MCHENRY COUNTY
BOARD RULES
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MCHENRY COUNTY BOARD RULES (Revised December 11, 2018 per Resolution #R-201812-12-313)

PREAMBLE

1. COUNTY BOARD

The County of McHenry shall be governed by the McHenry County Board. The number of County Board members and how they are elected shall be determined by the County Board in accordance with Illinois law (55 ILCS 5/2-1001, *et seq.*).

2. RULES

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 a specific rule herein, Roberts Rules of Order Newly Revised (latest issue) shall govern. The rules of the County Board may be changed by a majority vote of the members of the County Board present. A written notice of any changes shall be presented to the County Board members at least fourteen (14) days prior to the consideration of any such changes by the County Board. Any rule may be suspended upon a favorable 2/3 vote of a majority of the County Board members present except Article III, Section 3 as it applies to zoning petitions. Any gender reference made in these rules should be interpreted to apply equally to both males and females. The words "shall," "must," and "will" as used in these rules are considered to be mandatory.

Article I OFFICERS, MEMBERS AND COMMITTEES

SECTION 1 CHAIRMAN

The Chairman shall preside at all meetings of the County Board. The Chairman will keep County Board members informed of all formal directive-related communications that he or she makes to non-governmental, as well as local, regional, state, and Federal government agencies, entities, or individuals so this may be provided at an upcoming board meeting, or as this occurs. The Chairman, pursuant to Section 3 of this Article, shall determine and establish the agenda for all regular meetings of the County Board after consulting with the Chairmen of the County Board's committees.

The Chairman may establish special committees and designate special assignments as deemed necessary. The Chairman serves as the Liquor Commissioner of the unincorporated areas of McHenry County. The Chairman shall annually present the State of the County Address.

A vacancy in the office of the Chairman shall exist in the event of death or resignation by the Chairman. The resignation of the Chairman shall be submitted in writing and become effective and final upon receipt. In the event of a vacancy in the office of the Chairman, the Vice-Chairman shall serve as Chairman Pro Term and shall have all powers normally afforded to the County Board Chairman to set into place the replacement of the Chairman pursuant to the procedure described in 10 ILCS 5/25-11 . A vacancy in the office of Chairman shall not create a vacancy in the office of Vice Chair. Upon election or appointment of a new Chairman, the Vice- Chairman shall resume the office of Vice-Chairman for the remainder of his or her term.

SECTION 2 VICE-CHAIRMAN

A Vice-Chairman shall be elected biennially by a majority vote of the members present by a roll call vote at the Organizational Meeting of the McHenry County Board to be held on the first Monday of December of each even-numbered year. The Vice-Chairman shall hold said position for a term of two (2) years. The Vice-Chairman shall preside at any meeting of the County Board where the Chairman is absent.

In the absence of the Chairman or in event of a declared emergency, the Emergency Interim Executive Succession Act and

County Resolution R-9104-1200-66 provides for the designation of certain officers of McHenry County Board in the following priority: in the absence of the Chairman, the Emergency Interim Successors to the Chairman shall be as follows: the Vice-Chairman of the County Board, the Chairman of the Law & Government Committee, the Chairman of the Finance and Audit Committee, the Chairman of the Public Health and Community Services Committee, the Chairman of the Transportation Committee and the Chairman of the Internal Support & Facilities Committee.

No more than 30 days after a vacancy in the office of Vice-Chairman occurs, a special meeting of the County Board shall be called to elect a new Vice-Chairman. The time and location of this special meeting shall be decided by a majority of the members of the County Board placing their signatures on a petition presented to the County Administrator stating the time, location and purpose of the special meeting. Notice of this special meeting shall be posted at least 48 hours prior to the commencement of the meeting. The process for electing a new Vice-Chairman at this special meeting shall be the same as the process followed at the organizational meeting as found in Article II, Section 1.1. If the member vacating the position of Vice-Chairman remains a member of the board, such member shall be given a vote to elect the new Vice-Chairman. If the member vacating the position of Vice-Chairman simultaneously vacates their member position, the special meeting to elect a new Vice-Chairman may proceed with or without that member's replacement.

SECTION 3 STANDING COMMITTEES

The role of each standing committee is to address the issue as it pertains to their Committee, not to debate the merit of the issue as a whole. This debate is to occur on the County Board floor. There shall be the following Standing Committees of the County Board with specific agency jurisdiction and stewardship/liaison responsibilities as cited hereinafter:

3.1 FINANCE & AUDIT COMMITTEE

(eight (8) members). Agencies of the: Auditor; County Clerk; Treasurer; Board of Review; Supervisor of Assessments; Recorder and Associate County Administrator - Finance.

Stewardship/liaison for matters pertaining to: the annual budget process (including presentation of the annual appropriation and levy ordinances); financial reporting: loan fund activities; and conduct of the public audit; McHenry County Economic Development Corporation (MCEDC); and Visit McHenry County.

The Finance and Audit Committee analyzes and monitors the financial position of the County. The Committee reviews and the annual budget policy and proposed budget; approves all financial resolutions from departments; reviews and approves McHenry County Loan fund requests; reviews internal and external audits and assists Administration with maintaining the financial strength of the County.

3.2 LAW & GOVERNMENT/LIQUOR COMMITTEE

(eight (8) members). Agencies of the Circuit Court Clerk; Courts (including Court Administrator, Jury Commission, and the Law Library); Public Defender; State's Attorney; Court Services; Sheriff; Emergency Management Agency (EMA); Coroner; Fox Waterway Agency (FWA); and Merit Commission.

