

# County Board

*Rules of Order and Operational Procedures*



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**I. COUNTY BOARD**

- A. Lake County shall be governed by the Lake County Board. The number of Board Members is 21, and how they are elected shall be determined by the Board in accordance with Illinois law (55 ILCS 5/2-3001 et seq.). The County Board and its committees shall comply with the Illinois Open Meetings Act (5 ILCS 120/1 et. seq.). Salary shall be paid to the County Board Members bi-weekly.

**II. TIME OF REGULAR BOARD MEETINGS**

- A. All regular meetings of the Board shall convene at 9:00 A.M., in the County Board Room of the Lake County Courthouse in Waukegan, Illinois unless otherwise provided (55 ILCS 5/2-1001). Regular meetings of the County Board shall be held on the dates listed below (55 ILCS 5/2-1001).

**Regular Board Meetings**

Tuesday, January 15, 2019	Tuesday, January 14, 2020
Tuesday, February 12, 2019	Tuesday, February 11, 2020
Tuesday, March 12, 2019	Tuesday, March 10, 2020
Tuesday, April 9, 2019	Tuesday, April 14, 2020
Tuesday, May 14, 2019	Tuesday, May 12, 2020
Tuesday, June 11, 2019	Tuesday, June 9, 2020
Tuesday, July 9, 2019	Tuesday, July 14, 2020
Tuesday, August 13, 2019	Tuesday, August 11, 2020
Tuesday, September 10, 2019	Tuesday, September 8, 2020
Tuesday, October 8, 2019	Tuesday, October 13, 2020
Tuesday, November 12, 2019	Tuesday, November 10, 2020
Tuesday, December 10, 2019	Monday, December 7, 2020

- B. A Committee of the Whole meeting to review the County Board agenda and other issues shall be held at 8:30 A.M. on the Friday before the regular Board meeting in the conference room at the Central Permit Facility or at the Division of Transportation Building in Libertyville.

Due to early voting at the Central Permit Facility, the following Committee of the Whole meeting will be held at the Division of Transportation Building in Libertyville:  
*March 6, 2020.*

### **III. VALUES AND ETHICS**

- A. Lake County government carries out its mission and conducts its responsibilities adhering to the following values:
  - 1. Leadership;
  - 2. Fiscal Responsibility;
  - 3. Exceptional Service;
  - 4. Operational Excellence; and
  - 5. Environmental Stewardship.
- B. The strongest guarantee of good government is the integrity, objectivity, honesty, transparency, and sincere commitment to ethical principles of conduct by elected officials.
- C. It is the goal of the Lake County Board to guarantee fair, efficient, and open government and to ensure the integrity and objectivity of its Chair of the County Board and County Board Members. Therefore, Lake County approved the Lake County Ethics Ordinance to provide a framework for ethical activities that are to be followed in conducting the business of Lake County government. The fundamental principle underlying all policies is that all activities of the Chair of the County Board and County Board Members must meet appropriate ethical and legal standards as outlined in the Lake County Ethics Ordinance (Supplement B).
- D. If a Board Member is named in any complaint, staff will inform that Member within three business days of complaint receipt.
- E. County Board staff will send Board Members a copy of the most recently adopted Lake County Ethics and Conduct Code on an annual basis. Board Members will complete a signatory form to acknowledge receipt and review of the ethics ordinance and the tenets therein.

### **IV. CHAIR AND VICE-CHAIR**

- A. The Chair of the County Board and Vice-Chair shall, at the County Board's first meeting in the month following the month in which the County Board Members are elected, be chosen by the Members for terms of two years each (55 ILCS 5/2-1003). The Chair of the County Board, or if they are unavailable, the Vice-Chair of the County Board, shall be an ex-officio member of all committees and may participate in the discussion and deliberations of the committees, but shall have the right to vote only in the case of a tie or to constitute a quorum.
- B. The Chair of the County Board shall preside at all meetings of the Board. In the absence of the Chair of the County Board, the Vice-Chair of the County Board shall preside at meetings of the Board. In the absence of the Chair of the County Board and Vice-Chair of the County Board, the Board shall elect a temporary Chair from their numbers by a majority vote of the Members present. (55 ILCS 5/2-1003).

- C. If a vacancy occurs, as defined in 10 ILCS 5/25-2, in the office of the Chair of the County Board or Vice-Chair of the County Board, the remaining County Board Members shall elect one of the Members of the Board to serve for the balance of the unexpired term in accordance with 10 ILCS 5/25-11. The process for filling a vacant district seat on the County Board is outlined in Appendix F.
- D. The Chair of the County Board, or Vice-Chair in the absence of the Chair, shall serve as the Liquor Control Commissioner of the unincorporated areas and may appoint a Liquor Commission, pursuant to Article II, Sections 1 and 2 of the Lake County Liquor Control Ordinance.

## **V. RULES OF PROCEDURE**

- A. These County Board rules of procedure are subject to requirements of state statute. In the event of any inconsistency between these rules and the requirement of any state statute, the state statute shall govern.
- B. All business of the County Board, its standing and special committees, and its Members shall be in conformity with these rules. In the absence of special rules covering the needs of the Board, or if an existing rule does not adequately cover the needs of the Board, “Roberts Rules of Order” (latest issue) if not inconsistent with these rules, shall govern.
- C. The Parliamentarian of the County Board shall manage the public comment section of County Board Meetings, including enforcing rules governing public comment. The Parliamentarian shall also advise and assist the Chair in enforcing Robert’s Rules.
- D. The rules of the County Board may be suspended by motion for a particular purpose by a roll call vote of two-thirds of the Members of the Board present.
- E. Amendments to these rules may be initiated by the Rules Committee. In addition, any Board Member may, upon motion duly made and seconded, propose an amendment to these rules, whereupon such proposed amendment shall be referred to the Rules Committee for its recommendation to the Board at the next regular meeting of the Board occurring at least 15 days after the date of such referral. Any proposed amendment to these rules shall be distributed to each Board Member at least five days before the meeting at which it is to be presented. This five-day requirement does not apply to the reorganization meeting of the County Board. All rules shall remain in effect until the Board’s reorganization meeting. Amendments of these rules may be adopted only by a two-thirds vote of the Board Members present by roll call vote.
- F. In the interest of uniform standards and practices in the various departments of the County, any rules, resolutions, and ordinances previously adopted that included rules of procedure applicable to the County Board and that are inconsistent with these rules are herewith repealed.
- G. All Rules of Order shall be adopted by a majority vote of the County Board Members present at its reorganization meeting in December.
- H. These rules are severable. That is, if any one of these rules (or part thereof) is found contrary to law, such finding shall not affect any other rule (or part thereof).

**VI. SPECIAL MEETINGS**

- A. Special meetings of the Board shall be held only when requested by at least one-third (7) of the County Board Members. The request shall be in writing, addressed to the Clerk of the County Board, and shall specify the time, place, and reason of such meeting. Upon receipt, the Clerk of the County Board shall immediately, but no later than 48 hours prior to the meeting, transmit notice, in writing, of such meeting, to each of the County Board Members. The Clerk of the Board shall also cause notice of such meetings to be published in some newspaper printed in the County (55 ILCS 5/2-1002).

**VII. COMMITTEE OF THE WHOLE**

- A. No official action may be taken at Committee of the Whole meetings, except approval of minutes.
- B. After the newly elected Board is seated in December, a Committee of the Whole meeting will be held within 120 days to consider the Board’s Strategic Plan, goals, and objectives. Once adopted by the County Board, these goals shall then be passed to the standing committees.

**VIII. LOCATION OF MEETINGS**

- A. Regular and special meetings of the Board may be held in any public building located within Lake County. If the building is other than cited in Section II.A above, notice of the building selected for the meeting shall be provided in writing by the Chair of the County Board to each Board Member at least five days prior to said meeting. (55 ILCS 5/2-1001).

**IX. ELECTRONIC ATTENDANCE**

- A. In accordance with the Illinois Open Meetings Act (5 ILCS 120/7 et. seq.), County Board Members may attend public meetings for all public bodies of the County Board, excluding executive session, by video, if available, or audio conference if the Member is prevented from physically attending because of (a) personal illness or disability, (b) business of the County Board or Forest Preserve, (c) a family or other emergency, or (d) employment reasons (military service is considered employment). Electronic attendance for employment reasons shall not exceed two occurrences annually per public body of the County Board. A quorum must be physically present in order for a Board Member to participate electronically. A Member attending electronically shall be considered electronically present at the meeting and entitled to vote on any matter before the public body, as if the Member were physically present at the meeting.
- B. The Member shall notify the County Board Office in writing or via email of their request to attend electronically no less than 24 hours in advance of the meeting (unless advance notice is impractical). The Chair of the public body has discretion to allow electronic attendance for requests with less than 24-hour notice. Staff will notify the

Chair of the public body and after establishing that a quorum is physically present at the meeting, the Chair (or presiding officer) shall state that a Member requested to participate in the meeting electronically. The Member will be authorized to attend electronically unless the public body determines, by motion, that the notice does not comply with the requirements outlined herein. If no such motion is adopted, the presiding officer shall declare the requesting Member present.

## **X. QUORUM**

- A. A quorum shall be necessary for the transaction of business. A majority of the Board Members (11) shall constitute a quorum for the transaction of business; and all questions which arise at the meetings shall be determined by the votes of the majority of the Members present, except in such cases as otherwise provided (55 ILCS 5/2-1005).
- B. A quorum need not be present to convene the Committee of the Whole meeting.

## **XI. SEATING**

- A. County Board Members shall be seated in the designated area for Members along with the County Clerk's Office, a representative of the County Administrator's Office, and the Parliamentarian.
- B. Following the election during the reorganization of the Lake County Board, a formal seating chart will be adopted for County Board Members for the two-year term. The Members shall be seated in order of seniority, which is determined based on number of years of cumulative service on the County Board. County Board Members requiring special accommodation will be seated in an area most accessible. In the event two or more Members are elected to the County Board in the same year, the Member receiving the highest number of votes shall be the more senior Member, followed by the Member receiving the next highest number of votes and so on. Seating based on seniority shall be arranged as depicted in Appendix A.
- C. If Board membership changes during the two-year term, the seating chart will be modified, consistent with XI.B, and be adopted by the Lake County Board.
- D. Members who mutually agree may exchange seats once during the two-year term.
- E. All non-Board Members shall be seated in the section reserved for visitors. The anteroom shall be reserved on County Board meeting days for County Board Members, their guests, staff, and elected officials.
- F. The public may record the proceedings only from the gallery in the public area or in areas designated by the Chair of the County Board.
- G. Audible signals from electronic devices shall be disabled during County Board meetings. All those in attendance shall exit the room before answering phone calls.

**XII. AGENDA**

- A. All regular County Board agendas, which deal with the order of business, shall provide for:
  - 1. Call to Order
  - 2. Moment of Silence
  - 3. Pledge of Allegiance
  - 4. Roll Call of Members
  - 5. Addenda to the Agenda
  - 6. Special Recognition/Presentations
  - 7. Public Comment (items not on the agenda)
  - 8. Chair’s Remarks (Chair’s remarks only)
  - 9. Old Business
  - 10. New Business
    - a. Consent Agenda
    - b. Regular Agenda
  - 11. Appointments
  - 12. Petitions, Correspondence and Miscellaneous Business
  - 13. Adjournment

During Special Recognition, comments from Board Members are not appropriate except for Board Members from the affected district.

- B. The County Administrator, or a designee, shall be responsible for reviewing the County Board agenda prior to posting. A Consent Agenda will be used to expedite the handling of ministerial, routine, or non-controversial items. The County Administrator will be responsible for placing items on the Consent Agenda. The Consent Agenda may include, but is not limited to, the following items: approval of minutes, approval of bills, approval of reports, and approval of contracts. Any Board Member may request that an item be removed from the Consent Agenda for discussion. The request to remove an item does not require a second or a vote of the County Board. An item removed from the Consent Agenda will be considered as the first item of business for the relevant standing committee. Approval of the Consent Agenda will be by a roll call vote of the County Board.
- C. The Chair of the County Board may add committee items deemed time sensitive to the regular Board meeting agenda, with the concurrence of the Chair of the appropriate standing committee(s). Staff shall provide notification to the appropriate standing committee(s) of the added items and the need for the addition.

- D. County Board Members may request special recognition of an event or item of extraordinary significance be placed on the County Board agenda. The request will be considered by the Chair of the County Board who may, at their discretion, authorize such addition.
- E. The agenda for regular, special, standing committees, and Committee of the Whole meetings shall be posted in the County Board Office, County Clerk's Office, the location where the meeting will be held, and on the County Board web page ([www.lakecountyil.gov](http://www.lakecountyil.gov)) at least 48 hours in advance of the meeting (5 ILCS 120/2.02). The agenda for regular and Committee of the Whole meetings and pertinent information will be distributed to the Board Members at the Committee of the Whole meeting or held at the County Board Office for those Board Members not in attendance.
- F. Members of the public shall be afforded time to comment on agenda items and other matters germane to the business of the County Board in accordance with these rules as stated in Appendix C – Rules of Decorum.

