shall be re-numbered 5.24.
7. That Section 5.24 shall be re-numbered 5.25.
8. That in the former Section 5.24 Effective Date, the date "2006" shall be deleted and replaced with "2008".
9. That in the "ADOPTED" clause, delete "15th" and replace with "4th"; delete "March, 2005" and replace with "December, 2006".

This amendment shall become effective on January 1, 2007.

ADOPTED by the McLean County Board this 4th day of December, 2006.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the
McLean County Board, McLean
County, Illinois

, Chairman
McLean County Board

RULES OF THE COUNTY BOARD
OF MCLEAN COUNTY

DRAFT

PREAMBLE

The members of the County Board of McLean County, Illinois wish to individually and collectively express their expectation and intent that all Board members follow a high standard of ethical behavior in exercising their duties, responsibilities and judgment as Board members. All members of the McLean County Board shall:

1. Handle County affairs with a deep sense of responsibility, upholding the spirit as well as the letter of the law and constitution.
2. Faithfully perform all duties as Board members by studying Board issues and by attending all sessions of the Board and assigned Committees, unless prevented from so doing by a compelling reason.
3. Avoid participation in any action, which would result in a conflict of personal interest with County responsibility.
4. Refrain from obtaining improper personal benefit with regard to public funds, equipment, property, or the services of employees.
5. Respect the confidentiality of privileged information.
6. Refrain from accepting gifts, favors or promises of future benefit, which could tend to impair independence of judgment or action as a Board member.

The following rules shall govern the County Board of McLean County, Illinois.

5.10 APPLICABLE FEDERAL AND STATE LAWS. The McLean County Board in carrying out its duties and responsibilities shall be governed by all applicable federal and state laws and regulations.

5.11 ORGANIZATION AND OFFICERS

5.11-1 Initial Meeting and Election of Officers

- (A) In years of County Board elections, the initial meeting of the County Board (hereinafter called the "Board") shall be on the first Monday in

December. The County Clerk shall call the meeting to order and preside during the election of a Temporary Chairman. A vote of the majority of the members of the Board shall be required for the election of a Temporary Chairman. The Chairman and Vice Chairman shall be elected to a two-year term. A vote of a majority of the members of the Board shall be required for election of Chairman and Vice Chairman. All votes shall be publicly recorded. The Board may adopt such other rules as may be necessary to conduct said election.

- (B) If, in the event, the Board is unable to meet on the first Monday in December in years following a County Board election, then at least one-third of the members of the Board may request a special meeting of the Board for the purpose of electing officers as provided in Section 5.11-1 (a). Such request shall be in writing, addressed to the County Clerk, and specifying the time and place of said meeting. The County Clerk shall then transmit notice immediately as provided by statute.

5.11-2 General Powers of Chairman. The Chairman shall preside at all meetings of the Board and the Executive Committee. The Chairman shall conduct the business of the meeting in the order prescribed in these rules. The Chairman shall have general powers to recognize members entitled to the floor; to state and to put to a vote all questions which are regularly moved and seconded or which necessarily arise in the course of the proceedings; to announce the results thereof; to protect the Board from all frivolous or dilatory action; to decide all questions of order, subject to an appeal to the Board; in case of disturbances, breach of decorum, or disorderly conduct, to take action pursuant to Section 5.14-12, to assist in expediting the business of the Board and to perform all other duties prescribed by law or by action of the Board. In case of the absence of the Chairman or at the request of the Chairman, the Vice Chairman shall serve as the Chairman at meetings of the Board and Executive Committee. In case of the absence of the Chairman and the Vice Chairman at any meeting, the Clerk shall convene the meeting and the members present shall choose one of their members as temporary Chairman.

5.11-3 Appointment of Standing Committees. The Chairman shall appoint the members of all standing committees not later than the December Board meeting in each year in which Board elections are held, subject to approval by the members of the Board. Members of standing committees shall serve for two years. The first member named shall be Chairman and the second named shall be Vice Chairman. In case of a vacancy on the Board, the person named to fill the vacancy may also fill any vacancies on standing or special committees except that such person shall not be designated as Chairman or Vice Chairman thereof. When a vacancy has been created on a Committee of the Board, the Chairman of

the Board shall have the authority to fill the vacancy by shifting a Board Member from another committee, providing the affected Board Member gives consent. Chairmen of standing committees shall serve as members of the Executive Committee, including the Vice Chairman of the Board when not Chairman of a standing Committee. The Chairman of the Board shall appoint the members of all standing and special subcommittees of the Executive Committee subject to the approval of the Executive Committee.

5.11-4 Clerk of the Board. The County Clerk or a deputy selected by the County Clerk shall be the Clerk of the Board. The Clerk shall be the keeper of the records and the minutes of the Board and its committees and shall be in attendance at all meetings of the Board.

5.11-4.1 Minutes of Closed Meetings or Sessions. Minutes of any closed meeting or session held pursuant to Sections 5.14-11 and 5.15-3(C) shall be reviewed at least semi-annually by the Board for continued confidentiality in accordance with the Illinois Open Meetings Act.

5.11-5 Parliamentarian. The State's Attorney or an Assistant State's Attorney shall be in attendance at all meetings of the Board and shall be Parliamentarian of the Board. Upon request of the Chairman, the Parliamentarian shall render to the Chairman advice or an opinion on questions of parliamentary law and procedure applicable to matters arising before the Board. The rules or parliamentary procedures as set forth in the latest published edition of "Roberts Rules of Order, Revised" shall govern the procedure of the Board in all cases applicable and in which the same are not inconsistent with these rules.

5.11-6 Appointment Policy Other Than Board Vacancies. Appointments of officers and/or members to various Boards, Councils, Commissions, Special Authorities, Special Districts, and other agencies shall be made according to law.

5.11-7 Procedure for Filling County Board and Countywide Elected Official Vacancies. When a vacancy in the office of Board Member or Countywide Elected Official occurs, the procedure for filling such vacancy shall be as follows:

(A) When such vacancy occurs, the Chairman shall fix the date upon which the appointment to fill the vacancy shall be made, said appointment to be made at a regular Board meeting not later than sixty days after the vacancy occurs.

(B) Written applications and resumes must be submitted to the office of the County Administrator by 12:00 Noon of the Thursday prior to the regularly scheduled meeting of the Executive Committee in the month in which the

appointment is to be made. No applications will be considered unless they have been so submitted and signed by the applicant. The County Administrator shall screen all applications for eligibility and shall mail copies of all applications of all eligible candidates to all Board Members with their packets prior to the Executive Committee meeting.

(C) Any applicant for a County Board seat must be a resident of the Board District in which the vacancy exists and must meet all the qualifications for holding public office. Any applicant for a Countywide Elected Office must be a resident of the County and must meet all the qualifications for holding public office. Each applicant must provide evidence of membership in the same political party as the person whom the applicant proposes to succeed.

(D) At the regular Executive Committee meeting, all eligible applicants will be invited to address the Executive Committee. At the next regularly scheduled Board meeting, the Board Chairman will recommend an appointment to fill the vacancy subject to the approval of the Board.

5.12 MEETINGS

5.12-01 The term "meeting" as used in any existing rules, ordinances, resolutions, agendas and minutes shall mean any gathering, whether in person or by video or audio conference, telephone calls, electronic means (such as, without limitation, electronic mail, electronic chat and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of the county board, its committees or subcommittees for the purpose of discussing public business.

5.12-1 Regular Meetings. Regular meetings shall be held monthly on the third Tuesday of each month except when other meeting dates are designated. An annual schedule of meetings shall be published and made available to all members and other interested persons.

5.12-2 Special Meetings. Special meetings of the Board shall be held when requested by at least one-third of the members of the Board. The requests shall be in writing, addressed to the Clerk and specify the time, place and the nature of matters to be considered. The Clerk shall notify each member of the time and place of such meeting by ordinary mail and shall also cause notice of such meeting to be published in a newspaper published in McLean County.

5.12-3 Meeting Time and Place. All regular meetings of the Board shall commence at 9:00 A.M. unless otherwise agreed to by a majority of the members of the Board, in a place designated by the Board Chairman. All meetings of the

Board and its committees shall be open to the public, except for limited purposes as specified by law.

5.12-4 Agenda Preparation. The Chairman, in consultation with the Administrator, shall prepare an agenda for each regular meeting, listing the order of business in as much detail as is sufficient for identification, and shall file the agenda with the Clerk. The agenda shall include a "consent agenda" which shall include all matters that are to come before the Board that in the opinion of the Chairman will be of routine nature.

5.12-5 Resolutions, Reports and Communications. Any committee Chairman, any elected or appointed County official or any other person who desires to present any ordinance, resolution, report or communication to the Board shall deliver a copy of same to the Administrator by the sixth business day prior to the Board meeting. A copy to be presented to the Board for action shall be delivered to the State's Attorney at the same time, unless the State's Attorney prepared it. Matters that are frequently adopted by the Board in the same form except as to certain detail, such as Highway resolutions, need not be so filed with the Administrator or furnished to the State's Attorney. Furthermore, failure to comply with this rule will not prohibit an ordinance, resolution, report or communication from being considered by the Board.

5.12-6 Agenda Mailing. At least five days before each regular meeting, the Clerk shall send to each member, the following documents:

- (A) Agenda for the next meeting.
- (B) Resolutions, ordinances and written reports to come before the Board at the next meeting, which have been filed with the Board Office.
- (C) All committee minutes filed with the Clerk since the previous meeting.
- (D) All other material that in the opinion of the Chairman or Administrator will be of interest to Members.

5.12-6.1 Board Proceedings and Minutes. At least five days before each regular meeting, the Clerk shall have prepared the minutes of the previous meeting and made them available to each member by:

- (A) Making printed copies available, upon request, in the Office of the County Clerk.
- (B) Posting electronically to the World Wide Web in a standard format that

can be read online, or printed.

5.12-7 Resolutions of Congratulations

Any Board member who desires to have the Board adopt a Resolution of Congratulations in recognition to an individual, group achievement, and/or community special event shall forward the Resolution (or the information to be included in the Resolution) to the Administrator's Office one week prior to the Board meeting. The Administrator shall include all such Resolutions on the Consent Agenda of the Board meeting.

In lieu of a formal Resolution of Congratulations, a Board member may move that the Board Chairman prepare a letter of congratulations in recognition of an individual, group achievement and/or community special event. The Administrator shall include all such letters on the Consent Agenda of the next regularly scheduled Board meeting.