Stewardship/liaison for matters pertaining to: ETSB (E-9-1-1); applicable fire protection districts; Local Emergency Planning Committee; the betterment of public safety; the legislative processes at the State and Federal level which affect McHenry County; foster environment where intergovernmental relation and communication is prioritized; coordinate with the Internal Support & Facilities Committee and oversee County communication program with residents.

The Law & Government/Liquor Committee recommends appointments to several fire protection districts; reviews expenditures over $30,000, grants, contracts and annual budgets for the State's Attorney Office, Public Defender, Courts, Coroner, EMS, Sheriff and Circuit Clerk; reviews collective bargaining agreements for the Coroner, Sheriff and Clerk as needed.

On behalf of the McHenry County Liquor Commissioner, the Law & Government/Liquor Committee reviews new liquor license applications and grants or denies licenses as may be deemed appropriate in accordance with the McHenry County Liquor Control Code and adjudicates complaints and/or alleged violations in accordance with the McHenry County Liquor Control Code.

3.3 ADMINISTRATIVE SERVICES COMMITTEE

(eight (8) members). Agencies of the: County Administrator; County Board; McHenry County Council of Governments; Public Building Commission.

Stewardship/liaison for matters pertaining to: Purchasing; Information Technology; Administration; Human Resources, Facilities, and collective bargaining, coordinate with the Law & Government/Liquor Committee and oversee County communication program with residents. Also, stewardship/liaison for matters pertaining to construction, remodeling, maintaining and improving County owned facilities.

The Administrative Services Committee attends to suggested changes to Human Resources, reviews the Purchasing Ordinance, IT(generally}, technical maintenance contracts, County liability insurance programs, building security (except for the Government Center) and investigates new technology opportunities. It also reviews, recommends, monitors and provides oversight for construction projects and capital improvements to County owned or leased facilities and properties. This Committee is actively involved in monitoring construction projects and contracts to ensure that projects adhere to authorized budgets, timelines and key performance benchmarks and considers change orders as may be required or appropriate. In addition, the Administrative Services Committee reviews options and makes recommendations regarding future facility and space needs. The Administrative Services Committee also provides general oversight to matters related to routine and non-routine maintenance of County facilities, grounds and systems.

Any standing authority, responsibility or duty vested in the former Management Services Committee, Facilities Committee, Internal Support and Facilities Committee and Human Resources Committee shall be assumed by the Administrative Services Committee.

3.4 PLANNING, ENVIRONMENT & DEVELOPMENT COMMITTEE

(eight (8) members). Stewardship for matters pertaining to the Regional Planning Commission; Chicago Metropolitan Agency for Planning (CMAP); Historic Preservation Committee; facility planning areas; environmental and agricultural issues/concerns. Agencies reporting to this Committee: Planning and Development and the Zoning Board of Appeals.

The Planning, Environment & Development Committee recommends appointments to the Housing Commission, ZBA and Historic Preservation Commission. The Committee reviews and recommends revisions to building and development ordinances including the UDO, energy codes, building codes, and plumbing codes; attends to policy matters related personnel, permitting, process, and flow for the Planning and Development Department; reviews zoning map amendments and resolutions related to Historic Preservation. It also attends to matters pertaining to the: McHenry County Conservation District (MCCD); Northwest Water Planning Alliance, Stormwater Management Commission; Groundwater; McHenry County Soil and Water Conservation District; Solid Waste Management; Fox Waterway Agency; Illinois and Federal Environmental Protection Agencies; Illinois and United States Department of Agriculture (USDA); Agricultural Conservation Easement and Farmland Protection Commission; applicable drainage districts; Natural Hazard Mitigation Plan; Environmental Health Advisory Committee; Environmental/Resource Conservation activities including Internal Facility Operations and External Leadership.

The Planning, Environment & Development Committee will also sit as the McHenry County Pollution Control Facilities Committee to meet as called by the Chairman of the McHenry County Board in accordance with the McHenry County Regional Pollution Control Facility Siting Ordinance.

3.5 PUBLIC HEALTH AND COMMUNITY SERVICES COMMITTEE

(eight (8) members). Agencies of the: Board of Health (Health Department); Regional Superintendent of Schools; Valley Hi; Veterans Assistance; 708 Mental Health Board, Workforce Network Board, Community Development & Housing Grant Commission and Senior Services Grant Commission.

Stewardship/liaison for matters pertaining to the budget, expenditures, and new revenues received through grants for: Board of Health, Mental Health Board, Regional Office of Education, Valley Hi Operating Board, Veterans' Assistance Commission, Community Development & Housing Grant Commission; Senior Services Grant Commission; TB Board, Workforce Network and the Workforce Network Board.

This Committee recommends appointments to the Board of Health, Mental Health Board, McHenry County Housing Authority Board, Valley Hi Operating Board, TB Board, Community Development & Housing Grant Commission, Senior Services Grant Commission and Workforce Network Board.

3.6 TRANSPORTATION COMMITTEE
(eight (8) members). Agencies of: McHenry County Division of Transportation.

Stewardship/liaison for matters pertaining to the: township road districts; CMAP; IDOT; RTA; METRA; PACE; Illinois Department of Aviation; and all other relevant transportation agencies.

The Transportation Committee annually reviews and updates the County's five year transportation plan to identify near term transportation priorities and funding sources for the County. The Committee reviews and updates as necessary all MCDOT ordinances and policies such as the Access Management Ordinance and speed limit policies. The Transportation Committee oversees the maintenance and preservation of all McHenry County Division of Transportation assets (pavement, storm sewers, rights of way and equipment).

The following Rules shall apply to the operation of all standing committees unless specifically noted to the contrary under a given committee's duties. Standing committees shall follow County Board Rules to the extent applicable, to wit:

3.7 Standing committee appointments shall be for two (2) years. New members of the County Board shall be given temporary assignments to standing committees by the County Board Chairman at the Organizational Meeting.