### **XIII. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS**

- A. Any ordinance or resolution shall be approved by the committee in charge of the subject matter and by the Financial and Administrative Committee, where County funds are involved, and shall then be placed on the County Board agenda. Refer to Section XXIII, Zoning Resolutions, for procedures relating to resolutions for rezoning matters, other than text amendment procedures to the Lake County Unified Development Ordinance.
- B. Applications for federal and/or state grants shall be made in accordance with the annual Budget Policies Resolution.
- C. If the Financial and Administrative Committee does not approve an ordinance or joint resolution, where County funds are involved, the ordinance or joint resolution shall be returned to the originating standing committee with the reason stated.
- D. In order to avoid disruptions of services, resolutions involving financial matters that are time sensitive and do not have the opportunity to be heard by the appropriate standing committee, may be considered by the Financial and Administrative Committee with the consent of the Chair of the appropriate standing committee.
- E. All ordinances shall be reviewed by the State's Attorney prior to action by the County Board.
- F. In the event that the Board or a standing committee, by resolution or ordinance, directs or authorizes the Chair of the County Board to execute a contract or other document, the Chair of the County Board, unless otherwise directed by said resolution or ordinance, shall execute said contract or document within 30 days. In the absence of the Chair, the Vice-Chair may execute any document the Chair has been directed and authorized to execute. In the event that said contract or document is not executed by the Chair of the County Board, or Vice-Chair in the Chair's absence, the County Administrator shall place such item on the agenda for the next regular Board meeting and no committee action shall be necessary.

- G. County Board Members may request a “Board Member Proclamation” to recognize an individual, a business, school, or a civic organization to be presented by an individual Board Member at a community or civic event. “Board Member Proclamations” may be used for commendable community or public service contributions, outstanding achievements as it relates to academics, athletics, or community service, and acts of leadership, valor, or heroism. Board Member Proclamations may recognize and honor but shall not be used to promote or endorse political candidates, political causes, religion or religious institutions. Requests should be submitted to Board Office staff at least one week in advance, with supporting material/details. “Board Member Proclamations” will be signed by the Board Member(s) making the request. Board staff will draft the document and send to Communications staff for review.
- H. It is the policy of the County Board not to take positions, by resolution, on matters unless they are germane to or have a direct impact on the core functions of Lake County Government. Board Members may advocate positions as an individual Board Member(s).

**XIV. LEGAL OPINIONS**

- A. Requests for formal legal opinions from the State’s Attorney relating to the County Board shall be presented in writing and approved by the County Administrator, Chair of the County Board, or a majority of the County Board.

**XV. TRANSPARENCY**

- A. Lake County is committed to making county government more open, accountable, and accessible. In addition to providing policy guidance that illustrates this commitment, the Lake County Board makes Board member information accessible on the County website.
- B. The following information will be posted on the County website on Board Member’s home page on a monthly basis: Board member spending and copies of batch postal mailings that are paid for and distributed in accordance with XXII.F.

**XVI. AD HOC AND SPECIAL COMMITTEES**

- A. Ad hoc and special committees shall be established as determined and recommended only by the Chair of the County Board with the majority approval of the Board Members present, and they will cease to function when they have completed their duties and have made their final reports. In the event a special committee’s activities extend into the next County Board session, the special committee will need to be reauthorized at the first regular business meeting of the new County Board session. Appointments to ad hoc and special committees shall be in accordance with Section XVI.A.

## **XVII. STANDING COMMITTEES**

### **A. Organization of the Committees**

1. The Chair of the County Board shall establish the standing committees and appoint the Chair, Vice-Chair and Members of all standing committees subject to majority approval of the County Board Members present.
2. Special committee meetings shall be held as necessary pursuant to provisions in Section XVII.B, as well as comply with the Illinois Open Meetings Act. The County Administrator, with the consent of the Committee Chair, may cancel a regularly scheduled committee meeting due to a lack of a quorum or an insufficient number of agenda items.
3. Committees shall include at least one Member of the minority political party(ies) as represented on the County Board, unless it is deemed impractical by the Chair of the County Board, or the Members of the minority political party(ies) decline the appointment.
4. Standing committee Members may make a request to the Chair of the County Board, at any time, to change committee assignments due to a change in circumstances. In any situation wherein, the Chair of the County Board deems it advisable to appoint an additional Member to any standing committee, they may do so, subject to the approval of a majority of County Board Members present.

### **B. Committee Agenda**

1. The County Administrator, working with the Committee Chair, shall direct items to the appropriate standing committee and shall develop and approve all agendas prior to posting. All agenda items for committee action must be filed with the County Administrator's Office in accordance with the cut-off date for agenda development. A Consent Agenda may be used to expedite the handling of routine items. The County Administrator will be responsible for placing items on the Consent Agenda. The Consent Agenda may include, but is not limited to, the following items: approval of minutes, approval of bills, approval of reports, and recommended approval of contracts.

#### **2. Agenda**

Regular standing committee agendas, which deal with the order of business, shall include a Consent Agenda, and shall provide for:

- a. Call to Order
- b. Pledge of Allegiance
- c. Addenda to the Agenda
- d. Public Comment
- e. Chair's Remarks
- f. Old Business

- g. New Business
    - i. Consent Agenda
    - ii. Regular Agenda
  - h. Executive Session
  - i. Director's Report
  - j. County Administrator's Report
  - k. Members' Remarks
  - l. Adjournment
3. Any committee Member may, upon the approval of the committee, request that an agenda item be added to or removed from the agenda. No final action may be taken on items added to a committee agenda unless proper notice is provided and complies with the Illinois Open Meetings Act.
    - a. Board Members will make a request to the appropriate standing committee for consideration of a new initiative and/or matter. Members are encouraged to seek staff guidance to determine which committee is appropriate.
    - b. The Committee Chair will acknowledge the request and allow the requesting member to share background on the topic.
    - c. With majority consensus of the committee, the item will be placed on a future committee agenda for discussion.
  4. All Board Members shall receive the committee agendas and the minutes to be approved, at least 48 hours prior to said meeting. At the discretion of the Committee Chair and the County Administrator, agenda item materials will be available for all standing committee Members no later than said meeting.

C. Attendance

1. The committee secretaries will record the attendance of Members and shall forward it monthly to the County Board Office for payment of mileage reimbursement.
2. If a committee Member arrives late or leaves early, it shall so be noted in the minutes along with the time. Any Member wishing to be excused from the remainder of a meeting while in session shall so inform the Committee Chair.
3. A Member of a standing committee shall inform the County Board Office and have the Committee Chair notified of a planned absence prior to a committee meeting. The minutes shall reflect whether a Member is present, absent, or attending to other County business as determined by the Committee Chair.
4. If a committee Member's unexcused absences exceed 25 percent in a six-month period, the Chair of the County Board may evaluate whether to replace the member on the committee in accordance with rule XVII.A.1.

5. A quorum shall consist of a majority of the Members appointed to the committee. The Chair of the County Board, or if unavailable, the Vice-Chair of the County Board, shall be an ex-officio member of all committees and may participate in the discussion and deliberations of the committees, but shall have the right to vote only in the case of a tie or to constitute a quorum.

D. General Provisions

1. Members of the standing committee shall be seated in the designated area for Members along with the County Secretary, and a representative of the County Administrator's Office.
2. Where required by County Board resolution or ordinance, action of the standing committee shall mean a majority of the standing committee Members present.
3. All reports from standing committees to the County Board shall be in writing. Votes taken in committee shall be electronically recorded during the meeting.
4. All matters discussed in closed session of the Board or any of its committees shall be kept confidential by all Members. The confidentiality will be kept until the Board has officially declared the matter or document no longer confidential. Cell phones shall be turned off during Executive Session meetings. Any violation of confidentiality is a serious matter. All closed session printed materials must be surrendered at the end of the meeting. Electronic recording of closed sessions shall be conducted only by the County Secretary.
5. Audible signals from electronic devices shall be disabled during committee meetings. All those in attendance shall exit the room before answering phone calls.

E. Committee Functions

All committees shall have the following responsibilities as to the various departments, offices, institutions, and activities which are in their respective jurisdictions:

1. Legislation: Consultation with and recommendations to the Legislative Committee on matters of legislation.
2. Joint review of departmental appropriations and budgets with the Financial and Administrative Committee.
3. Review of reports, resolutions, and ordinances in connection with any manner referred to the committee.
4. Examination of monthly reports of fees earned by offices of elected officials, which reports shall be transmitted to the County Board.
5. Approval of all committee meeting minutes. The minutes, including votes, shall be certified in writing by the standing committee. A copy of such minutes shall be available to all County Board Members.
6. Review, not less than semi-annually, the minutes of all closed sessions of the committee not yet made available to the public for the purpose of determining whether the minutes (or portions thereof) shall remain confidential or no longer

require confidential treatment. (5 ILCS 120/2.06).

7. Departmental presentations on the status of projects and other on-going activities shall be presented to the relevant standing committees within the first six months of every year.
8. Approval of Board Member requested County resources/staff time pursuant to the Appendix C – Rules of Decorum.

F. Committee Descriptions

There shall be the following standing committees of the County Board with specific agency jurisdiction and responsibilities as listed:

1. **FINANCIAL AND ADMINISTRATIVE COMMITTEE**

*Responsible for matters pertaining to:*

Budget Policies, Budget and Appropriations;

Final action on all Personnel Action Forms requiring committee approval (excluding department head performance appraisals);

Wages and Job Classifications;

Federal Insurance Contributions Act (FICA) and Illinois Municipal Retirement Fund (IMRF);

Health/Life/Dental Insurance;

Collective Bargaining; Employee Relations; Tort Levy;

Risk Care Management;

Litigation;

General Operating Expense;

County Property (and relations with the Public Building Commission);

Public Audit;

Capital Improvements;

Tourism activities;

Economic Development;

Elections;

Tax Increment Financing Districts;

Recorder automation;

Tax Sale automation; and

Vital Records automation.

***Agencies of:***

County Board (elected);  
County Administrator;  
Facilities and Construction Services;  
Finance and Administrative Services;  
Human Resources;  
Information and Technology;  
Local Chambers of Commerce;  
Lake County Convention and Visitors Bureau;  
Lake County Partners;  
County Clerk (elected);  
Board of Review;  
Recorder of Deeds (elected);  
Treasurer (elected); and  
Chief County Assessment Officer.

***Financial and Administrative Authorities***

Committee shall review and approve matters including worker's compensation, position reclassification, individual compensation and adjustments, in accordance with the Policies and Procedures Manual.

Committee shall review matters of threatened or pending litigation in closed session; and shall have settlement authority; or may authorize the County Administrator to enter into litigation.

Committee shall determine when items have significant fiscal impact requiring a presentation at the Committee of the Whole.

The County Administrator shall work with the Chair of the County Board and the Chair of the Financial and Administrative Committee to develop and present regular reports on matters concerning litigation and liability to the County Board.

**2. PUBLIC WORKS, PLANNING AND TRANSPORTATION COMMITTEE**

***Responsible for matters pertaining to:***

Land use planning;  
Comprehensive planning;  
Building and Zoning issues;  
Central Lake County Water District;

Regional Transportation Authority (RTA);  
Metra;  
Pace;  
Central Lake County Joint Action Water Agency (CLCJAWA);  
North Shore Water Reclamation District (NSWRD);  
Des Plaines River Watershed Work Group; and  
North Branch Chicago River Watershed Work Group.

***Agencies of:***

Public Works;  
Division of Transportation (including Matching Tax Fund, Motor Fuel Tax Fund, RTA Sales Tax, and Bridge Fund);  
Stormwater Management Commission (SMC);  
Solid Waste Agency of Lake County (SWALCO);  
Planning, Building and Development; and  
Zoning Board of Appeals.

**3. LEGISLATIVE COMMITTEE**

***Responsible for matters pertaining to:***

Drafting and recommending legislative positions to be taken by the County Board;  
Intergovernmental affairs of Lake County not under the jurisdiction of another committee;  
Relations with the Lake County Municipal League; and State and National legislation, including Illinois State Association of Counties, Cook and Collar County Chairs, and National Association of Counties.

**4. HEALTH AND COMMUNITY SERVICES COMMITTEE**

***Responsible for matters pertaining to:***

Community development activities;  
Housing activities;  
Budget and ordinance review for the Lake County Health Department; and Tuberculosis Clinic; and  
All health-related issues.

***Agencies of:***

Health Department;  
Tuberculosis Clinic;  
Regional Superintendent of Schools (elected);  
Veteran's Assistance Commission;  
Winchester House;  
Workforce Development Board;  
Housing and Community Development Commission; and  
Affordable Housing Commission.

**5. LAW AND JUDICIAL COMMITTEE**

***Responsible for matters pertaining to:***

Budgetary matters of Probation Services Fee;  
Court Automation Fee;  
Court Document Storage Fee;  
Oversight of the Emergency Telephone System Board (9-1-1);  
Inmate Welfare Fund; and  
Sheriff's Asset Forfeiture Funds.

***Agencies of:***

Circuit Court Clerk (elected);  
Coroner (elected);  
Sheriff (elected), (including the jail);  
State's Attorney (elected);  
Public Defender;  
19th Judicial Circuit Agencies, (including Circuit Courts, Court Administrator, Jury Commission and Probation, Hulse Detention Center, and Law Library); and  
Merit Commission.

**6. ENERGY AND ENVIRONMENT COMMITTEE**

***Responsible for matters pertaining to:***

Sustainability and Climate Change Impact;  
Environmental Health;

Energy Management;  
County's Carbon Footprint;  
Energy and Environmental Policy;  
Energy and Environmental Legislation; and  
Recycling.

**7. DIVERSITY AND INCLUSION**

***Responsible for matters pertaining to:***

Advises the County Board and County Administrator on recommended policies and practices surrounding diversity and inclusion in the County's workforce; and  
Receives reports of diversity and inclusion efforts, hiring practices, employment, purchasing and contracting on a semi-annual basis.

