



DUPAGE COUNTY

COUNTY-APPOINTED OFFICIALS MANUAL



421 N. County Farm Road, Wheaton IL 60187
(630) 407-6500 • www.dupageco.org



CHAIRMAN'S WELCOME TO APPOINTED OFFICIALS



Congratulations on your recent appointment to a public entity serving the residents of DuPage County. As a member of our Citizens Service Team, you have the opportunity to contribute to your local community. Although the purpose of each entity varies, every county appointee shares common responsibilities and objectives.

The goal of this publication is to provide you with the information you need to perform your duties in an accountable and transparent manner. This manual is also intended to inform you about pertinent laws and policies that will further assist you in your role as a public official.

It is my sincere hope that you find this publication to be both informative and useful. The county is here to serve as a resource to you and your fellow board members.

I look forward to working with each of you to deliver efficient and effective government services to the residents we serve.

Sincerely,

A handwritten signature in black ink that reads "Dan Cronin".

Daniel J. Cronin
Chairman
DuPage County Board



COUNTY BOARD CHAIRMAN

DANIEL J. CRONIN

Jack T. Knuepfer Administration Building
421 N. County Farm Road
Wheaton, IL 60187
(630) 407-6060
chairman@dupageco.org

COUNTY BOARD MEMBERS

District 1

Paul Fichtner, Donald Puchalski, Sam Tornatore

District 2

Elizabeth Chaplin, Peter DiCianni, Sean Noonan

District 3

Gary Grasso, Greg Hart, Brian Krajewski

District 4

Grant Eckhoff, Tim Elliott, Amy Grant

District 5

Janice Anderson, James Healy, Tonia Khouri

District 6

Robert Larsen, Kevin Wiley, James Zay



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Are you familiar with your ... **BOARD?**

BASIC EXPECTATIONS

- Ethical Conduct
- Attendance
- Communication
- Procedures and Boardsmanship

ORGANIZATIONAL POLICIES

- County Policies and Guidelines
- Entity-Specific Policies
- Transparency and Accountability

APPPLICABLE LAWS

- County Reporting Requirements
- Disclosure of Economic Interests Statement
- Freedom of Information Act (FOIA)
- Open Meetings Act (OMA)
- Americans with Disabilities Act (ADA)

ROLES AND RESPONSIBILITIES

- Of the Public Body
- Statutory Functions and Powers

DEPARTMENT RESOURCES

- County Staff Contacts



INTRODUCTION TO LOCAL GOVERNMENT

With more than 7,000 governmental entities, Illinois taxpayers support more units of government than any other state. Among these units are special districts which are responsible for many basic services such as fire protection, sanitation, water supply and mosquito abatement to name a few. Although these governmental entities have a variety of roles and responsibilities, each one was created to deliver a service contributing to the public health, safety, and wellbeing of our communities.

DuPage County is home to 39 municipalities, nine townships, four township special police districts, one township mosquito district, 51 school districts, 39 park districts, 30 fire protection districts, 14 public library districts, seven sanitary districts, five mosquito abatement districts, three surface water districts, two water reclamation districts, a Forest Preserve District, an Airport Authority, a Water Commission and the DuPage County Government for a total of 208 local entities with the power to tax DuPage County residents. Though all of these entities are recognized as independent local governments or school districts some are directly responsive to constituents through elected governing bodies while other are governed by boards appointed by elected officials.

The Chairman and the DuPage County Board nominate and appoint more than 250 residents to serve on these independent public entities. Each appointee is statutorily responsible for conducting public business in the county. As one of these public servants, you are charged with representing your constituents and serving as not only a custodian of public funds but also as a steward of the reputation of the office. Once you have reviewed this document, it is strongly recommended that you familiarize yourself with the specific roles and responsibilities of your public entity.