3.8 The County Board Chairman may at any time, initiate changes to standing committee assignments including changes to the Chair and Vice-Chair positions of standing committees. All County Board Members must be noticed in writing of any such proposed changes within 5 days of the County Board Meeting when a vote will be taken in relation to said change. Changes to standing committee assignments initiated by the County Board Chairman must be approved by a vote of a simple majority of all County Board Members present. This rule shall not apply to removal of standing committee members pursuant to Section 3.10 of this Article.

3.9 Standing committee members may request at any time, to change committee assignments. Such requests must be in writing, stating the purpose for the requested change, and submitted to the County Board Chairman. From the date of receipt for any requested change, the County Board Chairman shall have 14 days to seek an adequate replacement to be assigned to the vacated seat. If the County Board Chairman is able to find an adequate replacement for the standing committee, the County Board Chairman shall place the requested change on the next regularly scheduled County Board agenda. Voluntary changes to standing committees shall be approved by a majority of the members present.

3.10 Unless excused by the standing committee Chairman or the County Board Chairman, any County Board member failing to attend four (4) consecutive meetings of a standing committee to which they have been assigned may be removed from said committee by the County Board Chairman.

3.11 Standing committee meetings shall be called by:

A. The Committee Chairman;
B. The County Board Chairman;
C. The McHenry County Board; or
D. A majority of the members of the standing committee.

3.12 To the extent practical, each County Board District shall be equitably represented on each standing committee. No more than two (2) members from a single County Board District shall sit on a standing committee.

3.13 On any eight (8) member standing committee, the County Board Chairman shall retain at least three (3) current members of that standing committee whenever possible.

3.14 Joint standing committee meetings are encouraged when major issues affecting more than one (1) standing committee are to be discussed. In addition to the Open Meetings Act notification, a memorandum advising of these meetings may be provided to all County Board members.

3.15 Chairmanship and Vice-Chairmanship of standing committees shall be determined after each general election.

3.16 To the extent practical, the person designated as Chairman of a standing committee shall have served as a member of that standing committee in the prior year.

3.17 All Chairmen shall vote last on all motions coming before a standing committee.

3.18 The Chairman of the standing committee, in cooperation with the County Administrator and relevant staff, shall be responsible for developing the agenda for each standing committee meeting.

3.19 The Chairman of any standing committee, with the approval of the majority of the members of said committee and the County Board Chairman, may designate a sub-committee of one (1) or more members to conduct a specific duty for the standing committee.

3.20 In the absence of the Chairman, the Vice-Chairman of the standing committee shall serve in the Chairman's stead. In the absence of the Chairman and Vice-Chairman of the standing committee, a temporary Chairman shall be selected by the majority of those members present.

3.21 Chairmen are encouraged to fully inform standing committee members (and other County Board members and appropriate staff) of important and/or controversial issues which may be discussed at their meetings.

3.22 The Chairman of a standing committee, by affixing his/her signature as the last on the attendance sheet, certifies that those members signing the sheet were present and participating in at least the majority of such meeting.

It shall be the duty of each standing committee to:

3.23 Assist in determining the budget of its liaison departments.

3.24 Periodically review the status of the budget of its liaison departments and make recommendations to the Finance and Audit Committee, as appropriate.

3.25 Make recommendations to the full County Board as part of the monthly County Board meeting agenda. Said agenda shall be delivered to the County Board members five (5) calendar days preceding the meeting. Any exception to this must be approved by the County Board Chairman.

3.26 Assist its liaison departments in intergovernmental relationships with Federal, state and local agencies, as requested.

3.27 Review the policies and operations of its liaison departments and make recommendations as it deems appropriate.

3.28 Make prompt recommendations to any other standing committee on matters of mutual interest.

3.29 Direct to the attention of the County Administrator all matters relating to legislation.

3.30 Approve intra-fund line item transfers for the liaison departments.

3.31 Approval of all matters expending funds on a roll call vote.

SECTION 4 AD HOC COMMITTEES

The Chairman of the County Board shall have the power to establish ad hoc committees for special projects. Such committees will exist for the life of the project.

SECTION 5 COMPENSATION

In accordance with the McHenry County Budget Policy, the setting of salaries for the new terms of Elected Officials must be completed during the budget process in the fiscal year prior to the fiscal year the office/term expires (R-201006-12-148). The new salaries to be set are to be approved by the liaison committee, the Human Resources Committee, the Finance and Audit Committee and the full County Board (R-201006-12-148).

The following travel rules shall apply to all County Board members:

5.1 Mileage, upon request, shall be reimbursed to all members for use of their personally- owned vehicles to attend assigned meetings and such other County business functions and events as are appropriately approved by the County Board Chairman or the applicable standing committee chairman. Mileage shall be reimbursed at a rate established by the McHenry County Budget Policy.

5.2 County Board members' attendance on official business for the County of McHenry including attendance at a public hearing, seminar, workshop, symposium, conference, or any such meeting in or out of the County, or expenses incurred for County Board business shall be paid by the members' expense account which shall not exceed $1,000 per calendar year. If the expense is outside of the $1,000 expense account, it must have the approval of the County Board Chairman. Any expense shall be processed pursuant to the McHenry County Travel and Business Expense Policy.

5.3 County Board member expenses can be signed off by the County Board Chairman, the County Administrator, or the Associate County Administrator - Finance. The County Board Chairman's expenses are to be approved by the County Administrator or the Associate County Administrator-Finance.

5.4 Reimbursement for expenses incurred by County Board members for approved trips on County business under this rule, and not otherwise reimbursed, shall be processed pursuant to the McHenry County Travel and Business Expense Policy.

