



Standards of Conduct in order to serve on the same penalties as other officers and employees of Lake County. In addition, the County Code (55 ILCS 1133) provides that an appointee may be removed from office for violating a board or commission code of conduct. Pursuant to this authority, violation of the Lake County Ethics Ordinance also may subject an appointee to removal from office.

The Lake County Ethics & Oversight Committee reviews all allegations of violations of the Lake County Ethics Ordinance through established procedures.

## **B. TRANSPARENCY**

following standards are requirements of the Transparency and responsiveness foster open government and community engagement. The Lake County Board encourages appointed units of government to respond to all inquiries as promptly as possible and to maintain an attitude that welcomes and fosters community engagement. Units of government are subject to the requirements of the Illinois Freedom of Information Act and the Illinois Open Meetings Act. Accordingly, appointees must;

### **ACCOUNTABILITY**

- 1) Communicating information to Understand and comply with the Lake County Board office is critical to requirements of the success of each appointed unit of government. The following outlines Illinois Freedom of Information Act. (5 ILCS 140/1).
- 2) Understand and comply with the Illinois Open Meetings Act. (5 ILCS 120/1)
- 3) Complete expectation for reporting of information the Open Meetings Act training through the state's online program. Appointees to governmental bodies must complete training no later than the 90th day after taking the oath of office or otherwise assuming responsibilities as a member of the public body. Proof of completion must be submitted to the Lake County Board Office annually. The Public Access Counselor's Office's OMA electronic training is available free of charge.
- 4) Willful failure to comply with FOIA or OMA, including the annual OMA training, may result in removal.

## **C. FISCAL RESPONSIBILITY, COMMUNICATION & REPORTING**

### **1. FISCAL RESPONSIBILITY**

Appointed units of government must be prudent stewards of public money whether it is generated through local taxes, state and/or federal grants or other means.

While each appointed unit of government's scope, responsibilities and budgets are different, each unit of government and appointee are encouraged to:

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- 1) Establish Annual Budget Policies based on the needs of the organization and the people it serves.
- 2) Adhere to statutory requirements when making decisions on budgeting, contracting, expenditures, employment, compensation, benefits, settlements and other financial standards.
- 3) Adopt financial practices and policies in accordance with the Government Finance Officers Association (GFOA) recommendations which take into consideration the unique financial operations of governmental entities. See <http://www/gfoa.org/>
- 4) Strive to minimize costs and increase efficiency by promoting shared services and collaborating with other units of government.
- 5) Any internal or external findings by a court of law and/or administrative agency of failure to meet fiduciary responsibilities, may result in removal.

## 2. COMMUNICATION GUIDELINES

Communication with the Lake County Board improves the likelihood that the appointment will further the goals and promote the successful operation of the unit of government.

The Lake County Board expects that Appointees shall immediately notify will:

- 1) Notify the Lake County Board Office of major events, expenditures, employment issues, and settlement agreements ~~and other important issues/decisions so the Lake County Board is well informed on the management of the appointed units of government.~~
- 2) ~~Appointees shall immediately~~ Promptly disclose any internal or external findings inquiries or findings by a court of law and/or administrative agency of non-compliance with any law or regulation involving the unit of local government and/or its personnel.
- 3) Willful failure to disclose inquires or findings may result in removal.

## 3. REPORTING REQUIREMENTS

The In accordance with Public Act 097-0084, units of government vary in composition, activities, roles/responsibilities and authority. The Reporting Requirements apply only to appointees to those units of government where the County Board Chair nominates, and the County Board confirms, a majority of member appointments.

The Reporting Requirements will be managed through an internal review process

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defined by the Ethics and Oversight Committee and will be strictly enforced.

