

Attachment C – Research Memoranda Prepared for the Commission

The following memos were developed at the Commission’s request during fact-finding and are included in this attachment in chronological order.

1. *Statutes Governing Lake County Board Chair and County Executive Options*, July 11, 2017
2. *Lake County Board Chair Role and Responsibilities*, August 17, 2017. Appendix 1: “Lake County Rules of Order and Operational Procedures,” December 12, 2017
3. *State of Illinois Board Sizes and Structures*, August 17, 2017
4. *Lake County Prior Referenda on Elected Officers*, August 17, 2017
5. *Prior Lake County Governmental Study Commission Reports (Revised)*, October 1, 2017. Appendix 1: “Lake County Governmental Study Commission First Year Report,” April 12, 1977. Appendix 2: “Lake County Governmental Study Commission II Report, July 1, 1990.”
6. *Multi-Member District Options*, September 13, 2017
7. *Comparison of County Board Chair Duties*, September 7, 2017
8. *County Independent Redistricting Commissions*, December 1, 2017
9. *Collar County Comparison*, December 20, 2017



To: Hon. Fred Foreman, Chair, Lake County Government Reform and Accountability Commission
Hon. Kathy Ryg, Vice Chair, Lake County Government Reform and Accountability Commission

From: Kevin Knutson, Regional Vice President, Management Partners
Sam Lieberman, Senior Management Advisor, Management Partners

Subject: Statutes Governing the Options for County Chair in Illinois

Date: July 11, 2017

After the June 21, 2017 Lake County Government Reform and Accountability Commission meeting, you requested background information on the options available for election of the County's board chair. This memorandum details the three options afforded Lake County by the Constitution of the State of Illinois and Illinois Compiled Statutes (ILCS) for electing a county board chair or county executive. The three options are 1) a chair elected by the county board members from among the county board members, 2) a chair directly elected by the voters of the county, or 3) a county executive directly elected by the voters of the county.

The statutes governing these options (see Appendix) are limited by the county's form of government (township, commission, or county executive), the county's population (less than or greater than 3,000,000), and whether it is Cook County or not. Lake County is currently a township form of government with a population less than 3,000,000. The Lake County Board Chair is currently elected by the board members from among themselves.

Board Chair Elected by County Board Members

Article VII, §3 of the Illinois State Constitution establishes the creation of county boards to be elected by the voters of each county (subsection (a)) and tasks the Illinois General Assembly with the creation of laws for electing those board members (subsection (b)). As is currently the case in Lake County, ILCS Chapter 55, Division 2-1, Section 2-1003 (55 ILCS §5/2-1003) allows for the county chair and vice-chair to be elected by the county board members from among the board members for two-year terms. Unless subsequently changed, this structure is the default for counties with a township form of government.

The duties and powers of the county board chair are established by the orders, resolutions, and regulations set by the county board members. Generally, the day-to-day activities of the county are managed by a county administrator in both board-elected and voter-elected county board chair options.

Board Chair Directly Elected by County Voters

55 ILCS §5/2-3002 tasks each county with developing a reapportionment plan every ten years to ensure that each member of the county board represents the same number of inhabitants. The reapportionment plan decides on the number of county board members, whether those board members are elected in single-member districts, multi-member districts, or at-large districts, and whether voters get cumulative voting rights. Similarly, a citizen-led advisory referendum that tackles these issues may be placed on the ballot if it receives the signatures of at least 8% of the number of voters who voted in the most recent gubernatorial election.

While crafting the reapportionment plan, county board members may modify the election of the board chair from being elected by the board members from among themselves to having the voters directly elect a board chair, as allowed by 55 ILCS §5/2-3007. In this instance, the board chair would serve a four-year term and may not simultaneously be a board member. The duties and powers of the directly elected county board chair are established by the orders, resolutions, and regulations set by the county board members.

County Executive Form of Government

Article VII, §4 of the Illinois State Constitution allows that counties may directly elect a chief executive officer (subsection (a)) who would serve a four-year term (subsection (c)). The ILCS (55 ILCS §5/2-5004) establishes the rules for creating a county executive form of government. A county may only establish a county executive form of government through a referendum approved by voters. Such a referendum may be initiated by the county board members or by a citizen-led petition that receives the signatures of the lesser of 2% of registered voters or 500 registered voters (55 ILCS §5/2-5005). In 55 ILCS §5/2-5015, the county executive form of government supersedes the board chair form of government. The duties and powers of the county executive are established by 55 ILCS §5/2-5009, including the responsibility to “coordinate and direct by executive order or otherwise all administrative and management functions of the county government except the offices of elected county officers.”



Appendix: Relevant Illinois Constitution Sections and Illinois Compiled Statutes

Illinois Constitution

Article VII Local Government

SECTION 2. COUNTY TERRITORY, BOUNDARIES AND SEATS

- a) The General Assembly shall provide by law for the formation, consolidation, merger, division, and dissolution of counties, and for the transfer of territory between counties.
- b) County boundaries shall not be changed unless approved by referendum in each county affected.
- c) County seats shall not be changed unless approved by three-fifths of those voting on the question in a county-wide referendum.

SECTION 3. COUNTY BOARDS

- a) A county board shall be elected in each county. The number of members of the county board shall be fixed by ordinance in each county within limitations provided by law.
- b) The General Assembly by law shall provide methods available to all counties for the election of county board members. No county, other than Cook County, may change its method of electing board members except as approved by county-wide referendum.
- c) Members of the Cook County Board shall be elected from two districts, Chicago and that part of Cook County outside Chicago, unless (1) a different method of election is approved by a majority of votes cast in each of the two districts in a county-wide referendum or (2) the Cook County Board by ordinance divides the county into single member districts from which members of the County Board resident in each district are elected. If a different method of election is adopted pursuant to option (1) the method of election may thereafter be altered only pursuant to option (2) or by county-wide referendum. A different method of election may be adopted pursuant to option (2) only once and the method of election may thereafter be altered only by county-wide referendum.

SECTION 4. COUNTY OFFICERS

- a) Any county may elect a chief executive officer as provided by law. He shall have those duties and powers provided by law and those provided by county ordinance.
- b) The President of the Cook County Board shall be elected from the County at large and shall be the chief executive officer of the County. If authorized by county ordinance, a person seeking election as President of the Cook County Board may also seek election as a member of the Board.
- c) Each county shall elect a sheriff, county clerk and treasurer and may elect or appoint a coroner, recorder, assessor, auditor and such other officers as provided by law or by county ordinance. Except as changed pursuant to this Section, elected county officers



shall be elected for terms of four years at general elections as provided by law. Any office may be created or eliminated and the terms of office and manner of selection changed by county-wide referendum. Offices other than sheriff, county clerk and treasurer may be eliminated and the terms of office and manner of selection changed by law. Offices other than sheriff, county clerk, treasurer, coroner, recorder, assessor and auditor may be eliminated and the terms of office and manner of selection changed by county ordinance.

- d) County officers shall have those duties, powers and functions provided by law and those provided by county ordinance. County officers shall have the duties, powers or functions derived from common law or historical precedent unless altered by law or county ordinance.
- e) The county treasurer or the person designated to perform his functions may act as treasurer of any unit of local government and any school district in his county when requested by any such unit or school district and shall so act when required to do so by law.



Illinois Compiled Statutes (ILCS) Chapter 55 Counties

Division 2-1. Counties under Township Organization

(55 ILCS 5/2-1003)

Sec. 2-1003. Chairman and vice-chairman of county board.

The county board shall, unless the chairman is elected by the voters of the county, at its first meeting in the month following the month in which county board members are elected, choose one of its members as chairman for a term of 2 years and at the same meeting, choose one of its members as vice-chairman for a term of 2 years. The vice-chairman shall serve in the place of the chairman at any meeting of the county board in which the chairman is not present. In case of the absence of the chairman and the vice-chairman at any meeting, the members present shall choose one of their number as temporary chairman.

(Source: P.A. 86-962.)

Division 2-3. Reapportionment of County for Election of County Board

(55 ILCS 5/2-3001)

Sec. 2-3001. Definitions.

As used in this Division, unless the context otherwise requires:

- a. "District" means a county board district established as provided in this Division.
- b. "County apportionment commission" or "commission" means the county clerk, the State's Attorney, the Attorney General or his designated representative and the chairmen of the county central committees of the first leading political party and the second leading political party as defined in Section 1-3 of The Election Code.
- c. "Population" means the number of inhabitants as determined by the last preceding federal decennial census.
- d. "Member" or "board member" means a person elected to serve on the county board.

(Source: P.A. 86-962.)



(55 ILCS 5/2-3002)

Sec. 2-3002. Counties with population of less than 3,000,000 and with township form of government.

- a) Reapportionment required. By July 1, 1971, and each 10 years thereafter, the county board of each county having a population of less than 3,000,000 inhabitants and the township form of government shall reapportion its county so that each member of the county board represents the same number of inhabitants. In reapportioning its county, the county board shall first determine the size of the county board to be elected, which may consist of not less than 5 nor more than 29 members and may not exceed the size of the county board in that county on October 2, 1969. The county board shall also determine whether board members shall be elected at large from the county or by county board districts.
- b) If the chairman of the county board is to be elected by the voters in a county of less than 450,000 population as provided in Section 2-3007, such chairman shall not be counted as a member of the county board for the purpose of the limitations on the size of a county board provided in this Section.
- c) Advisory referenda. The voters of a county may advise the county board, through an advisory referendum, on questions concerning (i) the number of members of the county board to be elected, (ii) whether the board members should be elected from single-member districts, multi-member districts, or at-large, (iii) whether voters will have cumulative voting rights in the election of county board members, or (iv) any combination of the preceding 3 questions. The advisory referendum may be initiated either by petition or by ordinance of the county board. A written petition for an advisory referendum authorized by this Section must contain the signatures of at least 8% of the votes cast for candidates for Governor in the preceding gubernatorial election by the registered voters of the county and must be filed with the appropriate election authority. An ordinance initiating an advisory referendum authorized by this Section must be approved by a majority of the members of the county board and must be filed with the appropriate election authority. An advisory referendum initiated under this Section shall be placed on the ballot at the general election designated in the petition or ordinance.



(Source: P.A. 93-308, eff. 7-23-03.)

(55 ILCS 5/2-3003)

Sec. 2-3003. Apportionment plan.

- 1) If the county board determines that members shall be elected by districts, it shall develop an apportionment plan and specify the number of districts and the number of county board members to be elected from each district and whether voters will have cumulative voting rights in multi-member districts. Each such district:
 - a. Shall be substantially equal in population to each other district;
 - b. Shall be comprised of contiguous territory, as nearly compact as practicable; and
 - c. May divide townships or municipalities only when necessary to conform to the population requirement of paragraph a. of this Section.
 - d. Shall be created in such a manner so that no precinct shall be divided between 2 or more districts, insofar as is practicable.
- 2) The county board of each county having a population of less than 3,000,000 inhabitants may, if it should so decide, provide within that county for single member districts outside the corporate limits and multi-member districts within the corporate limits of any municipality with a population in excess of 75,000. Paragraphs a, b, c and d of subsection (1) of this Section shall apply to the apportionment of both single and multi-member districts within a county to the extent that compliance with paragraphs a, b, c and d still permit the establishment of such districts, except that the population of any multi-member district shall be equal to the population of any single member district, times the number of members found within that multi-member district.
- 3) In a county where the Chairman of the County Board is elected by the voters of the county as provided in Section 2-3007, the Chairman of the County Board may develop and present to the Board by the third Wednesday in May in the year after a federal decennial census year an apportionment plan in accordance with the provisions of subsection (1) of this



Section. If the Chairman presents a plan to the Board by the third Wednesday in May, the Board shall conduct at least one public hearing to receive comments and to discuss the apportionment plan, the hearing shall be held at least 6 days but not more than 21 days after the Chairman's plan was presented to the Board, and the public shall be given notice of the hearing at least 6 days in advance. If the Chairman presents a plan by the third Wednesday in May, the Board is prohibited from enacting an apportionment plan until after a hearing on the plan presented by the Chairman. The Chairman shall have access to the federal decennial census available to the Board.

- 4) In a county where a County Executive is elected by the voters of the county as provided in Section 2-5007 of the Counties Code, the County Executive may develop and present to the Board by the third Wednesday in May in the year after a federal decennial census year an apportionment plan in accordance with the provisions of subsection (1) of this Section. If the Executive presents a plan to the Board by the third Wednesday in May, the Board shall conduct at least one public hearing to receive comments and to discuss the apportionment plan, the hearing shall be held at least 6 days but not more than 21 days after the Executive's plan was presented to the Board, and the public shall be given notice of the hearing at least 6 days in advance. If the Executive presents a plan by the third Wednesday in May, the Board is prohibited from enacting an apportionment plan until after a hearing on the plan presented by the Executive. The Executive shall have access to the federal decennial census available to the Board.

(Source: P.A. 96-1540, eff. 3-7-11; 97-986, eff. 8-17-12.)

(55 ILCS 5/2-3004)

Sec. 2-3004. Failure to complete reapportionment.

If any county board fails to complete the reapportionment of its county by July 1 in 2011 or any 10 years thereafter or by the day after the county board's regularly scheduled July meeting in 2011 or any 10 years thereafter, whichever is later, the county clerk of that county shall convene the county apportionment commission. Three members of the commission shall constitute a quorum, but



a majority of all the members must vote affirmatively on any determination made by the commission. The commission shall adopt rules for its procedure.

The commission shall develop an apportionment plan for the county in the manner provided by Section 2-3003, dividing the county into the same number of districts as determined by the county board. If the county board has failed to determine the size of the county board to be elected, then the number of districts and the number of members to be elected shall be the largest number to which the county is entitled under Section 2-3002.

The commission shall submit its apportionment plan by October 1 in the year that it is convened, except that the circuit court, for good cause shown, may grant an extension of time, not exceeding a total of 60 days, within which such a plan may be submitted.

(Source: P.A. 96-1540, eff. 3-7-11.)

(55 ILCS 5/2-3005)

Sec. 2-3005. Filing of apportionment plan.