Article II MEETING PROCEDURES

SECTION 1 COUNTY BOARD TRANSITION

1.1 Organizational Meeting:

The Organizational Meeting of the County Board shall be held on the first Monday of December of each even numbered year. The Chief Circuit Judge of the Twenty Second Circuit Court or a judicial designee shall administer the oath of office to newly elected Board Members.

1.2 Committee on Committees:

At the Organizational Meeting, each County Board District shall, in open session and in sequential order by district, select

one member to represent their district on the Committee on Committees. In the event of a tie, the most senior member shall prevail.

In the event the seniority is equal (as determined by total years of service), a coin toss shall break the tie. The Committee shall be comprised of one (1) member from each County Board District and chaired by the County Board Chairman (who shall be a voting member).

Following the Organizational meeting, the Committee on Committees shall meet to make recommendations to the County Board on committee membership, chair, and vice chairman assignments. To the extent practical, the Chairman of a standing committee shall have served as a member of that standing committee in the prior year.

The Committee on Committee shall cease to exist following the approval of the standing committee assignments by the full County Board.

1.3 Seating Arrangement:
The following process will be used to determine seating placement during the Organizational Meeting. First, all Board members should not sit next to another Board member from the same district to the extent possible. If more than one Board member wants the same seat then the member with the most seniority will be given the seat or if the seniority is the same, then the seat is determined by drawing lots. Secondly, any Board member who requires a particular seating due to a disability as defined in the Americans with Disabilities Act, shall receive reasonable accommodation. Third, all former Board members have the chance to change seats if the seat they desire is vacant. Fourth, new Board members will be seated in any vacant seats. Lastly, two Board members can change their seats by mutual agreement if the exchange does not violate the above rules.

SECTION 2 MEETING SCHEDULES, LOCATIONS AND GOVERNANCE

2.1 Regular Meeting Schedule:
Regular meetings of the County Board shall be held on the third Tuesday of each month at 7:00 p.m. unless different times have been established in advance.

2.2 Special Meetings:
Special meetings of the board shall be held only when requested by at least one-third of the members of the board. Such request shall be in writing, addressed to the McHenry County Clerk, specifying the items to be considered, the time and place of such meeting, upon receipt of which the Clerk shall immediately transmit notice, in writing, of such meeting to each of the members of the County Board. Public notice of any special meeting must be given at least 48 hours in advance.

2.3 Emergency Meetings:
In the event of a bona fide emergency, an emergency meeting of the County Board may be called by the Chairman at his/her discretion. Notice of an emergency meeting shall be given as soon as practicable.

2.4 Committee of the Whole:
The County Board shall meet as a Committee of the Whole on the Thursday preceding the third Tuesday of each month at 9:00 a.m. and at such additional times as called by the Chairman of the County Board.

NOTE: No official action may be taken at Committee of the Whole meetings.

2.5 OMA Requirements:
The County Board, standing committees, and all special committees, commissions, and other boards falling under its jurisdiction shall comply with all tenets of the Illinois Open Meetings Act (5 ILCS120/2, *et. seq.*) as may be amended from time to time. More than forty-eight (48) hours prior to any regular meeting, the final agenda must be noticed and posted in compliance with the Illinois Open Meetings Act. Once the final agenda has been posted, no changes may be made to any agenda item at the corresponding meeting. At said meeting, a board member wishing to remove an item for consideration

from the agenda may do so by making one of the following motions: to postpone to a date certain (majority of members present), to refer back to committee (majority of members present), to postpone indefinitely (2/3 of the members present). Pursuant to the Illinois Open Meetings Act, an action item cannot be added to the agenda at any time within the forty-eight hour notice and posting requirement.

2.6 Meeting Locations:

Regular and special meetings of the County Board may be held in any public building located within the County of McHenry. If the building is other than the McHenry County Administration Building, notice of the building selected for the meeting shall be provided in writing by the Chairman of the County Board to each member of the County Board at least five (5) days prior to said meeting. (55 ILCS 5/2 - 1001).

2.7 Parliamentarian:

The Chairman shall designate a parliamentarian who shall not be a member of the County Board. The parliamentarian shall advise the County Board on any rule when called upon by the County Board Chairman. The Chairman shall then rule.

2.8 Recording and Photography:

Only non-flash photography is allowed. If the manner of photography is disruptive to the meeting, as construed by the Chairman in their sole discretion, the Chairman may stop the meeting and ask photographer to cease. If it continues, photographer may be escorted out of the room by staff or security.

SECTION 3 QUORUM AND ATTENDANCE

3.1 Quorum:

The majority of the members of the County Board, thirteen (13), shall constitute a quorum for the transaction of business. If at any time during a regular, recessed, special meeting, or emergency meeting of the County Board, the number of members present falls below thirteen (13), the meeting shall cease until such time as a quorum is present. The majority of the members of each standing and special committee shall constitute a quorum for the transaction of business of said committees. If a quorum is lost, the meeting shall cease until such time as a quorum is present.