**8. RULES COMMITTEE**

***Responsible for matters pertaining to:***

Review of the "Rules of Order and Operational Procedures" and recommendations for changes as needed.

**9. ETHICS AND OVERSIGHT COMMITTEE**

***Responsible for matters pertaining to:***

Reviewing and revising the County's Ethics and Conduct Code;

Assisting in the enforcement of the Lake County Standards of Conduct Ordinance authorized by Public Act 98-0779; and

Assisting in enforcement of these County Board Rules and Procedures by considering complaints submitted by County Board Members for substantive violations by County Board Member(s) and making recommendations to the County Board for action; and

Annual Ethics Assessment Report and audit of application of Ethics.

**10. COMMITTEE OF THE WHOLE**

Review of County Board Agenda;

Leadership seminars;

Special presentations/updates; and

County Administrator's Report.

## **XVIII. APPOINTMENTS OF BOARDS AND COMMISSIONS**

- A. Appointments to all other boards, commissions, districts and all other authorities subject to appointment or approval, by statute or ordinance, by the County Board, will be presented to the County Board by the Chair of the County Board. Recommendations to the Chair of the County Board may be made by the Board Members and/ or its committees. The appointments shall be approved by the majority of the Board Members present. For select appointments, the County Board Chair has sole appointment authority. These appointments will be placed on the next County Board agenda for information only.
- B. The Chair of the County Board shall notify Board Members of vacancies on other boards and commissions and seek their input in advance of the appointment.
- C. Any recommendation for an appointment or reappointment must be made with a written resume of the appointee's qualifications, which will be included in the agenda for the Board meeting.

## **XIX. COUNTY OPERATIONS**

- A. Opening and closing hours of the County Building (except those offices where the opening and closing hours are otherwise fixed by law) shall be from 8:30 a.m. to 5:00 p.m., Monday through Friday, and extra hours for selected departments as determined by the Chair of the County Board. The Sheriff's security shall permit only authorized personnel (including County employees) to remain in the County Building during other than normal working hours. Public meetings or hearings to be held in the County Building at other than regular hours require advance notice to the facilities manager by the County official sanctioning the meeting. Use of County facilities by non-county agencies is governed by the Lake County Rules and Regulations Governing Public Building Grounds.
- B. The policies and rules relating to the purchase of goods and services for the County shall be in accordance with Illinois statutes and the Lake County Purchasing Ordinance.
- C. There shall be an annual independent audit of all funds and accounts of the County accomplished by certified accountants authorized to practice public accounting in the state of Illinois in compliance with the County Auditing Law.
- D. Pertinent policies and procedures relating to salaries; employee benefits; general, sick and various other types of leave; holidays; hours of work; physical examinations; retirement; and all such matters of personnel and employee relations are cited in the Lake County Employee Policies and Procedures Ordinance. All references pertaining to such matters should be made thereto.

## **XX. COUNTY BUDGET**

- A. The Financial and Administrative Committee shall present an Annual Budget Policies Resolution to the Board. Such resolution shall be presented to the Board and considered no later than the June meeting each year. As passed by the Board, such resolution shall

outline policy guidelines for the setting of the County's annual budget for the succeeding fiscal year.

- B. Said resolution shall be in compliance with the County Budget Law as set forth in the Illinois compiled statutes. In passing the resolution, the County Board shall take into consideration goals as set forth in the County's Strategic Plan and all potential and known legal and/or economic constraints at the time of consideration by the County Board.
- C. The Financial and Administrative Committee shall recommend the annual budget, Levy Ordinance and Appropriation Ordinance for approval by the County Board.
- D. The Financial and Administrative Committee shall have the authority to approve intra-fund line item transfers in excess of \$50,000 across account class (i.e., personal services, commodities, contractals, capital outlay, debt service). Intra-fund transfers, across account class of \$50,000 and below, may be approved by the County Administrator, the Chief Financial Officer or their designees. Effective each October 1st and thereafter, the County Administrator, the Chief Financial Officer or their designees shall be authorized to make intra-fund line item transfers, across account class, deemed necessary for the timely and orderly close-out of the fiscal year. All year-end transfers authorized by this provision shall be reported to the Financial and Administrative Committee.
- E. All applications for emergency appropriations for funds not previously authorized shall be referred to the appropriate standing committee and to the Financial and Administrative Committee by the County Administrator, which committees jointly shall make a report on same. Carry-overs of appropriations previously authorized shall be referred to the Financial and Administrative Committee. All emergency appropriations shall require a roll call vote of two-thirds (14) of the County Board Members. (55 ILCS 5/6-1003).
- F. Quarterly reports from the County Administrator and the Chief Financial Officer, detailing a year-to-date expenditure and revenue analysis, shall be presented to the Financial and Administrative Committee.

**XXI. APPOINTMENTS OF COUNTY ADMINISTRATOR AND COUNTY DEPARTMENT HEADS**

- A. Appointment of all County department heads shall be presented to the County Board from a recommendation made by the County Administrator with the advice of the Chair of the County Board and shall be approved by a majority of the County Board Members present. The Chair of the County Board shall appoint no fewer than one County Board Member(s), including an invitation to the Chair of the standing committee, to advise in the review of the final applicants.
- B. The County Administrator shall report to the appropriate standing committees regarding performance of County department heads during executive session. Performance reviews will be conducted by the County Administrator with input solicited during executive session from the appropriate standing committee.

- C. The County Administrator shall supervise and may remove an appointed department head under the jurisdiction of the County Board subject to Section 11.5 of the Personnel Policies and Procedures dated April 8, 2008, except persons appointed by the County Board required by the laws of the state. The County Administrator shall notify the Board of such removals. The removal of a department head appointed by the County Board per state statute (i.e. the County engineer and the chief County assessment officer) may be accomplished by a County Administrator recommendation to the County Board for said action.
- D. When a department head position subject to County Board appointment is vacant, the County Administrator, or a designee, shall be authorized to perform those duties and execute those documents for that department or function which are not otherwise provided by law.
- E. In accordance with county ordinance, all appointed department heads shall report to the County Administrator.
- F. The County Administrator, with the approval of the Chair of the County Board, may designate a person to fulfill their duties during an absence.
- G. When the County Administrator position is vacant, the Chair of the County Board shall appoint an interim County Administrator subject to ratification by the County Board at its next Board meeting.
- H. The Chair of the County Board shall coordinate the evaluation process for the County Administrator annually at the same time as other employee evaluations. The Chair, at their discretion may employ a facilitator to assist in this process. The evaluation will focus on areas of good performance, identify areas for improvement, establish future goals and objectives, and also be the basis for compensation.

The County Administrator shall be evaluated by the County Board on an annual basis in the following manner:

The evaluation process, at a minimum, shall include the opportunity for the County Administrator to prepare a written summary of accomplishments, an evaluation process by the County Board, an opportunity to meet and discuss the final evaluation in closed session between the County Board and Administrator, and a written summary of the evaluation with goals, objectives and compensation for the subsequent year.

**Procedure:**

1. The County Administrator will compile and provide the County Board materials describing progress toward or accomplishment of established goals and objectives as well as goals for the coming evaluation period.
2. The Chair of the County Board and County Board will individually evaluate the County Administrator's performance.
3. The Chair of the County Board and Board will meet in a closed meeting without the County Administrator to review and discuss the Administrator's performance. Individual evaluations and Board input will be discussed. Consensus will be reached on a single evaluation to reflect the sum of all participating Members' input.

4. The County Administrator will be invited to join the Board in the closed session to review and discuss the cumulative evaluation. The final written evaluation should be completed and delivered to the County Administrator within 30 days of the evaluation meeting.

## **XXII. COUNTY BOARD MEMBER ALLOWANCE AND RELATED SPENDING**

### **A. Allowable Spending**

Contingent upon the annual approval of the County Board budget, each elected County Board Member will be budgeted an annual allowance amount to be used exclusively for specific allowable costs related to carrying out the duties of a County Board Member. The allowance amount will be established annually and included in the Lake County Board Rules of Order and Operational Procedures – Board Spending Rules Supplement (Appendix B).

The annual allowance can be used for (1) travel for county business, (2) attendance at approved government training and other events related to carrying out the duties of a Board Member, (3) office supplies, and (4) a flat cellular and/or internet service allowance in lieu of using a County-issued phone or internet connection.

Anything not listed within this section or in Appendix B as allowed is prohibited.

Approved training, professional events, office supplies, and flat cellular and/or internet allowances will be listed in the Board Spending Rules Supplement.

### **B. Procedure**

The Board Staff, in coordination with the Finance and Administrative Services Department, will make allowance expenditures for Board Member for County business and travel to pre-approved events. County Board Members will be allocated a per diem in accordance with County policy. A request for a travel advance for per diem is permitted and must be requested seven working days in advance of such travel.

County Board Members that are designated as an official County representative for a conference (e.g. National Association of Counties Board of Directors) or a legislative initiative can request separate funds to accommodate specific pre-approved travel and attendance plans.

County Board Members shall abide by the County's Employee Reimbursement Policy (travel policy) as it relates to travel, meal, and lodging expenses in accordance with Illinois law (50 ILCS 150/10). Expenses shall be included in Claims Against the County and shall be approved by roll call vote by the County Board (50 ILCS 150/15).

### **C. Technology and Equipment**

County Board Members are provided a tablet or laptop from the IT list of supported devices. Newly elected County Board Members are provided one tablet or laptop every two or four years, respectively, to align with the County election cycle for their district. The County will provide one replacement if the device is lost, stolen, or damaged.

County Board Members are provided with a County-issued phone or may elect to receive a flat allowance for use of a personal cell phone in an amount established annually and

included in the Rules Supplement. The allowance for cellular service will be deducted from each Member's annual allowance. County Board Members shall abide by the County's cellular telephone policy as it relates to the use of cellular phones for County business.

All County phones and computers are subject to periodic inspection by staff from the Information Technology Department to ensure and monitor compliance with County Acceptable Use Policy or other technology policies. Board Staff shall email all related technology use policies and updates to Board Members no less than annually.

D. Payment Procedure

Board Members may submit expenses for reimbursement. The Board Staff will make allowance expenditures in accordance with Board Rules. Purchase of items or activities not included in these rules are prohibited. Reimbursement requests inconsistent with this policy or that are for expenses exceeding the remaining allowance will not be processed.

E. Review

The County Administrator or a designee will review all Board Member spending monthly. Additionally, individual Board Member spending will be posted on the County website Board Member's home page on a monthly basis. The Board Chair has no review or approval role for Board Member spending.

Any instance of irregular spending or dispute regarding Board Member expenses will first be referred to the Ethics and Oversight Committee for review. Following review, the Ethics and Oversight Committee will provide its findings to the Lake County Board.

Mileage reimbursement reports will be filed no later than December 31 of the preceding fiscal year.

F. Board Mailings

Contingent upon the annual approval of the County Board budget, each Board Member will be allocated funds to support mailings within the district. All content of mailings must be direct county business. Election, campaign, religious, and content related to charity or charitable organizations is prohibited. All mailings must be submitted to the County Communications Department for printing. These funds are separate from the Board Member annual allowance. The amount included in this mailing fund will be updated annually and included in the Rules Supplement.

Postal mailings are prohibited 45 calendar days prior to the earliest date the Lake County Clerk's Office accepts completed mail in ballots for any election that the member is on the ballot.

Personal promotion and electioneering with public funds are prohibited.

Copies of all such mailings will be posted on the County website on the Board Member's home page on a monthly basis.