The apportionment plan developed by the county board or the county apportionment commission, as the case may be, must be filed in the office of the county clerk by the time required by this Division. The county clerk shall promptly forward copies of that plan to the chairman of the county board and shall keep other copies of the plan available for distribution free of charge to any registered voter of the county requesting a copy.

(Source: P.A. 86-962.)

(55 ILCS 5/2-3006)

Sec. 2-3006. Failure to file apportionment plan; election of board members at large.

If no apportionment plan is filed with the county clerk as required by this Division, the members of the county board shall be elected at large in the county. If the county board has determined the number of members for the board, that number shall be elected; otherwise, the number of members to be elected shall be the largest number to which the county is entitled under Sections 2-3002 and 2-3002.5.

(Source: P.A. 91-933, eff. 12-30-00.)

(55 ILCS 5/2-3007)

Sec. 2-3007. Chairman of county board; election and term.

Any county board when providing for the reapportionment of its county under this Division may provide that the chairman of the county board shall be elected by the voters of the county rather



than by the members of the board. In that event, provision shall be made for the election throughout the county of the chairman of the county board, but in counties over 3,000,000 population no person may be elected to serve as such chairman who has not been elected as a county board member to serve during the same period as the term of office as chairman of the county board to which he seeks election. In counties over 300,000 population and under 3,000,000 population, the chairman shall be elected as chairman without having been first elected to the county board. Such chairman shall not vote on any question except to break a tie vote. In all other counties the chairman may either be elected as a county board member or elected as the chairman without having been first elected to the board. Except in counties where the chairman of the county board is elected by the voters of the county and is not required to be a county board member, whether the chairman of the county board is elected by the voters of the county or by the members of the board, he shall be elected to a 2 year term. In counties where the chairman of the county board is elected by the voters of the county and is not required to be a county board member, the chairman shall be elected to a 4 year term. In all cases: (i) the term of the chairman of the county board shall commence on the first Monday of the month following the month in which members of the county board are elected, and (ii) no person may simultaneously serve as a member of a county board and the chairman of the same board if the office of chairman is elected by the voters of the county rather than by the members of the board.

(Source: P.A. 99-924, eff. 1-20-17.)



Division 2-5. County Executive Form of Government

(55 ILCS 5/2-5001)

Sec. 2-5001. Subtitle.

This Division shall be subtitled the "County Executive Law".

(Source: P.A. 86-962.)

(55 ILCS 5/2-5002)

Sec. 2-5002. Legislative determination.

It is declared as a matter of legislative determination that in order to promote the health, safety, morals and welfare of the public it is necessary in the public interest to provide for an elected county executive form of county government in accordance with Sections 4(a) and 6(a) of Article VII of the 1970 Illinois Constitution, and to permit counties which become home rule units by adopting an elected form of county executive government to simultaneously, pursuant to Section 6(b) of Article VII of the 1970 Illinois Constitution, elect not to be home rule units by referendum.

(Source: P.A. 86-962.)

(55 ILCS 5/2-5003)

Sec. 2-5003. Definitions.

As used in this Division, unless the context requires otherwise:

- a) "County board" or "board" means the governing body of any county other than Cook County which has adopted the county executive form of government under this Division.
- b) "County executive" means the county official elected by the voters of any county other than Cook County to be the chief executive officer to administer the county executive form of government under this Division.
- c) "County executive form of government" means that form of government in which the departments of county government are administered by a single county official called the county executive elected at large by the qualified voters of the county. The board shall act as the legislative body of the county under this form of county government.

(Source: P.A. 86-926.)

(55 ILCS 5/2-5004)

Sec. 2-5004. Establishment of county executive form of government.



Any county other than Cook County may establish the county executive form of government for that county by submission to and approval by the electors of the county of the proposition at a referendum as provided in Section 2-5005. A referendum to adopt the county executive form of government may be called by a resolution adopted by the county board of the county or by the filing of a petition as provided in Section 2-5005.

(Source: P.A. 86-962.)

(55 ILCS 5/2-5005)

Sec. 2-5005. Referendum on resolution of county board.

- a) If the county board adopts a resolution calling for a referendum on the proposal to adopt the county executive form of government and home rule for the county, within the time provided in the general election law, the county clerk and the county board shall provide for the submission of such proposition to the electors of the county in accordance with this Section at the next general election held in an even-numbered year.

Upon filing of a petition with the clerk of the circuit court of the county within the time provided in the general election law signed by at least 2% of the registered voters in the county or 500 individuals, whichever is less, requesting that the county executive form of government be established in the county, the clerk of the circuit court shall transmit the petition to the chief judge of the circuit court who shall determine the sufficiency of the petition or shall assign the determination of the sufficiency of the petition to a circuit judge who shall make the determination. If the judge determines that the petition is sufficient, he shall certify the sufficiency of the petition and shall issue an order directing the county clerk and the county board to provide for the submission of such proposition to the electors of the county at the next general election held in an even-numbered year.

The referendum shall be conducted in such a manner as is prescribed in the general election law.

The proposition shall be in substantially the following form:

Shall the County of become a Home Rule County and establish the county executive form of government?



YES
NO

- b) If the county board adopts a resolution calling for a referendum on the proposal to adopt the county executive form of government and elect not to be a home rule unit within the time provided in the general election law, the county clerk and the county board shall provide for the submission of such proposition to the electors of the county in accordance with this Section at the next general election held in an even-numbered year.

Upon filing of a petition with the clerk of the circuit court of the county within the time provided in the general election law signed by at least 2% of the registered voters in the county or 500 individuals, whichever is less, requesting that the county executive form of government be established in the county and that the county elect not to be a home rule unit, the clerk of the circuit court shall transmit the petition to the chief judge of the circuit court who shall determine the sufficiency of the petition or shall assign the determination of the sufficiency of the petition to a circuit judge who shall make the determination. If the judge determines that the petition is sufficient, he shall certify the sufficiency of the petition and shall issue an order directing the county clerk and the county board to provide for the submission of such proposition to the electors of the county at the next general election held in an even-numbered year.

The referendum shall be conducted in such a manner as is prescribed in the general election law.

The proposition shall be in substantially the following form:

Shall the County of..... adopt the county executive form of government and elect not to become a home rule unit?

YES
NO

- c) If a majority of the voters voting on the proposition described in subsection (a) or (b) vote in favor of it, the board shall proceed to establish the county executive form of government in accordance with this Division. A referendum under this Section may be held in a county only once within any 23-month period.



(Source: P.A. 86-962; 86-1028.)

(55 ILCS 5/2-5006)

Sec. 2-5006. Election of chief executive officer.

The electors of a county which has adopted the county executive form of government under this Division shall, at the next general election, and at the general election every 4 years subsequent, elect a chief executive officer. Nominations for the office of chief executive officer shall be made in the manner provided for other county officers in the general election law. The election of the chief executive officer shall be governed by the provisions of the general election law applicable to the election of county officers.

(Source: P.A. 86-962.)

(55 ILCS 5/2-5007)

Sec. 2-5007. Term of county executive.

The county executive shall serve a term of 4 years, commencing on the first Monday in the month following the month of his election and until his successor is elected and qualified.

(Source: P.A. 86-962.)

(55 ILCS 5/2-5008)

Sec. 2-5008. Qualifications of county executive.

The qualifications for the office of county executive are the same as those for membership on the board. However, the county executive shall not be an elected member of the county board.

(Source: P.A. 86-962.)

(55 ILCS 5/2-5009)

Sec. 2-5009. Duties and powers of county executive.

Any county executive elected under this Division shall:

- a) see that all of the orders, resolutions and regulations of the board are faithfully executed;
- b) coordinate and direct by executive order or otherwise all administrative and management functions of the county government except the offices of elected county officers;
- c) prepare and submit to the board for its approval the annual budget for the county required by Division 6-1 of this Code;
- d) appoint, with the advice and consent of the board, persons to serve on the various boards and commissions to which



- appointments are provided by law to be made by the board;
- e) appoint, with the advice and consent of the board, persons to serve on various special districts within the county except where appointment to serve on such districts is otherwise provided by law;
 - f) make an annual report to the board on the affairs of the county, on such date and at such time as the board shall designate, and keep the board fully advised as to the financial condition of the county and its future financial needs;
- (f-5) for a county executive of a county that has adopted the executive form of government on or before the effective date of this amendatory Act of the 96th General Assembly, appoint, with the advice and consent of the board, all department heads for any county departments;
- g) appoint, with the advice and consent of the board, such subordinate deputies, employees and appointees for the general administration of county affairs as considered necessary, except those deputies, employees and appointees in the office of an elected county officer; however, the advice and consent requirement set forth in this paragraph shall not apply to persons employed as a member of the immediate personal staff of a county executive of a county that has adopted the executive form of government on or before the effective date of this amendatory Act of the 96th General Assembly;
 - h) remove or suspend in his discretion, after due notice and hearing, anyone whom he has the power to appoint;
 - i) require reports and examine accounts, records and operations of all county administrative units;
 - j) supervise the care and custody of all county property including institutions and agencies;
 - k) approve or veto ordinances or resolutions pursuant to Section 2-5010;
 - l) preside over board meetings; however, the county executive is not entitled to vote except to break a tie vote;
- (l-5) for a county executive of a county that has adopted the executive form of government on or before the effective date of this amendatory Act of the 96th General Assembly,



- if the County Executive is temporarily not available to preside over a board meeting, the County Executive shall designate a board member to preside over the board meeting;
- m) call a special meeting of the county board, by a written executive order signed by him and upon 24 hours notice by delivery of a copy of such order to the residence of each board member;
 - n) with the advice and consent of the county board, enter into intergovernmental agreements with other governmental units;
 - o) with the advice and consent of the county board, negotiate on behalf of the county with governmental units and the private sector for the purpose of promoting economic growth and development;
 - p) at his discretion, appoint a person to serve as legal counsel at an annual salary established by the county board at an amount no greater than the annual salary of the state's attorney of the county;
 - q) perform such other duties as shall be required of him by the board.

(Source: P.A. 96-1540, eff. 3-7-11.)

(55 ILCS 5/2-5010)

Sec. 2-5010. Approval of ordinances.

Any ordinance passed, adopted or otherwise enacted by the board shall before it becomes effective be presented to the county executive. If the county executive approves such ordinance, resolution or motion, he shall sign it; if not, he shall return it to the board with his objections, which shall be entered and spread upon the journal, and the board shall proceed to reconsider the matter. If after such reconsideration 3/5 of the members of the board pass such ordinance, it shall become effective on the date prescribed but not earlier than the date of passage following reconsideration. In all such cases the votes of the members of the board shall be determined by ayes and nays and the names of the members voting for or against such ordinance objected to by the county executive shall be entered and spread upon the journal. If any ordinance is not returned by the county executive to the board at its first meeting occurring not less than 6 days, Sundays excepted, after it has been presented to him, it shall become



effective unless the board has recessed or adjourned for a period in excess of 60 days, in which case it shall not become effective without his approval. Items of appropriation may be approved or vetoed by the county executive. Any item approved by the county executive and all items not vetoed shall become law, and any item vetoed shall be returned to and reconsidered by the board in the same manner as provided in this Section for other ordinances returned to the board without approval.

(Source: P.A. 86-962.)

(55 ILCS 5/2-5011)

Sec. 2-5011. Death, resignation or inability of county executive.

In case of the death, resignation or other inability of the county executive to act, the board shall select a person qualified under Section 2-5008 and Section 25-11 of the Election Code to serve as the interim county executive until the next general election.

(Source: P.A. 96-1540, eff. 3-7-11.)

(55 ILCS 5/2-5012)

Sec. 2-5012. Salary of county executive.

The salary of the county executive shall be fixed by the board and shall be not less than 1 1/2 times the amount of the compensation to which a member of the board is entitled.

(Source: P.A. 86-962.)

(55 ILCS 5/2-5013)

Sec. 2-5013. Discontinuance of county executive form of government.

Any county which has adopted the county executive form of government may discontinue that form of government only as provided in this Section. The board upon receipt of a petition, not less than 78 days before a general election, calling for discontinuance of the county executive form of government and signed by a number of registered voters of the county equal to or greater than 5% of the number who voted in the last regular election held in the county at which county officers were elected shall provide by resolution for submission of the proposition for discontinuance to the electors of the county at the next general election. The board shall certify the resolution and the proposition to the proper election officials who shall submit the proposition at the next general election in accordance with the general election law. The proposition shall be in substantially the following form:



Shall the County of discontinue the county executive form of government and (if a home rule county) become a nonhome rule county?

YES

NO

If a majority of the voters voting on the proposition vote in favor of discontinuance of the county executive form of government, the office of county executive shall be abolished as of the first Monday in December following the holding of the election and the board elected in the county shall meet, organize and resume the conduct of the affairs of the county wholly as the county board. A referendum under this Section may be held in any county only once within any 47-month period.

(Source: P.A. 86-962.)

(55 ILCS 5/2-5015)

Sec. 2-5015. Superseding plan for election of county board chairman.

The adoption of the county executive form of government by any county pursuant to this Division shall supersede any plan adopted by the county board of that county pursuant to Section 2-3007, as now or hereafter amended, for the election of the chairman of the county board by the voters of the county.

(Source: P.A. 86-962.)

(55 ILCS 5/2-5016)

Sec. 2-5016. Policy concerning exercise of powers by counties.

It is the policy of this State that any county with a chief executive officer elected by the electors of the county may (1) exercise any power and perform any function pertaining to its government and affairs, or (2) exercise those powers within traditional areas of county activity, except as limited by the Illinois Constitution or a proper limiting statute, notwithstanding effects on competition. It is the intention of the General Assembly that the "State action exemption" to the application of federal antitrust statutes be fully available to counties to the extent their activities are authorized by law as stated herein.

(Source: P.A. 86-962.)



Division 4-1. Classification of Counties

(55 ILCS 5/4-1001)

Sec. 4-1001. Counties classified.

For the purpose of fixing the fees and compensation of county and township officers in this State, the several counties therein are hereby divided into 3 classes, according to population as ascertained by the most recent Federal Census, which classes shall be known as the first, second and third, as follows:

Counties containing a population of not exceeding 25,000 inhabitants shall be known as counties of the first class.