3.2 Remote Attendance Policy:

Where there is a majority of the members otherwise present at a meeting of the County Board or a committee, a member may be present by a telephone conference call if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or business of the County Board; or (iii) a family or other emergency. In such event, the member shall, unless impractical, give advance notice to the recording secretary Clerk of the County Board, or the County Administrator of the member's inability to be physically present. Conference call equipment will be provided by the County. (In accordance with 5 ILCS 120/7)

SECTION 4 ORDER OF BUSINESS

County Board Meetings shall be called to order promptly at 9:00 a.m. (for any day meeting) or 7:00 p.m. (for any evening meeting), unless different times have been determined in advance. The order of business for regular meetings of the County Board may be:

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. INVOCATION
4. INTRODUCTORY ROLL CALL
5. ADOPT THE AGENDA
6. APPROVAL OF MINUTES OF PREVIOUS MEETING
7. MEMBERS COMMENTS
8. CHAIRMAN'S REMARKS/REPORT
9. SPECIAL RECOGNITION

10. ZONING PETITIONS
11.1 ZONING CONSENT AGENDA
11.2 ZONING REGULAR AGENDA
11.3 ZONING UNFINISHED BUSINESS
12. PLATS
13. PUBLIC COMMENT
14. NEW AND UNFINISHED BUSINES
15. APPOINTMENTS
16. STANDING COMMITTEE CHAIRMAN UPDATES/LIAISON REPORTS
17. ROUTINE CONSENT AGENDA
18. ORDINANCES (FOR REVIEW AND ACTION)
19. REPORTS AND PRESENTATIONS
20. ADMINISTRATOR'S REPORT
21. EXECUTIVE SESSION (IF NECESSARY)
22. ADJOURNMENT

All questions regarding the order and/or priority of business shall be decided by the Chairman, unless otherwise determined by the County Board. The Chairman shall maintain order and decide all questions of order, subject to an appeal of the Chairman. In discussions the Chairman shall confine members to the matters under consideration. Breaks and/or recesses may be called at the discretion of the Chairman.

SECTION 5 MEMBER PARTICIPATION

5.1 Recognition:

Each County Board member shall have the privilege of the floor upon seeking and receiving recognition by the Chairman. When two or more County Board members have sought the privilege of the floor simultaneously, the Chairman shall determine the order of recognition excepting that, on standing committee reports, the standing committee chairman, or a designee of said standing committee, shall have priority. No County Board member shall be interrupted when speaking except:

A. By a call to order of the Chairman;
B. By an objection to the introduction of a question;
C. By a point of order;
D. By a question of privilege; or
E. By a parliamentary inquiry.

5.2 Motions:

Motions shall be stated by the mover by stating: "I move...." No motion shall be debated before it has received a second. The Chairman or Vice-Chairman of the Liaison Committee shall bring forth motions coming out of their committee.

A. When a motion is made, the names of the moving and seconding members shall be entered in the minutes along with the result of the vote.
B. If a motion fails to receive a second that motion shall be entered into the minutes with a notation "motion failed for lack of a second."

5.3 Voting:

County Board member votes shall be entered by members and recorded electronically upon the opening of voting by the Chairman, except as listed in subsections A, B, and I of this section.

A. A roll call vote by voice shall be used in the following instances, proceeding in alphabetical order. The first member to vote by roll call shall be advanced by one (1) last name alphabetically at each successive Regular Meeting during the County Board’s full term, with the County Board Chairman voting last.

1) Attendance; or
2) A malfunction in the electronic voting system.
   a. Members experiencing technical difficulties with electronic voting equipment or software shall immediately seek recognition and notify the County Board Chairman. County information technology personnel shall work to identify and resolve the technical difficulties before voting proceeds.
   b. A malfunction in the electronic voting system shall be determined to have occurred when the County Board Chairman informs the County Board that such voting system is inoperative, based on the assessment of county information technology personnel. In those instances, a roll call vote by voice shall be initiated by the County Clerk, at the direction of the Chairman, on the question at hand and all subsequent questions, except those listed in subsection B of this section, until the Chairman informs the Board that the electronic voting system is again functional.

B. A voice vote may be used in the following instances, the outcome of which shall be determined by the Chairman. Alternatively, an electronic vote on any question may be requested by any member.

1) A motion to adjourn;
2) Approval of the minutes of the previous meeting;
3) Adopting the agenda;
4) Floor motions;
5) Other items as determined by the Chairman.

C. The County Board Chairman shall vote on questions before the full board only in the case of a tie, and in those instances, shall vote last.

D. When there is no further debate or discussion on a pending question for which an electronic vote is required, or when an electronic vote has been requested by a member, the Chairman or Chairman's designee shall open voting.

1) When voting, either by electronic or voice vote, a member shall respond "Yes," "No" or "Abstain."

2) The Chairman or Chairman's designee shall give ample time for members to vote electronically, asking "Have all voted who wish?' three times.

3) The Chairman or Chairman's designee shall close voting by directing the Clerk or Clerk's designee to record the vote.

E. An abstention vote shall not be considered a vote in the affirmative or the negative, but the number of members present shall not change for the purposes of determining the number of affirmative votes needed for approval of any item. For example, if 24 members are present at the meeting, and 5 members abstain from voting on a given item, 13 "yes" votes will still be required for an item needing a majority of the members present to pass.

F. There shall be no absentee or proxy voting on any question except as provided in the Board's Remote Attendance Policy.

1) Any member(s) participating remotely shall vote by voice in the order which attendance was called after electronic votes have been cast, and shall have their votes recorded electronically by the Clerk or Clerk's designee.

G. Following each electronic vote and after voting has closed, the County Clerk or clerk's designee by voice shall give the outcome of the vote to the County Board Chairman. The County Board Chairman shall announce the number of votes in favor and the number of votes against. The roll call generated by each electronic vote shall be displayed after voting has closed, including any tie breaking vote cast.

1) A verification of all votes cast electronically on a measure may be requested by any member prior

to the opening of voting by the County Board Chairman. If a member's request is seconded by another member, the County Clerk or the Clerk's designee shall read out the name of each member and the vote they cast in the order attendance was taken after voting has closed.

H. If a member leaves the room for any reason when there is a motion on the floor, the number of members present shall be the number counted for the vote in terms of a quorum needed. If a member returns before the Chairman declares the outcome of the vote, the member shall have an opportunity to cast a vote.