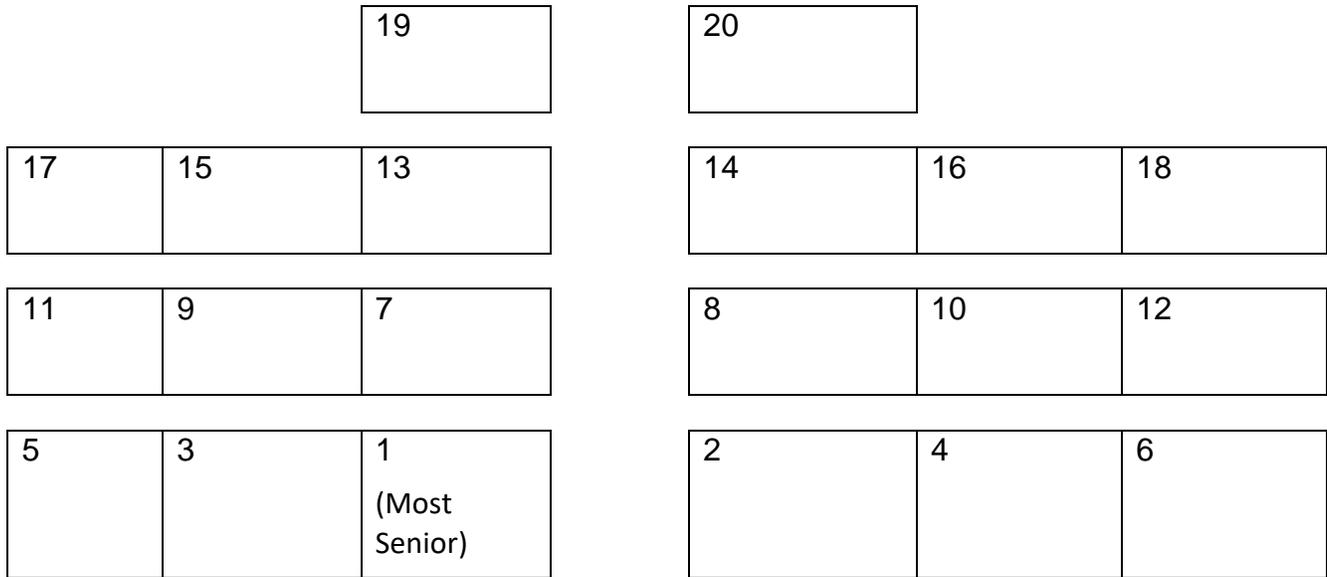
**XXIII. ZONING RESOLUTIONS**

- A. The Zoning Board of Appeals, after holding a public hearing pursuant to the state of Illinois statutes and the Lake County Unified Development Ordinance, shall make a report to the County Board, through the Public Works, Planning and Transportation Committee, recommending approval or denial of the petition and findings in support of its recommendation.
- B. All zoning resolutions shall be worded to grant the prayer of the petitioner.
- C. In the absence of a legal objection to the proposed resolution, the resolution shall be granted upon a majority of aye votes. A resolution shall not be granted except by the aye vote of 3/4 (16) of all County Board Members in the event of a legal objection (as determined by the State’s Attorney) to the resolution. Any vote other than the majority or 3/4 (16) aye vote specified above shall operate as County denial of the resolution. (55 ILCS 5/5-12014).
- D. Accompanying every zoning resolution from the Public Works, Planning and Transportation Committee shall be a report to the County Board which includes: the recommendations and findings of fact of the Zoning Board of Appeals; the report of Planning, Building and Development Department and the recommendation of the Public Works, Planning and Transportation Committee. If the Public Works, Planning and Transportation Committee does not accept the recommendation and finding of the Zoning Board of Appeals, the Committee shall also forward findings of fact, based upon the hearing record, in support of its recommendation. The Public Works, Planning and Transportation Committee shall forward all zoning resolutions to the County Board within 90 days from receipt unless a greater time is requested by the petitioner.
- E. This section does not make reference to Unified Development Ordinance (UDO) text amendments as certain processes outlined here are not relevant to UDO. The procedures related to UDO text amendments are outlined in the Lake County UDO Ordinance.

**XXIV. TRANSFERS OF ROADWAYS**

- A. All requests to transfer the jurisdiction of any roadway in the County to the Lake County Division of Transportation shall be approved by the majority of the County Board.

**APPENDIX A – LAKE COUNTY BOARD SEATING CHART**



Secretary	County Clerk	Board Chair	County Administrator	County Parliamentarian
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**A description of how the seating chart is established is included in XI.**

## APPENDIX B - BOARD SPENDING RULES SUPPLEMENT

- I.** The annual Board Member travel allowance is \$2,500 for the County's fiscal year, December 1 – November 30.

Any member attending a county-funded training/conference shall provide a report of relevant information obtained to the appropriate standing committee within a reasonable amount of time after returning.

- II.** Each Board Member will also be allocated up to \$500 for office supplies (as defined below); purchased by County staff.

**A.** Office supplies.

1. Printer Cartridges
2. Paper
3. Envelopes
4. One roll of 100 stamps annually
5. Business Cards
6. Magnetic Badge
7. Office Pens, (two different versions)
8. LC Logo personal note cards (blank) w/envelopes
9. Legal Pads/Manilla folders/binders
10. Printer – one per term
11. Cell phone protective cover – one per term
12. iPad Cover/keyboard – one per term
13. Laptop mouse/bag – one per term

- III.** Approved government training and professional events to which Board Members are allowed to travel and attend using allowance funds include:

- A. National Association of Counties (NACo)
- B. Illinois Municipal League (IML)
- C. Illinois State Association of Counties (ISACo)
- D. Lake County Municipal League (LCML)
- E. Illinois Association of County Board Members (IACBM)

## **APPENDIX B – BOARD SPENDING SUPPLEMENT (CONT.)**

F. Other training related to county business and approved by the County Board Chair  
Supporting justification for attendance is required prior to registration and travel arrangements.

**IV.** The annual amount allocated to each Board Member for mailings to their district is \$4,000 for the fiscal year December 1 – November 30.

**V.** The flat amount for reimbursement for use of a personal cell phone in lieu of a County-issued device is \$56/month.

**VI.** The flat amount for reimbursement for home office internet use, in lieu of internet/data access via county-issued computer or iPad, is \$35/month. Documentation of home internet access is required via monthly submittal of bills paid.

## APPENDIX C – RULES OF DECORUM

### I. Core Values

- A. County Board Members and staff must adhere to the Core Values listed in the Lake County Code of Ethics and Conduct.

### II. Principles

- A. County Board Members must adhere to the Principles listed in the Lake County Code of Ethics and Conduct.

### III. County Board and Committee Meetings of all Public Bodies

Meetings of the County Board bring together individuals with a variety of backgrounds, personalities, values, and opinions for a shared purpose: To effectively promote and protect the health, safety and general welfare for all who call Lake County home and for the long- term common good.

County Board meetings are intended to make decisions that formally set County programs in motion, enact ordinances, adopt policy, and authorize the expenditure of County funds.

#### A. County Board and Committee Standards of Decorum and Conduct

The Lake County protocols and procedures for meetings have been established to promote that purpose by creating an efficient, effective forum and a positive and professional atmosphere within which the business of the County can be conducted. This shared purpose is acknowledged and affirmed, despite the possible divergent opinions of the individual Members of the Board. Civil discourse is only fostered if it is modeled by how County Board Members and staff behave toward one another and toward Members of the public.

#### 1. Chair:

The Chair has the responsibility and authority to manage the order of the meeting. All Members must respect the decisions of the Chair, who will respectfully manage public comment.

#### 2. Civility:

Board Members should always be respectful of each other, of staff, and of the public. All oral discourse should be polite and civil. Members should never be belligerent, impertinent, threatening or disparaging and when appropriate, should use titles when addressing others. In meetings, comments of a personal nature should be avoided.

## **APPENDIX C – RULES OF DECORUM (CONT.)**

### **3. Preparation for Meetings:**

Board Members are to prepare for meetings in advance. When possible, background and informational questions should be addressed with staff members in advance of meetings and during working hours, rather than, during meetings, unless the answers to such questions will have an educational value of broad and general applicability. Thorough preparation improves focus on policy matters and fosters effective, efficient meetings.

### **4. Focus on Business:**

Board Members should keep focus on the matters of business before them, keeping in mind the principal role of the Board is executory as policy makers rather than administrators. During meetings, avoid discussion of matters not relevant to pending business. Members should be respectful of the roles of others and should be good stewards of the time spent during official meetings.

### **5. Respect for Staff:**

Board Members should be respectful in every contact and communication with staff, recognizing the scope and weight of the staff's duties and responsibilities. Positive interactions with others promote greater achievement.

### **6. Respect for Speakers:**

Board Members should be fair, patient, and respectful of all individuals who speak before, or make presentations at public meetings or public hearings. No signs of partiality, prejudice or disrespect should be evident on the part of any individual Board Member. Full attention should be given to speaker/presenters and side conversations should be kept to a minimum, or not held at all. The Board Members should always be mindful that facial expressions and body language can be just as disrespectful as words. An important part of the democratic process is to model behavior that welcomes the public and provides them with an environment where they are heard.

### **7. Use of Electronic Technology during Meetings:**

Electronic technology devices should be used by Board Members and staff judiciously and only for purposes related to the meeting at hand. The use of such devices for personal/family/work situations is understood and should be handled in a manner which is not disruptive to the conduct of business.

## APPENDIX C – RULES OF DECORUM (CONT.)

### B. Public Comment and Participation

1. The agenda of every County Board and committee meeting of all Public Bodies shall include a reservation of time near the beginning of the meeting for public comment.
2. The Chair shall recognize and allow to speak any person desiring to speak during Public Comment.
3. Individuals wanting to speak must complete a public comment card indicating the agenda item on which they wish to comment, or the topic for items not on the agenda.
4. The Chair will ask speakers to present comments on an agenda item when that item is called. Those requesting to speak on an item not on the agenda, will be called during the “Public Comment” portion of the agenda.
5. The total cumulative time of all public comment shall be limited to 30 minutes unless determined otherwise by the Chair.
6. Speakers shall be entitled to address the Public Body on a first-recognized, first-served basis. In the event that all persons desiring to speak during the Public Comment are not able to do so within the time limit allowed, the Chair shall have the option (but not the obligation) of extending the time allocated for Public Comment, either at the point designated on the agenda, or at such later point on the agenda, or as the Public Body may otherwise determine.
7. Public comment is limited to three minutes per individual, unless the Chair designates a longer or shorter time period. (Generally, the longer or shorter time period will apply to all persons participating in the Public Comment at the same meeting).
8. Speaker time limits may be enforced by the Chair or the Parliamentarian.
9. All questions or statements by a speaker should be directed to the Chair and Members. The County has no obligation to answer questions during public comment and may refer to staff to follow up with the speaker after the meeting. When appropriate, matters raised by public comment shall be referred to the appropriate standing committee.
10. No Board Member should interrupt a speaker during a presentation. The Chair and/or Parliamentarian has the right to interrupt a speaker in order to enforce these or other applicable rules.
11. Candidates for public office that speak within the 90-day time frame preceding a primary or general election, for which they are on the ballot, shall not use the opportunity to campaign for the pending election or mention they are a candidate. Other comments that are political in nature, or those that promote or support a candidate are not permitted.

## APPENDIX C – RULES OF DECORUM (CONT.)

### C. **Public Comment - Instructions:**

1. Each speaker must state their name and address in a clear manner so that it can be recorded in the minutes of the meeting. When a location has been designated in the meeting room for speakers to address the Public Body, the speaker must address the Public Body from that location unless the Chair otherwise allows.
2. If a speaker is representing, or speaking on behalf of, an individual, group, or association, the speaker must state the nature of that representation.
3. Individual comments will be limited to one opportunity per person.
4. For speakers desiring to use audio or visual equipment in connection with a presentation, arrangements for such use must be made with the County in advance of the meeting.
5. In the interest of promoting the efficient conduct of public business, speakers should refrain from repeating their own testimony and comments and should refrain from repeating testimony and comments that have previously been provided to the Public Body by other individuals.
6. No person should interrupt the proceedings of a Board or public meeting or cause any other form of disturbance or disruption. The Chair reserves the right to close public comment if, after issuing a warning, audience members persist in cheering, booing or otherwise being disruptive.
7. Persons addressing the public body shall not be permitted to make statements or remarks that concern only the private activities, lifestyles, or beliefs of others, including individual employees of the County or its elected officials, unrelated to the business of the County Board or the professional duties and performance of its employees or the employees of its elected officials.
8. Persons addressing the Board shall refrain from statements, remarks, or conduct that is considered belligerent, threatening, disparaging, rude, vulgar, profane or otherwise uncivil and disruptive to the conducting of the Board's business. The Chair may limit the comments of any person who engages in such conduct.
9. No person may continue to speak after the Chair has taken the floor from that person.
10. Any person violating the standards of process and decorum set forth in these rules may be evicted from the premises of the meeting at the order of the Chair or a majority of the Members or be subject to other action as deemed necessary by the Chair and Members. Although the Public Comment may be used to address questions to the Public Body, a speaker is not entitled to a response to any such question during the Public Comment Time.
11. The Chair shall have the right to interrupt a speaker in order to enforce these Rules or other applicable rules.

**D. Public Comment - Written submissions:**

Any person shall have the right at any time to provide written comments to any Public Body, of Lake County government, or any other County official by addressing those comments to: Lake County Board Office, 18 N. County St., 10th FL, Waukegan, IL 60085 and delivering the comments via any of the following methods:

1. by personal delivery, mail, courier, or any similar delivery service to the County Board Office between 8:30 a.m. and 5:00 p.m. Monday through Friday;
2. by facsimile to 847-360-7322, or
3. by email to [countyboard@lakecountyil.gov](mailto:countyboard@lakecountyil.gov).

**E. Public Comment - State and Federal Representatives:**

An opportunity to address the Board will be provided to representatives of state and federal government subject to the following constraints:

1. Comments must be of an informative, not political nature.
2. The request to speak must specify the topic(s) to be addressed.
3. Scheduling of speakers is at the discretion of the Chair of the County Board who will consider flow of business in determining whether to grant a particular speaking request.
4. Comments are subject to 5-minute time limitations (excluding questions and answers).
5. Officials may address the Board once within a 12-month period.
6. Officials speaking under “Public Comment” are subject to the same speaking guidelines imposed upon the general public.

**F. Public Hearings:**

During Board-conducted public hearings, Committee, staff, and members of the public will be permitted a reasonable opportunity to present relevant testimony and evidence during the public hearing.

## APPENDIX C – RULES OF DECORUM (CONT.)

### IV. General Rules for Board Member Conduct

#### A. Board Member Comments

For items on the County Board meeting agenda or motions, a Member will have two opportunities to speak for five minutes each per day, unless a time extension is granted by the Chair.

As a courtesy and to facilitate discussion and understanding, Board Members are encouraged to communicate with all other Members any proposed changes or proposed amendments as early as possible prior to meetings; and to provide planned amendments in writing to all Members in advance of the meeting the said amendment will be proposed. This will allow all Members to thoughtfully consider proposed language changes prior to voting. For matters not on the agenda, any Member of the Board shall have the right to address the County Board at any regular Board and committee meeting on any matter relating to County business under Section X.A. Agenda Item (12) (Petitions, Correspondence and Miscellaneous Business) for a maximum of five minutes, unless a time extension is granted by the Chair. A Member may present any matter related to County Board business, and with the majority vote of the Lake County Board and committee, the matter shall be placed on the next agenda of the appropriate standing committee.