Counties containing a population over 25,000 and not exceeding 1,000,000 shall be known as counties of the second class.

Counties containing a population exceeding 1,000,000 shall be known as counties of the third class.

The fees and compensation of the several officers hereinafter named, shall be as provided by law in the respective classes of the counties to which they belong.

(Source: P.A. 86-962.)

All ILCS Chapter 55 articles:

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ChapterID=12&ActID=750>



Management Partners



To: Hon. Fred Foreman, Chair, Lake County Government Reform and Accountability Commission
Hon. Kathy Ryg, Vice Chair, Lake County Government Reform and Accountability Commission

From: Kevin Knutson, Regional Vice President, Management Partners
Susan Hoyt, Special Advisor, Management Partners

Subject: Lake County Board Chair Role and Responsibilities

Date: August 17, 2017

After the July 19, 2017 Lake County Government Reform and Accountability Commission, you requested background information on the Lake County Board Chair's role and responsibility. This memorandum summarizes the Chair's roles and responsibilities.

The Chair of the Board is elected by peers on the County Board for a two-year term.

The Illinois Constitution Article VII Section 4 (d) states that the duties of the County Board Chair are defined through local orders, resolutions and regulations. In Lake County the Chair of the Board's roles and responsibilities are identified in the Lake County Rules of Order and Operational Procedures (included as Appendix 1). These are reviewed and adopted every two years, simultaneously with electing a new County Board Chair and Strategic Plan. No significant changes have been made to these rules in the past fifteen years.

The Chair's responsibilities under the County Rules of Order and Operational Procedures are as follows:

- Is an ex-officio of all committees and may participate in the discussion and deliberations of the committees, but may only vote in the case of a tie or to make a quorum (III A; XVII C5).
- Presides over all County Board meetings (III B).
- Serves as the Liquor Control Commissioner for unincorporated areas (III D).
- Adds committee items deemed time sensitive with the concurrence of the Committee Chair (X C).
- Authorizes the addition of recognition and/or items of extraordinary significance to the Agenda (X D).
- Executes contracts (XI F).

- May authorize requests for a legal opinion from the state's attorney (XV A)
- Established ad hoc and special committees subject to majority approval by the Board (XVI A)
- Establishes standing committees and appoints the Chair, Vice-Chair and members subject to majority approval by the Board (XVII A1)
- May deem the appointment of a Member of the minority political party(ies) to a standing committee impractical (XVII A3).
- May appoint additional members to a standing committee subject to the majority approval of the Board (XVII 5).
- Authorizes changes in standing committee assignments (XVII A4).
- Is an ex-officio member of all standing committees and may participate in the discussion, deliberations, but vote to break ties or to constitute a quorum (XVII C5).
- Presents appointments to all other boards, commissions, districts and other authorities (over 300 appointees to 70+ units of government). (XVIII A).
- Determines extra hours for selected departments (XIX A).
- Appoints an interim County Administrator in the event of a vacancy in the County Administrator subject to approval by the majority of the Board (XXI G).

Additional responsibilities include:

- Serves on the Lake County Partners Board of Directors; leads and provides oversight and economic development strategies.
- Serves on regional groups (CMAP)

Collar County Comparison of Chair Responsibilities

As Table 1 shows, three of the four collar counties have the voters directly elect the Chair of the Board for four years (length of term is statutory). Lake County is the only county that has the Board elect its Chair.

Table 1. Collar County Comparison of Chair Responsibilities

Lake County	DuPage	McHenry	Will
County Board Elected Chair	Countywide Elected Chair	Countywide elected Chair	Countywide elected Executive (only 1 in Illinois; 1988)
Every 2 years	Every 4 years	Every 4 years	Every 4 years
Duties set by County Board through orders, resolutions, and regulations (Article VII Section 4 (d) 1970 Constitution)	Duties set by County Board through orders, resolutions, and regulations (Article VII Section 4 (d) Illinois Constitution)	Duties set by County Board through orders, resolutions and regulations. (Article VII Section 4 (d) Illinois Constitution)	Coordinate and direct by executive order or otherwise all administrative and management functions of the county except of elected officers. (55ILCS 5/2-5009)



Lake County	DuPage	McHenry	Will
Presides over meetings, appoints committee members and ad hoc and special committees subject to board approval, ex officio member on all standing committees	Serves as chief executive officer; schedules meetings, presides over board meetings, prepares proposed budget, appoints committee and chair assignments	Presides over meetings; sets agenda, sets Committee agendas in coordination with County Administrator	Responsible for day to day operations including oversight of 26 departments; preparing proposed budget and annual report
County Administrator oversees day to day operations	County Administrator is Chief Operating Officer Department heads report to CEO through County Administrator	County Administrator oversees operations and prepares proposed budget	Elected County Executive serves administrative functions



Appendix 1 – Lake County Rules of Order and Operational Procedures





Board Rules of Order and Operational Procedures Public Comment

The County Board Parliamentarian shall manage the public comment section of the agenda and review speaker requests; call upon speakers at the appropriate time, and enforce the rules governing public comment.

Items that are on the agenda	Items that are not on the agenda
<p>Complete yellow “Public Comment Card” and provide it to parliamentarian seated at the left side of the dais. Be sure to indicate agenda item number or provide a description of the topic.</p> <p>The Board Chair will recognize the individual printed on card and direct the speaker to approach the podium.</p> <p>Individual comment is limited to three (3) minutes. The parliamentarian will notify the speaker when the three minutes have expired and speakers can view the timing device at the podium.</p> <p>The parliamentarian may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to County Board business, or promotes or supports a candidate for public office, or is political in nature.</p>	<p>Complete yellow “Public Comment Card” and provide to parliamentarian seated at the left side of the dais. Be sure to provide a description of the topic.</p> <p>If the parliamentarian deems the topic is germane to County Board business and <u>not</u> redundant, or political, he/she will recognize the individual printed on card and direct the speaker to approach the podium.</p> <p>Individual comment is limited to three (3) minutes. The parliamentarian will notify the speaker when the three minutes have expired and speakers can view the timing device at the podium.</p> <p>The parliamentarian may limit or preclude comment which is repetitive, redundant, cumulative, or irrelevant to County Board business, or promotes or supports a candidate for public office, or is political in nature.</p>

General Information

- When appropriate, matters raised by public comment shall be referred to the appropriate Standing Committee.
- Persons addressing the Board shall refrain from commenting about the private activities, lifestyles, or beliefs of others, including County employees and elected officials, that are unrelated to the business of the County Board or County government. Also, speakers should refrain from comments or conduct that is uncivil, rude, vulgar, profane or otherwise disruptive. Any person engaging in such conduct shall be requested to leave the meeting. The Parliamentarian may also prohibit the individual from addressing the Board at future meetings.
- Candidates for public office wishing to address the Board under Public Comment must refrain from making comments that are political in nature or that promote or

support a candidate. This includes refraining from identifying oneself as a candidate for public office.



To: Hon. Fred Foreman, Chair, Lake County Commission on Government Reform and Accountability
Hon. Kathy Ryg, Vice Chair, Lake County Commission on Government Reform and Accountability

From: Kevin Knutson, Regional Vice President, Management Partners
Sam Lieberman, Senior Management Advisor, Management Partners

Subject: State of Illinois Board Sizes and Structure

Date: August 17, 2017

Management Partners researched the 22 most populous counties in Illinois to understand their forms of government, whether the board chair is elected or appointed, whether there is an elected county executive, and what is the size of the board.

As Table 1 shows, each of the 22 most populous counties operates under the township form of government except Cook County, which is a home rule county. Half of the researched counties have a board chair that is elected by the board while nine counties have a directly elected board chair. Two of the researched counties, Will and Champaign, have a directly elected county executive. The board sizes range from 10 to the state-allowed maximum of 29 and the average is 23 members.

Table 1. Illinois County Form of Government, Board Chair, and Board Size

County	County seat	Population ¹	Form of Government	Board Chair	Board Size
Cook County	Chicago	5,194,675	Home Rule	Elected by Voters	17
DuPage County	Wheaton	916,924	Township	Elected by Voters	17
Lake County	Waukegan	703,462	Township	Elected by Board	21
Will County	Joliet	677,560	Township	County Executive	26
Kane County	Geneva	515,269	Township	Elected by Voters	24
McHenry County	Woodstock	308,760	Township	Elected by Voters	24
Winnebago County	Rockford	295,266	Township	Elected by Voters	20
St. Clair County	Belleville	270,056	Township	Elected by Voters	29
Madison County	Edwardsville	269,282	Township	Elected by Voters	29
Champaign County	Urbana	201,081	Township	County Executive	22

County	County seat	Population ¹	Form of Government	Board Chair	Board Size
Sangamon County	Springfield	197,465	Township	Elected by Board	29
Peoria County	Peoria	186,494	Township	Elected by Board	18
McLean County	Bloomington	169,572	Township	Elected by Board	20
Rock Island County	Rock Island	147,546	Township	Elected by Board	25
Tazewell County	Pekin	135,394	Township	Elected by Voters	21
Kendall County	Yorkville	114,736	Township	Elected by Board	10
LaSalle County	Ottawa	113,924	Township	Elected by Voters	29
Kankakee County	Kankakee	113,449	Township	Elected by Board	28
Macon County	Decatur	110,768	Township	Elected by Board	21
DeKalb County	Sycamore	105,160	Township	Elected by Board	24
Vermilion County	Danville	81,625	Township	Elected by Board	27
Adams County	Quincy	67,103	Township	Elected by Board	21

¹ 2010 Population from the US Census Bureau





To: Hon. Fred Foreman, Chair, Lake County Commission on Government Reform and Accountability
Hon. Kathy Ryg, Vice Chair, Lake County Commission on Government Reform and Accountability

From: Kevin Knutson, Regional Vice President, Management Partners
Sam Lieberman, Senior Management Advisor, Management Partners

Subject: Lake County Prior Referenda on Elected Officers

Date: August 17, 2017

To provide some background about the history of attempted changes to Lake County's government structure Management Partners researched *Chicago Tribune* articles to understand the context for why the changes were suggested and why they were accepted or rejected by voters. This research was limited to reporting conducted by *Chicago Tribune* journalists and opinion writers. Lake County voters in 1978 abolished the elected auditor position in favor of an appointed finance director, voted down a referendum in 1988 to transition to a county executive form of government, and similarly voted down two measures in 1990 that would have abolished the elected coroner and recorder positions in favor of appointed professionals.

Elimination of the Elected County Auditor

In 1978 a group of citizens who organized under the name "Concerned Citizens for Low Cost County Government" initiated a referendum to eliminate the county auditor's position in favor of an appointed official to assume those duties. The purported reasoning for the referendum was to lower the cost of county government and to fill the auditor role with a professional finance director rather than an elected politician.

The election of November 8, 1978 saw William H. Smith, Republican candidate for county auditor win the position over his opponent by 21,000 votes. However, on the same ballot, voters in Lake County abolished the elected county auditor position in favor of an appointed finance director by a margin of over 23,000 votes.

Failed County Executive Referendum

In 1988 the Republican Party led a petition drive to allow voters to decide whether to change the Lake County form of government to directly elect a county executive. This would have made Lake County the first to have a county executive in the State of Illinois.

The proposal was met with opposition from various groups including the Democratic Party, which feared they would have less power than they already did in a heavily Republican county at the time. Other Republican board members feared that having a county executive would limit their power on the board. Ultimately the League of Women Voters, after forming a task force to study the issue, recommended that voters not approve the change because they worried state law at the time placed too much power in an executive and there wouldn't be enough checks and balances from the legislative branch of county government.

The opposition by such disparate groups was too much to overcome and the measure was ultimately defeated by a two-to-one margin.

Attempted Elimination of the Elected County Coroner and Recorder

In 1990 the Lake County Study Commission, which was tasked with making recommendations to the board about elected offices and the structure of Lake County government, recommended that the county coroner and county recorder become appointed, professional positions rather than elected office holders. The Lake County Board at the time, while not taking a position on the specific recommendations, believed they should put forward the recommendations of the Lake County Study Commission to the voters and the question of whether to abolish the coroner and recorder as elected positions was put on the ballot.

Similar to the 1978 measure to abolish the county auditor position, proponents of eliminating the coroner and recorder as elected officials believed the jobs could be better performed by professionals appointed to those positions. Opponents of the measure, which included the elected coroner and recorder, argued that appointees by the board would be just as political as elected officials. The measure was soundly defeated by two-to-one margins largely because of the opposition from the popularly elected coroner and recorder.





To: Hon. Fred Foreman, Chair, Lake County Commission on Government Reform and Accountability
Hon. Kathy Ryg, Vice Chair, Lake County Commission on Government Reform and Accountability

From: Kevin Knutson, Regional Vice President, Management Partners
Susan Hoyt, Special Advisor, Management Partners

Subject: Prior Lake County Governmental Study Commission Reports (Revised)

Date: October 1, 2017

Lake County has a history of studying the efficiency and accountability of its governance. Under the leadership of County Board Chair Norman Geary, the Board established the first Lake County Governmental Study Commission in 1976 (provided as Appendix 1) and a second one in 1989 (provided as Appendix 2). The work of both Lake County Study Commissions is relevant to today's governance and operations. However, it is the second Commission's (Commission II) work that closely parallels the charge given to today's Commission on Government Reform and Accountability and it will be the primary focus of this report.

The First Lake County Governmental Study Commission

The 1977 Lake County Study Commission's report recommendations focused on moving to professional management (the first Illinois County to do so). The recommendations included consolidating departments, establishing a Board of Elections, contracting for election services, and expanding the Board focus to policy and future planning. Now these recommendations are largely in place, with the exception that Lake County provides election services to other local governments rather than contracting these services for its own elections.

The Lake County Governmental Study Commission II

The 1990 Lake County Study Commission II's report made recommendations in five areas: the size of the Board, Board elections by district, County chair election, whether to appoint the recorder and coroner, and whether to have a county executive. Table 1 below shows the Commission's recommendations and the outcomes.