SECTION 1 – COUNTY EXPECTATIONS

1.1 Ethical Conduct

Whether you are an elected or an appointed county official, you have been entrusted with an important responsibility to represent the residents and interests of your district or service area. County officials are expected to conduct themselves in a fair and impartial manner and to act in the public interest. ***Section 2.2 provides a link to the County's Ethics Ordinance that public entities are encouraged to adopt.***

1.2 Attendance

Each public entity has meeting and attendance requirements. Appointed officials should make every effort to attend as many public meetings of your agency as possible. Attendance is especially essential for smaller governing bodies where nearly full attendance is required just to reach a quorum. If a quorum is not reached, the body cannot conduct its official business. ***Section 3.4 contains more information on attendance provided through the Illinois Open Meetings Act (5 ILCS 120/).***

1.3 Communication

Each public entity should provide regular communication to the public it serves and to the County Board Chairman's Office. Regular communication between public entities provides a greater degree of accountability as information is more readily available to the public. ***Section 4 provides additional resources and county office support contacts.***

1.4 Procedures and Boardsmanship

The procedure during public meetings will generally follow Roberts's Rules of Order. There have been several iterations of these rules and each governing body can adapt them to fit its by-laws. The proper respect for the process should be followed at all meetings and professional courtesy should be extended to fellow board members, the public and staff. Once an issue has been decided, board members of a dissenting point of view are expected to act in a courteous manner and to respect the majority opinion. ***For more information concerning Robert's Rules of Order please visit: <http://www.robertsrules.com>.***



SECTION 2 – COUNTY POLICIES AND GUIDELINES

2.1 What is a Policy?

A policy is an agreed upon set of principles and guidelines for a key area of activity within an organization. Policies enable an organization to decentralize decision-making, which fosters transparent and consistent operations. Furthermore, policies are intended to guide the work of an organization for a reasonable length of time, therefore, creating reasonable expectations as to how certain circumstances are approached. Listed below are general policies that are important for all public officials to review.

2.2 What are Important Policies?

- **Ethics Policy:** Outlines restrictions on gifts, conflicts of interest and political activities
- **Personnel Policy:** Outlines interaction between an organization and its employees
- **Financial Policy:** Outlines how funds are managed, spent and saved
- **Procurement Policy:** Outlines how the organization purchases materials and goods and services
- **Credit Card Policy:** Outlines limitations governing the appropriate use of credit cards

To view DuPage County's policies, please visit: <http://www.dupageco.org/CountyBoard/Policies>.

2.3 Transparency and Accountability of Public Bodies

All business is to be conducted in an open and transparent manner. A descriptive agenda and accompanying backup materials should be available to the public and posted at the physical location of the meeting as well as online within 48 hours of a scheduled meeting in accordance with the Open Meetings Act (OMA). Moreover, each public body should post its annual meeting schedule and minutes online to make them accessible to



the public. For those appointed entities without a website, meeting schedules, agendas and minutes may be posted on the county's website. ***Section 4.5 provides contact information for the County IT Department.***

2.4 How do I get more Information on my Entity's Policies?

Each public entity sets its own policies and it is your responsibility to familiarize yourself with the policies of your organization. Policies are generally created by each organization, but in some cases may be derived from either the county's policies or state statutes. As a public official, you should regularly review the policies of your agency to ensure compliance with legal requirements and best practices. Anytime a discrepancy is discovered, an amendment to that policy should be sought by your governing board.



SECTION 3 – LOCAL, STATE AND FEDERAL LAWS

3.1 County Board Ordinance: Management Information (OCB-001-11)

The public governing boards of these local agencies have a responsibility to operate each entity in a transparent, accountable and fiscally efficient manner.

This Ordinance provides the County Board with the authority to collect various pieces of information, reports and documentation from public entities to which the Chairman and County Board appoint a majority of the members. Under this Ordinance, the county has initially collected audit reports, budgets, personnel rosters, salary information/compensation practices, ethics policies, procurement procedures, by-laws and annual meeting schedules.

Any changes, additions or deletions to these documents should be submitted to the County Board Office within 30 days of adoption. The county should also be notified of any annual updates to salaries, pension benefits, health care benefits, holidays, sick time or other paid time off benefits for officials and employees.

The information provided herein is by no means a complete or full summary of the Ordinance. The full Ordinance may be viewed under “Reporting Requirements” at: www.dupageco.org/CountyBoard/AppointiveBodies.aspx.

Questions or concerns regarding the provision of management information should be directed to the County Board Office:

Chief Policy and Strategy Manager

Chad Shaffer

Address: 421 N. County Farm Road, Wheaton, IL 60187

Phone: (630) 407-6038

Email: Chad.Shaffer@dupageco.org



3.2 Disclosure of Economic Interests

As an appointed official, you must file a Statement of Economic Interest with the County Clerk each year by May 1 (and within 30 days of taking office). These Statements of Economic Interest are generally completed by any elected, appointed or employed public servant with approving authority over public funds, licensing or employment status. The Statement requests information regarding professional involvement, services provided, capital assets and financial interests.