#### B. Other Activities as County Representative:

Board Members may not act as or represent the official spokesperson or representative of the County at any meeting, event, or forum unless and except when authorized in advance to do so by the Board or Chair.

#### C. Ex-parte Contacts:

Board Members should avoid commenting or taking a position on land use related issues, and or matters potentially involving litigation that are likely to come before the County Board. The Board should be mindful of its Core Values and rights of due process.

#### D. Commitment of County Resources:

No Board member should commit the use of County Staff or other County resource without first coordinating with the Administrator. County resources are limited, and the Administrator is best able to determine the proper allocation of staff time and other resources. Additionally, the appropriate standing committee must approve any County Board Member requests for staff assistance requiring more than two hours to complete. Board members will be respectful of staff by allowing reasonable time for staff to research and prepare for discussion on the requested topic. Committee-directed initiatives resulting in a significant impact on staff workload, changes to the business plan of the department, the strategic plan of the County, or an unplanned budgetary impact shall be approved by resolution of the County Board.

## APPENDIX C – RULES OF DECORUM (CONT.)

### E. **County Staff:**

Board Members shall not direct staff in the conduct of the duties performed by staff. If a Board member wishes to discuss an operational or administrative matter, it should be discussed with a Department Head or the County Administrator.

### F. **Employee Performance:**

Any concerns by Board Members regarding the behavior or performance of staff will be directed to the Administrator privately and not shared in a public meeting or with anyone other than the Administrator, Chair or State's Attorney.

## V. **Expectations of County Staff**

### A. **Respect for the County Board:**

Staff should give the proper respect for the functions and membership of the Board, recognizing the fiduciary duties and stewardship responsibilities borne by its Members. Staff should be open and forthright with the County Board about pending matters of policy and County administration. Board Members rely on the faithful counsel of the Staff.

### B. **Informed County Board:**

The office of the Administrator and all other Departments and Elected Offices, as appropriate, should keep the Board informed on a timely basis regarding pending matters of policy and County administration. For each matter on which the Board must act following a hearing before a Board or Commission of the County, the Board will be provided with thorough information of the proceedings of that Board or Commission and any recommendation thereon. The report should include minority opinions, reports, and recommendations, if any. Good decision-making results from correct and timely information.

### C. **Impartiality:**

Information that is provided to a Board Member in response to a request regarding pending matters of policy and administration should be made available to all Members of the Board so that all have equal access to relevant information.

### D. **Responsiveness:**

Staff should be prompt and thorough in following directions of the Board and implementing policy decisions of the Board. Staff should act on such matters irrespective of personal opinions. The Board relies on the staff to faithfully carry out County policy.

## **APPENDIX C – RULES OF DECORUM (CONT.)**

*This document is intended to serve as a set of guiding principles and recommended procedures for Board and Committee meetings and legislative functions. Nothing in this document is intended to create a legal entitlement for Staff or enforceable performance standards beyond what already exists in the County's Employee Handbook and individual department work rules. The Board and Chair are responsible for determining how best to interpret and implement these Protocols, which can be modified at any time without advance notice.*

## **APPENDIX D – DEFINITIONS**

### **I. Board Chair Duties**

- A. Serve as the public representative of the County Board and preside at meetings of the full Board. The Board Chair shall be an ex-officio member of all committees and may participate in the discussion and deliberations of the committees but shall only vote in the case of a tie or to constitute a quorum.
- B. During the Board Reorganization, the Chair shall establish a Rules Committee to review and recommend Board Rules, establish the list of standing and ad hoc committees and appoint Board Members to committees.
- C. Shall execute correspondence and documents on behalf of the County.
- D. Shall serve as the Liquor Control Commissioner of the unincorporated areas of Lake County and may appoint a Liquor Commission, pursuant the Lake County Liquor Control Ordinance. It is recommended that the County Board Chair completes the Illinois Alcohol Training - BASSET within 120 days of election.
- E. Shall make appointments to boards, commissions, districts and all other authorities. (Based on statute or ordinance, these appointments will be presented to the County Board by the Board Chair for information and/or confirmation).
- F. Shall make efforts to help County Board Members to remain informed on matters of importance in a timely manner.
- G. When a vacancy exists in the position of County Administrator, the Board Chair shall appoint an interim County Administrator, subject to ratification by the County Board, at its next Board meeting. The Board Chair shall coordinate the annual evaluation process for the County Administrator.
- H. The Board Chair may add committee items deemed time-sensitive to the regular Board meeting agenda, with the concurrence of the Chair of the appropriate standing committee(s).
- I. The Board Chair may consider a request from a County Board Member and authorize the recognition of a special event or item of extraordinary significance be placed on the County Board agenda.

### **II. Board Vice-Chair Duties**

- A. Authorized to take on all responsibilities delegated to the Board Chair in the event of the Chair's absence, including but not limited to the execution of official documents.

### **III. Board Member Duties**

- A. Serve as a member of the legislative body for the County and as the representative of their County Board district.

## **APPENDIX D – DEFINITIONS (CONT.)**

### **IV. Committee Chair Duties**

- A. The Committee Chair presides over the standing committee meetings and is focused on conducting professional meetings in accordance with the County Board Rules, as well as Roberts Rules.
- B. The Committee Chair, in collaboration with County Administrator staff, may add an item for discussion to the committee agenda.
- C. The Committee Chair shall engage with agencies on behalf of the committee.

### **V. Committee Vice-Chair Duties**

- A. The Committee Vice-Chair shall be authorized to take on the responsibilities delegated to the Committee Chair in the event of the Committee Chair's absence.

### **VI. Committee Member Duties**

- A. Serve on the committees to which Member has been appointed.

### **VII. Constituent**

An individual, business or entity that resides or is located within the member's district.

### **VIII. Constituent Services**

Services which an elected official provides to constituents that may include specific casework, assistance with a government agency, liaison work between different government entities, or development of potential legislation.

### **IX. Official County Business**

Activities that relate to the County's primary mission of providing quality public service, such as meeting and communicating with constituents regarding County operations, services, projects, programs and policies, and other matters pending before the Board or other government agencies.

### **X. Civility**

County Board Members should always be respectful of each other, of County Staff, and of the public. All discourse shall be polite and civil. Members shall not be belligerent, impertinent, threatening or disparaging. When appropriate, use titles when addressing others. During public meetings, comments not related to County business or of a personal nature are prohibited.

## **APPENDIX D – DEFINITIONS (CONT.)**

### **XI. Public Body of Lake County Board**

For the purpose of the Lake County Rules of Order and Operational Procedures, public bodies of the Lake County Board are defined as the Lake County Board and its Committees: Law and Judicial, Health and Community Services, Legislative, Public Works, Planning and Transportation, Energy and Environment, Financial and Administrative, Rules, Diversity and Inclusion, Ethics and Oversight, and Committee of the Whole.

## APPENDIX E – PARLIAMENTARY REFERENCES

Parliamentary Procedure is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion. Parliamentary Procedure is important because it's a time-tested method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization. Today, Robert's Rules of Order newly revised is the basic handbook of operation for most clubs, organizations and other groups.

The method used by Members to express themselves is in the form of moving motions. A motion is a proposal that the entire membership take action or a stand on an issue. Individual Members can make motions, second motions, debate motions and vote on motions:

### I. The Four Basic Types of Motions

- A. Main Motions: The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.
- B. Subsidiary Motions: Their purpose is to change or affect how a main motion is handled and is voted on before a main motion.
- C. Privileged Motions: Their purpose is to bring up items that are urgent about special or important matters unrelated to pending business.
- D. Incidental Motions: Their purpose is to provide a means of questioning procedure concerning other motions and must be considered before the other motion.

### II. Presenting of Motions

- A. To Obtain the floor.
  - 1. Wait until the last speaker has finished and raise your hand and wait to be recognized by the Chair.
  - 2. If multiple Members wish to speak, the Chair will make a list and call on Members individually to address the Board.
- B. Make Your Motion
  - 1. Speak in a clear and concise manner.
  - 2. Always state a motion affirmatively. Say, "I move that we ..." rather than, "I move that we do not ..."
  - 3. Focus on your subject matter and avoid comments of a personal nature.
- C. Another Member will second the motion or the Chair will call for a second.
- D. If there is no second to the motion, it is lost.

## APPENDIX E – PARLIMENTARY REFERENCES (CONT.)

- E. The Chair states the motion placing the motion before the membership for consideration and action (i.e.: "It has been moved and seconded that we ...")
  - 1. The membership then either debates the motion or may move directly to a vote.
  - 2. Once the motion is presented to the membership by the Chair, it becomes "assembly property" and cannot be changed by the original mover without the consent of the Members.
  
- F. Expanding on the motion
  - 1. The time for to speak in favor of the motion is at this point in time, rather than at the time it is originally presented.
  - 2. The mover is allowed to speak first.
  - 3. All comments and debate must be directed to the Chair.
  - 4. Keep to the time limit for speaking that has been established.
  - 5. The mover may speak again only after other speakers are finished, unless called upon by the Chair.
  
- G. Putting the Question to the Membership
  - 1. The Chair asks, "Is there any more discussion? Or, "Are you ready to vote on the question?"
  - 2. If there is no more discussion, a vote is taken.

### III. Roll Call Votes

- A. Any Member may ask for a roll call vote on any agenda item.
- B. The Board may, by unanimous consent, group together two or more ordinances and resolutions for the purpose of taking a single vote. During the vote, a Board Member may vote "aye" or "nay" (55 ILC 5/2-1005).
- C. The Authorization of Previous Roll Call Vote with respect to any pending question, the Board, by unanimous consent, may authorize the Clerk to record the previous roll call vote taken at the same meeting as the roll call vote taken on the pending question when the previous roll call was unanimous. In such event, the Clerk shall record the ayes or nays from the previous roll call as the vote on such pending question with like effect as if such roll call had been taken on such pending question.

In addition, by unanimous consent, the Board may, when authorizing a previous roll call vote (1) authorize a Board Member who was absent when the previous roll call vote was taken to vote on the pending question without requiring a new roll call vote, (2) exclude the vote of a Board Member who is absent when leave for the previous roll call vote is requested on the pending question, and (3) authorize a Board Member who voted "aye" on the previous roll call vote to vote "nay" on the pending question and (4) authorize a Board Member who voted on the previous roll call to abstain on the pending question.

## APPENDIX E – PARLIMENTARY REFERENCES (CONT.)

- D. In the event a Member believes that they has a conflict of interest on any matter before the Board requiring a vote, the Member shall (prior to any discussion of the issue) indicate to the board that a conflict exists, state the reason for the conflict and inform the board that they will be abstaining from any discussion and vote on the matter. In matters not involving a conflict of interest, they may abstain without stating the reason.

### IV. **Actions Requiring Roll Call or Super Majority Votes**

- A. Emergency appropriations shall be referred to the appropriate standing committee and to the Financial and Administrative Committee by the County Administrator, which committees jointly shall make a report on the same. Emergency appropriations shall require a roll call vote of two-thirds (14) of the Members of the County Board. (55 ILCS 5/6-1003).
- B. All resolutions requesting approval for street vacations shall require a roll call vote of two-thirds (14) of the County Board (55 ILCS 5/5-1036).
- C. The vote on all propositions to appropriate money from the County Treasury shall be taken by roll call vote “aye,” “nay” and “present” and entered on the record of the meeting (55 ILCS 5/2-1006).
- D. The Consent Agenda shall be taken by roll call vote.
- E. The rules of the County Board may be suspended by motion for a particular purpose by a roll call vote of two-thirds of the Board Members present.
- F. A rezoning shall not be granted except by the aye vote of 3/4 (16) of all County Board Members in the event of a legal objection (as determined by the State’s Attorney) to the proposed rezoning. Any vote other than the majority or 3/4 (16) aye vote specified above shall operate as County Board denial of the proposed rezoning. (55 ILCS 5/5-12014).

### V. **Motions to Reconsider**

If a motion to reconsider is made, it must be made at the same meeting as the original vote. A motion to reconsider must be made by a Member who voted on the prevailing side. A motion to reconsider must be seconded and approved by a majority of the Members present. The vote on the matter to be reconsidered shall be taken only at the next regular succeeding meeting. No motion may be twice reconsidered.

## APPENDIX E – PARLIMENTARY REFERENCES (CONT.)

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temperature, etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of something	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question" or "I move to call the question"	No	Yes	No	No	2/3
Postpone consideration of something	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..."	No	Yes	yes	Yes	Majority
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority
The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.						
To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Must be done before new motion	No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	Yes	Yes	Only if original motion was datable	No	Majority
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	No	Yes	No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority
The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).						

## **APPENDIX F – VACANT SEAT REPLACEMENT**

If a vacancy occurs, as defined in 10 ILCS 5/25-2, in the office of the Chair of the County Board or Vice-Chair of the County Board, the remaining County Board Members shall elect one of the Members of the Board to serve for the balance of the unexpired term after the vacancy in the board district seat is filled in accordance with 10 ILCS 5/25-11.