Table 1. Lake County Governmental Study Commission II Recommendations and Outcomes

Recommendation	Outcome and 2017 Status
County Board have 15 members; (was 24 at the time)	Never went to 15 members; has varied with redistricting; was as low as 19 members in 1991 and is currently 21 members
Elect Board members by single district	In place now; was implemented through redistricting
Chairman be elected at large with duties in local ordinance	Chairman remains elected by the Board every two years; duties are in local ordinance
Appoint Recorder	Failed in 1990 Referendum YES: 34,454 - NO: 74,370; currently elected
Appoint Coroner	Failed in 1990 Referendum YES: 36,866 - NO: 73,359; currently elected
Appoint District Clerk of Courts	Not pursued by County Board
NOT adopt a County Executive form of government (without home rule charter)	Retained County Administrator Adopting the County Executive form of government lost in a 1988 referendum; YES: 22,999 - NO: 48,037

Parallels between the Lake County Governmental Study Commission II and the 2017 Lake County Commission on Government Reform and Accountability

Both the Lake County Governmental Study Commission II and the 2017 Lake County Commission on Government Reform and Accountability were asked to study the size of the county board and how the county board chair is elected. The 1990 Commission was asked to review if commissioners should be elected from multimember districts, which were in place at the time, or single member districts. The 2017 Commission was also asked to review the redistricting process.

The Lake County Governmental Study Commission II report includes the rationale for its recommendations about the size of the county board and the method of electing the board chair. Understanding this rationale may help inform the current Commission's work. The principles for the rationale included greater visibility, economy, efficiency, accountability, accessibility to constituents and continuity of leadership. The actual rationale statements follow.



Rationale to reduce the size of the County Board from 24 members to 15 members

(Excerpted from page 33 of the 1990 Lake County Study Commission II Report)

- Fewer Board Members offer greater representative visibility to the electorate;
- One person, one vote is maintained with a smaller board;
- Greater efficiency can be achieved in terms of legislative policy making; and
- Increased political accountability will be fostered.

Rationale to elect the Chairman of the County Board At-Large

(Excerpted from page 33-34 of the 1990 Lake County Study Commission II Report)

- The Chairman elected at-large is more visible and has a broader perspective as the leader of the county government because he/she is elected county-wide;
- The powers and duties of a Chairman elected at-large will be succinctly enumerated in an ordinance to be passed by the County Board; and
- The term of four years promotes greater elected leadership continuity for the county government structure.

Rationale to elect the County Board by Districts

(Excerpted from page 33 of the 1990 Lake County Study Commission II Report)

- Election by districts is legally in concert with the one person, one vote doctrine of the U. S. Supreme Court;
- Election by districts more accurately reflects the variable character of Lake County
- Single member districts will promote involvement in county government by a broad and divergent spectrum of interests
- Single member districts will allow for optimum citizen input; provide for maximum accountability; and promote creative new solutions to increasingly complex public policy problems;
- Single member districts provide the best avenue to elect minority groups to the County Board; and
- Single member districts promote greater independence of the individual board member.



Appendix 1 – 1976 Lake County Governmental Study Commission





LAKE COUNTY
GOVERNMENTAL STUDY COMMISSION
FIRST YEAR REPORT

APRIL 12, 1977



LAKE COUNTY GOVERNMENTAL STUDY COMMISSION
FIRST YEAR REPORT
OF
FINDINGS AND RECOMMENDATIONS

Submitted To:
The Lake County Board
April 12, 1977

LAKE COUNTY GOVERNMENTAL STUDY COMMISSION (312) 689-6655



Mr. Sidney Danoff, Chairman
c/o Midland Division
The Dexter Corporation
East Water Street
Waukegan, Illinois 60085

Mrs. Madeleine Fuqua, Vice-Chairman
1936 Ash Street
Waukegan, Illinois 60085

Mr. George R. Bell
Mrs. Millicent Berliant
Sister Margaret Burke
Mr. John Fornell
Mr. William Thompson
Mr. Edward Zelesnik
Mrs. Preston Heigren
Mr. Dwight A. Magalia
Mr. William Mertlicher
Mr. Ulysses S. Range, Jr.
Rev. Roland Showalter
Mrs. Grace Mary Stern

April 12, 1977

TO: Mr. Norman C. Geary, Chairman
Lake County Board

FROM: Mr. Sidney Danoff, Chairman
Lake County Governmental Study Commission

RE: Transmittal of Study Commission's First
Year Report

Mr. Chairman and Members of the County Board:

The Lake County Governmental Study Commission has completed its first year of study relative to the operation of Lake County government. Our findings and recommendations are described in the Report which follows. The Report is organized in three sections; an introduction, a description of the county's organizational needs; and specific recommendations aimed at fulfilling those needs.

We were most pleased to have conducted this analysis. We found many positive aspects relative to the operation of Lake County Government; we also found areas that need improvement. Specifically we have recommended:

1. The appointment of a full-time, professional Administrator for Lake County;
2. The formalization of Staff Advisory Groups;

3. The possible consolidation of taxation departments;
4. The investigation of the feasibility of establishing a Lake County Board of Election Commissioners and contracting for the county-wide conduct of elections;
5. The relocation of the Public Works Department to Libertyville and the possible consolidation of the Public Works and Highway Departments;
6. The consolidation of health services departments;
7. The implementation of concepts presented in the Financial Management System Proposal of March, 1976;
8. The expansion of the County Board's capacity for planning, innovation and leadership; and
9. The reorientation of the Standing Committees toward providing more emphasis on planning and policy-making.

The detailed recommendations follow, including the rationale therefor.

Implementation of these changes will be a major undertaking. The Commission is prepared to assist the Board in this regard in whatever manner you may direct.

It has been a pleasure working with you, the Board, and members of the many departments. We appreciate the thoughtful cooperation extended to us at every level. We wish to extend a special thanks to Mr. Bill Barron who has given invaluable assistance as the Commission's resource person.

We stand ready to assist you and the Board in implementing these recommendations and shall begin our second year's work immediately.

Respectfully yours,



Sidney Danoff, Chairman
Lake County Governmental
Study Commission

I

INTRODUCTION

On February 10, 1976, the Lake County Board created the Lake County Governmental Study Commission. The Commission was established as a result of the Lake County Management Improvement Training Program held in July of 1975. At that seminar, Lake County officials recognized Lake County as a rapidly growing, urban county experiencing pressure from local, state and federal levels of government to expand and modernize services. While Lake County has been recognized as a leader among counties for management, it was felt by those present that there was a noticeable absence of a county-wide planning and programming process which impedes the county from keeping pace with an ever increasing demand for services.

Thus, the Board established the Study Commission and charged it with the two year task of analyzing the functions and roles of the County Board and its related departments. The following report represents the results of one year's work by the Commission. Specifically, it addresses the first year topics as charged by the County Board and makes recommendations regarding:

1. The possibility of consolidating and/or re-organizing Lake County Governmental Departments;
2. The desirability of a Lake County Administrator;

3. The possibility of restructuring and/or altering jurisdictional responsibilities of the Lake County Board Committee system; and
4. The scope of the Lake County Board's functions.

The Study Commission has worked diligently over the past year. The members have spent many hundreds of man hours in meetings, in information gathering, and in the formulation of proposal recommendations. The Commission has proven to be a hard-working, dedicated, cohesive group. This gives positive testimony to the wisdom of the County Board's selections.

The recommendations that follow are presented in an effort to provide for a unified policy direction for Lake County Government. The Commission feels that given the capability for county-wide administrative planning and functional coordination, Lake County will be in a much better position to manage and set priorities with regard to service needs within an environment of inflationary fiscal resources.

The essence of what the Commission has sought to provide the Board is the practical means to improve county government within the limits of what is realistic and probable. The recommendations are, moreover, aimed at starting to come to grips with the growing problems of local interdependence; accepting a greater political and

and administrative responsibility while at the same time relying on the inherent strength of local government; and attempting to achieve an acceptable level of structural adjustment necessary to provide Lake County constituents with desired service results.

The Commission presents to you our recommendations in the spirit that we feel the Board desires: that change aimed at improving local government must occur for the better as the result of a cooperative and thoughtful effort on the part of both local officials and the public.

II

SUMMARY OF FINDINGS

The Lake County governmental structure is presently supported by employees who are adequately serving the needs of Lake County residents. With the growth of the county, however, these needs are becoming increasingly complex. The County now finds itself involved in issues related to health care, transportation planning, sewer and solid waste disposal, law enforcement, open space development, and many other fields, all of which have major impact on the future character of the county and each of which has enormous financial implications.

To deal effectively with all of these issues the County Board must be freed from some of its present involvement in operational details and given increased time and staff support for long-range planning and innovative program implementation and evaluation. Presently, the County Board functions both as a Legislative and Executive Body. It is responsible for all governmental functions that are normally divided between an executive and a legislative body in typical democratic organizational forms. Such functions include the the creation and adoption of laws, ordinances and regulations; the establishment of policy; the enforcement of policy, laws, ordinances and regulations; and administration of county

operations (often to the most minute clerical details).

The Chairman of the Board has limited executive/administrative powers. This environment is not conducive to program continuity, and does not provide for the latitude or level of authority required for effective leadership. Moreover, there is no centralized mechanism between monthly Board meetings to carry out consistently the Board's decisions and policies. The coordination, direction, and control of the Standing Committees and the operating departments is performed, of necessity, by the Board as a group. A 25 member body is less than well-suited to such a massive administrative role. Further, follow-up and implementation of the Board's action are, in many cases, fragmented and unclear, and thus the time for making decisions is prolonged.

The present County Board Standing Committee structure is adequate, but organizational procedural changes are needed for maximum effectiveness. Those members who do not sit on the Financial and Administrative Committee have little access to the overall operational profile of the County. They are often channeled into a narrow view of the overall functions of County government because standing committees, for the most part, function independently of each other despite areas of common concern. In addition to absenteeism, few organizational and procedural devices exist to

assist the Board committees with their duties which are currently characterized by inconsistent recordkeeping procedures and an excessive amount of routine paperwork.

There exists a minimal level of on-going communications between the Standing Committees, county departments and other governmental units. It is unclear throughout the County structure who sets goals and priorities for the overall operation of the government or even if such goals and priorities exist. Programs and program objectives are for the most part non-existent, especially as they relate to long-range financial planning and budgeting.

The present budget process places excessive demands on the Financial and Administrative Committee. The budget document is essentially a one-year document which is prepared in a three to four month period. As Lake County's service levels and programs become more sophisticated and involve larger dollar outlays, more professional budget planning and administration will be required.

Throughout the County structure, optimum use is not being made of existing administrative and technical competence. This has arisen from the lack of coordinating common problems and a lack of interdepartmental communication (especially within functional areas of County Government). The common characteristics of the present departmental environment at Lake County could include:

1. Decentralized control and accountability;
2. Decentralized coordination in terms of an overall administrative direction;
3. Duplication of effort;
4. Independent operating enclaves;
5. Inefficient utilization of resources; and
6. Varying management responsibilities and procedures (especially between elected and non-elected department heads).

In summary, the Commission feels that Lake County government is indeed fortunate to have the benefit of many dedicated and energetic personnel at all levels of the structure. In many respects the Commission believes that Lake County is far ahead of other Illinois counties. Yet there remains sufficient room for organizational and procedural improvement.

There needs to be increased attention given to innovation and planning at the County Board level. The government structure needs a head; full-time, day-to-day administrative management should be a reality at Lake County. The Standing Committee system must begin to function more effectively. Specifically, more emphasis should be placed on policy-making and long-range planning and less committee activity dedicated to routine operational matters.

Greater communication within the structure at all levels is required if a unified direction to the government is to be achieved. Departments must be given broader latitude to participate in the overall direction of the government and not be bound to their own enclaves without accountability and without prospects for coordination and assistance from within.

Recommendations aimed at effecting positive changes for the improvement of Lake County Government are described in the section which follows.

III.

RECOMMENDATIONS

This section will propose specific recommendations for the improvement of Lake County government. They are based on the Commission's findings cited in the previous section of this document as well as the four areas of investigation assigned by the County Board. In some instances the Commission has chosen to make specific comments regarding the urgency of proposed actions. In other instances we have recommended further research be forthcoming prior to a definite decision by the Board.

The Commission is aware that the Board may have already treated some of these recommendations. They are offered once again in a context that may lend greater credence and emphasis to their merit at this time.

Recommendations regarding:

COUNTY ADMINISTRATOR

1. In order to give continuity and on-going transition support to the elected County government and to allow the County Board the opportunity to play its proper and more significant policy and legislative role, the Commission recommends that a full-time professional Administrator for Lake County be appointed by the County Board.

Rationale:

- a. Presently the County Board Chairman's duties, powers and authority are limited by law.
- b. The establishment of a central administrative mechanism will provide the proper means for policy recommendations to flow smoothly through the system for coordinated legislative decision-making at the full County Board level.
- c. Present resources and staff can be effectively utilized to support an Administrator. It is anticipated that the only additional direct expense of this recommendation would be the salary and fringe benefits for the Administrator.
- d. The County Administrator position, by its accessibility and capacity for liaison activity, could afford greater citizen satisfaction; avert future costs, and significantly enhance the County's management effectiveness; and
- e. Illinois Revised Statutes authorize County Boards to employ, appoint, or contract for services of such clerical, stenographic and pro-

professional personnel for the members of the County Board, the committees of the board and the chairman of the board as the board finds necessary or desirable to conduct the business of the county, and to fix the compensation of and pay for the services of such personnel.

- 2.** It is further recommended that the Department of Management Services, the Office of the States Attorney and the Director of Personnel be charged by the County Board to draft an ordinance and job description to establish said position of Lake County Administrator. (A sample, not necessarily a recommended sample, of a job description for such a position is offered in Appendix I.)

Rationale:

- a.** Such an ordinance would provide for the clear definition of the Administrator's responsibilities which might include:
- (i) Supervisory responsibility over all departments under the jurisdiction of the County Board; and
 - (ii) Budget preparation and recommendations relative to financial planning and capital improvements.
- b.** In so establishing the above assignments, the Administrator will have a clear mandate to assist the County Board Chairman and serve as liaison between the County Board Chairman, Elected Officials, County Board Committees and other governmental bodies. He should have broad discretionary authority in administrative areas and bring continuity to the County Government.