5.13 ORDER OF BUSINESS. The order of business before the Board shall be as follows, unless otherwise determined by action of the Board:

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Call of Roll
5. Appearance by Members of the Public and County employees
6. Consent Agenda
 - (A) Approval of the Proceedings of the County Board
 - (B) Highway Department
 - (C) Building and Zoning
 - (D) Transfer Ordinances
 - (E) Resolutions, ordinances, reports and communications from elected and appointed County Officials

- (F) Appointments
- (G) Approval of Resolutions of Congratulations and Commendation
- 7. Reports of Standing Committees
 - (A) Reports of Special Committees
- 8. Report of County Administrator
- 9. Other Business and Communications
- 10. Approval of Bills
- 11. Adjournment

5.14 PROCEDURE AT MEETINGS

5.14-1 Quorum. A majority of the members of the Board shall constitute a quorum.

5.14-1.1 Members. Whenever a vacancy (or vacancies) occurs on the Board and upon formal declaration of a vacancy (or vacancies) by the County Board Chairman, the number of members for purposes of defining a quorum shall be reduced by one or more.

5.14-1.2 General Voting. Unless otherwise expressly provided, any action taken by the Board or any Committee shall only require the affirmative vote of the majority of the members present and voting.

5.14-2 Roll Call Vote. A roll call vote of the Board shall be taken by a "yes" or "no" or "present" vote on the following matters:

- (A) Appropriation and tax levy ordinances.
- (B) Any other matter required by law.
- (C) Upon any other matters, when announced by the Chairman or requested by any member, providing such request is made before another item of business has been taken up by the Board.

The Clerk, on a roll call, shall call the names of the members of the Board in

alphabetical order, with the first name called each month being the second name called the previous month, except that the Chairman shall be last called last. The Chairman shall be required to vote only when the vote of the Board results in a tie. The Chairman may vote at any time if the intention to vote is announced prior to voting. In any action requiring a roll call vote, if any member asks for and receives unanimous consent of the members present for the Clerk to show all members present as voting in favor of such action, the Clerk shall show and record such vote accordingly.

A member who has voted "yes" or "no" or "present" on a roll call vote shall not be allowed to change that vote on the matter under consideration. A member not voting when called upon by the Clerk will be presumed absent and will not be allowed to cast a vote on the matter under consideration.

5.14-3 Recognition

- (A) Every member who desires to speak or make a motion shall respectfully address the Chairman, be recognized before speaking, and address only the issue under consideration at that time by the Board.
- (B) When two or more members seek recognition at the same time, the Chairman shall recognize the member who is to speak first.
- (C) No person shall speak more than once nor more than five minutes on the same matter without permission from the Chairman.
- (D) A member called to order by the Chairman shall immediately come to order. If there is no appeal, the decision of the Chairman shall be final.

5.14-4 Motion to Adjourn. A motion to adjourn shall always be in order and shall be decided without debate, unless a question of the time to adjourn shall occur.

5.14-5 Reconsideration. An action may be reconsidered at any time during the meeting or at the next meeting held thereafter. A motion to reconsider shall be made and seconded by members of the Board who voted on the prevailing side of the question to be reconsidered.

5.14-6 Second Required. No motion shall be debated or put to a vote unless it is seconded. It shall then be stated by the Chairman before debate or vote and every motion shall be reduced to writing when requested by the Chairman or any member.

5.14-7 Appearance by Non-Members

- (A) Any member may request that a County Officer or employee, or other persons, be permitted to appear before the Board on matters of County business, and such request shall be granted by the Chairman unless there is objection by any member, in which event Board action will be required to overrule the Chairman.

- (B) All requests by non-members of the Board for appearance before the Board shall be made to the Administrator, in writing with the subject matter stated, not less than five working days before the next scheduled Board meeting. Such appearance with regard to any particular topic shall be limited to a time not to exceed three minutes for each individual, five minutes for a representative spokesman of a group and fifteen minutes total. The Chairman may act to prevent repetition or digression, to maintain decorum and to exclude discussion of matters which have had a previous public hearing conducted according to law, discussion of matters where public comment would interfere with the due process of law or discussion of matters which would be in direct conflict with restrictions placed upon the Board by other applicable law.

5.14-8 Request for Legal Opinions. Requests to the State's Attorney on questions of law shall be submitted in writing by any standing committee established by Section 5.15 of these rules or by the Chairman of the Board. The Chairman and Vice Chairman of the Board and members of the Executive Committee shall receive copies of such requests. Said copies shall also be included in materials distributed to members of the Board as provided in Section 5.12-6 of these rules prior to the next meeting of the Board unless such request originated after said materials have been distributed, in which case such copies shall be distributed at the beginning of the meeting. Any member of the Board desiring an advisory opinion on a matter within the jurisdiction of a standing committee shall submit such request to the appropriate standing committee. If unsuccessful before a standing committee, a member may then take such request in the form of a motion at any meeting of the Board, which shall be granted upon approval by a majority of the members of the Board.

5.14-9 Suspension of Rules. Any of these rules may be temporarily suspended by action of the Board. Immediately upon the termination of the business arising out of the event for which the rules were suspended, these rules shall again be in effect without vote of the Board.

5.14-10 Consent Agenda. All matters on the Consent Agenda that are not

removed will be voted on by one vote. An item shall be removed from the Consent Agenda upon the oral request of any member of the Board made prior to the vote. Any matter taken off of the Consent Agenda shall be considered at the time of the standing committee report to which it pertains.

5.14-11 Closed Meeting or Session. Any closed meeting or closed session held by the Board shall be held in accordance with the provisions of the Illinois Open Meetings Act. Neither the news media nor the general public shall be allowed to record the proceedings of any said closed meeting or closed session.

5.14-12 Decorum. During the proceedings of the County Board, decorum shall be maintained at all times by members, interested parties, the public and the media. The Chairman shall be authorized to take appropriate action to maintain said decorum. Decorum during the proceedings of all committee meetings shall be maintained at all times by members, interested parties, the public and the media. The Committee Chairman shall be authorized to take appropriate action to maintain said decorum.

5.15 COMMITTEES - NUMBER, DESIGNATION AND MEMBERSHIP

5.15-1 There shall be six (6) Standing Committees:

- (A) The Executive Committee shall have not more than nine members with the membership consisting of the Chairman and the Vice Chairman of the Board and the Chairman of the other standing committees and not more than three (3) members of the Board appointed as at-large members of the Committee by the County Board Chairman.
- (B) The Finance Committee, Justice Committee, Land Use and Development Committee, Property Committee, and Transportation Committee; each committee shall have not more than six members each, at the discretion of the County Board Chairman.

5.15-2 Each Board Member shall serve on two or more standing committees at the discretion of the County Board Chairman, with the Chairman of the Board being an ex-officio member of all standing committees. The Chairman's attendance at a committee meeting shall be counted when determining if a quorum is present; however, such attendance shall not increase the number of members constituting a quorum.

5.15-2.1 Recording of Votes. If any action does not require a roll call vote under Section 5.14-2, any member may request the Clerk to record a vote made by said

member in the minutes.

5.15-3 Alternate Members and Attendance of Members at Committee Meetings Other Than Those to Which They Are Assigned.

- (A) An alternate member may be appointed to each standing committee by the Chairman of the Board. Such alternate shall attend meetings of such committee if required to constitute a quorum and shall have all the privileges and duties of a regular member while so serving.
- (B) Board Members may attend and have access to minutes resulting from any open or closed meetings or sessions of committees of which they are not members. At the discretion of the Committee Chairman during the meeting, the Board Member may participate in the meeting but without voting, seating, or travel privileges. Conversely, if a Board Member is invited to attend a committee meeting by the Chairman of that committee, the member is entitled to travel expenses only.

5.15-4 Subcommittees of Standing Committees

- (A) Subcommittees of the Executive Committee. There shall be three standing subcommittees of the Executive Committee: the Legislative Subcommittee, Liquor Control Commission and the Rules Subcommittee, appointed by the Chairman. In addition, the Chairman may create and appoint up to seven members to such subcommittees and advisory groups deemed necessary from time to time to more efficiently accomplish the business of the committee. Membership of any subcommittee of the Executive Committee shall consist of Board members but shall not be restricted to members of the Executive Committee. Membership of any advisory group shall not be restricted to Board Members. Except as otherwise provided by statute or ordinance, such subcommittees shall report to the Executive Committee.
- (B) Subcommittees of Other Standing Committees. The Chairman of any standing committee may create such subcommittees of his committee as may be necessary from time to time to more efficiently accomplish the business of such standing committee. Appointments to such subcommittees shall be made by the committee Chairman and shall be restricted to members of the standing committee. Except as otherwise provided by statute or ordinance, such subcommittees shall report to their standing committee.

5.16 COMMITTEES-GENERAL FUNCTIONS AND RESPONSIBILITIES OF ALL COMMITTEES

The general functions and responsibilities of all Committees shall be as follows:

- (A) With the aid of the Administrator, Auditor, Treasurer and Executive Committee, the Committees shall keep informed concerning appropriations and budget for activities under the purview of the Committee and to help keep expenditures within the budget.
- (B) The Committees shall keep written minutes and to report regularly to the Board the substance of all meetings.
- (C) The Committees shall file minutes of all Committee meetings with the Administrator's Office, which shall then be filed with the County Clerk, prior to the next regularly scheduled meeting.
- (D) The Committees shall submit to the County Board for consideration all policies and procedures as recommended by the Committee.
- (E) The Committees shall act on all matters referred to the Committee by the Chairman of the Board or by the Board itself, in addition to duties otherwise prescribed.
- (F) The Committees shall review all requests originated by a Department Head under its oversight for staffing changes which require amendment of the Authorized Positions Resolution and to submit any comments it deems appropriate to the Finance Committee.
- (G) The Committees shall keep informed with regard to activities of a department which is under its general supervision or for which it serves as liaison with the Board in instances where such activities are concerned with another committee.
- (H) The Committees shall take final action only on those matters authorized herein or by ordinance, resolution or policy adopted by the Board.
- (I) The Committees shall allow non-members to appear before the Committees when such appearance is appropriate and does not violate due process of law. A request for such appearance shall be directed to the Administrator in writing with the subject matter stated

at least five working days in advance of the meeting. The Committees shall have the right to set reasonable time limits, prevent unruly conduct and require groups to be represented by one spokesman.

- (J) The Chairs of the Committees shall set regular Committee meeting dates and times after consultation with the Committee members.
- (K) Each Committee Chairman shall require the Administrator or the Administrator's designee to prepare and mail an agenda to all Committee members in advance of a regularly scheduled meeting.
- (L) A majority of the members of a Committee shall constitute a quorum.

5.17 COMMITTEES - FUNCTIONS AND RESPONSIBILITIES OF SPECIFIC COMMITTEES

In addition to the general duties otherwise prescribed, the individual Committees shall have the functions, responsibilities, and areas of jurisdiction and overview as set forth in this section.