Once the county board district vacancy is filled, the County Board, at a special meeting or no later than the next regularly scheduled Board meeting, shall select a successor Chair or Vice-Chair in the same manner as during the County Board's reorganization meeting.

### **I. Vacant District Seat Ad Hoc Advisory Committee**

In accordance with Illinois state statute, the Chair is responsible for filling a County Board vacancy through appointment with the consent and vote of the County Board. The process by which the Chair shall recommend an appointment to a vacancy is provided below.

The Chair shall form a Vacant District Seat Ad Hoc Advisory Committee (Committee) to assist the Chair in the statutory obligations to fill a County Board vacancy. The Committee membership shall include five members the majority of whom are of the same party as the vacant seat. The Committee membership will consist of the Chair, Vice Chair, 2 County Board Members from the same party as the vacant seat, County Party Chair or alternate party member of the same party as the vacant seat. The Committee will assist the Chair in the performance of duties including but not limited to reviewing applications, conducting interviews, checking references, and assessing the ability of candidates to serve as an effective County Board Member.

In the case that the vacant seat is the seat of the County Board Chair, the process by which the Acting Chair shall recommend an appointment to a vacancy is provided below:

The Acting Chair shall form a Vacant District Seat Ad Hoc Advisory Committee (Committee) to assist the Acting Chair in the statutory obligations to fill a County Board vacancy. The Committee membership shall include five members the majority of whom are of the same party as the vacant seat. The Committee will consist of the Acting Chair, 2 County Board Members from the same party as the vacant seat, 1 additional County Board Member, County Party Chair or alternate party member of the same party as the vacant seat. The Committee will assist the Chair in the performance of duties including but not limited to reviewing applications, conducting interviews, checking references, and assessing the ability of candidates to serve as an effective County Board Member.

To comply with the Open Meeting Act, each Committee meeting shall be posted consistent with statutory requirements and held at a public location. Each meeting agenda shall include an executive session pursuant to 5 ILCS 120/2 (c)(3) to consider the selection of a person to fill the County Board vacancy for such district.

## **APPENDIX F – VACANT SEAT REPLACEMENT (CONT.)**

### **II. Procedure**

- A. When a vacancy is known, the Chair shall form a Vacant District Seat Ad Hoc Advisory Committee at the next regularly scheduled County Board Meeting. The Chair shall notify the public that such vacancy exists, and request applications be submitted.
- B. Application materials shall include, but not limited to the following:
  - 1. Resume
  - 2. Cover Letter
  - 3. Letters of Reference/Accolades
  - 4. Voting Record – Certified by the County Clerk’s Office for the last 10 years
  - 5. Property Tax Receipts for last two years (may consider other proof of residency) to verify (a) the candidate’s residency within district; and (b) no outstanding amounts due.
- C. The Chair, shall review the materials and short list potential candidates for Committee consideration, shall schedule candidate interviews (typically in 45 minutes increments) on a date set by the Chair and the Advisory Committee. The Committee will discuss the qualifications of each candidate following each candidate interview.
- D. The Chair shall work with staff to post the necessary agenda which shall reflect the following:
  - 1. Call to Order
  - 2. Public Comment
  - 3. Executive Session
  - 4. Chair’s Remarks
  - 5. Adjournment

### **III. Audio Recordings**

- A. The meeting shall be recorded and stored by the County.
- B. Prior to the meeting, the Chair will verify that the audio recorder is on and recording.
- C. The Chair will return the audio recorder and return it to County Board staff. Staff will separate open session from executive session.

## **SUPPLEMENT A – POLICY GUIDANCE – SUBJECT TO BOARD CHAIR DISCRETION: SELECTION OF APPOINTED OFFICIALS**

The Lake County Board appoints 280 people to over 60 boards, commissions and local units of government – over 20 of which have authority to levy property taxes, including:

- 8 drainage districts
- 3 sanitary districts
- 11 fire protection districts
- Numerous entities focusing on a wide-range of subject matters

The attached spreadsheet is a working document that identifies the Board and commission appointments. Please review and advise if you have questions and/or concerns with the information therein.

Most importantly, the spreadsheet shows the percentage of constituents from each county board district that comprises each appointed unit of local government. The percentages are now based on the overlap in population instead of the overlap in landmass that was previously used.

The purpose is to enhance Board Members' ability to oversee the appointments to boards that have a direct impact on their neighbors and communities. Additionally, this increases accountability for appointments that have a countywide reach by improving the process by which Board Members give input on appointments.

In order to accomplish this, a new reporting structure will be communicated to the appointees. The County Board Chair is the statutory appointing authority and, accordingly, appointees will continue to report to the County Board Chair. However, they will now report to the Chair through the local Board Member or pertinent Committee Chair as noted on the spreadsheet. This will not only increase accountability for appointees, but it also is likely to expose Members, and particularly Committee Chairs, to new issues and subject areas as well as the management of a 280-member volunteer group.

A new internal process will be implemented for advancing appointments and reappointments for Board consideration.

1. County Board Office staff will notify the local Board Member or pertinent Committee Chair at least two months prior to the expiration of an appointee's term so that the Member can either approve a reappointment or begin looking for a replacement.
2. The Board Member with the highest percentage of constituents within the appointed district will lead the process for appointments and reappointments and will seek the input of other Members who represent the districts.
3. If an appointee's term is expired for more than two months, the County Board Chair reserves the right to place an appointment of the Chair's choosing on the County Board agenda.

**SUPPLEMENT A – POLICY GUIDANCE – SUBJECT TO BOARD CHAIR  
DISCRETION: SELECTION OF APPOINTED OFFICIALS (CONT.)**

4. All appointed units of local government that have authority to levy property taxes are required by ordinance to submit annual financial reports to Lake County government. No appointments will be made for units that have not submitted its annual financial report.
5. County Board Office staff will provide Members with an updated copy of the spreadsheet periodically and Members can receive a copy upon request.
6. Congratulatory and thank you notes will continue to be processed promptly to ensure proper recognition is given to the appointees.

**SUPPLEMENT B – LAKE COUNTY ETHICS AND CONDUCT CODE- CURRENT  
VERSION**

## **LAKE COUNTY ETHICS & CONDUCT CODE**

**WHEREAS**, on May 11, 2004, this County Board adopted the Lake County Ethics Ordinance in accordance with the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State Officials and employees; and

**WHEREAS**, on May 9, 2017 this County Board amended the Lake County Ethics Ordinance to clarify and improve certain sections of the Ordinance; and

**WHEREAS**, on October 8, 2019 this County Board amended the Lake County Ethics Ordinance to be titled Lake County Ethics & Conduct Code and added sections related to County Board Member Conduct; and

**WHEREAS**, the Ethics & Conduct Code requires Lake County Board Members, appointed officials, and employees to comply with regulations contained therein; and

**WHEREAS**, the Ethics & Conduct Code imposes penalties for violations of its regulations; and

**WHEREAS**, elected officials and employees working in the offices of the 19<sup>th</sup> Judicial Circuit Court, Circuit Court Clerk, Coroner, County Clerk, Health Department, Recorder of Deeds, Regional Office of Education, Sheriff, State's Attorney, and Treasurer are not subject to the penalties of the Ethics & Conduct Code contained herein, but are expected to adopt the ethical standards and behavior set forth in the Ethics & Conduct Code; and

**WHEREAS**, the Lake County Board recognizes the commitment and devotion required in serving as an elected official, and as such, discourages the simultaneous occupation of multiple elected offices, except as otherwise allowable by law, that receive compensation and/or benefits from taxpayers; and

**WHEREAS**, the amended Ethics & Conduct Code provides for the State's Attorney's Office to conduct investigations and prosecutes certain provisions of the Code in the 19<sup>th</sup> Judicial Circuit Court; and

**WHEREAS**, because the Ethics & Conduct Code provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than Resolution.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF LAKE COUNTY, ILLINOIS, AS FOLLOWS:**

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

### ETHICS & CONDUCT CODE

#### Purpose

The Illinois General Assembly enacted the State Officials and Employees Ethics Act (Public Act 93- 615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees.

The Act requires all units of local government to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act.

The clear intention of the Act requires units of local government to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations.

The clear intention of the Act provides units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable.

Furthermore, it is the goal of the county board and its chair to provide equitable, efficient, effective, and honest government. These goals thereby create and enhance an environment where county officials and employees can administer county services with integrity and objectivity. The purpose of this ordinance is to provide a framework for the ethical and legal standards that county officers and employees must follow while conducting county business.

This code includes a section related to the conduct of County Board Members. The purpose of this section of the code related to conduct is to ensure that all county business is conducted in a manner that reflects the character and values of the people of Lake County and the expectations of external parties with whom the county interacts. In adopting this section of the code, the Lake County Board aims to maintain the sound business practices and regard for the public interest already in place among county officials and employees, while allowing the county to continue to enjoy the confidence of the public and external parties.

The term "Ethics Ordinance", as referred to in other County Codes and Ordinances, intends to refer to Sections I & II of this Code.

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

### **Section I: Ethics**

#### **A. Definitions**

For purpose of this ordinance, the following terms shall be given these definitions:

“Appointed Official” means a person who is selected by the County Board or County Chairperson to serve on a Committee or other group whose purpose is to provide recommendations, advice and/or guidance to the Lake County Board.

“Campaign for elective office” means any activity in furtherance of an effort to influence the selection, nomination, election or appointment of any individual to any federal, State or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities:

1. Relating to the support or opposition of any executive, legislative, or administrative action;
2. Relating to collective bargaining, or;
3. That are otherwise in furtherance of the person’s official duties.

“Candidate” means a person who filed nominating papers or petitions for nomination or election to an elected office within Lake County, or who has been appointed to fill a vacancy in nomination in Lake County, and who remains eligible for placement on the ballot at a regular election, as defined in sections 1-3 of the Election Code (10 ILCS 5/1-3) as amended.

“Collective Bargaining” has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3) as amended.

“Compensated time” means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any:

1. Designated holidays;
2. Vacation periods;
3. Personal time;
4. Compensatory time off; or
5. Any period when the employee is on a leave of absence.

With respect to officers or employees whose hours are not fixed, “compensated time” includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

“Compensatory time off” means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

“Contribution” has the same meaning as that term is defined in section 9-1.4 of the Election code (10 ILCS 5/9-1.4) as amended.

“Department Head” means an employee appointed by the County Board under the direct supervision of the County Administrator to supervise an authorized County Department.

“Employee” means a person employed by Lake County, whether on a full-time or part time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

“Employer” means Lake County.

“Family Member” means spouse (including civil union partners), son, step-son, daughter, step-daughter, parent, grandparent, step-parent, brother, step-brother, sister, step-sister and in-laws (to include parent, grandparent, sister, brother, son, and daughter), relatives residing in the same residence and offspring born to any family members listed above.

“Gift” means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee. “Gift” shall not include anything given or received by a law enforcement officer in the course of an undercover investigation if the officer has no intent to retain such gift personally.

“Immediate Family Member” means spouse, son, daughter, parent-in-law, or parent.

“Leave of absence” means any period during which an employee does not receive:

1. Compensation for employment;
2. Service credit towards pension benefits, and;
3. Health insurance benefits paid by the employer.

“Officer” means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

“Political activity” means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities:

1. Relating to the support or opposition of any executive, legislative, or administrative

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

action;

2. Relating to collective bargaining, or;
3. That are otherwise in furtherance of the person's official duties.

“Political organization” means a party, committee, associate, fund or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3) as amended, but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

“Prohibited political activity” means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in public opinion polls in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.

## **LAKE COUNTY ETHICS & CONDUCT CODE Cont.**

13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

“Prohibited source” means any person or entity who:

1. Is seeking official action (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;
2. Does business or seeks to do business (i) with the member or officer or (ii) in the case of an employee, with the employee or with the member, officer, State agency, or other employee directing the employee;
3. Conducts activities regulated (i) by the member or officer or (ii) in the case of an employee, by the employee or by the member, officer, State agency, or other employee directing the employee;
4. Has interests that may be substantially affected by the performance or non-performance of the official duties of the member, officer, or employee;
5. Is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors; or
6. Is an agent of or an immediate family member who is living with a “prohibited source.”

“Supervisor” means an appointed employee who is responsible for supervising the work of one or more employees and who themselves are under the supervision of a Department Head.

### **B. Ethics & Oversight Committee**

1. The Ethics & Oversight Committee shall consist of County Board Members who are appointed by the County Board Chairman and with the consent of the County Board.
2. The makeup of the Ethics & Oversight Committee shall include 4 members from the majority party of the County Board, and 3 members from the minority party.
3. The purpose of the Ethics & Oversight Committee shall be to review, revise, and enforce Lake County's Ethics & Conduct Code and the Lake County Standards for Appointees authorized by Public Act 98-0779.

### **C. Prohibited Political Activities**

1. No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of Lake County in connection with any prohibited political activity.

## **LAKE COUNTY ETHICS & CONDUCT CODE Cont.**

2. At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off.
3. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.
4. Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.
5. No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant- in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

### **D. County Board Members, Appointed Officials, and Department Heads Influencing Hiring Decisions or Vendor Selections**

1. No County Board Member or Appointed Official shall use his or her position to influence or attempt to influence, in any way, hiring officials to employ particular candidates who have applied for position vacancies or to create employment opportunities specifically for a particular individual. No County Board Member or Appointed Official shall use his or her position to influence or attempt to influence, in any way, purchasing officials to select a particular vendor to perform contracted service for the County or to create opportunities to benefit a specific vendor. County Board Members or Appointed Officials shall not initiate contact with departments regarding matters related to hiring and purchasing selections. County Board Members or Appointed Officials may provide a verbal reference if contacted and requested by a staff member responsible for making the hiring or purchasing selection.