What happens if I do not file my Statement by the May 1st deadline?

Persons required to file a Statement of Economic Interest are subject to a \$15 penalty for any form not filed by May 1st – the statutory deadline, and a \$100 per day penalty (in addition to the \$15 fee) after May 16th. Failure to file by May 31st may result in forfeiture of the position.

I was appointed after May 1st. Do I need to complete a Statement?

Yes, the Act states that when appointed, an official should file a Statement of Economic Interest with the County Clerk.

The information provided herein is by no means a complete or full summary of the law. Additional information about the Statement of Economic Interest can be found by visiting: www.dupageco.org/CountyClerk/1814.

Questions or concerns regarding the Statement of Economic Interest should be directed to the DuPage County Clerk's Office:

DuPage County Clerk

Paul Hinds

Address: 421 N. County Farm Road, Wheaton, IL 60187

Phone: (630) 407-5500

Fax: (630) 407-5501

Email: Paul.Hinds@dupageco.org

Website: www.dupageco.org/countyclerk



3.3 Illinois Freedom of Information Act (5 ILCS 140/1):

All persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees.

The Freedom of Information Act (FOIA) is a state statute that defines the public's right to access government documents and records. The law provides that a person can ask a public body for copies of its records on a specific subject and the public body must provide those records, unless there is an exemption in the statute that protects those records from disclosure. The Freedom of Information Act addresses a wide variety of topics that cannot fully be addressed in this document. The following information provides general FOIA guidelines that most frequently impact public officials.

Who is subject to FOIA?

The public bodies covered by FOIA include all legislative, executive, administrative or advisory bodies of:

- The State
- Counties
- Townships/cities/towns/villages
- School districts
- All municipal corporations

"Public bodies" also include all committees, subcommittees and subsidiary bodies of public bodies including, but not limited to, any entity that is supported in whole or in part by tax revenue or which expends tax revenue.

Who can file a FOIA request?

Any person, group, association, corporation, firm, partnership or organization has the right to file a FOIA request to any state or local public body, including any city, township or county office.



Is every public body required to have a designated FOIA officer?

Yes. Every public body must designate one or more FOIA officers. In addition, every public body must prominently display certain information, including the name(s) of its FOIA officer(s). Any public body that has a website must also post this information on its website.

How many days does the public body have to respond to a FOIA request?

Five (5) business days from the day after the public body receives the request. However, that due date may be extended for an additional five business days if certain criteria are met. If additional time is needed, the public body must notify the requester in writing within five business days.

What are the consequences if the public body does not respond to the FOIA request within five (5) business days (or 10 business days if extended)?

Aside from the possibility that a court ultimately could impose a civil penalty of between \$2,500 and \$5,000 per FOIA violation, public bodies that fail to respond within five (5) business days (or 10 days if the extension was properly requested) cannot charge for reproduction costs or treat the request as unduly burdensome. The information provided herein is by no means a complete or full summary of the law. Additional information about the Freedom of Information Act can be obtained at: <http://foia.ilattorneygeneral.net/FreedomofInformationAct.aspx>. Questions or concerns regarding the FOIA should be directed to the Public Access Counsel at the Office of the Attorney General:

Public Access Counselor

Sarah Pratt

FOIA Hotline: (877) 299-FOIA (3462)

Fax: (217) 782-1396

Email: publicaccess@atg.state.il.us

Address: Public Access Bureau, 500 S. Second St.
Springfield, IL 62706

Website: www.foia.ilattorneygeneral.net



3.4 Illinois Open Meetings Act (5 ILCS 120/1)

It is the public policy of this State that public bodies exist to aid in the conduct of the people's business and that the people have a right to be informed as to the conduct of their business.

The Open Meetings Act (OMA) requires that meetings of public bodies be open to the public with specific, limited exceptions authorized by law. OMA also provides that the public must be given advance notice of the time, place and subject matter of meetings. The Open Meetings Act addresses a wide variety of topics that cannot fully be entertained in this document. The following information provides general OMA guidelines that most frequently impact public officials.

