



**RULES SUBCOMMITTEE AGENDA**  
Room 404, Government Center  
Thursday, November 6, 2014  
6:00 p.m.

1. Call to Order – Chairman McIntyre
2. Items to be Presented for Action:
  - A. Approval of Minutes – October 20, 2014
  - B. Request Approval of a Resolution to Amend the Rules of the County Board of McLean County
3. Items to be presented for Information:
  - A. General Report
  - B. Other
4. Adjournment

1-16

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

WHEREAS, the McLean County Board Rules use the masculine form of the term for the Chair of the Board of a Committee,

WHEREAS, the McLean County Board Rule 5.11-3 provides for the appointment of standing committees and describes a process by which the Chair or Vice-Chair of a committee serves on the Executive Committee,

WHEREAS, the McLean County Board Rule 5.11-7 prescribes a process through which vacancies in elected offices of McLean County shall be filled,

WHEREAS, the McLean County Board Rules 5.12 and 5.14 and their subparagraphs specify the process through which meetings shall be conducted,

WHEREAS, the McLean County Board Rules 5.15-3(B) provides that Board Members may attend and have access to minutes resulting from open or closed meetings; now, therefore,

BE IT RESOLVED as follows:

- (1) All references to the masculine Chairman in the Rules of the McLean County Board shall be amended to the gender neutral term Chairperson; and,
- (2) The Rules of the McLean County Board be amended as follows: (underline indicates additions, strike indicates deletion)

**Revised DEC 10 OCT-21, 2014**

**5.11-1 Initial Meeting and Election of Officers**

**(A) In years of County Board elections, the initial meeting of the County Board (hereinafter called the "Board") shall be on the first Monday in December. The County Clerk shall call the meeting to order and preside during the election of a Temporary ~~Chairman~~Chairperson. A vote of the majority of the members of the Board shall be required for the election of a Temporary ~~Chairman~~Chairperson. The ~~Chairman~~Chairperson and Vice ~~Chairman~~Chairperson shall be elected to a two-year term. A vote of a majority of the members of the Board shall be required for election of ~~Chairman~~Chairperson and Vice ~~Chairman~~Chairperson. All votes shall be publicly recorded. The Board may adopt such other rules as may be necessary to conduct said election.**

**5.11-2 General Powers of ChairmanChairperson.** The ChairmanChairperson shall preside at all meetings of the Board and the Executive Committee. The ChairmanChairperson shall conduct the business of the meeting in the order prescribed in these rules. The ChairmanChairperson shall have general powers to recognize members entitled to the floor; to state and to put to a vote all questions which are regularly moved and seconded or which necessarily arise in the course of the proceedings; to announce the results thereof; to protect the Board from all frivolous or dilatory action; to decide all questions of order, subject to an appeal to the Board; in case of disturbances, breach of decorum, or disorderly conduct, to take action pursuant to Section 5.14-12, to assist in expediting the business of the Board and to perform all other duties prescribed by law or by action of the Board. In case of the absence of the ChairmanChairperson or at the request of the ChairmanChairperson, the Vice ChairmanChairperson shall assume the duties and responsibilities of the ChairmanChairperson on an interim basis, during which time the Vice ChairmanChairperson shall have all of the powers and duties of the ChairmanChairperson, including the authority to execute and sign on behalf of the County all Ordinances, Resolutions, Intergovernmental Agreements, Contracts and any other Legal Instruments approved by the County Board, unless otherwise provided by law. In case of the absence of the ChairmanChairperson and the Vice ChairmanChairperson at any meeting, the Clerk shall convene the meeting and the members present shall choose one of their members as temporary ChairmanChairperson.

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

by shifting a Board Member from another committee, providing the affected Board Member gives consent. Chairmen of standing committees shall serve as members of the Executive Committee, including the Vice ChairmanChairperson of the Board when not ChairmanChairperson of a standing Committee. Vice Chairmen of standing committees may attend and act as members of the Executive Committee whenever the ChairmanChairperson of the committee on which they serve as Vice Chair is unable to attend a meeting of the Executive Committee. If the Chairperson or Vice Chairperson is unable to attend a meeting, the ranking member of the Committee may also act as a member of Executive Committee. The ChairmanChairperson of the Board shall appoint the members of all standing and special subcommittees of the Executive Committee subject to the approval of the Executive Committee.

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

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

- (A) When such vacancy occurs, the ChairmanChairperson shall fix the date upon which the appointment to fill the vacancy shall be made, said appointment to be made at a regular Board meeting not later than sixty days after the vacancy occurs.
- (B) Written applications and resumes must be submitted to the office of the County Administrator by 12:00 Noon of the Thursday prior to the regularly scheduled meeting of the Executive Committee in the

month in which the appointment is to be made. No applications will be considered unless they have been so submitted and signed by the applicant. The County Administrator shall ~~screen all applications for eligibility~~ ensure that applications are filed in a timely manner and shall mail copies of all applications of all eligible candidates to all Board Members with their packets prior to the Executive Committee meeting.

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

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

5.11-8 Procedure for filling County Board ~~Chairman~~ Chairperson Vacancies. When a vacancy in the office of County Board ~~Chairman~~ Chairperson has been determined by the County Board, then the Vice ~~Chairman~~ Chairperson shall fix the date upon which the election to fill the vacancy shall be made, said election to be made at a regular Board meeting not later than forty-five days after the vacancy occurs.