5.17-1 Executive Committee

The Executive Committee shall have the following specific functions and responsibilities:

- (A) To provide general direction for all Board programs, business, planning and policy-making functions and to review the reports of Board Committees.
- (B) To exercise general supervision of the administration of all Board affairs, the Administrator's Office, and Information Services Department.
- (C) To act in an advisory capacity to the Chairman of the Board.
- (D) To review and make recommendations for changes in Committee organization and scope and in rules as may be deemed necessary.
- (E) To be responsible for the general overview of, and coordination with, all "Ad-Hoc" Committees, task force and other like organizations as their activities relate to County business, unless specifically under the jurisdiction of another Standing Committee.

- (F) To be responsible for all matters concerning the employment and activities of all consultants, both paid and unpaid, unless specifically under the jurisdiction of another Standing Committee.
- (G) To review and make recommendations to the Board on salaries and compensation of elected and appointed officials; and to be responsible for the performance evaluation of the County Administrator.
- (H) To be responsible for all relationships with other units of government and for all intergovernmental agreements unless specifically under the jurisdiction of another Standing Committee.
- (I) To exercise general supervision over all matters relating to the codification of County ordinances and resolutions.
- (J) To exercise general supervision over any federal or state entitlement programs for which the Board has a responsibility.
- (K) To make recommendations on all emergency appropriations, transfer ordinances, and any transfers from the Contingent Account in all Funds.
- (L) To prepare and submit an annual Budget Policy Resolution to the Board for its approval.
- (M) To direct the County Administrator to prepare, recommend and submit to the appropriate oversight Committees each year a five-year capital improvement program. The five-year capital improvement program shall be updated annually by the County Administrator as a part of the budget process.
- (N) To receive the proposed annual operating and annual capital improvements budgets for each of the departments of County government as recommended by the respective oversight committees; and to study, review and adjust such departmental budget requests in order to accommodate budgetary priorities and fiscal constraints. To then direct the County Administrator to consolidate these adjusted budget requests into a Proposed Budget and Appropriation Ordinance and a Proposed Tax Levy Ordinance that shall be submitted to the Board, with the Executive Committee's recommendation, in accordance with the Statutes of the State of

Illinois.

- (O) To serve as liaison in the Board's relationship with external boards and Commissions with which the Board may have a working relationship.
- (P) To be responsible for County government public relations and information matters.

5.17-1.1.1 Liquor Control Commission

The Liquor Control Commission shall have the following specific functions and responsibilities:

- (A) To be responsible for all matters upon which the Commission may be required to act under the regulations of the Liquor Control Ordinance.
- (B) To review and recommend appropriate amendments to such ordinances as may be deemed necessary.

5.17-1.1.2 Rules Subcommittee

The Rules Subcommittee shall have the following specific functions and responsibilities:

- (A) To periodically review the rules of the Board and recommend revisions deemed necessary and appropriate.
- (B) To receive and consider proposals for changes in the rules of the Board and make appropriate recommendations.

5.17-1.1.3 Legislative Subcommittee

The Legislative Subcommittee shall have the following specific functions and responsibilities:

- (A) To be generally responsible for the County's interest in all matters concerned with Federal and State legislation.
- (B) To develop an annual legislative program of primary County legislative concerns; and said program to be adopted by the County Board in January of each Fiscal Year.

- (C) To engage in a review of all legislation affecting the County which has been introduced in the General Assembly.
- (D) To take action consistent with the best interests of the County on proposed or pending legislation at all stages.
- (E) To take action consistent with the best interests of the County, on existing and proposed rules and regulations issued by agencies of the United States of the State of Illinois.

5.17-2 Finance Committee

The Finance Committee shall have the following specific functions and responsibilities:

- (A) To exercise continuous review of the overall tax cycle from the initial assessment of property through the tax collection.
- (B) To exercise continuous review of revenues and expenditures, and to identify new or alternative revenue sources for the County.
- (C) To review and make recommendations to the Board with respect to purchasing and contracting policies and procedures.
- (D) To exercise continuous review of the integrated financial management and the accounting and fiscal operations policies.
- (E) To serve as the oversight committee for the office of Supervisor of Assessments.
- (F) To serve as the oversight committee for the Auditor, Recorder, Treasurer, County Clerk, Superintendent of the McLean-DeWitt-Livingston Education Service Region, University of Illinois Cooperative Extension Service and Bloomington Board of Election Commissioners.
- (G) To be responsible for fiscal instruments.
- (H) To recommend to the Board a public accounting firm to conduct an annual audit of all funds and accounts of the County.
- (I) To be responsible for the County's Risk Management Program

including insurance matters.

- (J) Upon completion of each fiscal year's annual audit, to review and recommend the Comprehensive Annual Financial Report and the Annual County Financial Report to the Board for its acceptance prior to their submission to the Illinois State Comptroller.
- (K) To review the outside auditor's management letter, request departmental responses to same, make recommendations to the Board and the various oversight committees, and monitor corrective actions.
- (L) To exercise general supervision over all collective bargaining agreements, employee benefits, and entitlement and recommend changes to the Board.
- (M) To exercise general supervision over the administration of the Position Classification Schedule and the Salary Schedules.
- (N) To prepare and make recommendations to the Board with respect to the Personnel Policies and Procedures Ordinance.
- (O) To consider all requests for compensation changes or reclassification and make a recommendation to the Board, as may be provided in the Personnel Policies and Procedures Ordinance.
- (P) To consider all requests for staffing changes which require amendment to the Funded Full-time Positions Resolution after review by the appropriate Oversight Committee and make a recommendation to the Board.
- (Q) To serve as the oversight Committee for the County Nursing Home and recommend policies and programs for the Nursing Home administration.
- (R) To aid in the coordination of public health activities of the County and to prepare plans and policies for County participation in physical and mental health programs and make appropriate recommendations to the Board.
- (S) To serve as liaison in the Board's relationship with the Board of Health, TB Care and Treatment Board, Persons with Developmental Disabilities Board, and any other County physical and mental health

service.

- (T) To exercise general supervision over the Animal Control Program.
- (U) To exercise general supervision over the following specific responsibilities as they pertain to properties and facilities:
 - (1) Janitorial work consisting of cleaning, mowing, and minor repairs for the Animal Control Facility, Health Department Building, and the Nursing Home.
 - (2) Recommend construction and remodeling of buildings, additions, structures, parking lots, and other land improvements for the Animal Control Facility, Health Department Building, and the Nursing Home.
 - (3) Construction or remodeling of buildings, additions, structures, parking lots, and other land improvements at a cost of \$2,500.00 or less when less than 50% of the cost is by contract or contracts for the Animal Control Facility, Health Department Building, and the Nursing Home.
- (V) To exercise general supervision over all licensing activities which are not under the jurisdiction of other committees.

5.17-3 Justice Committee

The Justice Committee shall have the following specific functions and responsibilities:

- (A) To serve as the oversight committee for the Sheriff, Circuit Clerk, Circuit Court (11th Judicial Circuit), Coroner, Court Services, State's Attorney, Public Defender, Jury Commission and the Sheriff's Office Merit Commission.
- (B) To serve as the oversight committee for the Emergency Services and Disaster Agency and the McLean County Rescue Squad.
- (C) To exercise general supervision over the following specific responsibilities as they pertain to properties and facilities:
 - (1) Janitorial work consisting of cleaning, mowing, and minor repairs for the E.S.D.A. / Rescue Squad Garage Building on the Fairview Campus.
 - (2) Recommend construction or remodeling of buildings, additions,

structures, parking lots, and other land improvements for the Law and Justice Center and the E.S.D.A. / Rescue Squad Garage Building.

- (3) Construction or remodeling of buildings, additions, structures, parking lots, and other land improvements at a cost of \$2,500.00 or less or when 50% of the costs is by contract or contracts for the Law and Justice Center and the E.S.D.A. / Rescue Squad Garage Building.

- (D) To exercise general supervision over fireworks licensing.

5.17-4 Transportation Committee

The Transportation Committee shall have the following specific functions and responsibilities:

- (A) To serve as the oversight Committee for the County Highway Department.
- (B) To exercise general supervision over all bridge, road and right-of-way matters under the jurisdiction of the County; over the acquisition and disposition of County Highway equipment and materials.
- (C) To recommend to the Board approval of contracts for all highway work for which the County is responsible.
- (D) To exercise general supervision over the letting of bids and right-of-way acquisitions relating to County Highways or the County Highway Department.
- (E) To provide the Board with long range plans for the highways in the County, including those to be undertaken by the County and those planned jointly with other political units.
- (F) To exercise general supervision over the following specific responsibilities as they pertain to properties and facilities:
 - (1) Janitorial work consisting of cleaning, mowing, and minor repairs for the County Highway Building and Garages.
 - (2) Recommend construction or remodeling of buildings, additions, structures, parking lots, and other land improvements for the County Highway Building and Garages.
 - (3) Construction or remodeling of buildings, additions, structures,

parking lots, and other land improvements at a cost of \$2,500.00 or less, or when less than 50% of the cost is by contract or contracts for the County Highway Building and Garages.

5.17-5 Property Committee

The Property Committee shall have the following specific functions and responsibilities:

- (A) To serve as the oversight Committee for the Department of Parks and Recreation and to prepare plans and policies for County participation in recreational facilities and programs and make appropriate recommendations to the Board.
- (B) To coordinate with appropriate standing committees and the Public Building Commission in planning for any remodeling and expansion of the Law and Justice Center.
- (C) To prepare, in cooperation with the Public Building Commission and the State's Attorney, procedures for transferring title to the Law and Justice Center to the County.
- (D) To prepare recommendations for methods of financing operations and maintenance of the Law and Justice Center at such time as title is transferred to McLean County.
- (E) To exercise general supervision over the following specific responsibilities as they pertain to properties and facilities:
 - (1) Janitorial work consisting of cleaning, mowing, and minor repairs for all County buildings and facilities, except where specific authority and responsibility is vested in another Standing Committee.
 - (2) Repair of and maintenance contracts for elevators, electrical, heating, ventilation and air conditioning and other such mechanical equipment and systems at all County buildings and facilities.
 - (3) Contract services for pest control, garbage pick-up, and other like services.
 - (4) Recommend construction or remodeling of buildings, additions, structures, parking lots, and other land improvements.
 - (5) Purchase of janitorial and paper supplies and any other joint purchase of supplies used to clean, maintain, and operate

County buildings and facilities.