What type of “public body” is covered by OMA?

The “public bodies” covered by OMA include all legislative, executive, administrative or advisory bodies of:

- The State
- Counties
- Townships/cities/towns/villages
- School districts
- All municipal corporations

“Public bodies” also include all committees, subcommittees and subsidiary bodies of public bodies including, but not limited to, any entity that is supported in whole or in part by tax revenue or which expends tax revenue.

How many members of the public body have to be present at a “meeting” before OMA requirements apply?

A “meeting” under OMA is a gathering of the majority of a quorum for the purpose of discussing public business. Simply, this means the minimum number of votes that could ever be needed to pass a motion. To determine the number of members that constitutes a meeting find your public body's size on the left side of the table on the next page and match it with the corresponding number on the right side.



When and how does a notice of a regular meeting have to be provided by a public body?

At the beginning of each calendar or fiscal year, every public body must create and make available to the public the schedule for regular meetings that year, including the dates, times and locations of the meetings. Notice shall be given by posting a copy of the notice at the principal office

of the body holding the meeting or, if no such office exists, at the building in which the meeting is to be held. If the public body has a website, then notice of all meetings must also be posted on that website. If the public body changes the regular meeting schedule, it must give 10 calendar days' notice by publicizing the meeting change in the newspaper and by posting information concerning the schedule change at the principal office of the public body.

Members of public body	Number to constitute a meeting
5 and under	2
6 to 9	3
10 to 13	4
14 to 17	5
18 to 21	6
22 to 25	7

What is an agenda?

An agenda is a list of the items to be acted upon or discussed during a meeting. A public body must post an agenda for the particular meeting at the principal office of the public body, at the location of the meeting and on the public body's website at least 48 hours in advance of the meeting. A public body cannot change the agenda less than 48 hours before the meeting.

Can the public body take action on items not on the agenda of regular meetings?

No. While the public body can discuss items that are not on the agenda of a regular meeting, the public body cannot take action or make any decision with regard to items or topics not on the agenda. It is important to note that at a special or emergency meeting, unlike a regular meeting, a public body cannot even discuss items that did not appear on the agenda.



Is a public body required to allow a member of the public to speak at an open meeting?

The Open Meetings Act requires that public bodies give members of the public an opportunity to speak at a meeting. Public bodies are authorized to adopt rules regarding the public comment portion of a meeting. Such rules may limit the time allotted for the public to speak.

Is the public body required to take minutes of its open meetings?

Yes. The public meeting minutes must include:

- The date, time and place of the meeting
- A list of the members present and absent from the meeting, and whether they attended in person, by phone or by video
- A summary of the discussion of all matters proposed, deliberated or decided
- A record of any votes taken

It is important to note that subsidiary bodies (such as committees and subcommittees) are also required to take minutes of meetings. A public body must make minutes of the meeting available for public inspection and post them on the website (if available) within seven (7) calendar days after the minutes are approved by the public body. Typically, minutes are approved at the next board meeting.

Are there any training requirements?

Members of a public body subject to the Open Meetings Act (OMA) must complete electronic training with the Illinois Attorney General's Office once during your election or appointment tenure in office. This training must be completed within 90 days of taking the office. This is a one-time training requirement, unless you are designated by your entity to receive additional training on compliance with the Open Meetings Act on an annual basis. OMA training is available online through the Public Access Counselor's Office free of charge at: <http://foia.ilattorneygeneral.net>.



The information provided herein is by no means a complete or full summary of the law. Additional information about the Open Meetings Act can be obtained by visiting: http://foia.ilattorneygeneral.net/foia_educationalmaterials.aspx.

Questions or concerns regarding the Open Meetings Act or the Electronic Training requirement should be directed to the Office of the Attorney General:

Office of the Attorney General

Lisa Madigan

Phone: (877) 299-FOIA (3462)

Fax: (217) 782-1396

Email: publicaccess@atg.state.il.us

Address: 500 S. Second St.
Springfield, IL 62706

Website: www.ilattorneygeneral.gov

3.5 Americans with Disabilities Act (42 U.S.C. § 12101)

The Nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living and economic self-sufficiency for such individuals.

How does the ADA impact public bodies?