Recommendations regarding:

CONSOLIDATING OR REORGANIZING COUNTY DEPARTMENTS

- 3.** It is recommended that the County Board, by resolution or ordinance, formalize staff Advisory Groups for each functional area of Lake County Government, including Financial, Public Service, Law & Judicial, Health, and Taxation.

Rationale:

Such formalized organization for the county's department heads will provide for better utilization of the administrative and technical competence within the county structure; upgrading of the coordination of common departmental problems for timely solution; and maximization of interdepartmental communication.

- 4.** It is also recommended that the County Board mandate each Advisory Group to operate under uniform operating procedures to be set by the Board. It is also recommended that an existing county employee from a department represented on each Advisory Group be appointed by the Board to act as a coordinator of the group's activities.

Rationale:

In this manner each department's concerns, problems and responsibilities can be coordinated with all departments within the respective functional area of government and to the applicable Standing Committee, the County Board or

a possible County Administrator. A coordinated system of Advisory Groups so established and manned would afford the reality of overall planning and monitoring of each governmental area with coordination and reporting to top management.

5.

It is recommended that the County Board seek legal advice to assure the propriety of consolidating the Map Department, the Tax Extension Department and the Supervisor of Assessments into a centralized tax administration department. If such a reorganization is possible the Commission recommends its accomplishment under a single coordinator and that a clerical pool for tax processing activities for such a consolidated department be established by the County Board.

Rationale:

- a. The present management of the 186,000 parcel real property system is the responsibility of six separate departments and costs \$1 million annually. The present environment is characterized by decentralized control and accountability that is not conducive to overall system coordination nor timeliness. Many of these departments accomplish similar activities, often requiring the same information at different times during the tax cycle.
- b. The present system is in need of improvement to upgrade coordination, increase communications, eliminate duplication, and level out sporadic work cycles.

6. It is recommended that the County Board initiate further study in order to determine the feasibility of establishing a Lake County Board of Election Commissioners for the conduct of elections and the administration of voters registration (as authorized by Illinois Revised Statutes).

Rationale:

- a. Present administration for the conduct of elections and voters registration is vested in a single party; a single elected official. Such a mechanism as a Board of Election Commissioners may allow for greater objectivity and more comprehensive coverage of elections county-wide.
 - b. The County Board is authorized by law to establish, by ordinance, a County Board of Election Commissioners to assume all voters system responsibility presently the charge of the County Clerk.
 - c. Detailed study is needed to establish the cost effectiveness of such a proposal; the degree of increased efficiency, if any; and the methodology for accomplishing such a Board.
7. It is recommended that the County Board determine if there is a need for legislation that would allow Illinois Counties to enter into intergovernmental agreements with other taxing entities for the purpose of conducting their elections.

Rationale:

The prospect of county-wide consolidation of elections would provide for increased efficiency, reduced costs, and more effective utilization of existing tax supported election resources throughout Lake County.

- 8.** It is recommended that the Public Works Department be physically relocated to Libertyville with the Highway Department. Moreover, it is felt that detailed analysis must be accomplished by the County Board to establish the feasibility of consolidating the administration of these departments to improve the utilization of resources and enhance long-range program planning. (The Commission is unsure of the methodology in consolidating two departments operating under separate revenue structures.)

Rationale:

- a.** The services provided by the Public Works and Highway Departments benefit, in most cases, the same users residing in the unincorporated areas of the County. Presently they operate independently and there would seem to be a need for purposeful interaction and overall planning;
- b.** There is a significant potential for these two departments to share existing resources such as manpower, equipment and facilities; and
- c.** Location in Libertyville offers central proximity to the serviced areas. This allows for more timely delivery of services and greater accessibility to the system users.

9. It is recommended that greater emphasis be placed by the County Board in offering the services of the Highway Department; the Public Works Department; the Department of Planning, Zoning and Environmental Quality; and the Building and Zoning Department through intergovernmental service agreements. Further, it may be feasible to establish special service areas for selected operations of the combined Highway-Public Works function.

Rationale:

Self-explanatory.

10. It is recommended that the Health Clinics and Winchester House be placed under the management and jurisdiction of the Lake County Health Department and Health Board. It is further recommended that the County Board submit a referendum to the voters to eliminate the Tuberculosis Sanitorium levy. If successful, this will place the management of the Tuberculosis Clinic under the jurisdiction of the Health Board.

Rationale:

- a. Presently the County Board provides appropriations in excess of \$8 Million annually for health services. These services are provided through four separate agencies and under the jurisdiction of three separate boards;

- b. Consolidation of these agencies would provide for continuity of management, improved service delivery, more efficient utilization of health resources, reduced costs, and a coordinated structure whereby health care programs could be evaluated and priorities determined on a county-wide basis.

11. The Commission feels that the existing Financial Management System Proposal authored by the Management Services Department and presented to the Financial and Administrative Committee on March 31, 1976 has presented the basic research designed to better the county's financial environment. This study has adequately addressed the problems of the present system and has outlined concepts designed to upgrade it. We therefore recommend the implementation of the concepts presented in this study specifically as they relate to upgrading the present financial system.

Rationale:

So noted in the Financial Management System Proposal.

Recommendations regarding:

THE COUNTY BOARD; THE SCOPE OF ITS FUNCTIONS AND THE
COMMITTEE SYSTEM

- 12.** It is recommended that the Lake County Board expand its capacity for planning, innovation and leadership.

Rationale:

The present Lake County structure demands the preoccupation of the Board with operating matters, thus limiting the time available for anticipating the planning for future needs. The Board must be freed from some of its operating and administrative responsibilities while retaining essential control and expanding its capacity for more innovative planning and county leadership.

- 13.** It is recommended that the standing committees place more emphasis on the planning and policy-making role and less emphasis on operational matters.

Rationale:

The present standing committee structure is adequate, but organizational and procedural changes are needed to maximize effectiveness. An organizational entity is needed to coordinate Committee activities at a level just below the full Board (i.e., County Administrator). Individual committees need to apportion and schedule more time for planning instead of directing supervising operations. Means must be provided for coordinating the planning activities of committees working in related fields.

Foreseen are the Standing Committees initiating studies, through appropriate staff or by public hearings, to develop factual bases for policy

decisions. In this manner, the expertise of knowledgeable professionals and the viewpoints of concerned citizens and groups could be brought to the service of the Board. Moreover, public hearings, could be held by the various Committees to discover the needs and interests of their constituency as they relate to the development of long-range plans in the specific areas of Committee jurisdiction. It would seem advantageous for the County Board to meet as a Committee-of-the Whole at regular intervals for the sole purpose of long range planning. This would provide an excellent forum for each committee to present the fruits of its hearings, deliberations and evaluations.

APPENDIX I

EXAMPLE JOB DESCRIPTION

COUNTY ADMINISTRATOR

POSITION CODE:

SPECIFICATION NO.

DISTINGUISHING FEATURES OF WORK

This single position class performs responsible work of considerable difficulty and complexity at the highest level. Position functions as the Chief Administrative Officer for the County. Work involves the performance of all administrative duties vested in or assigned to the Lake County Board by law or by intergovernmental agreement. Supervision is directly given to administrative officers performing support services. Administrative direction is given to all operating departments and agencies under the direct jurisdiction of the County Board. Work is performed in accordance with the authorizing Board Resolution and according to policy guidance and directives from the Lake County Board and its respective committees. Work performance is evaluated by the County Board on the basis of results achieved.

ILLUSTRATIVE EXAMPLES OF WORK:

1. Provide for the execution of all ordinances and resolutions of the County Board and all laws of the State subject to enforcement by him or by officers who are under his direction and supervision.
2. Prepare and submit to the County Board for approval an administrative code incorporating the details of administrative procedure for the operation of the County and review such code and suggest revisions periodically or as requested by the County Board.
3. Furnish the County Board with information concerning the operations of County departments, boards, or commissions necessary for the Board to exercise its powers.
4. Prepare and submit to the County Board an annual budget and long-range expenditure program, along with a financial plan for raising revenue, and administer the provisions of the budget adopted by the County Board.

5. Keep the County Board fully advised as to the financial condition and needs of the County and make such other reports from time to time as required by the County Board or as the incumbent deems necessary.

6. Attend meetings of the County Board, take part in discussions, and recommend measures for adoption.

7. Appoint qualified administrative personnel to assist in the performance of his duties, and suspend and remove such personnel.

8. Act as principal liaison between the County Board and all other departments, boards, and commissions.

9. Coordinate the administration of departments and agencies under the direct jurisdiction of the Board.

10. Represent the County in the transaction of its business and work with elected and appointed officials in the financing and operation of the County government.

11. Serve as representative of the Board in communications with autonomous County officers and boards and with other Federal, State, and local government agencies.

12. Regularly inform the Board concerning Federal and State legislation, including grants and other forms of revenue affecting County government.

13. Assist the Board Chairman in the preparation of the County Board meeting agendas, attend or be represented at County Board committee meetings and furnish requested information as required.

14. Research and recommend the establishment and modification of County policies.

15. Perform investigations, studies and surveys ordered by the Board or deemed necessary by the Administrator.

16. Evaluate job performance of appointed department heads and report findings and recommendations to appropriate Board Committees, screen applicants and recommend candidates for an appointed department head position to the appropriate Board committees.

17. Carry into execution such other powers and duties as may be prescribed from time to time by the Board.

REQUIRED SKILLS, KNOWLEDGE AND ABILITIES

1. Requires skills, knowledge, abilities, and mental development equivalent to completion of a master's degree in public or business administration from a university of recognized standing, and five years of responsible administrative experience, or any equivalent extensive progressive professional administrative experience which provides the required skills, knowledge, and abilities.
2. Requires comprehensive knowledge of the principles and practices of public administration as they relate to Illinois' Counties.
3. Requires extensive knowledge of the principles and practices of public personnel administration, purchasing, financial management, and the applications of data processing as an effective tool of management.
4. Requires extensive knowledge of local, State and Federal legislation affecting County government.
5. Requires extensive knowledge of the social, economic, and political facets of County government operation.
6. Requires demonstrated ability in effectively planning, promoting, and administering the operations of a large and complex organization.
7. Requires the ability to plan and supervise the activities of professional, technical, and clerical support staff.
8. Requires the ability to prepare and review the preparation of complex management and financial reports.
9. Requires the ability to present information clearly and in an interesting manner to elected officials and the general public.
10. Requires the ability to establish and maintain satisfactory working relationships with staff personnel, community and board officials, other elected officials, and State and Federal representatives.
11. Requires the ability to deal calmly and fairly with conflict and questions.
12. Requires good judgment and good physical condition.

MEMBERS OF

THE LAKE COUNTY GOVERNMENTAL STUDY COMMISSION

Sidney Danoff, Chairman
Vice President, Operations
Midland Division, Dexter Corporation
Waukegan

Madeleine M. Fuqua, Vice Chairman
President of the Lake County League of Women Voters
Waukegan

Roland L. Showalter, D.D.
Pastor, First Presbyterian
Church
Libertyville

Sister Margaret Burke
Barat College Development
Coordinator
Lake Forest

George R. Bell
Lake County Board Member
Mundelein

Roger Slood
Lake County Personnel Director
Mundelein

Helen Helgren
Gurnee

John M. Fornell
Wildwood

Grace Mary Stern
Lake County Clerk
Highland Park

Stanley Pekol
Lake County Board Member
Waukegan

Dwight A. Magalis, Director
Lake County Department of
Management Services
Waukegan

William L. Thompson
Lake County Regional
Superintendent of Schools
Libertyville

William Merzlicker, President
American Federation of
Teachers, Unit District 60
Waukegan

Millicent Berlant of Deerfield
Former member of Lake County Board
Served with Commission through
December, 1976.

Appendix 2 – 1989 Lake County Governmental Study Commission II



7/10/90

611030

Agenda Item # 4

**FINAL REPORT
OF
THE
LAKE COUNTY GOVERNMENTAL STUDY COMMISSION II**



JULY 1, 1990

611031

**FINAL REPORT
OF
THE
LAKE COUNTY GOVERNMENTAL STUDY COMMISSION II**



JULY 1, 1990

611032



July 1, 1990

The Honorable Norman C. Geary
Chairman Lake County Board
18 N. County Street
Waukegan, IL 60085

Dear Chairman Geary:

The Lake County Governmental Study Commission II has completed its work. On behalf of all the Commission Members, I am pleased to transmit to you and Members of the County Board our final report. Our findings and recommendation are detailed in this report. The document is simply organized in three chapters: a brief introduction; followed by a comprehensive summary of the Commission's findings; and finally the Commission's detailed recommendations with corresponding rationale.

We are pleased to have conducted this analysis. The Commission has addressed all of the areas that the Board requested be investigated in the February 14, 1989 Commission enabling Resolution. Specifically, the Commission has recommended:

1. That the size of the County Board be reduced from twenty-four to fifteen Members;
2. That the County Board be elected from single member districts;
3. That the Chairman of the Board be elected at-large by the voters with specific duties to be outlined by local ordinance;
4. That the elected Offices of Recorder of Deeds, Coroner, and Circuit Court Clerk be made appointed. In this regard, the Commission has also recommended that the County Board place all three of these questions on the 1990 General Election Ballot; and
5. That the County Executive form of government (without home rule) not be adopted by Lake County.

The Commission is very aware of the sensitivity of these recommendations. The Commission is also aware that their implementation will depend in large measure on the thoughtful cooperation of both the elected and appointed County officials and the citizens of Lake County.

611033

I.

INTRODUCTION

On February 14, 1989, the Lake County Board created the Lake County Governmental Study Commission II. The Commission was established as a result of Lake County Board Committee work that pointed to the necessity and the appropriateness of the Board beginning preparations for its upcoming reapportionment.