I. Electronic voting may be used in any committee. In any standing, special or ad-hoc committee, an electronic vote or roll call vote by voice shall be used for the following matters:

1. Attendance
2. Zoning Matters and Plats
3. Appointment Recommendations
4. Routine Consent Agenda Approval
5. Items Requiring the Expenditure, Acceptance or Transfer of Funds
6. Ordinances or Resolutions for Action
7. Motions to Enter Executive Session

Article III PROCEDURE FOR ROUTINE BUSINESS

SECTION 1 PUBLIC COMMENT

Public comment is a vital component to the democratic process. To give everyone an opportunity to address the County Board that desires to, the following guidelines apply:

1.1 Statements voluntarily given at the invitation of the County Board during the County Board meeting described as "Public Comment" are accepted as an opportunity by the public to directly address the County Board. If comments are given regarding a zoning petition, the County Board may consider the arguments persuasive, but the County Board should base its decision on the evidence presented at the Zoning Board of Appeals.

1.2 Persons addressing the Board are encouraged to refrain from statements or conduct that is uncivil, rude, vulgar, profane or otherwise disruptive to the conduct of the Board's business.

1.3 Any person wishing to address the County Board on any question shall be provided not more than three (3) minutes at the time allotted for public comment. The total time allotted for public comment shall not exceed thirty (30) minutes, unless extended by County Board action.

SECTION 2 APPOINTMENTS

Appointments to all special committees, boards, commissions, districts, and authorities will be presented to the County Board by the Chairman, as per addendum guidelines in Article V, Section 2. The recommended nominee shall be appointed if approved by a majority of the County Board members present. All County Board members shall be notified of the name of the individual being presented for appointment or reappointment at least five (5) business days prior to the voting meeting at which the County Board will consider such approval.

2.1 County Board Member Liaison Positions

County Board Member liaison positions shall be recommended for appointment by the Chairman within 60 days of the

organizational meeting. The County Board Chairman may remove a County Board member from an appointed liaison position and name a replacement subject to approval of a majority of all County Board members.

2.2 Sheriff's Merit Commission Members

Members of the Sheriff's Merit Commission shall be appointed by the McHenry County Sheriff with the approval of a majority of the members of the full County Board (thirteen members). A nominee for membership on the Sheriff's Merit Commission shall originate with the McHenry County Sheriff through his submission of the name of his designated nominee to the Chairman of the County Board. The Chairman shall present the name submitted by the Sheriff to the County Board.

2.3 Removal

The terms of the relevant state statute or county ordinance shall apply with respect to the removal of members from any of the above-mentioned boards and commissions. When the law allows, appointees may have their appointment revoked by the Chairman of the County Board after missing four (4) consecutive unexcused meetings of any committee, board, or commission.

SECTION 3 ZONING PETITIONS

All zoning petitions must be approved or denied within one hundred eighty (180) days of the close of the public hearing, unless an extension of time has been authorized by the County Board. Any application not voted on within one hundred eighty (180) days and any extension of time authorized by the County Board, shall be deemed denied.

Upon receipt of the Zoning Board of Appeals Voting Report, Ordinance, and Plan Review Report from staff, the County Administrator shall deliver copies of such to each County Board member no later than five (5) calendar days in advance of the next meeting of the County Board. The Ordinance shall be voted on by the County Board at said meeting, unless continued to a date certain by a majority vote of the members present.

A petitioner may request that his or her petition be continued to a date certain any time prior to final action of the County Board by notifying the County Board Chairman or Planning, Environment & Development Committee Chairman. Continuance of a petition at the request of the petitioner does not require a vote by the County Board, nor is it limited to a single continuance, provided such continuance does not extend the vote by the County Board to a date past one hundred eighty (180) days after the close of the public hearing. Any request for a continuance extending the County Board vote to a date past one hundred eighty (180) days after the close of the public hearing shall only be granted by a majority vote of the members present.

A petitioner may withdraw the petition at any time prior to final action of the County Board by making a written request to the County Administrator. Such a withdrawal is not to be construed as a continuance or postponement.

The Chairman of the Planning, Environment & Development Committee shall present the petition to the County Board in the form of an affirmative motion for purposes of discussion. The Chairman of the Planning, Environment & Development Committee may speak on either side of the motion. If a recommendation to "deny" or "no recommendation" is forwarded by the Zoning Board of Appeals, the Chairman of the Planning, Environment & Development Committee shall so state.

All motions on zoning petitions shall be made in the affirmative. (A "yes" vote is a vote to approve, regardless of the Zoning Board of Appeals or Hearing Officer recommendation.) A zoning petition shall be approved if it obtains the required number of affirmative ("yes") votes as indicated below:

- **Variations:** approval requires a ***simple majority*** of County Board members present.
    - Approval will require **3/4 majority** of the full County Board (18 "yes" votes) if:
        - the Zoning Board of Appeals Officer recommended denial; or
        - the petition did not get at least five (5) aye votes from the Zoning Board of Appeals; or
        - the Township Plan Commission objects and the Township Board of Trustees submits a written objection. (A municipal objection does not re• quire a super majority to approve.)

- **Conditional Use Permits:** approval requires a ***simple majority*** of County Board members present.

- **Zoning Map (Reclassification) or Text Amendment:** approval requires a ***majority of the full County Board*** thirteen (13) "yes" votes, regardless of the number of County Board members present).

  - Approval will require ¾ majority of the full County Board (eighteen (18) "yes" votes) if:
    - at least 20% of land owners of the land to be rezoned file a written protest; or
    - the owners of land from at least 20% of the perimeter of the land to be rezoned file a written protest; or
    - a municipality that is located within 1.5 miles of the subject property files a written objection; or
    - at least 5% of the landowners of the County (approximately 16,000) file a written protest; or
    - a Township Plan Commission objects and the Township Board of Trustees submits a written objection, and
    - all written protests shall be filed with the County Clerk no less than 24 hours before the County Board meeting.