3) Lake County hereby requires appointees the unit of local government or agency to which the County Board Chair nominates and the County Board confirms a majority of member appointments to provide the following information annually for the most recently completed fiscal year within 30 days of receipt of their audit, or if no audit is required by December 31, or upon written request of the Lake County Board Chairman/Chair:

- Employee and trustee/board member benefit allowances and any other form of compensation including bonuses or vehicle use allowances
- Annual audit, including internal controls and management letters
- Adopted appropriation or budget for the current fiscal year
- List of capital items purchased over \$50,000
- List of contractual agreements over \$50,000

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- List of settlement agreements larger than \$100,000 in total consideration
- List of significant litigation resulting in payout larger than \$50,000
- Employment contracts of the organization administrator/executive director and all others over \$100,000
- Bargaining unit contracts ratified during fiscal year
- ~~Employee benefits plans including leave and benefit allowances and any other form of compensation including bonuses or vehicle use allowances~~
- List of top five vendors with total fiscal year expenditures over \$5,000.
- List of top ten highest paid employee salaries
- ~~List of major events, employment issues and other important decisions~~
- ~~Organizational chart~~
- ~~Budget, Fund Reserve, Purchasing/Procurement and other Financial Policies~~
- ~~Ethics Policy~~
- Proof of required insurance bonds for all office holders (~~where required~~)

4) ~~Any~~ Appointees shall provide any additional information requested by the Lake County Board ~~Chairman/Chair, or his/her/their~~ designee.

~~1) Failure to provide this~~ This information may result in immediate suspension of all appointments and reappointments shall be posted either on the

## **FISCAL RESPONSIBILITY**

~~Lake County government prides itself on its strong record of fiscal responsibility. It is important that appointed units of government are prudent stewards of public money regardless if it is generated through local taxes, state and/or federal grants or other means.~~

~~While each appointed unit of government's scope, responsibilities and budgets are different, each unit of government and appointee are strongly encouraged to:~~

- 1) ~~Establish Annual Budget Policies based on the needs of~~ webpage or on a page hosted by the organization the people it serves
- 2) ~~Budget in a fiscally conservative manner by:~~
  - a. ~~Applying the principles of performance-based budgeting and other budgeting best business practices~~
  - b. ~~Maintain and follow a Reserve Policy that allows for appropriate cash reserves and avoids excessive reserve balances~~ County
- 3) ~~Adhere to industry standards, comparable and best practices when making decisions on budgeting, contracting, expenditures, employment, compensation, benefits, settlements and other financial standards~~
- 4) ~~Ensure the use of Generally Accepted Accounting Principles (GAAP) and Generally Accepted Auditing Standards (GAAS) and enact, monitor and update financial policies as necessary. Follow the Government Finance Officers Association (GFOA) recommended policies covering financial planning, revenue and expenditures, at a minimum. See GFOA Best Practices in Appendix A.~~

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## A. ETHICS

~~Lake County government is a leader in ensuring ethical conduct in government.~~

- ~~1) Appointees of the County Board Chairman are required by Public Act 98-0457 to "abide by the ethics laws applicable to, and the ethics policies of, that county and, if applicable, shall be subject to the jurisdiction of that county's ethics officer or inspector general."~~
- ~~2) In April of 2011, the Lake County Board enhanced its Ethics Ordinance beyond what is required by Illinois Law to prohibit County Board members from influencing hiring decisions or vendor selection. The ordinance states:~~

~~No County Board member or appointed official shall use his or her position to influence or attempt to influence, in any way, hiring officials to employ particular candidates who have applied for position vacancies or to create employment opportunities specifically for a particular individual. No County Board member or appointed official shall use his or her position to influence or attempt to influence, in any way, purchasing officials to select a particular vendor to perform contracted services for the County or to initiate contact with departments regarding matters related to hiring and purchasing selections. County Board members or appointed officials may provide a verbal reference if contacted and requested by a staff member responsible for making the hiring or purchasing selection.~~