5.17-6 Land Use and Development Committee

The Land Use and Development Committee shall have the following specific functions and responsibilities:

- (A) To serve as the oversight Committee for the Department of Building and Zoning and to handle all matters upon which the McLean County Zoning Ordinance requires action by a Committee of the Board.
- (B) To exercise general supervision over matters concerning maps, plats and subdivisions and to conduct public hearings and handle all other matters upon which the Land Subdivision Ordinance of McLean County, Illinois requires action by a Committee of the Board.
- (C) In cooperation with the Director of Building and Zoning, to review and recommend environment, zoning, building, subdivision, mobile home and nuisance ordinances and resolutions and recommend any necessary changes to the Board.
- (D) To act as liaison between the Board and the McLean County Regional Planning Commission, Zoning Board of Appeals, Soil Conservation and Cooperative Extension Services and with other agricultural organizations.
- (E) In cooperation with the appropriate agencies to recommend for adoption of a long-range comprehensive plan or portion thereof for the use of land, for protection of the environment and to coordinate economic development.
- (F) To act as members of the McLean County Pollution Control Site Hearing Committee and to hold public hearings and to make recommendations to the Board on all matters pursuant to that authority.

5.18 POLICY AND GUIDELINES ON TRAVEL FOR COUNTY BOARD MEMBERS ATTENDING CONFERENCES

5.18-1 County Board members shall be permitted to request approval to attend conferences at County expense subject to the following provisions. A Board member interested in attending a conference shall submit a written request to the Board Chairman no sooner than 120 days and not less than 90 days in advance of

the conference. The Board Chairman shall consider the following factors in deciding whether to approve a Board member's request:

- a. budget limitations
- b. relevance to County Board member responsibilities
- c. current needs of the County Board.

The Board Chairman may approve, partially approve, or deny the request in writing to the Board member within 30 days of receiving the request. In the event the County Board Chairman does not fully approve the request of the Board member to attend a conference, the Board member may petition the County Board for approval.

5.18-2 Whenever a County Board member attends a conference, the Board member shall prepare either a written report or an oral report to be presented to the appropriate oversight Committee or the County Board.

5.19 POLICY AND GUIDELINES ON RECOGNIZING, NAMING AND DEDICATING COUNTY FACILITIES, ROADS AND HIGHWAYS

5.19-1 The following process of approval shall be established to recognize, name and dedicate County facilities, roads and highways:

- (A) The request shall be presented to the appropriate Oversight Committee of the County Board for the Committee's review and approval.
- (B) The recommendation of the Oversight Committee shall be presented to the Executive Committee for review and approval.
- (C) Upon approval of the Executive Committee, the recommendation to recognize, name and dedicate County facilities, roads and highways shall be presented to the County Board for review and approval.

5.20 REMOTE ATTENDANCE POLICY

5.20-1 It is the policy of the McLean County Board that a member of the McLean County Board may attend and participate in any open meeting of the McLean County Board, its committees and subcommittees from a remote location via telephone, video or internet connection, provided that such attendance and participation is in compliance with this policy, the Illinois Open Meetings Act, and any other applicable laws.

5.20-2 It is the policy of the McLean County Board that a member of the McLean County Board may not attend and participate in any closed meeting of the McLean County Board, its committees and subcommittees from a remote location via telephone, video, internet connection or other means of contemporaneous interactive communication.

5.20-3 A member of the McLean County Board shall be provided the opportunity to attend an open meeting from a remote location if

- (A) In the case of a McLean County Board meeting, the member has notified the McLean County Clerk at least 24 hours before the meeting unless advance notice is impractical or, in the case of a committee or subcommittee meeting, the member has notified the recording secretary at least 24 hours before the meeting unless advance notice is impractical; and
- (B) The member has met one of three reasons described herein why he or she is unable to physically attend the meeting, including either (1) that the member cannot attend because of personal illness or disability, (2) the member cannot attend because of employment purposes or the business of the McLean County Board, or (3) the member cannot attend because of a family or other emergency; and
- (C) A quorum of the McLean County Board, the committee or subcommittee, as the case may be, is physically present.

5.20-4 After roll call, if a quorum is present, a vote of the McLean County Board, the committee or subcommittee, as the case may be, shall be taken considering the prerequisites set forth in Section 5.20-3 on whether to allow an off-site member to participate remotely. Only the members physically present are permitted to vote on whether remote participation will be allowed. A vote of a majority of members physically present shall be necessary to decide the issue. For the meeting to continue there shall always need to be a quorum present.

5.20-5 The member participating remotely shall be considered an off-site participant and counted as present by means of video or audio conference for that meeting if the member is allowed to participate. The meeting minutes shall reflect and state specifically whether each member is physically present, present by video, or present by audio means.

5.20-6 The member permitted to participate remotely shall be able to express

his or her comments during the meeting and participate in the same capacity as those members physically present, subject to the Rules of the County Board of McLean County. The remote member shall be heard, considered and counted as to any vote taken. Accordingly, the name of any remote member shall be called during any vote taken, and his or her vote counted, recorded and placed in the minutes for the corresponding meeting. A member participating remotely may also leave a meeting and return as in the case of any member.

5.20-7 A member participating remotely via long distance telephone shall be reimbursed for the cost of the telephone call upon a valid receipt being shown. Any other costs associated with remote participation, including video conferencing and other audio and video equipment, shall be subject to approval of the McLean County Board.

5.201 AMENDMENT OF RULES. Amendment of these rules requires the affirmative vote of a majority of the members of the Board. Any proposed amendment shall be voted upon only if it is distributed in writing to the members at least five days before the meeting at which the amendment is presented to the Board for adoption.

5.242 MISCELLANEOUS PROVISIONS

5.24-21 Any appropriate document shall be placed on file among the records of the Board or a committee, as the case may be, by direction of the Chairman. Minutes of the Board or a committee shall be approved at the direction of the Chairman after opportunity is given for correction, addition or deletion. Such action shall be reflected in the minutes of that meeting.

5.242-2 There shall be no smoking allowed in any convened meeting of the Board or in any committee meeting of the Board.

5.223 SEVERABILITY. The provisions and sections of these rules shall be deemed to be separable and the invalidity of any portion of these rules shall not affect the validity of the remainder.

5.234 REPEAL. Any Rules of the County Board of McLean County, Illinois, adopted prior to the effective date of these rules are hereby repealed.

5.245 EFFECTIVE DATE. These Rules shall become effective immediately upon and after their adoption, and shall remain in effect until the first Monday in December, 2006.

ADOPTED by the McLean County Board this 454th day of MarchDecember, 20056.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the County Board,
McLean County, Illinois

,Chairman
McLean County Board

W:\Rules of the County Board with Proposed Remote Participation Amendments

Public Act 094-1058

SB0585 Enrolled

LRB094 04323 JAM 34352 b

AN ACT concerning government.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Open Meetings Act is amended by changing Sections 1.02, 2.01, 2.05, and 2.06 and by adding Section 7 as follows:

(5 ILCS 120/1.02) (from Ch. 102, par. 41.02)

Sec. 1.02. For the purposes of this Act:

"Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business.

"Public body" includes all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof. "Public body" includes tourism boards and convention or civic center boards located in counties that are contiguous to the Mississippi River with populations of more than 250,000 but less than 300,000. "Public body" includes the Health Facilities Planning Board. "Public body" does not include a child death review team or the Illinois Child Death Review Teams Executive Council established under the Child Death Review Team Act or an ethics commission acting under the State Officials and Employees Ethics Act.

(Source: P.A. 92-468, eff. 8-22-01; 93-617, eff. 12-9-03.)

(5 ILCS 120/2.01) (from Ch. 102, par. 42.01)

Sec. 2.01. All meetings required by this Act to be public shall be held at specified times and places which are convenient and open to the public. No meeting required by this Act to be public shall be held on a legal holiday unless the regular meeting day falls on that holiday.

A quorum of members of a public body must be physically present at the location of an open meeting. If, however, an open meeting of a public body (except one with jurisdiction limited to a specific geographic area that is less than statewide) is held simultaneously at one of its offices and one or more other locations in a public building, which may include other of its offices, through an interactive video conference and the public body provides public notice and public access as

8/4/06 - MJ

required under this Act for all locations, then members physically present in those locations all count towards determining a quorum. "Public building", as used in this Section, means any building or portion thereof owned or leased by any public body. The requirement that a quorum be physically present at the location of an open meeting shall not apply, however, to State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action.

A quorum of members of a public body that is not a public body with statewide jurisdiction must be physically present at the location of a closed meeting. Other members who are not physically present at a closed meeting of such a public body may participate in the meeting by means of a video or audio conference.

(Source: P.A. 88-621, eff. 1-1-95.)

(5 ILCS 120/2.05) (from Ch. 102, par. 42.05)

Sec. 2.05. Recording meetings. Subject to the provisions of Section 8-701 of the Code of Civil Procedure ~~"An Act in relation to the rights of witnesses at proceedings conducted by a court, commission, administrative agency or other tribunal in this State which are televised or broadcast or at which motion pictures are taken", approved July 14, 1953, as amended,~~ any person may record the proceedings at meetings required to be open by this Act by tape, film or other means. The authority holding the meeting shall prescribe reasonable rules to govern the right to make such recordings.

If a witness at any meeting required to be open by this Act which is conducted by a commission, administrative agency or other tribunal, refuses to testify on the grounds that he may not be compelled to testify if any portion of his testimony is to be broadcast or televised or if motion pictures are to be taken of him while he is testifying, the authority holding the meeting shall prohibit such recording during the testimony of the witness. Nothing in this Section shall be construed to extend the right to refuse to testify at any meeting not subject to the provisions of Section 8-701 of the Code of Civil Procedure "An Act in relation to the rights of witnesses at proceedings conducted by a court, commission, administrative agency or other tribunal in this State which are televised or broadcast or at which motion pictures are taken", approved July 14, 1953, as amended.

(Source: P.A. 82-378.)

(5 ILCS 120/2.06) (from Ch. 102, par. 42.06)

Sec. 2.06. Minutes.

(a) All public bodies shall keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording. Minutes shall include, but need not be limited to:

(1) the date, time and place of the meeting;

(2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and

(3) a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken.

(b) The minutes of meetings open to the public shall be available for public inspection within 7 days of the approval

of such minutes by the public body. Beginning July 1, 2006, at the time it complies with the other requirements of this subsection, a public body that has a website that the full-time staff of the public body maintains shall post the minutes of a regular meeting of its governing body open to the public on the public body's website within 7 days of the approval of the minutes by the public body. Beginning July 1, 2006, any minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting.

(c) The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than 18 months after the completion of the meeting recorded but only after:

(1) the public body approves the destruction of a particular recording; and

(2) the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section.