## 5.12 MEETINGS.

5.12-2 Special Meetings. Special meetings of the Board shall be held when requested by at least one-third of the members of the Board. The requests shall be in writing or e-mail, addressed to the County Clerk, and specify the time, place and the nature of matters to be considered and meet the

requirements under the Illinois Open Meetings Act to provide notice and an agenda for said special meeting. The County Clerk shall notify the County Administrator, the State's Attorney and each member of the time and place of such meeting by ordinary mail and shall also cause notice of such meeting to be made consistent with the Illinois Open Meetings Act to be published in a newspaper published in McLean County.

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

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

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

**5.12-6 Agenda Mailing.** ~~As specified by the Illinois Open Meetings Act, least five days before each regular meeting, upon public release,~~ the Clerk shall send to each member, the following documents:

(A) Agenda for the next meeting.

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

(C) All draft committee minutes filed with the Clerk since the previous meeting.

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

**5.12-6.1 Board Proceedings and Minutes.** ~~At least five days before each regular meeting, Consistent with the Illinois Open Meetings Act,~~ the Clerk shall have prepared the draft minutes of the previous meeting and made them available to each member by:

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

(B) Providing ~~Posting~~ electronically copies to Board Members, upon request, ~~the World Wide Web in a standard format that can be read online, or printed.~~

**5.12-7 Resolutions of Congratulations**

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

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

**5.12-8 Electronic Meeting Attendance** "The term 'meeting' as used in any existing rules, ordinances, resolutions, agendas and minutes shall mean any gathering, whether in person or by audio conference or telephone calls, or other means of contemporaneous interactive communication, of a majority of a quorum of the members of the County Board's committees or subcommittees for the purpose of discussing public business."

#### **5.14 PROCEDURE AT MEETINGS.**

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

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



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

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

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

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

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

5.14-3 Recognition

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

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

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

~~(D)~~

~~(E)~~

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

~~(G)~~

(E) Conflicts. Pursuit to Preamble Sec. 3, Board and Committee Members shall advise the respective Chairperson(s) of any conflict they may have concerning an agenda item and shall neither Member(s) with a conflict on an action item taken up by the Board

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or any Committee shall advise the Chairman of such conflict and shall not participate in debate on such item, nor request that non-members speak to the item under 5.14-7(A).

**5.14-5 Reconsideration.** An action may be reconsidered at any time during the meeting or at the next meeting held thereafter. A motion to reconsider shall {must} be made and seconded by members of the Board who voted on the prevailing side of the question to be reconsidered. For the action to be reconsidered at the next meeting, the action must be placed on the agenda in accordance with the Illinois Open Meetings Act.



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

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

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

committee meetings shall be maintained at all times by members, interested parties, the public and the media. The Committee ~~Chairman~~Chairperson shall be authorized to take appropriate action to maintain said decorum.

**5.15 COMMITTEES – NUMBER, DESIGNATION AND MEMBERSHIP.**

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

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

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

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

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

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

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



**5.15-4 Subcommittees of Standing Committees**

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

**(B) Subcommittees of Other Standing Committees.** The **ChairmanChairperson** of any standing committee may create such subcommittees of his committee as may be necessary from time to time to more efficiently accomplish the business of such standing committee. Appointments to such subcommittees shall be made by the committee **ChairmanChairperson** and shall be restricted to members of the standing committee. Except as otherwise provided by statute or ordinance, such subcommittees shall report to their standing committee.

**5.16 COMMITTEES – GENERAL FUNCTIONS AND RESPONSIBILITIES OF ALL COMMITTEES.**

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

- (E) The Committees shall act on all matters referred to the Committee by the **ChairmanChairperson** of the Board or by the Board itself, in addition to duties otherwise prescribed.
  
- (K) Each Committee **ChairmanChairperson** shall require the Administrator or the Administrator's designee to prepare and mail an agenda to all Committee members in advance of a regularly scheduled meeting.

**5.17 COMMITTEES – FUNCTIONS AND RESPONSIBILITIES OF SPECIFIC COMMITTEES.**

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

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

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

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

- (A) Budget limitations.
- (B) Relevance to County Board member responsibilities.
- (C) Current needs of the County Board.

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

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

#### 5.21 REMOTE ATTENDANCE POLICY

- (E) The member permitted to participate remotely shall be able to express his or her comments during the meeting and participate in

the same capacity as those members physically present, subject to the Rules of the County Board of McLean County. The remote member shall be heard, considered and counted as to any vote taken. Accordingly, the name of any remote member shall be called during any vote taken, and his or her vote counted, recorded and placed in the minutes for the corresponding meeting. A member participating remotely may also leave a meeting and return as in the case of any member. If the ChairmanChairperson of the County Board or the ChairmanChairperson of a Committee or Subcommittee attends by remote means, he/she may participate as a member, but the Vice ChairmanChairperson if physically present in the Meeting Room shall be the presiding officer to best facilitate an orderly and efficient process. If neither the ChairmanChairperson nor Vice ChairmanChairperson are physically present, the Clerk or recording secretary shall convene the meeting and the members present shall choose one of their members as temporary ChairmanChairperson.

## **5.22 MISCELLANEOUS PROVISIONS**

**5.22-1** Any appropriate document shall be placed on file among the records of the Board of a committee, as the case may be, by direction of the ChairmanChairperson. Minutes of the Board or a committee shall be approved at the direction of the ChairmanChairperson after opportunity is given for correction, addition or deletion. Such action shall be reflected in the minutes of that meeting.

(3) The County Clerk shall provide a copy of this Resolution to the County Administrator, the State's Attorney, and the First Civil Assistant State's Attorney.

(4) This Resolution shall become effective immediately upon approval and adoption.

ADOPTED by the McLean County Board this 18<sup>th</sup> day of November, 2014.

ATTEST:

APPROVED:



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Kathy Michael, Clerk of the County  
Board, McLean County, Illinois

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Matt Sorensen, Chairman  
McLean County Board