- ~~a) County Board members or appointed officials shall not be eligible to participate on a committee or panel charged with making purchasing recommendations/decisions if the member or official, or his or her spouse or immediate family member, has a financial interest in the purchasing decision.~~
- ~~b) County Board members or appointed officials shall not be eligible to participate on a committee or panel charged with making hiring recommendations/decisions if the member or official is the spouse or immediate family member of the candidate, has a personal relationship with the candidate or may have a financial interest in the employment decision.~~

~~The Lake County Board strongly encourages appointed units of government to adhere to the following Standards:~~

## A. TRANSPARENCY

~~Transparency and responsiveness are important values that foster open government and community engagement. The Lake County Board strongly encourages appointed units of government to undertake the following actions to ensure appointed units of government are accountable to the Lake County Board and the public:~~

- ~~1) Respond to constituent inquiries as promptly as possible and maintain an attitude that welcomes and fosters community engagement annual basis.~~
- ~~2) Comply with Public Act 98-0930 and publish board member and staff~~

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~~member (if applicable) contact information on the appointed unit of government website.~~  
~~3) Adhere to the Illinois Open Meetings Act including posting of meeting~~

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schedules and agendas on the appointed unit of government's website.  
Willful failure to provide information required by these Reporting Requirements may result in removal.

- ~~4) Complete annual Open Meetings Act training through the state's online program.~~

### **EFFICIENCY**

~~The Lake County Board strives for more efficient and collaborative government. Whenever possible, the County Board strongly encourages appointed units of government to strive to decrease costs and increase efficiency by:~~

- ~~1) Promoting shared services and collaboration between other appointed and local units of government.~~
- ~~2) Utilize contracting to reduce personnel and project costs.~~
- ~~3) Evaluate business practices and procedures to enhance operational efficiency.~~

***Pursuant to Public Act 098-077955 ILCS 5/5-1133, the process for removal of appointed officials is as follows:***

- ~~1) The A violation of the Standards of Conduct as stated above will constitute sufficient evidence of good cause for the removal of an Appointee.~~
- ~~2)1) An Appointee may be removed by the Lake County Board Chairman with concurrence by a 2/3 Ethics and Oversight Committee or its successor committee will by majority vote of make recommendations to the County Board. Chair to remove an Appointee.~~
- ~~3)2) An Appointee is entitled to a hearing prior to the vote by the County Board.~~
- ~~3) An Appointee may be removed by the County Board Chair with concurrence by a 2/3 majority vote of the County Board.~~
- ~~4) An Appointee will receive notice of the specific violation(s) and of a hearing at least 14 days prior to the scheduled hearing.~~
- ~~5) The Ad-Hoc Ethics Committee or its successor committee will be responsible for the administering this process and implementing any additional procedures.~~

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CERTIFICATE OF ACKNOWLEDGEMENT

I, \_\_\_\_\_ as an appointee to the  
(NAME)  
\_\_\_\_\_ acknowledge that I have  
(UNIT OF GOVERNMENT)

reviewed the Lake County Standards ~~of Conduct for Appointed Officials to Boards and Commissions~~  
for Appointees to Local Units of Government or Agency.

\_\_\_\_\_  
(SIGNATURE)

\_\_\_\_\_  
(DATE)

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## APPENDIX A

### BEST PRACTICE

#### Adoption of Financial Policies (2001) (BUDGET)

**Recommendation**—The Government Finance Officers Association (GFOA) recommends that, at a minimum, financial policies in the following areas be developed by professional staff and formally adopted by the jurisdiction's governing board **as well as the governing boards of those component units, state, provincial and municipal corporations and organizations, and other bodies under their jurisdiction.**

- Financial Planning Policies
- Revenue Policies
- Expenditure Policies

The jurisdiction's adopted financial policies should be used to frame major policy initiatives and be summarized in the budget document.

It is further recommended that these policies, along with any others that may be adopted, be reviewed during the budget process. Professional staff should review the policies to ensure continued relevance and to identify any gaps that should be addressed with new policies. The results of the review should be shared with the governing board during the review of the proposed budget.