County Board Members or Appointed Officials shall not be eligible to participate on a committee or panel charged with making purchasing recommendations/decisions if the member or official, or his or her family member, has a financial interest in the purchasing decision.

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

County Board Members or Appointed Officials shall not be eligible to participate on a committee or panel charged with making hiring recommendations/decisions if the member or official is the family member of the candidate, has a personal relationship with the candidate or may have a financial interest in the employment decision.

2. Department Heads influencing hiring decisions and vendor selection. Department Heads and Supervisors shall not use their positions to influence or attempt to influence, in any way, hiring officials to employ particular candidates who have applied for position vacancies or to create employment opportunities specifically for a particular individual, unless the above-mentioned employee:
  - a. Is hiring for the department they are assigned to, or
  - b. Is part of a hiring panel as requested by a hiring department.

Department Heads and Supervisors shall not use their positions to influence or attempt to influence purchasing officials to select a particular vendor to perform contracted service for the County or to create opportunities to benefit a specific vendor, unless the above-mentioned employee:

- a. Is making a purchasing decision for the department(s) they are assigned to;
- b. Is part of a panel as requested by a department seeking contractual services; or
- c. Is requested by the department seeking contractual services to provide information regarding a specific vendor.

Department Heads and Supervisors shall not initiate contact with departments regarding matters related to hiring and vendor/contractor selections, absent the exceptions outlined above. Department heads may provide a verbal or written reference if contacted and requested by a staff member responsible for making the hiring or purchasing selection.

Department Heads, Supervisors, and County employees shall not be eligible to participate on a committee or panel charged with making purchasing recommendations or decisions if the member or official, or his or her family member, has a financial interest in the purchasing decision.

Department Heads, Supervisors, and County employees shall not be eligible to participate on a committee or panel charged with making hiring recommendations or decisions if the member or official is the family member of the candidate, has a personal relationship with the candidate or may have a financial interest in the employment decision.

Department Heads and Supervisors shall not hire family members or create a supervisory relationship between family members within their respective department.

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

Family members shall not be hired or assigned to a position where their relationship to another county employee will cause a conflict of interest. Exceptions may be considered if the person in question possesses a unique skill set or there are other unique overriding circumstances that require an exception. Such situations must be submitted to the Human Resources Director and the County Administrator for consideration and approval.

Department Heads and supervisory staff that provide enterprise-wide support services (such as Information Technology, Human Resources, and Finance & Administrative Services) shall disclose to the Human Resources Department and the County Administrator's Office any family member working for or applying for a position with the county. Likewise, any person who is a family member of an enterprise-wide department head or supervisor must disclose his or her relationship during the application process. Any person who accepts a position with the county and discovers that a family member is an enterprise-wide department head or supervisor must disclose his or her relationship to the Department of Human Resources and the County Administrator's Office once becoming aware of such relation. If the new employee intentionally fails to disclose their relation, he or she is subject to disciplinary action up to and including termination.

### E. Gift Ban

1. Gift Ban. Except as permitted by this subsection, no officer or employee, and no immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.
2. Exceptions. Section I.E is not applicable to the following, each of which are independent of every other:
  - a. Opportunities, benefits, and services that are available on the same conditions as for the general public.
  - b. Anything for which the officer or employee, or his or her immediate family member, pays the fair market value.
  - c. Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
  - d. Educational materials and missions.
  - e. Travel expenses for a meeting to discuss business.
  - f. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great uncle, great aunt, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson,

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

- g. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as:
    - i. The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals;
    - ii. Whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and
    - iii. Whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their immediate family members.
  - h. Food or refreshments not exceeding \$75 per person in value on a single calendar day, provided that the food or refreshments are consumed on the premises from which they were purchased, prepared, or catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
  - i. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of the officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.
  - j. Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
  - k. Bequests, inheritances, and other transfers at death.
  - l. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.
3. Disposition of gifts. An officer or employee, or an immediate family member living

## **LAKE COUNTY ETHICS & CONDUCT CODE Cont.**

with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded. The affected officer or employee shall maintain records regarding the return of any gifts or donation to a charity. These records shall include, at a minimum, the amount, date returned, general description of the gift, or if commensurate donation was made, the date, amount, and receiving organization.

### **F. Lobbying Prohibitions**

1. Prohibited lobbying efforts. No former employee or officer of Lake County shall, within a period of one year immediately after the termination of their employment, knowingly accept employment or receive compensation or fees for services from any person or entity to lobby any officer or employee of the county, when during the year immediately preceding termination of employment, that employee or officer:
  - a. Participated personally and substantially in a regulatory or licensing decision that directly applied to the person or entity, or its parent or subsidiary; or
  - b. Participated personally and substantially in the award of a contract or issuance of a change order, with a cumulative value of \$25,000 or more to the person or entity, or its parent or subsidiary.

## **Section II: Compliance Process for Ethics**

### **A. Employee Matters**

1. **Ethics Advisor**
  - a. The Lake County Director of Human Resources, or his or her designee, shall be the Ethics Advisor for Lake County.
  - b. The Ethics Advisor shall have the following duties:
    - i. To provide guidance to the officers and employees of Lake County concerning the interpretation of and compliance with the provisions of this Ordinance and State ethics laws.
    - ii. To conduct research in the field of governmental ethics and to assist with the development of educational programs as deemed necessary to affect the intent of this Ordinance.
    - iii. To develop and provide training on this Ordinance for officers and employees.
    - iv. To perform such other duties as may be delegated by the County Board as deemed necessary to affect the intent of this Ordinance.
2. **Ethics Investigator**

## **LAKE COUNTY ETHICS & CONDUCT CODE Cont.**

- a. The Lake County State’s Attorney (“SAO”), or his or her designee, shall be the Ethics Investigator for Lake County.
- b. The Ethics Investigator shall have the following duties:
  - i. To provide legal guidance to the Ethics Advisor concerning the interpretation of and compliance with the provision of this Ordinance and State ethics laws.
  - ii. To conduct an investigation of complaints and render findings that may lead to legal adjudication.
  - iii. As warranted by the facts, to file a legal complaint in the Circuit Court of the 19th Judicial Circuit alleging a violation of this Ordinance or exercise such discretion to resolve complaints without resorting to the filing of a legal complaint.
  - iv. To perform such other duties as may be delegated by the County Board or as deemed appropriate by the SAO in the exercise of its professional judgment in the enforcement of this Ordinance.

### **3. Inquiry & Complaint Procedures**

- a. Employees may request an official interpretation/clarification from the Ethics Advisor regarding permissible and prohibited activities of this Ethics Section of the Code. All requests for interpretation/clarification must be in writing.
- b. Employees, officers and the public may file a complaint alleging violation of this Ethics Section of the Code with the Ethics Advisor. All complaints must be submitted in writing by using the Ethics & Conduct Complaint Form (see attached).
- c. Employees may also use an anonymous reporting system to submit a complaint alleging violation of this Ethics Section of the Code. This reporting system allows employees to report complaints through a third party who will document and submit the complaint to the Ethics Advisor anonymously. Employees will be provided with updates regarding the investigation and ultimate resolution of the complaint through a website maintained by the third party. Information regarding this system will be provided by the County through regular employee communication websites, bulletin boards, emails, and memorandums, as deemed appropriate.
- d. Within three (3) business days of receiving the complaint or inquiry the complainant will be provided with a notification that a complaint has been received. In addition, the respondent shall be notified that a complaint has been filed against them and provided a copy of the complaint. Upon receipt of the complaint, the Ethics Advisor may:
  - i. Conduct a preliminary investigation into the circumstances as described by the complainant;

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

- ii. Respond to matters related to policy interpretation and /or clarification; or
- iii. Refer the complaint to the Ethics Investigator if the complaint cannot be resolved or addressed through policy interpretation by the Ethics Advisor.
- e. If the complaint is referred to the Ethics Investigator, the Investigator will conduct an investigation. If the Ethics Investigator determines that the complaint is not well-founded or that no violation of the Ethics Section of the Code has occurred, the matter will be referred back to the Ethics Advisor. The Ethics Advisor will promptly notify the complainant and the subject of the complaint of the Investigator's determination. If the Investigator determines that the complaint is well-founded and that a violation of the Ethics Section of the Code has likely occurred, the Investigator shall notify the County Administrator and:
  - i. For violations of Section I.C or I.E, the Investigator may initiate a court proceeding in the Circuit Court of the 19<sup>th</sup> Judicial Circuit and pursue the remedies, penalties, and fines set forth in Section II.F for violation of the Ethics Section of the Code. The Committee will be advised of any court proceeding taken against an official or employee.
  - ii. For any other violation of this Ethics Section of the Code, the matter will be presented to the County Administrator for consideration of action per Section II.F of this code.

### B. Board Member Matters

#### 1. Hearing Officer & Investigator

- a. An impartial 3rd party hearing officer shall be selected by the Lake County State's Attorney's Office (SAO) to fulfill the role of the Hearing Officer.
  - i. The Hearing Officer shall have the following duties:
    - a) To prepare and present findings based on evidence gathered during the investigation and/or provided during a hearing.
- b. The Investigator shall be the State's Attorney's Office, or their designee, and shall have the following investigative duties:
  - i. To conduct an investigation of complaints and render findings that may lead to legal adjudication.
  - ii. To perform such other duties as may be determined by the County Administrator's Office (CAO) or SAO and deemed necessary to affect the intent of this Ordinance.

#### 2. Inquiry & Complaint Procedures

- a. Board Members may request an official interpretation/clarification from the Hearing Officer regarding permissible and prohibited activities of this Ethics Section of the Code. All requests for interpretation/clarification must be in writing.

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

- b. Employees, officers and the public may file a complaint alleging violation of this Ethics Section of the Code with the State Attorney's Office. All complaints must be submitted in writing by using the Ethics & Conduct Complaint Form (see attached).
- c. Board Members may also use an anonymous reporting system to submit a complaint alleging violation of this Ethics Section of the Code. This reporting system allows the ability to report complaints through a third party who will document and submit the complaint to the State's Attorney's Office anonymously. Updates will be provided to the complainant regarding the investigation and ultimate resolution of the complaint through a website maintained by the third party. Information regarding this system will be provided by the County through regular communications websites, bulletin boards, emails, and memorandums, as deemed appropriate.
- d. Within three (3) business days of receiving the complaint or inquiry the complainant will be provided with a notification that a complaint has been received. In addition, the board member accused of an alleged violation shall be notified that a complaint has been filed against them and provided a copy of the complaint.
- e. The Ethics & Oversight Committee members will be notified that a complaint has been received and that a summary will be prepared and presented to the committee in Executive Session at a future meeting. The name of potential violator shall remain anonymous until the initial review is complete and presented to the Committee in Executive Session.
- f. The CAO and Lake County State's Attorney's Office (SAO) shall together conduct an initial review and prepare a summary and recommendation to dismiss the complaint or proceed with an Investigator and Hearing Officer.
- g. The complaint, results of the initial review, and recommendation shall be presented to the Ethics & Oversight Committee during executive session. The board member accused of an alleged violation will not be permitted to participate in any non-public deliberation or be privy to any discussions related to the complaint and alleged violation, at this point.
  - i. Based on the initial review the complaint may be dismissed by the Committee.
  - ii. If the Committee finds that the complaint is valid, then the Committee shall direct the matter to the Investigator and Hearing Officer for investigation and to hold a hearing.
    - a) The Investigator will conduct an investigation into whether the Ethics Section of the Code was violated. The Investigator shall discuss the complaint with the accused board member as part of the investigation.
      - 1) For violations of Section I.C or I.E, the State's Attorney's Office

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

may initiate a court proceeding in the Circuit Court of the 19<sup>th</sup> Judicial Circuit and pursue the remedies, penalties, and fines set forth in Section II.F for violation of the Ethics Section of the Code. The Committee will be advised of any court proceeding involving a county board member.

- b) The Hearing Officer will hold a hearing to review the results of the Ethics Investigation and document the findings.
- c) If the Hearing Officer determines the complaint is well-founded and that a violation of the Ethics Section of the Code has likely occurred, the Hearing Officer shall submit the findings to the Lake County State's Attorney's Office and:
  - 1) For any violation other than those in Section I.C or I.E of this Ethics Section of the Code, the matter will be presented to the Ethics & Oversight Committee where a decision will be made to obtain additional information and/or recommend action to be taken by the County Board. (See Section II.F.2.c for possible actions).

### C. Appointee Matters

#### 1. Hearing Officer & Investigator

- a. An impartial 3rd party hearing officer shall be selected by the Lake County State's Attorney's Office (SAO) to fulfill the role of the Hearing Officer.
  - i. The Hearing Officer shall have the following duties:
    - a) To prepare and present findings based on evidence gathered during the investigation and/or provided during a hearing.
- b. The Investigator shall be the State's Attorney's Office, or their designee, and shall have the following investigative duties:
  - i. To conduct an investigation of complaints and render findings that may lead to legal adjudication.
  - ii. To perform such other duties as may be determined by the County Administrator's Office (CAO) or SAO and deemed necessary to affect the intent of this Ordinance.