A zoning petition is denied if it fails to obtain the required number of affirmative votes, as indicated above.

If comments are given regarding a zoning petition, the County Board may consider the arguments, but the County Board should base its decision on the evidence presented during the public hearing.

Zoning petition votes by the County Board may not be reconsidered or rescinded and this rule may not be suspended by the County Board.

SECTION 4 RESOLUTIONS AND ORDINANCES

Resolutions

4.1 Resolutions shall originate from the County Board Chair, the County Administrator, or the Committee Chairperson and shall be brought before the proper committees for study and recommendation prior to being considered by the County Board.

4.2 A committee member wishing to propose a resolution or other matter must do so first in discussion at a regularly scheduled meeting of the Committee. If the Committee Chair determines that a majority of the Committee wants to consider a proposed resolution, then the Chair shall cause to be placed a resolution addressing said matter on the agenda of the next regularly scheduled Committee meeting.

4.3 All resolutions must be submitted to County Administration five (5) business days prior to a Committee meeting so it can be included in the agenda in the amount of time required by the Illinois Open Meetings Act. All resolutions must be accompanied by an informational memorandum and any other supporting documents necessary for the consideration of the item.

4.4 The County Administrator shall determine the appropriate Committee(s) to review a resolution or other matter. The reviewing Committee or County Board may, by a majority vote, refer the resolution or matter to another Committee for further review, study and/or recommendation.

4.5 Resolutions approved by a majority of the Committee members present at any required Committee shall advance to the full County Board meeting and shall be listed under the "Consent Agenda" portion of the agenda.

4.6 Resolutions failing to receive a favorable vote of the majority of Committee members present at any required Committee shall advance to the County Board meeting and be considered under the "New Business" section of the agenda.

4.7 Resolutions, except for emergency appropriations, budget line item transfers, street vacations, and other matter required by law to be approved by a greater number of board members, shall be approved by a majority vote of members present.

Ordinances and Amendments to Ordinances

4.8 Ordinances and their amendments shall follow the same process prescribed for resolutions in Rules 4.1 through 4.6.

4.9 All ordinances and their amendments subject to a 30-day review period as explained in Rule 14.10 shall be submitted to the State's Attorney's Office for review prior to being placed on the County Board agenda.

4.10 30 Day Review: An ordinance or amendment approved by a committee and reviewed by the State's Attorney's Office shall appear first on a County Board agenda under "30 Day Review." No action shall be taken on an ordinance or amendment which appears under the "30 Day Review" portion of the agenda except a motion to refer to committee, postpone indefinitely, or waive 30 day review for emergency circumstances. During 30 day review no action, with the exception of amendments made at a special County Board meeting called for the specific purpose of making amendments to the proposed ordinance or amendments, shall be taken. Ordinances subject to 30 day review shall appear under "Ordinances for Action" on the agenda for the second regular meeting after the meeting at which the ordinance first appeared under "30 Day Review," regardless of whether or not 30 calendar days have passed.

4.11 The following items shall be exempt from 30 Day Review:

- Zoning Matters (With the exception of text amendments to the Unified Development Ordinance)
- Plat Approval Matters
- Transportation Ordinances considered under the consent agenda
- Annual Budget/Appropriation Ordinance
- Annual Levy Ordinance

4.12 The County Board may, by majority vote of the members present, waive the 30 day review period and act upon an Ordinance at its first appearance on a County Board agenda.

4.13 Ordinances shall be adopted via a simple majority of the members present unless otherwise prescribed by law.

4.14 The effective date for all resolutions and ordinances passed by the County Board shall be the date on which the resolution or ordinance was passed or approved by the County Board unless specifically stated as otherwise in the resolution or ordinance.

4.15 In place of an oral reading of the entire resolution or ordinance, it shall suffice to present in writing a synopsis of the resolution or ordinance, unless a full reading is requested by a majority of the County Board.

4.16 By majority vote of the County Board members present, immediate action may be taken on proposals of an urgent nature. All votes on resolutions, ordinances, and policies shall require a majority vote of the County Board members present, except when otherwise required by state or local law.

4.17 All Resolutions requesting approval for street vacations shall re• quire a two-thirds vote (16) of the members of the County Board (55 ILCS 5/5 - 1036).

4.18 All increases in budget line items after the budget has passed (referred to as emergency appropriations) shall require a two-thirds vote (16) of the members of the County Board (55 ILCS 5/6 - 1003) and shall be so noted on the County Board consent agenda.

4.19 In those instances where the County Board, its standing commit• tees, or its special committees conduct a public hearing, the relevant Chairman may request a court reporter to be in attendance for the purpose of making a record of the proceedings.

SECTION 5 MINUTES

Minutes for Committee and County Board meetings shall provide the following:

1. Shall show all Members as present or absent.

2. Shall show Public Comment, Chairman's Report, and Presentations by all other persons.

3. Shall show all action taken by the committee and agenda items discussed.

4. Shall show the vote of each Member on roll call votes.

5. Shall reflect the names of Members not present at the time of any vote.

6. Shall show the reason for closed session and the vote of each Member on whether to go into closed session and to go out of closed session (Open Meetings Act).

7. Shall indicate when a Member of a committee is absent due to other official County business.

8. If open, approved minutes shall be available through the County Clerk's office and on the Internet via the McHenry County website.

9. If open, approved minutes shall include a summary of all discussion.

10. For closed meetings and for closed sessions of open meetings, disclosure of minutes shall comply with the Open Meetings Act.

If a member wishes to have a statement or information included in the minutes, they are to specifically request it be incorporated into the record.