**Policy categories that should be considered for development, adoption and regular review are as follows:**

##### **Financial Planning Policies**

These policies address both the need for a long-term view and the fundamental principle of a balanced budget. At a minimum, jurisdictions should have policies that support:

1. **Balanced Budget**—A jurisdiction should adopt a policy(s) that defines a balanced operating budget, encourages commitment to a balanced budget under normal circumstances, and provides for disclosure when a deviation from a balanced operating budget is planned or when it occurs. (NACSLB Practice 4.5)
2. **Long-Range Planning**—A jurisdiction should adopt a policy(s) that supports a financial planning process that assesses the long-term financial implications of current and proposed operating and capital budgets, budget policies, cash management and investment policies, programs and assumptions. (NACSLB Element 9, GFOA Recommended Practice)<sup>1</sup>
3. **Asset Inventory**—A jurisdiction should adopt a policy(s) to inventory and assess the condition of all major capital assets. This information should be used to plan for the ongoing financial commitments required to maximize the public's benefit. (NACSLB Practice 2.2)<sup>2</sup>

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### Revenue Policies

Understanding the revenue stream is essential to prudent planning. Most of these policies seek stability to avoid potential service disruptions caused by revenue shortfalls. At a minimum, jurisdictions should have policies that address:

1. **Revenue Diversification** – A jurisdiction should adopt a policy(s) that encourages a diversity of revenue sources in order to improve the ability to handle fluctuations in individual sources. (NACSLB Practice 4.6)
2. **Fees and Charges** – A jurisdiction should adopt policy(s) that identify the manner in which fees and charges are set and the extent to which they cover the cost of the service provided. (NACSLB Practice 4.2)
3. **Use of One-time Revenues** – A jurisdiction should adopt a policy(s) discouraging the use of one-time revenues for ongoing expenditures. (NACSLB Practice 4.4)
4. **Use of Unpredictable Revenues** – A jurisdiction should adopt a policy(s) on the collection and use of major revenue sources it considers unpredictable. (NACSLB Practice 4.4a)

### Expenditure Policies

The expenditures of jurisdictions define the ongoing public service commitment. Prudent expenditure planning and accountability will ensure fiscal stability. At a minimum, jurisdictions should have policies that address:

1. **Debt Capacity, Issuance, and Management** – A jurisdiction should adopt a policy(s) that specifies appropriate uses for debt and identifies the maximum amount of debt and debt service that should be outstanding at any time. (NACSLB Practice 4.3, 4.3a, GFOA Recommend Practices pp.90-92)
2. **Reserve or Stabilization Accounts** – A jurisdiction should adopt a policy(s) to maintain a prudent level of financial resources to protect against the need to reduce service levels or raise taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenditures. (NACSLB Practice 4.1)<sup>34</sup>
3. **Operating/Capital Expenditure Accountability** – A jurisdiction should adopt a policy(s) to compare actual expenditures to budget periodically (e.g., quarterly) and decide on actions to bring the budget into balance, if necessary. (NACSLB Practice 7.2)
- 4.

### References

- "Developing Formal Debt Policies," *Government Finance Review*, August 1991.
- "Elements of a Comprehensive Local Debt Policy," *Government Finance Review*, October 1994.
- GFOA Best Practice, "Setting of Government Charges and Fees," 1996.
- *Recommended Budget Practices: A Framework for Improved State and Local Government Budgeting* National Advisory Council on State and Local Budgeting, 1998.
- *A Guide for Preparing a Debt Policy*, Patricia Tigue, GFOA, 1998.

- See also GFOA's best practice on *Establishment of Strategic Plans, 2005.*
- See also GFOA's best practice on *Sustainability, 2002.*
- See also GFOA's best practice on *Business Preparedness and Continuity Guidelines, 2005.*
- See also GFOA's best practice on *Appropriate Level of Unreserved Fund Balance in the General Fund, 2002.*

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