There are critical issues facing Lake County during the decade of the 1990's. The Board established the Commission and charged it with the year long task of compiling, analyzing and assimilating relevant information regarding the following topics:

1. Illinois County Reapportionment law;
2. Election of the County Board - by districts or at-large;
3. Chairmanship of the County Board;
4. Size of the County Board;
5. Appropriateness/desirability of reducing selected elected County officials; and
6. Appropriateness/desirability of the County Executive form of government (without home rule).

It is intended that the information compiled by the Commission will provide the Board with an excellent starting point to begin its reapportionment process.

The Commission has taken a broad based approach to gathering information for its analysis. At its August, 1989 meeting the Commission directed Lake County staff to provide them with relevant, diversified, and objective input on the topics assigned for their review. The work program undertaken by the Commission has been enthusiastic and comprehensive.

Members of the Commission have been given presentations, learned readings and, as available, current treatment of all their assigned topics. The information has been provided from three planned perspectives: national, state and local. In each instance discussions and presentations regarding Commission

issues were held with "experts" in county government. The presenters included elected county officials, appointed county officials, practitioners, and academicians from various parts of the nation; from the State of Illinois; and from within Lake County. All presentations and resultant discussions were thought provoking and stimulating and provided the Members of the Commission with valuable information with which to formulate their positions and render their recommendations.

In addition to providing for their own required information needs, the Commission, under the auspices of the County Board, helped promote, organize, and ultimately co-sponsor (along with Governor's State University), a major state-wide conference on County Government Modernization in Northeast Illinois. This is believed to be the first conference of its kind to be held in over a decade in the Chicago metropolitan area.

As with the first Lake County Governmental Study Commission (1977-78), the Lake County Governmental Study Commission II has worked diligently during the past year. The Members have spent many hours in meetings, listening to learned presentations, studying appropriate readings, and in debating and formulating their proposed recommendations. The Commission has proven to be a diligent, hard working, and cohesive group.

The recommendations that follow are intended to provide the County Board with guidance to improve the structure and thereby the performance of county government. The Commission is cognizant of the sensitivity of some of these issues. The Commission is equally cognizant of the changes that are taking place in Lake County and the need to optimize the ability of county government to respond appropriately to these changes.

It is the position of the Commission that the time is particularly auspicious for the County Board to respond by shaping a more effective county

government structure.

We make these recommendations within the same context as that of the first Study Commission in 1978: that Lake County government, more than ever before, must seek greater local self-determination as envisioned by the Local Government Article of the 1970 Illinois Constitution.

The Study Commission's recommendations attempt to present possible directions that Lake County might take toward implementation of greater local government flexibility as foreseen by implementation of the 1970 Constitution. We view these recommendations as a means of practical improvement. Their implementation will require considerable cooperation among County officials. However, the Commission feels strongly that we are building upon the existing strengths and available resources of the current political and structural framework of Lake County government.

Having appointed the Commission, and enabled us accordingly, the impetus for positive change is possible. Thus, we present to you our recommendations in the spirit that we feel the County Board has anticipated: that changes aimed at improving local government must occur for the better as a result of cooperation and thoughtful interaction on the part of both local elected officials and the public.

II.

SUMMARY OF FINDINGS

The Lake County Governmental Study Commission II feels that its recommendations will be vital to reshaping Lake County government. We have brought our collective knowledge, background, and experience to bear on this important task. We have assumed that there are no pre-conceived, "right" answers and that there is no "built-in bias" relative to our assignment. Finally, we have assumed that there are high expectations on the part of the County Board regarding our work and that serious consideration for the positive change contained in our recommendations will be forthcoming.

The County Board placed before the Commission issues for study and recommendation that will greatly impact the upcoming reapportionment process and thereby the essential structure of Lake County government for the next decade and beyond.

We feel that our recommendations will provide the Board with sound direction for modernizing county government for the future. The responsibilities and demands on Lake County government will continue to increase. This county is much more than a residual body of government providing those services not provided by other local units. Indeed, Lake County is an active governmental force in the community providing for the health, safety, and general welfare of a burgeoning citizenry.

Increasingly, the county finds itself in the position where it is the central planning, organizing and/or coordinating body for area-wide, intergovernmental service delivery efforts.

The Commission has heard from some who claim that in its present structural mode, counties may not be able to appropriately meet these

challenges. It is said, that a government to deal with critical contemporary future issues must be organized for the task. Such reorganization involves changes in the governmental structure the Commission feels are embodied in those issues which we have examined.

Certainly the breadth and depth of our research into each issue will not have pointed to all of the viable directions that can be taken to achieve the goal of a better Lake County government. Yet we feel that we will have posed important options for the County Board to act upon.

Notwithstanding the many modern administrative innovations that have been made by the Lake County Board since the adoption of the 1970 Illinois Constitution, the Commission feels that the general fragmented system of local governments in Illinois still poses a major potential obstacle to democratic government in the urban areas. The need for local jurisdictions capable of dealing with area-wide problems; guiding the development of land and use of natural and human resources; and assuring the delivery of adequate public services is still very real. It is our county government, modernized in structure and strengthened in authority, that offers the greatest hope of fulfilling this need.

In the remainder of this chapter we will present the issues which have led to our recommendations presented in Chapter III.

REORGANIZATION AND REAPPORTIONMENT

For Lake County in 1990 prospects for major structural reorganization are inexorably intertwined with the 1990 census and the upcoming reapportionment process.

It therefore becomes important to provide a brief overview of the topic of reapportionment generally, and the topic of reapportioning Illinois county government specifically.

The general legal principles of reapportionment and redistricting that apply uniformly throughout the United States are grounded in the U.S. Constitution. Both Article I, Section 2 and the Fourteenth Amendment state that members of the House of Representatives shall be apportioned among the states by population based on the decennial census. In addition, the Fourteenth Amendment's guarantee of equal protection of the laws has been invoked by the U.S. Supreme Court in carrying reapportionment to the State and local governmental levels.

One of the central issues of reapportionment has been the application of the equal population principle (one person-one vote) to all levels of government. For local government, the U.S. Supreme Court has held that local governing bodies exercising general governmental powers or certain special limited powers must be elected in conformity with the equal population rule.

One person-one vote implies that representative districts must be apportioned with substantially equal population, therefore granting equal representation on the legislative body.

The Illinois Legislature has established this population equality requirement for county board districts with the passage of the 1969 County Board Reapportionment Act (Il. Rev. Stat., Chapter 34, Sections 831-840). It is this statute that necessitates our redistricting following the availability of decennial census information in late 1990 or early 1991.

Other than population equality, the Illinois law has established two other criteria relating to the composition of the reapportioned districts: that the districts be comprised of contiguous territory (as nearly as compact

as practicable) and that the districts divide townships and municipalities only when necessary to conform to the equal population requirement.

These limitations, however, comprise only one dimension of reapportioning the county board. The Reapportionment Act also mandates that the county board determine:

1. The size of the County Board (from no less than 5 to a maximum of 29 members);
2. The type and number of county board districts (single member or multi-member) if election by districts is the chosen method;
3. The method of election of the Chairman of the Board (by the voters or by the members of the board); and
4. The type and amount of compensation for the members of the Board and the Chairman.

These issues are the central focus of the county board related matters that the Commission is charged to examine.

It is clear to the Commission that the process of County Board reapportionment offers an appropriate opportunity for reorganizing the overall structure of the Lake County government. In our analysis we have found that the size of the board, its method of representation, and the leadership selection process may indeed have a significant impact on the efficiency and effectiveness of the governmental structure. And, while electing versus appointing certain county officials and the elected county executive (without home rule) are issues not directly part and parcel of the reapportionment process, the Commission feels that their consideration during this time is critical if comprehensive structural reorganization is desired.

COUNTY STRUCTURE AND GOVERNMENTAL CHANGE

American counties have sought to alter their form and structure for a number of reasons. The specific causes of, or preconditions for, county reorganization are usually complex and often difficult to pinpoint. However, studies have shown that there are certain common factors that tend to facilitate county reorganizations. Among the most important are state law, population, politics and so-called "catalytic events."

Obviously state law must be flexible enough to allow restructuring to take place. County reorganizations, either locally initiated or mandated by the state, may only be accomplished in accordance with the state constitution and/or legislative enactments.

Counties that attempt and/or succeed at structural reorganization tend to be densely populated, urbanized, and more than likely affluent, with high revenues and expenditures per capita. Many counties attempting reorganization have experienced substantial population growth resulting in unmet urban service needs.

The traditional political climate found in a given state has certainly influenced the type and level of county reorganization activity. For example, a strong home rule tradition means that more local county reorganization efforts may be likely to take place, more often. In other states, the state may have to mandate restructuring before it becomes a reality.

Except where state mandated reorganization exists, more than likely there will be a perceived need for change on the part of county officials or the local citizenry. Sometimes support for change may only be developed over an extended period of time. However, a political event, a local problem, or a crisis may serve as a catalyst to precipitate county reorganization.

One of the most perplexing issues running throughout the phenomenon of county restructuring in America is the question of the relationship between governmental structure and governmental effectiveness; does changing the structural form of government necessarily lead to increased governmental effectiveness? Researchers have concluded that structural changes have, more often than not, affected the pattern of influence of various groups on local policy making. In other words, the specific structure adopted by a government helps to establish behavior patterns and attitudes toward authority and the exercise of authority, thus affecting the overall governmental decision-making process.

Counties in America have evolved from simple territorial divisions to revitalized local governmental entities delivering area-wide urban services. This evolution has taken many shapes and forms. The Commission has concluded that the restructuring and reorganization of county government does not fit into neat, exact patterns. County reorganization is a dynamic political process. However, reorganization usually reflects a growing recognition of the importance of strengthened and revitalized county government. This was the case in 1976 when the Lake County Board established the first Governmental Study Commission. It is the case today in Lake County albeit in a different context.

THE EMERGING ILLINOIS URBAN COUNTY

Although major legal reforms foreseen for Illinois counties by the 1970 Constitutional Convention have remained largely unrealized, significant changes have been taking place nevertheless. County boards in the 1970's in many areas of the State have made significant improvements in the administration of county government within their existing legal frameworks.

For the most part, these improvements have centered around creating administrative assistance to the boards while providing for central administrative services under its supervision. This movement has been most active in the more urbanized counties of Illinois.

The departure from the traditional county commissioner (county board) form in Illinois has been prototypical of both the board-administrator and board-elected executive forms. The latter is limited to strengthening the county board chairman's standing by election at-large and the former involves formal delegation of administrative authority to professional staff in various forms and degrees.

The Illinois adaptation of the board-administrator form has taken many forms with variously titled positions. Today some twelve counties have someone like a county administrator serving as a central administrative mechanism for the board. Usually established by ordinance or resolution, this position is intended to provide an internal means for public policy recommendations to flow smoothly through the system of coordinated legislative decision-making at the full county board level. Functional responsibility for purchasing; personnel administration; accounting control and financial reporting; legislative analysis; intergovernmental relations; special program administration (Job Training Partnership Act (JTPA), Community Development, Revenue Sharing); ordinance and policy enforcement; budget preparation; property management; supervision of appointed officials; and general policy and program analysis are common responsibilities inherent to this position in Illinois.

Variation in the authority of this position lies both in the extent to which the individual boards have delegated their administrative executive powers and the operational latitude which has been granted.

Whatever the resulting patterns or titles, the underlying assumptions have been that the county board position as a legislative policy maker, and to a lesser extent as a supervisor of administration, should be strengthened; that the efficiency and effectiveness of county government requires it; and that the board must have full-time, professional staff to achieve it.

The Lake County Governmental Study Commission put it this way in its 1977 report to the Board:

In order to give continuity and on-going transition support to the elected County government and to allow the County Board the opportunity to play its proper and more significant policy and legislative role, the Commission recommends that a full-time professional Administrator for Lake County be appointed by the County Board.¹

The Commission, in recommending that a Lake County Administrator should be established by County Board ordinance, went on to state:

In so establishing. . . the Administrator, (the position) will have a clear mandate to assist the County Board Chairman and serve as liaison between the County Board Chairman, Elected Officials, County Board Committees and other governmental bodies. He should have broad discretionary authority in administrative areas and bring continuity to County Government.²

DuPage and St. Clair Counties operate under a modified board-administrator form. They have chosen to modify the means by which their county board chairmen are elected. In both counties the chairman of the board is elected at-large by the voters as authorized by Illinois law.

Elected for a four year term, the at-large chairman presides at the county board meetings and votes only to break ties.

¹ Lake County Governmental Study Commission, First Year Report of Findings and Recommendations, April 12, 1977, Waukegan, Illinois, p. 10.

² Ibid., p. 11.

Further, the at-large chairman has the authority in law to call special meetings of the Board (without 1/3 of the board requesting such a meeting). Extraordinary authority may be granted to the chairman by the board either by ordinance or by locally adopted rules. In both the DuPage and the St. Clair County experiences, the at-large chairman is the "leader" of the board and spokesperson for the county government.

In the DuPage and St. Clair examples, the strengthening of the chairmanship has been accomplished as a structural means for improved central administration. Regardless of the varied patterns, these county boards have been embellished as legislative policy-makers and supervisors of county administration; the efficiency and effectiveness of the county governments have been improved; and a full-time professional administrative capability has been put in place to help achieve day-to-day management continuity.

These changes in the make-up of Illinois county government have taken place within the structural framework of the existing systems. These changes reflect the reality faced by these urban counties in the 1970's. Inflation and the dramatic increases in costs to provide government services; "taxpayers revolts;" and expanded authorities and responsibilities granted by both the General Assembly and Congress have fostered growth and have changed the face of Illinois counties. Urban counties have become experienced and strengthened in their abilities to govern without achieving "home rule" status. These counties, and especially Lake County, have made sustained progress with strengthened board chairmen and/or appointed administrative officers in fulfilling their urban government roles.

The Commission feels that Lake County government has achieved a high level of administrative effectiveness given the level of internal

reorganization that has taken place since 1977. It remains for the County Board to now consider the level of effectiveness that we feel can be accomplished through structural reorganization during the upcoming reapportionment process.

SIZE OF THE COUNTY BOARD

Article VII, Section 3(a) of the 1970 Illinois Constitution establishes the framework in which counties can have some flexibility in setting the size of their county board. This section allows the kinds of options that have been available for many years to municipal governing boards under permissive Illinois statutes. It permits each county more opportunity to choose a form of county board suitable to its local needs, subject to limitations provided by the state legislature.