(d) Each public body shall periodically, but no less than semi-annually, meet to review minutes of all closed meetings. At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection. The failure of a public body to strictly comply with the semi-annual review of closed session written minutes, whether before or after the effective date of this amendatory Act of the 94th General Assembly, shall not cause the written minutes or related verbatim record to become public or available for inspection in any judicial proceeding, other than a proceeding involving an alleged violation of this Act, if the public body, within 60 days of discovering its failure to strictly comply with the technical requirements of this subsection, reviews the closed session minutes and determines and thereafter reports in open session that either (1) the need for confidentiality still exists as to all or part of the minutes or verbatim record, or (2) that the minutes or recordings or portions thereof no longer require confidential treatment and are available for public inspection.

(e) Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act. In the case of a civil action brought to enforce this Act, the court, if the judge believes such an examination is necessary, must conduct such in camera examination of the verbatim record as it finds appropriate in order to determine whether there has been a violation of this Act. In the case of a criminal proceeding, the court may conduct an examination in order to determine what portions, if any, must be made available to the parties for use as evidence in the prosecution. Any such initial inspection must be held in camera. If the court determines that a complaint or suit brought for noncompliance under this Act is valid it may, for the purposes of discovery, redact from the minutes of the

meeting closed to the public any information deemed to qualify under the attorney-client privilege. The provisions of this subsection do not supersede the privacy or confidentiality provisions of State or federal law.

(f) Minutes of meetings closed to the public shall be available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.

(Source: P.A. 93-523, eff. 1-1-04; 93-974, eff. 1-1-05; 94-28, eff. 1-1-06; 94-542, eff. 8-10-05; revised 8-19-05.)

(5 ILCS 120/7 new)

Sec. 7. Attendance by a means other than physical presence.

(a) If a quorum of the members of the public body is physically present as required by Section 2.01, a majority of the public body may allow a member of that body to attend the meeting by other means if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the public body; or (iii) a family or other emergency. "Other means" is by video or audio conference.

(b) If a member wishes to attend a meeting by other means, the member must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical.

(c) A majority of the public body may allow a member to attend a meeting by other means only in accordance with and to the extent allowed by rules adopted by the public body. The rules must conform to the requirements and restrictions of this Section, may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings.

(d) The limitations of this Section shall not apply to (i) closed meetings of public bodies with statewide jurisdiction or (ii) open or closed meetings of State advisory boards or bodies that do not have authority to make binding recommendations or determinations or to take any other substantive action. State advisory boards or bodies and public bodies with statewide jurisdiction, however, may permit members to attend meetings by other means only in accordance with and to the extent allowed by specific procedural rules adopted by the body.

Floor Actions

Date	Action
7/31/2006	Public Act.....094-1058

RULES OF THE COUNTY BOARD
OF MCLEAN COUNTY

PREAMBLE

The members of the County Board of McLean County, Illinois wish to individually and collectively express their expectation and intent that all Board members follow a high standard of ethical behavior in exercising their duties, responsibilities and judgment as Board members. All members of the McLean County Board shall:

1. Handle County affairs with a deep sense of responsibility, upholding the spirit as well as the letter of the law and constitution.
2. Faithfully perform all duties as Board members by studying Board issues and by attending all sessions of the Board and assigned Committees, unless prevented from so doing by a compelling reason.
3. Avoid participation in any action, which would result in a conflict of personal interest with County responsibility.
4. Refrain from obtaining improper personal benefit with regard to public funds, equipment, property, or the services of employees.
5. Respect the confidentiality of privileged information.
6. Refrain from accepting gifts, favors or promises of future benefit, which could tend to impair independence of judgment or action as a Board member.
7. Refrain from considering ex parte communications involving matters where a public hearing is required according to law and when such consideration would interfere with the due process of law.

The following rules shall govern the County Board of McLean County, Illinois.

5.10 APPLICABLE FEDERAL AND STATE LAWS. The McLean County Board in carrying out its duties and responsibilities shall be governed by all applicable federal and state laws and regulations.

5.11 ORGANIZATION AND OFFICERS

**RESOLUTION TO AMEND THE RULES
OF THE COUNTY BOARD OF McLEAN COUNTY**

WHEREAS, the McLean County Board last adopted the Rules of the McLean County Board on December 4, 2006, and

WHEREAS, the McLean County Board deems it necessary and appropriate to amend its rules for the purpose of addressing ex parte communications received by members of the McLean County Board on matters requiring public hearings, now therefore

BE IT RESOLVED that the Rules of the County Board of McLean County be amended as follows:

1. That a new paragraph #7 of the PREAMBLE be added as follows:
 7. Refrain from considering ex parte communications involving matters where a public hearing is required according to law and when such consideration would interfere with the due process of law.

This amendment shall become effective immediately upon and after its adoption.

ADOPTED by the McLean County Board this ____ day of February, 2007.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the
McLean County Board, McLean
County, Illinois

Michael F. Sweeney, Chairman
McLean County Board

Proposed Rule – Absence and/or Incapacity of the Chairman of the County Board

If the Chairman of the County Board is unable to fulfill the duties and responsibilities of the office because of death, physical or mental disability, felony conviction, failure to qualify, resignation or travel outside of the County, the Vice Chairman of the County Board shall be authorized to assume the duties and responsibilities of the Chairman on an interim basis until such time as the Chairman can resume the duties and responsibilities or until such time as the members of the County Board, pursuant to 55 *ILCS* 5/2-3009 (2004), shall elect one of the members to serve the balance of the unexpired term of the Chairman.

Whenever the Chairman of the County Board determines that he may be seriously impeded in the exercise of his powers, he shall so notify the County Clerk and the Vice Chairman of the County Board. The Vice Chairman shall thereafter become Interim Chairman with the duties, powers and responsibilities of the Chairman. When the Chairman is prepared to resume the duties, powers and responsibilities of the office of Chairman of the County Board, he shall do so by notifying the County Clerk and the Vice Chairman, unless the County Board has already filled the vacancy in the office of Chairman pursuant to 55 *ILCS* 5/2-3009 (2004).

When the Vice Chairman assumes the duties and responsibilities of the Chairman on an interim basis, the Vice Chairman shall have all of the powers and duties of the Chairman, including the authority to execute and sign on behalf of the County all Ordinances, Resolutions, Intergovernmental Agreements, Contracts and any other Legal Instruments approved by the County Board.

**RESOLUTION TO AMEND THE RULES
OF THE COUNTY BOARD OF McLEAN COUNTY**

WHEREAS, the McLean County Board last adopted the Rules of the McLean County Board on December 4, 2006, and

WHEREAS, the McLean County Board deems it necessary and appropriate to amend its rules for the purpose of addressing the absence and/or incapacity of the Chairman of the County Board; now, therefore,

BE IT RESOLVED that the Rules of the County Board of McLean County be amended as follows:

1. That a new paragraph 5.11-8 Absence and/or Incapacity of the Chairman of the County Board be added as follows:

If the Chairman of the County Board is unable to fulfill the duties and responsibilities of the office because of death, physical or mental disability, felony conviction, failure to qualify, resignation or travel outside of the County, the Vice Chairman of the County Board shall be authorized to assume the duties and responsibilities of the Chairman on an interim basis until such time as the Chairman can resume the duties and responsibilities or until such time as the members of the County Board, pursuant to 55 *ILCS* 5/2-3009 (2004), shall elect one of the members to serve the balance of the unexpired term of the Chairman.

Whenever the Chairman of the County Board determines that he may be seriously impeded in the exercise of his powers, he shall so notify the County Clerk and the Vice Chairman of the County Board. The Vice Chairman shall thereafter become Interim Chairman with the duties, powers and responsibilities of the Chairman. When the Chairman is prepared to resume the duties, powers and responsibilities of the office of Chairman of the County Board, he shall do so by notifying the County Clerk and the Vice Chairman, unless the County Board has already filled the vacancy in the office of Chairman pursuant to 55 *ILCS* 5/2-3009 (2004).

(2)

When the Vice Chairman assumes the duties and responsibilities of the Chairman on an interim basis, the Vice Chairman shall have all of the powers and duties of the Chairman, including the authority to execute and sign on behalf of the County all Ordinances, Resolutions, Intergovernmental Agreements, Contracts and any other Legal Instruments approved by the County Board.

This amendment shall become effective immediately upon and after its adoption.

ADOPTED by the McLean County Board this ____ day of February, 2007.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the
McLean County Board, McLean
County, Illinois

Michael F. Sweeney, Chairman
McLean County Board

RULES OF THE COUNTY BOARD
OF MCLEAN COUNTY

PREAMBLE

The members of the County Board of McLean County, Illinois wish to individually and collectively express their expectation and intent that all Board members follow a high standard of ethical behavior in exercising their duties, responsibilities and judgment as Board members. All members of the McLean County Board shall:

1. Handle County affairs with a deep sense of responsibility, upholding the spirit as well as the letter of the law and constitution.
2. Faithfully perform all duties as Board members by studying Board issues and by attending all sessions of the Board and assigned Committees, unless prevented from so doing by a compelling reason.
3. Avoid participation in any action, which would result in a conflict of personal interest with County responsibility.
4. Refrain from obtaining improper personal benefit with regard to public funds, equipment, property, or the services of employees.
5. Respect the confidentiality of privileged information.
6. Refrain from accepting gifts, favors or promises of future benefit, which could tend to impair independence of judgment or action as a Board member.

The following rules shall govern the County Board of McLean County, Illinois.

5.10 APPLICABLE FEDERAL AND STATE LAWS. The McLean County Board in carrying out its duties and responsibilities shall be governed by all applicable federal and state laws and regulations.

5.11 ORGANIZATION AND OFFICERS

5.11-1 Initial Meeting and Election of Officers

(A) In years of County Board elections, the initial meeting of the County Board (hereinafter called the "Board") shall be on the first Monday in December. The County Clerk shall call the meeting to order and preside

during the election of a Temporary Chairman. A vote of the majority of the members of the Board shall be required for the election of a Temporary Chairman. The Chairman and Vice Chairman shall be elected to a two-year term. A vote of a majority of the members of the Board shall be required for election of Chairman and Vice Chairman. All votes shall be publicly recorded. The Board may adopt such other rules as may be necessary to conduct said election.

(B) If, in the event, the Board is unable to meet on the first Monday in December in years following a County Board election, then at least one-third of the members of the Board may request a special meeting of the Board for the purpose of electing officers as provided in Section 5.11-1 (a). Such request shall be in writing, addressed to the County Clerk, and specifying the time and place of said meeting. The County Clerk shall then transmit notice immediately as provided by statute.