- People with disabilities have a right to equal opportunity to participate in the activities of all boards and commissions
- Meetings and other activities shall be held in wheelchair-accessible locations
- Upon request, meeting materials shall be provided in accessible formats
- Reasonable modifications should be made to policies or procedures whenever they create a barrier to the full and equal participation of a person with a disability



Additional information about the Americans with Disabilities Act can be obtained using the following link: www.ada.gov/pubs/adastatute08.htm.

Questions or concerns regarding the Americans with Disabilities Act can be directed to the Illinois Human Rights Commission:

Human Rights Commission

N. Keith Chambers, Executive Director

Phone: (312) 814-6269

Fax: (312) 814-6517

Email: Keith.Chambers@illinois.gov

Address: James R. Thompson Center
100 W. Randolph St., Suite 5-100
Chicago, IL 60601

Website: <https://www2.illinois.gov/ihrc/pages/default.aspx>



SECTION 4 – COUNTY OFFICE SUPPORT CONTACTS

4.1 County Board Office

The County Board office is your primary general contact within the county. Under the leadership of the County Board Chairman, the County Board staff supports efforts to set policy for each department, hold and dispose of property, make contracts, levy taxes, make appropriations, approve payments and otherwise manage the funds and business of the county.

Chief Policy and Strategy Manager

Chad Shaffer

Email: Chad.Shaffer@dupageco.org

Phone: (630) 407-6038

Fax: (630) 407-6001

4.2 Ethics Commission

The Ethics Commission has authority under the DuPage County Ethics Ordinance to exercise jurisdiction over all persons subject to the ordinance, and to hold hearings upon petition and complaint issued by the Investigator General. The Ethics Adviser provides guidance and interpretation to persons subject to the DuPage County Ethics Ordinance.

County Ethics Adviser

Daniel Hanlon

Email: Daniel.Hanlon@dupageco.org

Phone: (630) 569-6023

4.3 Finance Department/Procurement Services Division

The DuPage County Finance Department utilizes prudent, professionally recognized management practices to protect the financial condition of the county. Finance provides recommendations regarding budgetary and financial policies and administers those policies within its area of responsibility. The Department helps ensure budget compliance through financial reporting, monitoring, internal controls and cash flow management. The DuPage County Procurement Services Division assists all county departments in purchasing required goods and services



in conformance with Illinois Compiled Statutes, DuPage County Procurement Ordinance, related resolutions of the County Board and administrative policies.

Chief Financial Officer

Paul Rafac

Email: Paul.Rafac@dupageco.org

Phone: (630) 407-6100

Fax: (630) 407-6200

4.4 Human Resources Department

DuPage County's Human Resources Department strives to support the overall mission of the DuPage County Government, its employees, and the public by providing high quality, cost-effective services. They ensure equitable, professional and legal application of the policies and procedures for county employees and use technology and methods, which enhances services, communication and production.

Director of Human Resources

Margaret Ewing

Email: Margaret.Ewing@dupageco.org

Phone: (630) 407-6300

Fax: (630) 407-6301

4.5 Information Technology Department

The mission of the Information Technology Department is to deliver efficient, effective and reliable technology solutions and services in a cost effective manner to advance the service objectives of DuPage County staff, elected officials and the business community. The department also safeguards the integrity of information critical to the operation of the county and its partners in public service.

Chief Information Officer

Donald Carlsen

Email: Donald.Carlsen@dupageco.org

Phone: (630) 407-5000

Fax: (630) 407-5001

DuPage County

Jack T. Knuepfer Administration Building
421 N. County Farm Road
Wheaton, IL 60187

IMPORTANT PHONE NUMBERS

Audit Hotline	(630) 407-8348
Board of Review	(630) 407-5888
Building & Zoning	(630) 407-6670
Children's Advocacy Center	(630) 407-2750
Community Services	(630) 407-6500
County Board Office	(630) 407-6060
DuPage Care Center	(630) 665-6400
Emergency Management Office	(630) 682-7925
Ethics Adviser	(630) 569-6023
Facilities Management	(630) 407-5700
Finance Department	(630) 407-6100
Health Department	(630) 682-7400
Human Resources Department	(630) 407-6300
Information Technology Department	(630) 407-5000
Judicial Administration	(630) 407-8904
Procurement Services Division	(630) 407-6200
Public Information Office	(630) 407-6022
State's Attorney's Office	(630) 407-8000
Veterans Assistance Commission	(630) 407-5655