



RULES SUBCOMMITTEE AGENDA

Room 400, Government Center

Thursday May 7, 2015

8:30 a.m.

1. Call to Order – Chairman McIntyre
2. Items to be Presented for Action:
 - A. Approval of Minutes – April 17, 2015
 - 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

Minutes of the Rules Subcommittee

The Rules Subcommittee of the Executive Committee of the McLean County Board met on Friday April 17, 2015 at 8:30 a.m. in Room 400, Government Center, and 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman McIntyre, Members Owens, Gordon, and Erickson

Members Absent: Member Rankin

Other Members Present: None

Others Present: None

Staff Present: Mr. Bill Wasson, County Administrator; Ms. Hannah Eisner, Assistant County Administrator; Mr. Don Knapp, First Assistant State's Attorney, Civil Division, Ms. Diana Hospelhorn, Recording Secretary

Department Heads/
Elected Officials Present: None

Chairman McIntyre called the meeting to order at 8:30 a.m.

Chairman McIntyre presented the minutes from the November 6, 2014 Rules Subcommittee meeting for approval.

Motion by Owens/Gordon to Approve the Minutes of the November 6, 2014 Meeting.
Motion carried.

Chairman McIntyre presented a request for approval of a Resolution to Amend the Rules of the County Board of McLean County. He indicated that there are a few additions and corrections. Chairman McIntyre recommended that the Rules be considered a page at a time and the approval of the changes be considered at the end.

Chairman McIntyre referred to section 5.10 GENDER NEUTRAL, which read as follows:

Any words in these rules importing the masculine gender, such as Chairman, include the feminine and neuter. Individual Board members may choose to address and refer to the Chairman or Vice Chairman of any committee or the County Board as Chairperson or Chairman as appropriate.

Mr. Erickson asked if the Committee passes these recommendations, the amendment will go before the full Board in May, 2015. Mr. Wasson responded that the recommendations would be presented to the Executive Committee and then to the Board at the May, 19th meeting.

Mr. Owens advised that he does not support the amendment. He does not believe there is a need to change the County Board Rules.

Chairman McIntyre noted that the intent of the amendment is to give the members an option.

Mr. Gordon referred to the wording of the amendment. He asked if the phrase "and neuter" is necessary. He stated that the word "importing" concerns him. He proposed that after "such as chairman", adding "shall be understood to" include.

Mr. Don Knapp, First Assistant State's Attorney stated that the wording "importing" and "and neuter" was taken from state statute.

Mr. Erickson asked if a board member could be sanctioned for inappropriately addressing the Chair. Chairman McIntyre reiterated that the intent of the language is to give the individual member an option or choice. Mr. Wasson, County Administrator added that there are no powers to sanction contained to this within the County Board Rules.

Mr. Knapp pointed out that there is no language in the amendment that would allow the Chair to force other members to refer to them as one gender or the other.

Miss Eisner suggested adding "chair" and "chairman" to "refer to", giving clear direction to all options and the intent of the Committee.

Mr. Gordon indicated that when the Rules of the Board were adopted in December of 2014, the designated "chairperson" was presented and voted down by the Board. He questioned if this may be too soon to reconsider.

Chairman McIntyre agreed. This is a social issue and there is still a concern. The amendment is an effort to satisfy that concern and to move on.

Mr. Ericson suggested to strike "as appropriate."

Motion by Gordon/Erickson to recommend approval of the amended Resolution to Amend the Rules of the County Board of McLean County to read:

5.10 GENDER NEUTRAL, Any words in these rules importing the masculine gender, such as Chairman, shall be understood to include the feminine and neuter. Individual Board members may choose to address and refer to the Chairman or Vice Chairman of any committee or the County Board as Chair, Chairman, Chairperson or Chairwoman.

Motion carried.

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

Mr. Wasson advised that the purpose of the amendment is to clarify that a reference to Robert's Rules of Order does not create a scenario where action of the public body could be questioned based solely on technically following Robert's Rules of Order. He noted that the recommendation is to strike "shall govern" and insert "may be used as a guide to" govern.

Mr. Knapp discussed deleting strict adherence to Robert's Rules of Order. Rules are in place to allow the Chair to conduct the meeting and give them authority to control decorum.

Chairman McIntyre asked if there is any statute requiring a government body to follow any type of a system when conducting a meeting. This is simply a guide for conducting meetings. Mr. Gordon stated that this amendment is clear that if there are questions about procedure, the first place to look is the County Board Rules with Robert's Rules as a guide.

Mr. Erickson asked if there have been any Court rulings invalidating the action of a body due to a technical violation. Mr. Knapp responded that there have been no rulings that he is aware of. The intent of the amendment is to avoid questions relating to

whether Robert's Rules of Order are followed with respect to actions taken by a Committee of the Board.

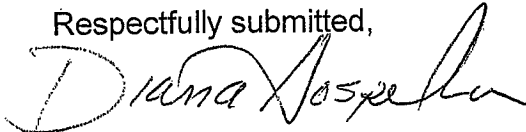
After additional discussions and concerns, it was the consensus of the Committee to table 5.11-5 Parliamentarian and 5.12-9 Attendance at Meetings. Staff will reevaluate the wording and further research other concerns of the Committee prior to the May Executive Committee Meeting if possible.

Chairman McIntyre asked if there was anything further to come before the Committee.

Motion by Gordon/Erickson to adjourn the April 17, 2015
Rules Subcommittee Meeting.
Motion carried

Chairman McIntyre adjourned the Rules Subcommittee at 9:33 a.m.

Respectfully submitted,



Diana J. Hospelhorn
Recording Secretary

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May 1, 2015

To: John McIntyre, Chairman and the Honorable Members of the Rules Committee
Fr: Don Knapp
Re: Proposed Amendments to Parliamentary rules

Chairman McIntyre,

During the last meeting of the Rules Committee, staff was directed to prepare proposed amendments to the parliamentary procedure section of the County Board Rules. I submit three such proposals for the committee's consideration.

Current Rule

McLean County Code

§20-10 Organization and officers

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

Proposed Amendment #1

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

Proposed Amendment #2

F. Parliamentarian. The State's Attorney or an Assistant State's Attorney shall be in attendance at all meetings of the Board and shall be Parliamentarian of the Board. Upon request of the Chairman, the Parliamentarian shall render to the Chairman advice or an opinion on questions of parliamentary law and procedure applicable to matters arising before the Board. The rules of parliamentary procedures as set forth in the latest published edition of Robert's Rules of Order, Revised shall govern procedure of the Board in all cases applicable and in which the same are not inconsistent with these rules. **Failure to strictly or technically adhere to Robert's Rules of Order shall not serve as a basis for invalidating an action of the Board.**

Proposed Amendment #3

F. Parliamentarian. The State's Attorney or an Assistant State's Attorney shall be in attendance at all meetings of the Board and shall be Parliamentarian of the Board. Upon request of the

Chairman, the Parliamentarian shall render to the Chairman advice or an opinion on questions of parliamentary law and procedure applicable to matters arising before the Board. The rules of parliamentary procedures as set forth in the latest published edition of Robert's Rules of Order, Revised shall may be used as a guide to govern procedure of the Board in all cases applicable and in which the same are not inconsistent with these rules. Should any Board member request that a meeting be conducted pursuant to Robert's Rules of Order, then the Chairman shall conduct that meeting according to the latest published edition of Robert's Rules of Order, Revised which are not inconsistent with these rules. Failure to strictly or technically adhere to Robert's Rules of Order shall not serve as a basis for invalidating an action of the Board.