5.11-2 General Powers of Chairman. The Chairman shall preside at all meetings of the Board and the Executive Committee. The Chairman shall conduct the business of the meeting in the order prescribed in these rules. The Chairman shall have general powers to recognize members entitled to the floor; to state and to put to a vote all questions which are regularly moved and seconded or which necessarily arise in the course of the proceedings; to announce the results thereof; to protect the Board from all frivolous or dilatory action; to decide all questions of order, subject to an appeal to the Board; in case of disturbances, breach of decorum, or disorderly conduct, to take action pursuant to Section 5.14-12, to assist in expediting the business of the Board and to perform all other duties prescribed by law or by action of the Board. In case of the absence of the Chairman or at the request of the Chairman, the Vice Chairman shall serve as the Chairman at meetings of the Board and Executive Committee. In case of the absence of the Chairman and the Vice Chairman at any meeting, the Clerk shall convene the meeting and the members present shall choose one of their members as temporary Chairman.

5.11-3 Appointment of Standing Committees. The Chairman shall appoint the members of all standing committees not later than the December Board meeting in each year in which Board elections are held, subject to approval by the members of the Board. Members of standing committees shall serve for two years. The first member named shall be Chairman and the second named shall be Vice Chairman. In case of a vacancy on the Board, the person named to fill the vacancy may also fill any vacancies on standing or special committees except that such person shall not be designated as Chairman or Vice Chairman thereof.

When a vacancy has been created on a Committee of the Board, the Chairman of the Board shall have the authority to fill the vacancy by shifting a Board Member from another committee, providing the affected Board Member gives consent. Chairmen of standing committees shall serve as members of the Executive Committee, including the Vice Chairman of the Board when not Chairman of a standing Committee. The Chairman of the Board shall appoint the members of all standing and special subcommittees of the Executive Committee subject to the approval of the Executive Committee.

5.11-4 Clerk of the Board. The County Clerk or a deputy selected by the County Clerk shall be the Clerk of the Board. The Clerk shall be the keeper of the records and the minutes of the Board and its committees and shall be in attendance at all meetings of the Board.

5.11-4.1 Minutes of Closed Meetings or Sessions. Minutes of any closed meeting or session held pursuant to Sections 5.14-11 and 5.15-3(C) shall be reviewed at least semi-annually by the Board for continued confidentiality in accordance with the Illinois Open Meetings Act.

5.11-5 Parliamentarian. The State's Attorney or an Assistant State's Attorney shall be in attendance at all meetings of the Board and shall be Parliamentarian of the Board. Upon request of the Chairman, the Parliamentarian shall render to the Chairman advice or an opinion on questions of parliamentary law and procedure applicable to matters arising before the Board. The rules or parliamentary procedures as set forth in the latest published edition of "Roberts Rules of Order, Revised" shall govern the procedure of the Board in all cases applicable and in which the same are not inconsistent with these rules.

5.11-6 Appointment Policy Other Than Board Vacancies. Appointments of officers and/or members to various Boards, Councils, Commissions, Special Authorities, Special Districts, and other agencies shall be made according to law.

5.11-7 Procedure for Filling County Board and Countywide Elected Official Vacancies. When a vacancy in the office of Board Member or Countywide Elected Official occurs, the procedure for filling such vacancy shall be as follows:

- (A) When such vacancy occurs, the Chairman shall fix the date upon which the appointment to fill the vacancy shall be made, said appointment to be made at a regular Board meeting not later than sixty days after the vacancy occurs.

(B) Written applications and resumes must be submitted to the office of the County Administrator by 12:00 Noon of the Thursday prior to the regularly scheduled meeting of the Executive Committee in the month in which the appointment is to be made. No applications will be considered unless they have been so submitted and signed by the applicant. The County Administrator shall screen all applications for eligibility and shall mail copies of all applications of all eligible candidates to all Board Members with their packets prior to the Executive Committee meeting.

(C) Any applicant for a County Board seat must be a resident of the Board District in which the vacancy exists and must meet all the qualifications for holding public office. Any applicant for a Countywide Elected Office must be a resident of the County and must meet all the qualifications for holding public office. Each applicant must provide evidence of membership in the same political party as the person whom the applicant proposes to succeed.

(D) At the regular Executive Committee meeting, all eligible applicants will be invited to address the Executive Committee. At the next regularly scheduled Board meeting, the Board Chairman will recommend an appointment to fill the vacancy subject to the approval of the Board.

5.12 MEETINGS

5.12-1 Regular Meetings. Regular meetings shall be held monthly on the third Tuesday of each month except when other meeting dates are designated. An annual schedule of meetings shall be published and made available to all members and other interested persons.

5.12-2 Special Meetings. Special meetings of the Board shall be held when requested by at least one-third of the members of the Board. The requests shall be in writing, addressed to the Clerk and specify the time, place and the nature of matters to be considered. The Clerk shall notify each member of the time and place of such meeting by ordinary mail and shall also cause notice of such meeting to be published in a newspaper published in McLean County.

5.12-3 Meeting Time and Place. All regular meetings of the Board shall commence at 9:00 A.M. unless otherwise agreed to by a majority of the members of the Board, in a place designated by the Board Chairman. All meetings of the Board and its committees shall be open to the public, except for limited purposes as specified by law.

5.12-4 Agenda Preparation. The Chairman, in consultation with the Administrator, shall prepare an agenda for each regular meeting, listing the order of business in as much detail as is sufficient for identification, and shall file the agenda with the Clerk. The agenda shall include a "consent agenda" which shall include all matters that are to come before the Board that in the opinion of the Chairman will be of routine nature.

5.12-5 Resolutions, Reports and Communications. Any committee Chairman, any elected or appointed County official or any other person who desires to present any ordinance, resolution, report or communication to the Board shall deliver a copy of same to the Administrator by the sixth business day prior to the Board meeting. A copy to be presented to the Board for action shall be delivered to the State's Attorney at the same time, unless the State's Attorney prepared it. Matters that are frequently adopted by the Board in the same form except as to certain detail, such as Highway resolutions, need not be so filed with the Administrator or furnished to the State's Attorney. Furthermore, failure to comply with this rule will not prohibit an ordinance, resolution, report or communication from being considered by the Board.

5.12-6 Agenda Mailing. At least five days before each regular meeting, the Clerk shall send to each member, the following documents:

(A) Agenda for the next meeting.

(B) Resolutions, ordinances and written reports to come before the Board at the next meeting, which have been filed with the Board Office.

© All committee minutes filed with the Clerk since the previous meeting.

(D) All other material that in the opinion of the Chairman or Administrator will be of interest to Members.

5.12-6.1 Board Proceedings and Minutes. At least five days before each regular meeting, the Clerk shall have prepared the minutes of the previous meeting and made them available to each member by:

(A) Making printed copies available, upon request, in the Office of the County Clerk.

(B) Posting electronically to the World Wide Web in a standard format that can be read online, or printed.

5.12-7 Resolutions of Congratulations

Any Board member who desires to have the Board adopt a Resolution of Congratulations in recognition to an individual, group achievement, and/or community special event shall forward the Resolution (or the information to be included in the Resolution) to the Administrator's Office one week prior to the Board meeting. The Administrator shall include all such Resolutions on the Consent Agenda of the Board meeting.

In lieu of a formal Resolution of Congratulations, a Board member may move that the Board Chairman prepare a letter of congratulations in recognition of an individual, group achievement and/or community special event. The Administrator shall include all such letters on the Consent Agenda of the next regularly scheduled Board meeting.

5.13 ORDER OF BUSINESS. The order of business before the Board shall be as follows, unless otherwise determined by action of the Board:

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Call of Roll
5. Appearance by Members of the Public and County employees
6. Consent Agenda
 - (A) Approval of the Proceedings of the County Board
 - (B) Highway Department
 - (C) Building and Zoning
 - (D) Transfer Ordinances
 - (E) Resolutions, ordinances, reports and communications from elected and appointed County Officials

- (F) Appointments
 - (G) Approval of Resolutions of Congratulations and Commendation
7. Reports of Standing Committees
 - (A) Reports of Special Committees
 8. Report of County Administrator
 9. Other Business and Communications
 10. Approval of Bills
 11. Adjournment

5.14 PROCEDURE AT MEETINGS

5.14-1 Quorum. A majority of the members of the Board shall constitute a quorum.

5.14-1.1 Members. Whenever a vacancy (or vacancies) occurs on the Board and upon formal declaration of a vacancy (or vacancies) by the County Board Chairman, the number of members for purposes of defining a quorum shall be reduced by one or more.

5.14-1.2 General Voting. Unless otherwise expressly provided, any action taken by the Board or any Committee shall only require the affirmative vote of the majority of the members present and voting.

5.14-2 Roll Call Vote. A roll call vote of the Board shall be taken by a "yes" or "no" or "present" vote on the following matters:

- (A) Appropriation and tax levy ordinances.
- (B) Any other matter required by law.
- (C) Upon any other matters, when announced by the Chairman or requested by any member, providing such request is made before another item of business has been taken up by the Board.

The Clerk, on a roll call, shall call the names of the members of the Board in alphabetical order, with the first name called each month being the second name called the previous month, except that the Chairman shall be last called last. The Chairman shall be required to vote only when the vote of the Board results in a tie. The Chairman may vote at any time if the intention to vote is announced prior to voting. In any action requiring a roll call vote, if any member asks for and receives unanimous consent of the members present for the Clerk to show all members present as voting in favor of such action, the Clerk shall show and record such vote accordingly.

A member who has voted "yes" or "no" or "present" on a roll call vote shall not be allowed to change that vote on the matter under consideration. A member not voting when called upon by the Clerk will be presumed absent and will not be allowed to cast a vote on the matter under consideration.

5.14-3 Recognition

(A) Every member who desires to speak or make a motion shall respectfully address the Chairman, be recognized before speaking, and address only the issue under consideration at that time by the Board.

(B) When two or more members seek recognition at the same time, the Chairman shall recognize the member who is to speak first.

(C) No person shall speak more than once nor more than five minutes on the same matter without permission from the Chairman.

(D) A member called to order by the Chairman shall immediately come to order. If there is no appeal, the decision of the Chairman shall be final.

5.14-4 Motion to Adjourn. A motion to adjourn shall always be in order and shall be decided without debate, unless a question of the time to adjourn shall occur.

5.14-5 Reconsideration. An action may be reconsidered at any time during the meeting or at the next meeting held thereafter. A motion to reconsider shall {must} be made and seconded by members of the Board who voted on the prevailing side of the question to be reconsidered.

5.14-6 Second Required. No motion shall be debated or put to a vote unless it is seconded. It shall then be stated by the Chairman before debate or vote and every motion shall be reduced to writing when requested by the Chairman or any

member.

5.14-7 Appearance by Non-Members

(A) Any member may request that a County Officer or employee, or other persons, be permitted to appear before the Board on matters of County business, and such request shall be granted by the Chairman unless there is objection by any member, in which event Board action will be required to overrule the Chairman.