Section 3(a) reflects a basic premise of representative democracy; that legislative bodies should consist of officials elected by the people. This has not always been the case, as applied to counties, but becomes more important as county boards assume a more distinct legislative role and play an increasingly important role in making policy decisions affecting area-wide local affairs. This section further provides for joint responsibilities at the state and local levels, with the state legislature charged with fixing the outside limits on the number of county board members and the county board charged with choosing the exact number within these limits.

As noted above, chapter 34, sections 831 through 840 of the Illinois Revised Statutes provides for the reapportionment of county boards in conformance with the one-person, one-vote principle established by the U.S. Supreme Court in Baker vs. Carr. The statute provides for the election of County Board

members from single or multi-members districts or at large; delineates the high (29) and the low (5) range of board size; specifies that the size of the board may not exceed the size of the board prior to October 2, 1969; and states that the board must have reapportioned itself by July 1, 1971 and that it will reapportion itself every 10 years thereafter.

It is worthy of note that the reapportionment law, as well as the case that brought about one-person, one-vote, both hinge on the concept of representing an equal number of people, not on the number of representatives. It would seem logical to conclude therefore, that whether a group of people was represented by five county board members or by one, it makes little difference. The difference lies in the relevant degree of visibility and opportunity for accessibility on the part of the constituents that would be prevalent with a reduced number of board members. Stated differently, as the size of a governing body increases, the ability of the voters to recognize and evaluate individual representatives is reduced. Moreover, the potential may exist for loss of voter control because of diffused political accountability. The smaller the board, the more visible and more accessible are the board members.

Nationally, all but six states have counties with boards averaging under 10 members. In most states the average size is from three to five members. Further, in states where centralized county administration is vested in someone other than the board, the size of the board is much lower than in those states where such centralized administrative authority is retained by the board or diffused among numerous department heads.

Our analysis indicates that a smaller board offers greater economy and efficiency. Just by the measure of sheer numbers, a smaller board could cost less to support given the fact that adequate in-house staff resources exist. This would not be the case, however, if staff for individual board members was

required. But the Commission feels that there is a middle ground between the large board we now have and a small board. This middle ground would require increases in neither member salaries nor staff. Because most governmental bodies often work by consensus, it can be argued that the smaller board would have a higher propensity for consistently reaching required decisions more effectively, especially if the board begins to deal with long range planning and policy making issues (actions of a purely legislative nature).

The precise number of board members is a more difficult issue. The Commission feels that the number of board members must be enough to provide for the representation of the diverse elements of Lake County. Yet the Board must maintain adequate numbers conducive to an efficient committee structure that provides balanced legislative input to the larger body. It is clear to the Commission that there is less need now, with the existence of a centralized administrative mechanism, for the Board to maintain the broad scope of its administrative role.

The Commission feels that the size of the Lake County Board should be reduced to fifteen members. The recommendations that follow in Chapter III will address the appropriateness of this size and our rationale. The reader will also note in Chapter III a minority position regarding the size of the county board.

ELECTION OF THE COUNTY BOARD BY DISTRICTS OR AT-LARGE

During the course of our examination the Commission has been admonished many times to have a "vision" of the future for county government. The make up of the County Board, we feel, has important implications in this regard.

It is our position that the County Board cannot have "literal" representation for all enclaves in the county. There is no one "ideal" type of County Board. The future seems to mandate a county legislative body that is a problem solver and a policy maker for regional, sub-regional, and intergovernmental issues. The state will be doing less for the local government as public policy issues become more and more complex and "solvable" locally.

In striving to make recommendations regarding the restructuring of county board districts, we have set three criteria for our analysis: (1) allow for optimum citizen input; (2) provide for maximum accountability; and (3) allow for creative new solutions to increasingly complex public policy problems.

We have discussed above the legal parameters within which the county board must reapportion. One of the first distinctions that must be made is whether the board members shall be elected at-large or by districts and, if by districts, whether they shall be single or multi-member in composition.

It is generally held that at-large election reflects homogeneity and representation of constituencies from higher income brackets, higher educational levels, and a higher social status. Moreover, at-large reapportionment of local government legislative bodies has not been favorably viewed in recent U.S. Supreme Court decisions because of the propensity to under represent racial minorities.

A county board elected by districts is viewed by the Commission as more equitable and the most legally appropriate methodology for Lake County.

In evaluating whether the county board districts are to be single member or multi-member, we have found that the criticism and praise for both are essentially the same.

The equal population principle as formulated by the U.S. Supreme Court, does not address itself to the question of whether representatives may be chosen from single member constituencies or from multi-member districts. However, the Court has addressed this question on an individual case basis. The generally accepted feeling of the Court can be summarized as follows:

The Supreme Court which had suggested in the majority opinion in Reynolds that multi-member districts might be used as a deterrent to gerrymandering, upheld multi-member districting (in two cases), however, the court indicated multi-member districts may be held unconstitutional if shown to minimize or cancel out the voting strength of a racial or political element of the voting population.

Robert Dixon, in his book Democratic Representation: Reapportionment in Law and Politics,⁴ stresses that multi-member district systems may run the risk of providing the dominant party with sweeping all of the seats. Moreover, he claims that this type of district composition may "avoid" the representation of minority groups, (partisan, economic, or ethnic). It is the avoidance of minority groups that is the strongest criticism of multi-member districts.

The major advantage cited for multi-member districts is that the voter's influence on the governmental body is enhanced. It is argued that because the voter has more representatives on the body he/she may be represented on more committees of the legislative body and, therefore, will be better informed and involved in a wider range of public policy issues.

The Commission prefers single member districts. It is our contention that it is far easier for the average citizen to judge the qualities and performance of a limited number of candidates for several offices.

³ "Representatives and Apportionment;" page 25, (Washington, D.C., Congressional Quarterly Service, 1966).

⁴ Dixon, Democratic Representation: Reapportionment in Law and Politics; (New York, Oxford University Press, 1968).

Indeed, as the National Municipal League cautioned in 1963, "voters should not...be called upon to pass judgement on more than three or four legislative positions (national, state, and local)."⁵

Moreover, single member district legislative bodies encompass a broader spectrum of constituent interests and bring a greater divergence of voices and opinions to the government. Single member districts, particularly if they are small and well-apportioned, can offer improved representation to concentrations of political, ethnic, or economic populations.

The Commission has found that representative bodies composed of single member districts reflect greater accountability on the part of the individual board members. Indeed, in the opinion of two speakers appearing before the Commission, the major changes experienced in the shift to single member districts in the Illinois State House of Representatives was the reduction in the number of "mavericks" and an increase in the nature of Member accountability.

It is clear that equal representation is the legalistic mandate of reapportionment. The Commission feels that for the Lake County Board election by single member districts fulfills the structural portion of this mandate. Further, this structural methodology is best fitted to the citizens in terms of accessibility and accountability. Specific recommendations and related rationale will follow in Chapter III. The reader will also note in Chapter III a minority position relative to single member districts.

⁵ National Municipal League, Model State Constitution, page 49, (6th ed., 1963).

CHAIRMANSHIP OF THE COUNTY BOARD

The method of choosing the Chairman of the county board will be a key element of the reapportionment process for 1991.

Under Illinois law the Chairman may be elected by the members of the county board or by standing at-large for county-wide election. Currently the Chairman of the Lake County Board is elected by the Members of the County Board for a two year term. By law, the peer elected Chairman presides at County Board meetings (where he/she may vote) and is the Liquor Commissioner in the unincorporated areas of the county. In Lake County, the Chairman serves as "leader" of the Board generally supervising the implementation of County programs and policies. The current "Lake County Board Rules of Order and Operational Procedure" (in addition to statutory mandates) authorize the Lake County Board Chairman to: establish special committees with the advice and consent of the Board; make standing and special committee appointments (including Chairmanships) with the advice and consent of the Board; make appointments to all other boards, districts, commissions, and authorities with the advice and consent of the Board; make presentations of department heads to the Board for appointment or removal; and serve as an ex-officio and voting member of all County Board standing committees and may be used to constitute a quorum thereof.

The Chairman elected-at-large is elected county-wide by the voters for a four-year term. In addition to those statutory powers cited above for the peer elected chairman, the at-large chairman may, by law, vote only to break ties and may call special meetings of the board. If granted by local rules, the at-large chairman may also have veto power over ordinances only and may be overridden by a simple majority vote of the board.

As we have noted above, DuPage and St. Clair Counties are the only two Illinois counties that elect their board chairmen at-large. In both instances, the county board chairman position has become a visible "leader of the county." The position has become a "point of contact" for the county government with the public and private interest groups and units of government as well.

Historically and statutorily, the office of county board chairman has not carried significantly greater authority over county government than that of any other elected county board member. In Lake County, with the peer elected chairman, the Chairman can be viewed as "first among equals" sharing administrative and legislative powers with all other Members. Also, the chairman still serves as one of the board representatives having been elected from his/her district. The chairman at-large need not be elected from a district and is definitely more "visible" in the county organizational scheme.

The Commission feels that there must be a more visible elected leader of the county board. The future course of county government in Illinois demands this. It becomes critical, therefore, to discern whether such visible leadership is achieved by the method of selecting of the chairman.

We have concluded that the chairman-at-large offers greater visibility, and will provide greater focus on county-wide issues and promote less county board infighting. Further, the Commission has concluded that the enhancement of the board chairmanship may well be necessary in order to foster the desired legislative/administrative environment for county government of the 1990's.

The Commission recommends that the Chairmanship of the Lake County Board be elected at-large and that the specific duties of the Chairman be enumerated by County Board ordinance. The details of our recommendation and related rationale will follow in Chapter III. The reader will also note in Chapter III a minority position relative to election of the county board Chairman.

ELECTED VS. APPOINTED OFFICIALS

Article VII, Section 4(c) of the 1970 Illinois Constitution provides for alternatives to the election of certain county officers. Specifically, the offices of Sheriff, County Clerk and Treasurer can be eliminated by county-wide referendum. The offices of Coroner, Recorder and Auditor can be eliminated or the manner of their selection changed by state law or by county-wide referendum. The Clerk of the Circuit Court, the States Attorney and the Superintendent of the Educational Service Region are treated in other constitutional articles.

The intent of Article VII, Section 4 is to permit greater flexibility in counties by allowing reduction by action of the state legislature of the number of officers who must be elected and the local creation and/or elimination of county office by local referendum.

The changing of elected officials to an appointed status is a most sensitive and, often emotional issue. The debate, in this regard, has taken on a new focus and urgency as county government in Illinois takes on new importance. As we have discussed previously, evidence of the new vigor in Illinois county government can be seen in a number of areas including revision of internal county operating structures; modernization of administrative management processes; expanded county service delivery; new trends in government finance; and new county decision-making autonomy.

The Commission has found that the issue of election versus appointment of certain county officials centers on the question of accountability versus administrative professionalism. Those who favor election point out that this method provides for direct accountability to the voters. Those who favor appointment argue that some elected offices involve administrative rather than

policy-making functions and that these officials should be professionals appointed for their expertise and experience. So stated, these positions represent over-simplifications. There are elected officials who are professional managers and who have great expertise in their fields. And, though appointed department heads may not respond directly to the electorate, the elected officials who appoint them are sensitive to their own accountability to the electorate.

In each of the fifty states the new developments in county government and the question of elected versus appointed county officials come face to face with an administrative anomaly: the plural executive system. On the one hand, county boards throughout America are becoming more effective legislative and policy planning bodies, especially in those counties that have adopted able professional administrators to implement board decisions and provide for a coordinated supervision of county departments. On the other hand, elected officials, each with statutory executive authority, operate independently of county boards and depend on them only for passage of their operational budgets. The Commission is cognizant of this situation (i.e., the plural executive) and feels that it applies directly to Lake County.

The Commission has also evaluated whether the mandate of the voters has anything to do with the administration and execution of the statutes by the elected official. We have concluded that the mandate of the voters has little to do with the official functioning of the office-holder. The pro-election arguments of the elected officials who have come before the Commission focused not on their official duties, but on activities that are related to the politics of re-election.

Certainly the trend nation-wide indicates a move away from more elected officials and the long ballot in county government. This is particularly true

in urban counties adopting forms of county-wide administrative management. And, if we believe that it is important to have professionals administering for the citizenry, then it might be argued that election, without requirement of professional qualifications, is not the only usable method of acquiring professionals for jobs that are technical and/or clerical in nature. Moreover, if it is important to have a unified policy direction within county government, then the constraints of differing administrative policy setting authorities within a single governmental unit must be addressed.

The Commission is aware of some reform efforts that have been attempted or that have occurred in this regard. In the late 1970s there was a state-wide movement to make the Superintendents of all Educational Service Regions appointed. Purported to take place by actions of both the Illinois Legislature and the State Board of Education prior to the 1982 General Election, it has yet to transpire. Also in the early 1980's there was activity in various parts of the state to make the Circuit Court Clerk an appointed position. No statewide policy has yet been promulgated in this regard. Finally, the elected Lake County Auditor was abolished by county-wide referendum in November, 1980.

The Commission has concluded the offices of Recorder of Deeds, Coroner, and Circuit Court Clerk should be changed from elected status to appointive status. Our specific recommendations and rationale will follow in Chapter III.

THE COUNTY EXECUTIVE WITHOUT HOME RULE

Beyond the urban county phenomenon, the most recent opportunity for structured reform in Illinois county government has emerged from the 1985 amendments to the Illinois County Executive Act. Not only does this recently

amended statute provide for major structural change, it appears to be the "newest" statutorily enabled option available to urban counties in Illinois to modify their structure, (other than county executive with home rule powers). Thus, it is important for us to objectively analyze the non-home rule county executive and attempt to discern the prospects for its use in changing the structure of urban counties in Illinois generally, and Lake County specifically.

This "new" option for adopting the county executive form of government is at once quite typical and at the same time atypical. It is typical in the sense that the Illinois statute contains many of the common powers and duties afforded county executives throughout America. It is atypical because of the many questions that the statute seems to pose for the implementing county and the very real differences that are apparent when comparisons are made to other state laws enabling the county executive form of county government.