#### 2. Inquiry & Complaint Procedures

- a. Appointees may request an official interpretation/clarification from the Hearing Officer regarding permissible and prohibited activities of this Ethics Section of the Code. All requests for interpretation/clarification must be in writing.
- b. Employees, officers and the public may file a complaint alleging violation of this Ethics Section of the Code with the State Attorney's Office. All complaints must be submitted in writing by using the Ethics & Conduct Complaint Form (see attached).

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

- c. An anonymous reporting system may also be used to submit a complaint alleging violation of this Ethics Section of the Code. This reporting system allows the ability to report complaints through a third party who will document and submit the complaint to the State's Attorney's Office anonymously. Updates will be provided to the complainant regarding the investigation and ultimate resolution of the complaint through a website maintained by the third party. Information regarding this system will be provided by the County through regular communications websites, bulletin boards, emails, and memorandums, as deemed appropriate.
- d. Within three (3) business days of receiving the complaint or inquiry the complainant will be provided with a notification that a complaint has been received. In addition, the respondent shall be notified that a complaint has been filed against them and provided a copy of the complaint.
- e. The Ethics & Oversight Committee members will be notified that a complaint has been received and that a summary will be prepared and presented to the committee in Executive Session at a future meeting. The name of potential violator shall remain anonymous until the initial review is complete and presented to the Committee in Executive Session.
- f. The CAO and Lake County State's Attorney's Office shall together conduct an initial review and prepare a summary and recommendation to dismiss the complaint or proceed with an Investigator and Hearing Officer.
- g. The complaint, results of the initial review, and recommendation shall be presented to the Ethics & Oversight Committee during executive session. The appointee accused of an alleged violation will not be permitted to participate in any non-public deliberation or be privy to any discussions related to the complaint and alleged violation, at this point.
  - i. Based on the initial review the complaint may be dismissed by the Committee.
  - ii. If the Committee finds that the complaint is valid, then the Committee shall direct the matter to the Investigator and Hearing Officer for investigation and to hold a hearing.
    - a) The Investigator will conduct an investigation into whether the Ethics Section of the Code was violated. The Investigator shall discuss the complaint with the accused appointee as part of the investigation.
      - 1) For violations of Section I.C or I.E, the State's Attorney's Office may initiate a court proceeding in the Circuit Court of the 19th Judicial Circuit and pursue the remedies, penalties, and fines set forth in Section II.F for violation of the Ethics Section of the Code. The Committee will be advised of any court proceeding involving an appointee.

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

- b) The Hearing Officer will hold a hearing to review the results of the Ethics Investigation and document the findings.
- c) If the Hearing Officer determines the complaint is well-founded and that a violation of the Ethics Section of the Code has likely occurred, the Hearing Officer shall submit the findings to the Lake County State's Attorney's Office and:
  - 1) For any violation other than those in Section I.C or I.E of this Ethics Section of the Code, the matter will be presented to the Ethics & Oversight Committee where a decision will be made to obtain additional information and/or recommend action to be taken by the County Board. (See Section II.F.2.c for possible actions.)

### D. Whistleblower Protection

- 1. It shall be a violation of this Code for an officer or employee to take any retaliatory action against an employee that does any of the following:
  - a. Discloses or reports pursuant to this Code an activity, policy, or practice of any officer or employee that the disclosing or reporting employee reasonably believes is in violation of this Code.
  - b. Provides information to the Ethics Officer or Ethics Investigator conducting an investigation initiated under this Code.
  - c. Assists, participates, or testifies in a proceeding to enforce the provisions of this Code.

### E. Periodic Review

- 1. **Training**
  - a. All persons subject to this ordinance, within six (6) months after adoption of this ordinance and at least annually thereafter, shall complete an ethics training program approved by the Committee. A new employee shall complete his or her initial ethics training during orientation within the first month of employment or as soon thereafter as such training is available within the first six (6) months of employment. Officers shall complete an ethics training program, approved by the Committee, within six (6) months of being elected or appointed (or as soon thereafter as an ethics training is available) and at least annually thereafter.
- 2. **Program Administration**
  - a. Human Resources personnel shall administer the ethics training program, as well as maintain records related to each person's completion of such training programs.
- 3. **Review**
  - a. The County should review the provisions of this Ordinance no less frequently than every five (5) years to determine if the provisions contained herein should be

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

updated.

### F. Ethics Penalties

The penalties outlined in this subsection apply to Section I: Ethics:

#### 1. State Penalties

- a. A person who intentionally violates any provision of Section I.C or I.E of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and/or may be fined in an amount not to exceed \$2,500.
- b. A person who intentionally violates any provision of Section I.C or I.E of this Ordinance is subject to a fine in the amount of not less than \$1,001 and not more than \$5,000.
- c. A person who intentionally makes a false report alleging a violation of Section I.C or I.E of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and/or may be fined in an amount not to exceed \$2,500.

#### 2. Administrative Penalties

- a. In addition to any other penalty that may be applicable, whether criminal or civil, an appointed officer or employee who intentionally violates any provision of the Ethics Section of this code, may be subject to removal from office, discipline, or discharge by the County.
- b. A violation of the Ethics Section of this code by a department head or a supervisor shall be submitted to the County Administrator who may administer disciplinary action up to and including termination. The County Administrator shall inform the Committee of any substantiated violation and disciplinary action taken within a reasonable time.
- c. Any Board Member who violates any provision of the Ethics Section of this code may be subject to:
  - i. Public censure, written by the Chair of the Ethics & Oversight Committee and subject to review by the Committee.
  - ii. Loss of committee assignment.

## **Section III: Conduct**

### A. Core Values

1. Respect and Fairness.
2. Integrity.
3. Excellence in Performance of Duties.
4. Honesty.
5. Empathy.

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

6. Trust.

### **B. Principles**

The following principles describe the manner in which board members, staff, and appointees should treat one another, constituents, and others they come into contact with while representing Lake County.

1. Adhere to the established Core Values of Respect and Fairness, Integrity, Excellence, Honesty, Empathy and Trust.
2. Treat others with respect.
3. Be independent, impartial, and fair in judgment and actions.
4. Represent constituents with truthfulness, dignity, and professionalism.
5. Comply with the Constitution and laws of the United States of America, the State of Illinois and the codes, ordinances and policies of Lake County in the performance of their duties.
6. Demonstrate respect for and facilitate an open, deliberate decision-making process. Board members and staff will respect the factfinding and deliberations of the boards and commissions of the County and accord them due deference in the deliberative process, without abdicating the Board's ultimate responsibility as the sole legislative body of the County in that regard.
7. Act in a way that enhances public confidence in the integrity of local government.
8. Provide a safe work environment that encourages productivity and creativity and is free of harassment, intimidation, or retribution.
9. Be civil in all public discourse and show zero tolerance for abusive conduct or personal attacks upon the character or motives of public officials, staff, or members of the public.
10. Exhibit respect for administrative and legal processes.
11. Understand and respect the vision, goals, and policies as defined by the Lake County Strategic Plan.
12. Emphasize the long-term goals of the community over individual opinion or private or specific interests.
13. Every member of the public:
  - a. Will be accorded ample opportunity to be heard and have grievances redressed by their government
  - b. Should be accorded dignity both in public and private discourse related to County business
  - c. Has the right to expect their taxpayer dollars to be spent fairly, judiciously and only for the improvement of the civic welfare of the community following due public deliberations
  - d. Should be treated equitably and fairly

## **LAKE COUNTY ETHICS & CONDUCT CODE Cont.**

### **C. Prohibited Behaviors of County Board Members**

1. Harassment, including actions, communication, or behavior that mocks, demeans, puts down, disparages, or ridicules. Physical assaults, threats, intimidation and bullying are severe forms of harassment. Harassment may also include offensive jokes, name-calling, offensive nicknames, pornographic images that are visible for any individual to view, and offensive pictures or objects.
  - a. Workplace harassment is unwelcome conduct in the workplace. Interfering with a board member's ability to do his or her work is also considered to be a form of harassment.
  - b. Individuals who are not the target of the harasser can also experience harassment because of the negative environment that can develop and they experience as a result of these actions.
  - c. "Sexual harassment" is any unwelcome sexual advances or requests for sexual favors or any other verbal or physical conduct of a sexual nature when:
    - i. submission to such conduct is made either explicitly or implicitly a term or condition of a board member's appointments;
    - ii. submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual; or
    - iii. such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile or offensive environment.
2. Falsely representing your own opinion as a Board Member as an official stance of Lake County.
3. False reporting of any violation of this code.

### **Section IV: Compliance Process for Board Member & Appointee Conduct**

#### **A. Inquiry & Complaint Procedures**

1. Employees, elected officials, officers and the public may file a complaint alleging violation of this Conduct Section of the Code with the State's Attorney's Office. All complaints must be submitted in writing by using the Ethics & Conduct Complaint Form (see attached).
2. Board Members, Employees, and Appointees may also use an anonymous reporting system to submit a complaint alleging violation of this Conduct Section of the Code. This reporting system allows the ability to report complaints through a third party who will document and submit the complaint to the State's Attorney's Office anonymously. Updates will be provided to the complainant regarding the investigation and ultimate resolution of the complaint through a website maintained by the third party. Information regarding this system will be provided by the County through regular communications websites, bulletin boards, emails, and

## LAKE COUNTY ETHICS & CONDUCT CODE Cont.

- memorandums, as deemed appropriate.
3. Within three (3) business days of receiving the complaint or inquiry the complainant will be provided with a notification that a complaint has been received. In addition, the respondent shall be notified that a complaint has been filed against them and provided a copy of the complaint.
  4. The Ethics & Oversight Committee members will be notified that a complaint has been received. The name of potential violator shall remain anonymous until the initial review is complete and presented to the Committee in Executive Session.
  5. The Chair of the Board, CAO, and Lake County State's Attorney's Office shall conduct an initial review. In the event that the Chair is named in the complaint, then the Vice Chair of the Board shall be included in the initial review in lieu of the Chair.
  6. The complaint and results of the initial review shall be presented to the Ethics & Oversight Committee during an executive session. The board member accused of an alleged violation will not be permitted to participate in any non-public deliberation or be privy to any discussions related to the complaint and alleged violation, at this point.
    - a. Based on the initial review, the complaint may be dismissed by the Committee.
    - b. If the Committee finds that the complaint is valid, then the Committee shall vote and make a recommendation on the appropriate response.
    - c. If the alleged violation is currently under criminal investigation by the SAO or another law enforcement authority, the committee may decide, after the initial review and by a majority vote, to refrain from voting on the matter until the investigation is complete in order to avoid influencing the investigation.

### **B. Board Member Conduct Penalties**

The penalties outlined below apply to violations of Section III.C of this code.

The Lake County Code of Ethics & Conduct expresses standards of conduct expected for members of the Lake County Board. County Board members themselves have the primary responsibility to assure that conduct standards are understood and met, and that the public can continue to have full confidence in the integrity and effective functioning of government.

1. The Ethics & Oversight Committee may impose sanctions as follows:
  - a. For first time or single offenses.
    - i. A private written censure from the committee, signed by the Committee Chair, unless the Chair is the subject of the proposed violation, in which case, it shall be the Vice-Chair. A record will be kept in the Board office.
    - ii. Public censure, depending on severity of the first-time offense, as determined by the committee.
  - b. For repeated violations during separate instances:

## **LAKE COUNTY ETHICS & CONDUCT CODE Cont.**

- i. Public censure
  - ii. Loss of committee assignment
  - iii. For violations by the Chair of the County Board, Chair removal with 4/5 vote of the County Board.
2. The imposition of repeat violation sanctions on any Board Member requires a minimum participation of 5 members of the committee with 5/7 vote, 5/6 vote, or 4/5 vote in the affirmative, dependent on the number of voting members of the committee.

**LAKE COUNTY ETHICS & CONDUCT CODE Cont.**

**Lake County Public Official and Employee  
Ethics & Conduct Code / Standards of Conduct Complaint Form**

Date of Complaint \_\_\_\_\_

Name of Complainant \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_

State \_\_\_\_\_ Zip Code \_\_\_\_\_ Phone Number \_\_\_\_\_

Email \_\_\_\_\_

Are you employed by Lake County? Yes \_\_\_\_\_ No \_\_\_\_\_

**What has been allegedly violated in the Ethics & Conduct Code or Standards of Conduct:**

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**Name and title of each County Board Member, County employee, or Appointed Officer that is the subject of the complaint:**

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**As specifically as possible please state the circumstances surrounding the complaint and what sections of the Code has been violated, if known (*feel free to use a separate sheet of paper if more space is needed*).**

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**Evidence or documentation that supports your complaint must be attached. Only the original form needs to be notarized. Seal and return this form with all of the attachments and copies to:**

**LAKE COUNTY ETHICS & CONDUCT CODE Cont.**

**For Employee Complaints: Ethics Advisor, Human Resources Department 18 N. County Street, Waukegan IL 60085.**

**For Board Member Complaints: Lake County State's Attorney's Office, 18 N. County Street, Waukegan, IL 60085.**

**I, \_\_\_\_\_, being duly sworn, do hereby state that I am the complainant herein, and that I have read the foregoing complaint and know the contents thereof and that the same is true, and that the said complaint is hereby made upon my own personal knowledge, except to the matters therein stated on information and belief and that as to these matters I believe the same to be true.**

*False statements made intending to mislead a Public Servant are punishable under Illinois State law.*

**Complainant Signature**

\_\_\_\_\_

**SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, by \_\_\_\_\_, on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.**

**NOTARY PUBLIC IN AND FOR THE STATE OF ILLINOIS  
MY COMMISSION EXPIRES:**

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