(B) All requests by non-members of the Board for appearance before the Board shall be made to the Administrator, in writing with the subject matter stated, not less than five working days before the next scheduled Board meeting. Such appearance with regard to any particular topic shall be limited to a time not to exceed three minutes for each individual, five minutes for a representative spokesman of a group and fifteen minutes total. The Chairman may act to prevent repetition or digression, to maintain decorum and to exclude discussion of matters which have had a previous public hearing conducted according to law, discussion of matters where public comment would interfere with the due process of law or discussion of matters which would be in direct conflict with restrictions placed upon the Board by other applicable law.

5.14-8 Requests for Legal Opinions. Requests to the State's Attorney on questions of law shall be submitted in writing by any standing committee established by Section 5.15 of these rules or by the Chairman of the Board. The Chairman and Vice Chairman of the Board and members of the Executive Committee shall receive copies of such requests. Said copies shall also be included in materials distributed to members of the Board as provided in Section 5.12-6 of these rules prior to the next meeting of the Board unless such request originated after said materials have been distributed, in which case such copies shall be distributed at the beginning of the meeting. Any member of the Board desiring an advisory opinion on a matter within the jurisdiction of a standing committee shall submit such request to the appropriate standing committee. If unsuccessful before a standing committee, a member may then take such request in the form of a motion at any meeting of the Board, which shall be granted upon approval by a majority of the members of the Board.

5.14-9 Suspension of Rules. Any of these rules may be temporarily suspended by action of the Board. Immediately upon the termination of the business arising out of the event for which the rules were suspended, these rules shall again be in

effect without vote of the Board.

5.14-10 Consent Agenda. All matters on the Consent Agenda that are not removed will be voted on by one vote. An item shall be removed from the Consent Agenda upon the oral request of any member of the Board made prior to the vote. Any matter taken off of the Consent Agenda shall be considered at the time of the standing committee report to which it pertains.

5.14-11 Closed Meeting or Session. Any closed meeting or closed session held by the Board shall be held in accordance with the provisions of the Illinois Open Meetings Act. Neither the news media nor the general public shall be allowed to record the proceedings of any said closed meeting or closed session.

5.14-12 Decorum. During the proceedings of the County Board, decorum shall be maintained at all times by members, interested parties, the public and the media. The Chairman shall be authorized to take appropriate action to maintain said decorum. Decorum during the proceedings of all committee meetings shall be maintained at all times by members, interested parties, the public and the media. The Committee Chairman shall be authorized to take appropriate action to maintain said decorum.

5.15 COMMITTEES - NUMBER, DESIGNATION AND MEMBERSHIP

5.15-1 There shall be six (6) Standing Committees:

(A) The Executive Committee shall have not more than nine members with the membership consisting of the Chairman and the Vice Chairman of the Board and the Chairman of the other standing committees and not more than three (3) members of the Board appointed as at-large members of the Committee by the County Board Chairman.

(B) The Finance Committee, Justice Committee, Land Use and Development Committee, Property Committee, and Transportation Committee; each committee shall have not more than six members each, at the discretion of the County Board Chairman.

5.15-2 Each Board Member shall serve on two or more standing committees at the discretion of the County Board Chairman, with the Chairman of the Board being an ex-officio member of all standing committees. The Chairman's attendance at a committee meeting shall be counted when determining if a quorum is present; however, such attendance shall not increase the number of members constituting

a quorum.

5.15-2.1 Recording of Votes. If any action does not require a roll call vote under Section 5.14-2, any member may request the Clerk to record a vote made by said member in the minutes.

5.15-3 Alternate Members and Attendance of Members at Committee Meetings Other Than Those to Which They Are Assigned.

(A) An alternate member may be appointed to each standing committee by the Chairman of the Board. Such alternate shall attend meetings of such committee if required to constitute a quorum and shall have all the privileges and duties of a regular member while so serving.

(B) Board Members may attend and have access to minutes resulting from any open or closed meetings or sessions of committees of which they are not members. At the discretion of the Committee Chairman during the meeting, the Board Member may participate in the meeting but without voting, seating, or travel privileges. Conversely, if a Board Member is invited to attend a committee meeting by the Chairman of that committee, the member is entitled to travel expenses only.

5.15-4 Subcommittees of Standing Committees

(A) Subcommittees of the Executive Committee. There shall be three standing subcommittees of the Executive Committee: the Legislative Subcommittee, Liquor Control Commission and the Rules Subcommittee, appointed by the Chairman. In addition, the Chairman may create and appoint up to seven members to such subcommittees and advisory groups deemed necessary from time to time to more efficiently accomplish the business of the committee. Membership of any subcommittee of the Executive Committee shall consist of Board members but shall not be restricted to members of the Executive Committee. Membership of any advisory group shall not be restricted to Board Members. Except as otherwise provided by statute or ordinance, such subcommittees shall report to the Executive Committee.

(B) Subcommittees of Other Standing Committees. The Chairman of any standing committee may create such subcommittees of his committee as may be necessary from time to time to more efficiently accomplish the business of such standing committee. Appointments to such

subcommittees shall be made by the committee Chairman and shall be restricted to members of the standing committee. Except as otherwise provided by statute or ordinance, such subcommittees shall report to their standing committee.

5.16 COMMITTEES-GENERAL FUNCTIONS AND RESPONSIBILITIES OF ALL COMMITTEES

The general functions and responsibilities of all Committees shall be as follows:

- (A) With the aid of the Administrator, Auditor, Treasurer and Executive Committee, the Committees shall keep informed concerning appropriations and budget for activities under the purview of the Committee and to help keep expenditures within the budget.
- (B) The Committees shall keep written minutes and to report regularly to the Board the substance of all meetings.
- (C) The Committees shall file minutes of all Committee meetings with the Administrator's Office, which shall then be filed with the County Clerk, prior to the next regularly scheduled meeting.
- (D) The Committees shall submit to the County Board for consideration all policies and procedures as recommended by the Committee.
- (E) The Committees shall act on all matters referred to the Committee by the Chairman of the Board or by the Board itself, in addition to duties otherwise prescribed.
- (F) The Committees shall review all requests originated by a Department Head under its oversight for staffing changes which require amendment of the Authorized Positions Resolution and to submit any comments it deems appropriate to the Finance Committee.
- (G) The Committees shall keep informed with regard to activities of a department which is under its general supervision or for which it serves as liaison with the Board in instances where such activities are concerned with another committee.
- (H) The Committees shall take final action only on those matters authorized herein or by ordinance, resolution or policy adopted by the Board.

(I) The Committees shall allow non-members to appear before the Committees when such appearance is appropriate and does not violate due process of law. A request for such appearance shall be directed to the Administrator in writing with the subject matter stated at least five working days in advance of the meeting. The Committees shall have the right to set reasonable time limits, prevent unruly conduct and require groups to be represented by one spokesman.

(J) The Chairs of the Committees shall set regular Committee meeting dates and times after consultation with the Committee members.

(K) Each Committee Chairman shall require the Administrator or the Administrator's designee to prepare and mail an agenda to all Committee members in advance of a regularly scheduled meeting.

(L) A majority of the members of a Committee shall constitute a quorum.

5.17 COMMITTEES - FUNCTIONS AND RESPONSIBILITIES OF SPECIFIC COMMITTEES

In addition to the general duties otherwise prescribed, the individual Committees shall have the functions, responsibilities, and areas of jurisdiction and overview as set forth in this section.

5.17-1 Executive Committee

The Executive Committee shall have the following specific functions and responsibilities:

(A) To provide general direction for all Board programs, business, planning and policy-making functions and to review the reports of Board Committees.

(B) To exercise general supervision of the administration of all Board affairs, the Administrator's Office, and Information Services Department.

(C) To act in an advisory capacity to the Chairman of the Board.

(D) To review and make recommendations for changes in Committee organization and scope and in rules as may be deemed necessary.

- (E) To be responsible for the general overview of, and coordination with, all "Ad-Hoc" Committees, task force and other like organizations as their activities relate to County business, unless specifically under the jurisdiction of another Standing Committee.
- (F) To be responsible for all matters concerning the employment and activities of all consultants, both paid and unpaid, unless specifically under the jurisdiction of another Standing Committee.
- (G) To review and make recommendations to the Board on salaries and compensation of elected and appointed officials; and to be responsible for the performance evaluation of the County Administrator.
- (H) To be responsible for all relationships with other units of government and for all intergovernmental agreements unless specifically under the jurisdiction of another Standing Committee.
- (I) To exercise general supervision over all matters relating to the codification of County ordinances and resolutions.
- (J) To exercise general supervision over any federal or state entitlement programs for which the Board has a responsibility.
- (K) To make recommendations on all emergency appropriations, transfer ordinances, and any transfers from the Contingent Account in all Funds.
- (L) To prepare and submit an annual Budget Policy Resolution to the Board for its approval.
- (M) To direct the County Administrator to prepare, recommend and submit to the appropriate oversight Committees each year a five-year capital improvement program. The five-year capital improvement program shall be updated annually by the County Administrator as a part of the budget process.
- (N) To receive the proposed annual operating and annual capital improvements budgets for each of the departments of County government as recommended by the respective oversight committees; and to study, review and adjust such departmental budget requests in order to accommodate budgetary priorities and fiscal constraints. To then direct the County Administrator to consolidate these adjusted budget requests into a

Proposed Budget and Appropriation Ordinance and a Proposed Tax Levy Ordinance that shall be submitted to the Board, with the Executive Committee's recommendation, in accordance with the Statutes of the State of Illinois.

(O) To serve as liaison in the Board's relationship with external boards and Commissions with which the Board may have a working relationship.

(P) To be responsible for County government public relations and information matters.

5.17-1.1.1 Liquor Control Commission

The Liquor Control Commission shall have the following specific functions and responsibilities:

(A) To be responsible for all matters upon which the Commission may be required to act under the regulations of the Liquor Control Ordinance.

(B) To review and recommend appropriate amendments to such ordinances as may be deemed necessary.

5.17-1.1.2 Rules Subcommittee

The Rules Subcommittee shall have the following specific functions and responsibilities:

(A) To periodically review the rules of the Board and recommend revisions deemed necessary and appropriate.

(B) To receive and consider proposals for changes in the rules of the Board and make appropriate recommendations.

5.17-1.1.3 Legislative Subcommittee

The Legislative Subcommittee shall have the following specific functions and responsibilities:

(A) To be generally responsible for the County's interest in all matters concerned with Federal and State legislation.

(B) To develop an annual legislative program of primary County legislative concerns; and said program to be adopted by the County Board in January of each Fiscal Year.

(C) To engage in a review of all legislation affecting the County which has been introduced in the General Assembly.

(D) To take action consistent with the best interests of the County on proposed or pending legislation at all stages.

(E) To take action consistent with the best interests of the County, on existing and proposed rules and regulations issued by agencies of the United States of the State of Illinois.