Article IV MEMBER CONDUCT

SECTION 1 ETHICS AND CONDUCT

The strongest guarantee of good government is the integrity, objectivity, honesty, and sincere commitment to ethical principles of conduct by elected officials. Therefore, to promote public confidence in County government and to maintain a positive public image, each County Board member shall abide by the standards of ethics and conduct as set forth in the County Ethics Ordinance adopted February 1, 2005, and any amendments thereto, and the following additional conduct outlined in this rule, to wit:

1.1 CONFLICTS OF INTEREST:
No County Board member shall directly or indirectly influence a County Board action or decision in a matter in which the member or the member's immediate family has any economic interest distinguishable from that of the general public. In the event a member believes that he or she has a conflict of interest on any matter before the County Board requiring a vote the member shall, prior to any discussion of the issue, indicate to the County Board that a conflict exists and inform the County Board that he or she will be abstaining from any discussion and vote on the matter.

1.2 INTEREST IN COUNTY BUSINESS:
No County Board member shall have a financial interest in any contract work or business of McHenry County or the purchase of any McHenry County property.

1.3 GIFT BAN:
No County Board member shall receive, solicit, or accept anything of value in return for advice or assistance on any matter directly concerning the operation or business of McHenry County. Except as permitted by the McHenry County Ethics Ordinance, no County Board member shall intentionally solicit or accept any gift from any prohibited source. The term "gift" and "prohibited source" here shall be defined by the McHenry County Ethics Ordinance.

1.4 CODE OF HONOR:
County Board members shall treat other Members, staff, other elected officials, and the public with decorum and respect. No County Board member shall intimidate, threaten, or undermine the personal integrity of a fellow County Board member or employee of the County.

1.5 CONFIDENTIAL INFORMATION: Discussions held in executive session are considered privileged and confidential. No County Board member shall breach the confidentiality of privileged information.

1.6 COUNTY OWNED PROPERTY:
No County Board member shall knowingly permit or engage in unauthorized use of County owned property.

1.7 CAMPAIGN ETHICS:
No County Board member shall knowingly suggest, compel, coerce, or intimidate any person to make or refrain from making any political contribution.

SECTION 2 REQUESTS FOR STATE'S ATTORNEY OPINION

When it is necessary to request a State's Attorney opinion, the following guidelines will be followed whenever practicable:

2.1 The request should be in writing and set forth all background information necessary to provide a written opinion, including any deadlines the Civil Division should meet. Any attachments and exhibits should be included. If the request is regarding a contract, said request should state whether the contract is a renewal.

2.2 The request should come from one of the following: the County Administrator, County Board Chair or Committee Chair.

2.3 The request, along with any enclosures should be directed to the Chief of the Civil Division, with a carbon copy sans without attachments, to the State's Attorney. Either the County Administrator or the County Board Chair shall be copied on all requests for legal opinions sent to the State's Attorney.

Article V MISCELLANEOUS

SECTION 1 DEFINITIONS

1.1 Proclamation - An official declaration of the County Board: It does not require a vote by the County Board, but a vote may be offered.

1.2 Ordinance - A law set forth by the County Board: It requires a majority vote of the County Board members present unless otherwise required by law.

1.3 Resolution - A formal expression of opinion, will, or intent of the County Board: It requires a majority vote of the County Board members present unless otherwise required by law.

1.4 Action Item - Any agenda line item requiring a vote of the County Board members for approval at any County Board Meeting or any standing committee meeting. Action items include: minutes approval, proclamations, zoning items, plats and resolutions appearing under the routine consent agenda, appointments, and ordinances.

SECTION 2 ADDENDUM TO APPOINTMENTS

Appointments by the County Board Chairman

By various state statutes, members of the following boards and commissions may be appointed by the County Board Chairman without input from a standing committee and without requiring the approval of the County Board:

- Board of Building Code Appeals
- Chicago Metropolitan Agency for Planning
- Community Development Block Grant (CDBG)
- Pace
- Workforce Investment Board
- Stormwater Management Commission
- Upper Illinois River Valley Development Authority
- Farmland Assessment Review Committee

County Board Chairman Appointments requiring County Board Approval

With respect to the following boards and commissions, the County Board Chairman may present the standing committee recommendation for approval by the County Board or may choose to bring forward his or her own choice for appointment. That individual shall be appointed if approved by a majority of the County Board members present.

- Agricultural Conservation Easement and Farmland Protection Commission
- Animal Control Advisory Committee
- Board of Review
- McHenry County Conservation District
- Emergency Telephone System Board
- Ethics Commission
- Fox River Grove Fire Protection District
- Harvard Community Fire Protection District
- McHenry Township Fire Protection District
- Crystal Lake Rural Fire Protection District

- Board of Health
- Historic Preservation Commission
- Housing Authority
- Marengo Rescue Squad
- Mental Health Board
- Public Building Commission
- Regional Transportation Authority
- Metra
- T. B. Care and Treatment Board
- University of Illinois Extension
- Valley-Hi Cemetery Board
- Zoning Board of Appeals
- Lake in the Hills Sanitary District
- Public Aid Committee
- Public Transportation Advisory Committee
- Senior Services Grant Commission
- Valley-Hi Operating Board
- Greenwood Drainage District
- Hebron Drainage District

Sheriff's Merit Commission Members

By state law, members of the Sheriff's Merit Commission are to be appointed by the McHenry County Sheriff with the approval of a majority of the members of the full County Board (thirteen members), not merely the members present. A nominee for membership on the Sheriff's Merit Commission shall originate with the McHenry County Sheriff through his submission of the name of his designated nominee to the Chairman of the County Board. The Chairman shall present the name submitted by the Sheriff to the County Board.