5.17-2 Finance Committee

The Finance Committee shall have the following specific functions and responsibilities:

(A) To exercise continuous review of the overall tax cycle from the initial assessment of property through the tax collection.

(B) To exercise continuous review of revenues and expenditures, and to identify new or alternative revenue sources for the County.

(C) To review and make recommendations to the Board with respect to purchasing and contracting policies and procedures.

(D) To exercise continuous review of the integrated financial management and the accounting and fiscal operations policies.

(E) To serve as the oversight committee for the office of Supervisor of Assessments.

(F) To serve as the oversight committee for the Auditor, Recorder, Treasurer, County Clerk, Superintendent of the McLean-DeWitt-Livingston Education Service Region, University of Illinois Cooperative Extension Service and Bloomington Board of Election Commissioners.

(G) To be responsible for fiscal instruments.

- (H) To recommend to the Board a public accounting firm to conduct an annual audit of all funds and accounts of the County.
- (I) To be responsible for the County's Risk Management Program including insurance matters.
- (J) Upon completion of each fiscal year's annual audit, to review and recommend the Comprehensive Annual Financial Report and the Annual County Financial Report to the Board for its acceptance prior to their submission to the Illinois State Comptroller.
- (K) To review the outside auditor's management letter, request departmental responses to same, make recommendations to the Board and the various oversight committees, and monitor corrective actions.
- (L) To exercise general supervision over all collective bargaining agreements, employee benefits, and entitlement and recommend changes to the Board.
- (M) To exercise general supervision over the administration of the Position Classification Schedule and the Salary Schedules.
- (N) To prepare and make recommendations to the Board with respect to the Personnel Policies and Procedures Ordinance.
- (O) To consider all requests for compensation changes or reclassification and make a recommendation to the Board, as may be provided in the Personnel Policies and Procedures Ordinance.
- (P) To consider all requests for staffing changes which require amendment to the Funded Full-time Positions Resolution after review by the appropriate Oversight Committee and make a recommendation to the Board.
- (Q) To serve as the oversight Committee for the County Nursing Home and recommend policies and programs for the Nursing Home administration.
- (R) To aid in the coordination of public health activities of the County and to prepare plans and policies for County participation in physical and mental health programs and make appropriate recommendations to the Board.

- (S) To serve as liaison in the Board's relationship with the Board of Health, TB Care and Treatment Board, Persons with Developmental Disabilities Board, and any other County physical and mental health service.
- (T) To exercise general supervision over the Animal Control Program.
- (U) To exercise general supervision over the following specific responsibilities as they pertain to properties and facilities:
 - (1) Janitorial work consisting of cleaning, mowing, and minor repairs for the Animal Control Facility, Health Department Building, and the Nursing Home.
 - (2) Recommend construction and remodeling of buildings, additions, structures, parking lots, and other land improvements for the Animal Control Facility, Health Department Building, and the Nursing Home.
 - (3) Construction or remodeling of buildings, additions, structures, parking lots, and other land improvements at a cost of \$2,500.00 or less when less than 50% of the cost is by contract or contracts for the Animal Control Facility, Health Department Building, and the Nursing Home.
- (V) To exercise general supervision over all licensing activities which are not under the jurisdiction of other committees.

5.17-3 Justice Committee

The Justice Committee shall have the following specific functions and responsibilities:

- (A) To serve as the oversight committee for the Sheriff, Circuit Clerk, Circuit Court (11th Judicial Circuit), Coroner, Court Services, State's Attorney, Public Defender, Jury Commission and the Sheriff's Office Merit Commission.
- (B) To serve as the oversight committee for the Emergency Services and Disaster Agency and the McLean County Rescue Squad.
- (C) To exercise general supervision over the following specific responsibilities as they pertain to properties and facilities:

- (1) Janitorial work consisting of cleaning, mowing, and minor repairs for the E.S.D.A. / Rescue Squad Garage Building on the Fairview Campus.
- (2) Recommend construction or remodeling of buildings, additions, structures, parking lots, and other land improvements for the Law and Justice Center and the E.S.D.A. / Rescue Squad Garage Building.
- (3) Construction or remodeling of buildings, additions, structures, parking lots, and other land improvements at a cost of \$2,500.00 or less or when 50% of the costs is by contract or contracts for the Law and Justice Center and the E.S.D.A. / Rescue Squad Garage Building.

(D) To exercise general supervision over fireworks licensing.

5.17-4 Transportation Committee

The Transportation Committee shall have the following specific functions and responsibilities:

- (A) To serve as the oversight Committee for the County Highway Department.
- (B) To exercise general supervision over all bridge, road and right-of-way matters under the jurisdiction of the County; over the acquisition and disposition of County Highway equipment and materials.
- (C) To recommend to the Board approval of contracts for all highway work for which the County is responsible.
- (D) To exercise general supervision over the letting of bids and right-of-way acquisitions relating to County Highways or the County Highway Department.
- (E) To provide the Board with long range plans for the highways in the County, including those to be undertaken by the County and those planned jointly with other political units.
- (F) To exercise general supervision over the following specific responsibilities as they pertain to properties and facilities:

- (1) Janitorial work consisting of cleaning, mowing, and minor repairs for the County Highway Building and Garages.
- (2) Recommend construction or remodeling of buildings, additions, structures, parking lots, and other land improvements for the County Highway Building and Garages.
- (3) Construction or remodeling of buildings, additions, structures, parking lots, and other land improvements at a cost of \$2,500.00 or less, or when less than 50% of the cost is by contract or contracts for the County Highway Building and Garages.

5.17-5 Property Committee

The Property Committee shall have the following specific functions and responsibilities:

- (A) To serve as the oversight Committee for the Department of Parks and Recreation and to prepare plans and policies for County participation in recreational facilities and programs and make appropriate recommendations to the Board.
- (B) To coordinate with appropriate standing committees and the Public Building Commission in planning for any remodeling and expansion of the Law and Justice Center.
- (C) To prepare, in cooperation with the Public Building Commission and the State's Attorney, procedures for transferring title to the Law and Justice Center to the County.
- (D) To prepare recommendations for methods of financing operations and maintenance of the Law and Justice Center at such time as title is transferred to McLean County.
- (E) To exercise general supervision over the following specific responsibilities as they pertain to properties and facilities:
 - (1) Janitorial work consisting of cleaning, mowing, and minor repairs for all County buildings and facilities, except where specific authority and responsibility is vested in another Standing Committee.
 - (2) Repair of and maintenance contracts for elevators, electrical, heating, ventilation and air conditioning and other such mechanical equipment and systems at all County buildings and

facilities.

- (3) Contract services for pest control, garbage pick-up, and other like services.
- (4) Recommend construction or remodeling of buildings, additions, structures, parking lots, and other land improvements.
- (5) Purchase of janitorial and paper supplies and any other joint purchase of supplies used to clean, maintain, and operate County buildings and facilities.

5.17-6 Land Use and Development Committee

The Land Use and Development Committee shall have the following specific functions and responsibilities:

- (A) To serve as the oversight Committee for the Department of Building and Zoning and to handle all matters upon which the McLean County Zoning Ordinance requires action by a Committee of the Board.
- (B) To exercise general supervision over matters concerning maps, plats and subdivisions and to conduct public hearings and handle all other matters upon which the Land Subdivision Ordinance of McLean County, Illinois requires action by a Committee of the Board.
- (C) In cooperation with the Director of Building and Zoning, to review and recommend environment, zoning, building, subdivision, mobile home and nuisance ordinances and resolutions and recommend any necessary changes to the Board.
- (D) To act as liaison between the Board and the McLean County Regional Planning Commission, Zoning Board of Appeals, Soil Conservation and Cooperative Extension Services and with other agricultural organizations.
- (E) In cooperation with the appropriate agencies to recommend for adoption of a long-range comprehensive plan or portion thereof for the use of land, for protection of the environment and to coordinate economic development.
- (F) To act as members of the McLean County Regional Pollution Control Site Hearing Committee and to hold public hearings and to make recommendations to the Board on all matters pursuant to that authority.

5.18 POLICY AND GUIDELINES ON TRAVEL FOR COUNTY BOARD MEMBERS ATTENDING CONFERENCES

5.18-1 County Board members shall be permitted to request approval to attend Conferences at County expense subject to the following provisions. A Board member interested in attending a Conference shall submit a written request to the Board Chairman no sooner than 120 days and not less than 90 days in advance of the conference. The Board Chairman shall consider the following factors in deciding whether to approve a Board member's request:

- a. budget limitations,
- b. relevance to County Board member responsibilities,
- c. current needs of the County Board.

The Board Chairman may approve, partially approve, or deny the request in writing to the Board member within 30 days of receiving the request. In the event the Board Chairman does not fully approve the request of the Board member to attend a Conference, the Board member may petition the County Board for approval.

5.18-2 Whenever a County Board member attends a Conference, the Board member shall prepare either a written report or an oral report to be presented to the appropriate oversight Committee or the County Board.

5.19 POLICY AND GUIDELINES ON RECOGNIZING, NAMING AND DEDICATING COUNTY FACILITIES, ROADS AND HIGHWAYS

5.19-1 The following process of approval shall be established to recognize, name and dedicate County facilities, roads and highways:

- (A) The request shall be presented to the appropriate Oversight Committee of the County Board for the Committee's review and approval.
- (B) The recommendation of the Oversight Committee shall be presented to the Executive Committee for review and approval.
- (C) Upon approval of the Executive Committee, the recommendation to recognize, name and dedicate County facilities, roads and highways shall be presented to the County Board for review and approval.

5.20 AMENDMENT OF RULES. Amendment of these rules requires the affirmative vote of a majority of the members of the Board. Any proposed amendment shall be voted upon only if it is distributed in writing to the members at least five days before the meeting

at which the amendment is presented to the Board for adoption.

5.21 MISCELLANEOUS PROVISIONS

5.21-1 Any appropriate document shall be placed on file among the records of the Board of a committee, as the case may be, by direction of the Chairman. Minutes of the Board or a committee shall be approved at the direction of the Chairman after opportunity is given for correction, addition or deletion. Such action shall be reflected in the minutes of that meeting.

5.21-2 There shall not be any smoking allowed at (in) any convened meeting of the Board or at any committee meeting of the Board.

5.22 SEVERABILITY. The provisions and sections of these rules shall be deemed to be separable and the invalidity of any portion of these rules shall not affect the validity of the remainder.

5.23 REPEAL. Any Rules of the County Board of McLean County, Illinois, adopted prior to the effective date of these rules are hereby repealed.

5.24 EFFECTIVE DATE. These Rules shall become effective immediately upon and after their adoption, and shall remain in effect until the first Monday in December, 2006.

The Rules of the County Board of McLean County were approved and adopted by the McLean County Board on March 15, 2005.