The original Illinois County Executive Act was approved and became effective December 3, 1971. The original Act enabled (by referendum) the essence of what the framers had envisioned at the 1970 Constitution Convention: a strong executive, elected at-large with the authority necessary to wield vast home rule powers. Home rule and the county executive form of government were inseparable.

The County Executive Act was modified slightly in 1980 to effect the revision of laws governing the election of local public officials in conformance to the statutory consolidation of elections.

Major changes were made to the Act in August, 1985. The Winnebago County-inspired amendments modified the very essence of the original legislative and constitutional linkages of the county executive form of government and home rule. The Act was amended to permit counties to adopt an elected form of

county executive government and to simultaneously elect not to be home rule units by referendum. Thus, the inseparable status of home rule and the county executive, as envisioned by the framers of the Illinois Constitution, was inexorably altered.

Additionally, the 1985 amendments modified and expanded the authorized duties of the county executive position. The single modification that most broadened the executive's position seems to be in the area of legislative affairs. The presiding officer of the county board, i.e., the county executive, was granted the additional authority to vote at county board meetings in the event of a tie. The expanded duties provided in the 1985 amendments included:

1. Entering into intergovernmental agreements with other governmental units with the advice and consent of the Board;
2. Negotiating with other governmental units and the private sector for the purpose of promoting economic growth and development with the advice and consent of the board; and
3. Appointing his/her own legal counsel at a salary set by the Board (which can be no greater than that of the States Attorney).

The Illinois County Executive Act provides for a typically strong county executive form. Many of the enumerated duties and powers and the method of selection for the position are representative of the strong elected executive forms of government functioning elsewhere in the nation. Pursuant to a successful referendum to adopt the form, the county executive is elected at-large in the county for a four year term to head the new executive branch of government. The powers and duties (in addition to those already cited above) include:

1. Execute the board's orders, resolutions, and regulations;
2. Direct the administrative and management functions of the county government (except the elected officials including the Sheriff; the States Attorney; the Recorder of Deeds; the Circuit Court Clerk; the County Clerk; the Regional Superintendent of Schools; the Treasurer; and the Coroner);
3. Prepare and submit the annual budget;

4. Appoint to boards and commissions with the advice and consent of the board;
5. Appoint to various special districts within the county with the advice and consent of the board;
6. Make an annual report to the board on the affairs of the county and keep the board fully advised of the financial condition of the county;
7. Appoint with the advice and consent of the board, such subordinates as considered necessary for the administration of county affairs
8. Remove or suspend, at his/her discretion, after due notice, anyone whom he/she has the power to appoint;
9. Call special meetings of the board with 24 hour notice;
10. Require reports and examine accounts, record and operations of all county administrative units;
11. Supervise the care and custody of all county property (including institutions and agencies);
12. Approve or veto ordinances and resolutions pursuant to the Act (including the line-item veto); and
13. Perform such other duties as shall be required of the executive by the board.

The Act provides for the adoption of a new form of county government; a form of government in which the non-elected departments of county government are administered by the newly elected county executive.

The county executive, pursuant to the Act, must have the same qualifications as a member of the board, but the executive is not an elected member of the board. The County executive's salary is set by the board and cannot be less than $1\frac{1}{2}$ times the amount of compensation to which a member of the board is entitled.

The Act allows for the county executive form of government (once adopted) to be discontinued by a petition of the voters to the county board asking for such discontinuance to be put on the general election ballot.

The Illinois County Executive Act, in many respects, reflects a typical enabling statute for the strong county executive-board form of government. It is streamlined and brief in its presentation. However, there are tenets of the Act that might be viewed as atypical, even unusual, when compared to the county executive-board form of government as practiced elsewhere in America and when

the Act is viewed as part of an overall strategy to reform the structure of Illinois county government pursuant to the 1970 Constitution.

The authority of the county executive to preside at board meetings and vote to break ties are atypical county executive powers. Indeed, one of the most salient elements of reform that the county executive-board form purports is the separation of powers. These enumerated powers, as authorized under the Illinois County Executive Act, have posed some questions about the adequacy of the separation of powers offered therein. It is noteworthy that the Task Force on the Structure of DuPage County Government has conditioned their recommendation for adopting the county executive upon the deletion of these provisions from the current law. This concern has also been voiced by the Lake County League of Women Voters in their 1988 study of the County Executive Act.

It is not typical to have the county executive established and empowered without a charter and/or mandatory charter process. The 1970 Illinois Constitutional Convention specifically chose not to encumber counties with the charter process. However, the Constitutional Convention did envision the inseparable nature of county executive form of government and home rule authority which now may be quite different under the current law.

The authority to appoint administrative personnel is generally cited in the County Executive Act. It is interesting to note that in Cook County key administrative personnel are mandated to be appointed by the Cook County Board President. Moreover their required professional qualifications are enumerated in various enabling state statutes.

In many other states the enablement of the county executive has been paramount to a reduction in the size of the county board. This can only be done in Illinois during reapportionment. Additionally, the elected Illinois county executive exerts no extraordinary authority over the independently

elected officials, thus, potentially reducing the impact that the County Executive Act may have on the espoused problems foreseen with the plural executive in Illinois.

To date, Winnebago and Champaign Counties have placed this proposition on the ballot (1986). The referenda failed in both instances. In March, 1988 a referendum to adopt county executive without home rule was placed on the ballot in Lake, Will and Champaign Counties. And, while the referendum failed in Lake and Champaign counties, it was successful in Will County.

The Commission's discussion with the newly elected Will County Executive, Charles Adelman was very enlightening. The Commission feels that there are pertinent elements, stemming from the successful Will County referendum and Mr. Adelman's election, that are worthy of note for this analysis:

1. The dual success of both the referendum and the candidacy of Mr. Adelman seem to have had less to do with a conscious need for structural reform. Rather, it was a latent desire for a change in county political leadership. As Mr. Adelman stated, the reason Will County opted for the county executive form was because of the "unique political situation" in Will County characterized by the "dictatorial and corrupt nature" of prior county board leadership.
2. The partisan political nature of the county executive experiment in Will County should be of particular note to all who would attempt to study it.
3. The retention of a professional county administrator under the county executive form is viewed as important.
4. Separation of powers is achieved and this is viewed as the most important structural change that results from the county executive form of government.
5. The Will county experience is still in an "experimental" period.
6. Voluntary agreements were consummated between the Will County Executive and the Will County Board so that the Board could function.

The Illinois County Executive Act is at once typical and atypical. It can be viewed either as a simple statement of effective reform or a blueprint for major structural change that currently raises many critical unanswered questions. The county executive-board form (without home rule) is the only

statutorily enabled structural reform option for county government that has been forthcoming in the 1980's. The County Executive Act goes too far toward structural reform and is in need of legislative clarification. It will remain for the "appropriate" decision-makers and the "appropriate" electorate to decide whether this model provides the "necessary" curative measures as individually perceived by each local county jurisdiction.

The Commission feels that for Lake County, at this point in its governmental evolution, the county executive form of government (without home rule) should not be favorably considered. Our specific recommendations and rationale will follow in Chapter III.

SUMMARY

In this chapter the Commission has attempted to summarize one year's worth of research relative to the topics assigned by the County Board. We hope that we have satisfied the Board's charge to explore and edify these important topics. Moreover, we hope that we will have imparted to the Board the reality that the label of a county government's structural form may not be as important as whether that form promotes and inculcates into the county government the common values for which most forms of American government strive: leadership effectiveness; responsiveness and accountability to the public; administrative effectiveness and efficiency; and equity.

The goal of any change in the structural form of counties should make possible and encourage all levels of the government to perform consistently in achieving satisfactory, visible public results. It should also promote public participation and understanding of governmental operations and accessibility to all levels of the structure. Moreover, the change must also promote

administrative effectiveness and efficiency through effective resource allocation, efficient organizational procedures, and professionally trained and led personnel. Finally, equal access to services, equal provision of services, and due process and openness in policy-making and administrative procedures are important elements to be promoted by the alteration of the structural form.

Thus, while the experience of structural change in American county government generally, and in Illinois specifically, has not necessarily guaranteed a particular type of government as desired by a particular group, significant progress has been made in Lake County during the seventies and eighties in creating a county government structure founded upon a fuller appreciation and recognition of these basic values of American government and politics. We hope that the recommendations that follow will enhance this progress during the 1990's and beyond.

III.

RECOMMENDATIONS

This chapter will propose specific recommendations regarding each of the County Board assigned topics.

It is the Commission's hope that these recommendations will assist the County Board in its upcoming reapportionment process. It is the Commission's intent that these recommendations will thoughtfully guide the Board to improve the structure and thereby the performance of Lake County government.

The recommendations that follow are aligned by topical area. In each instance, a brief explanatory paragraph will be presented, to be followed by a specific statement of the Commission's rationale for making the particular recommendations. Where there is a minority position, a written summation of the position follows in Appendix 1 of this report.

The Commission is very pleased to make these recommendations to the County Board. We feel that we have provided the Board with the impetus for positive change that will improve county government. All of the recommendations have resulted from a cooperative, thoughtful, and interactive process. We look forward to the Board's active response to our recommendations. It is our hope that their judicious application will have positive impact on the people of Lake County for at least the next decade and beyond.

SIZE OF THE COUNTY BOARD

In order to bring greater visibility, greater opportunity for constituent accessibility, and greater economy and efficiency to the legislative

process of Lake County government, it is recommended that the size of the County Board be reduced from its current size of twenty-four Members.

While reducing the size of the Board is rather a straight forward issue, the precise number becomes less clear. The Commission feels that the Board should be small enough to provide representation for diverse constituencies and yet maintain adequate numbers conducive to an efficient committee system that provides balanced legislative input to the Board. It is recommended that the size of the Lake County Board be reduced from twenty-four to fifteen Members.

RATIONALE:

- a. Fewer Board Members offer greater representative visibility to the electorate;
- b. One person, one vote is maintained with a smaller board;
- c. Greater efficiency can be achieved in terms of legislative policy making; and
- d. Increased political accountability will be fostered.

ELECTION OF THE COUNTY BOARD BY DISTRICTS

There is no perfect reapportionment plan. The structure that the Board adopts should withstand the test of time in an environment of complex urban problems.

A Lake County Board elected from districts is recommended by the Commission. In choosing whether the districts will be single member or multi-member (as they are currently), the Commission has carefully weighed the various arguments promoting each position. It is our recommendation that the County Board representation best fitted to citizen accessibility, accountability, and problem solving is the single member district.

RATIONALE:

- a. Election by districts is legally in concert with the one person, one vote doctrine of the U.S. Supreme Court;
- b. Election by districts more accurately reflects the variable character of Lake County;
- c. Single member districts will promote involvement in county government by a broad and divergent spectrum of interests;
- d. Single member districts will allow for optimum citizen input; provide for maximum accountability; and promote creative new solutions to increasingly complex public policy problems;
- e. Single member districts provide the best avenue to elect minority groups to the County Board; and
- f. Single member districts promote greater independence of the individual board member.

CHAIRMANSHIP OF THE COUNTY BOARD

Choosing the Chairman of the County Board is a key element within the Lake County governmental structure. In order to provide for a more visible elected leader of the County Board that can provide greater focus on county-wide issues, the Commission recommends that the Chairman of the Lake County Board should be elected at-large with specific duties outlined by local ordinance.

RATIONALE:

- a. The Chairman elected at-large is more visible and has a broader perspective as the leader of the county government because he/she is elected county-wide;
- b. The powers and duties of a Chairman elected at-large will be succinctly enumerated in an ordinance to be passed by the County Board; and
- c. The term of four years promotes greater elected leadership continuity for the county government structure.

ELECTED VS. APPOINTED OFFICIALS

The Commission has closely examined the provisions of Article VII, Section 4 (c) of the 1970 Illinois Constitution relative to the alternative election of certain county offices.

The Commission finds that the large number of independently elected county officials (the plural executive system) has become an administrative anomaly as Lake County has adopted more modern administrative management techniques. Indeed, if a unified policy direction within county government is viewed as desirable, certainly the constraints of differing administrative policy setting authorities within a single government unit must be addressed.

The Commission recommends that the elective status of three elected county officials be changed to appointive. The Commission recommends that the elected offices of the Recorder of Deeds, the Coroner, and the Circuit Court Clerk become appointed offices.

RATIONALE:

- a. The duties of all these offices are administrative and/or clerical rather than policy making in nature;
- b. Within a single governmental unit, the existence of numerous administrative authorities can be counter productive to the efficient promulgation of effective public policy;
- c. The mandated duties of the Recorder of Deeds, the Coroner, and the Circuit Court Clerk can be accomplished under the auspices of qualified appointed administrators; and
- d. These positions require specific skills which the election process may not insure. A carefully prepared description of the necessary professional qualifications and experience should be prepared and used as a benchmark for the screening and subsequent appointment of the administrators for these respective departments. Where possible, functions should be consolidated with existing County departments.

The Commission has assumed that in accordance with Illinois law, the initial action to bring these questions to the voters is a County Board resolution placing them on the ballot as individual referenda. We, therefore recommend that the Lake County Board place all three of these questions on the November, 1990 General Election ballot.

The Commission wishes to make it quite clear that this recommendation is not intended to reflect adversely on the abilities or the outstanding records of the incumbent Recorder of Deeds, the incumbent Coroner, and the incumbent Circuit Court Clerk.

COUNTY EXECUTIVE WITHOUT HOME RULE

The Commission voted unanimously that the county executive form of government (without home rule) should not be adopted by Lake County.

RATIONALE:

- a. The Illinois County Executive Act as codified has major flaws and goes too far in accomplishing structural reform;
- b. The Illinois County Executive Act originally intended to be implemented under the auspices of home rule, can now be implemented in non-home rule environment. A proper balance must be struck between appropriate authority and professional administration;
- c. Adding another elected position to the plural executive problem in Illinois county government is not desirable; and
- d. At this point in the development of Lake County government, it is felt that the retention of a professional administrator, with a re-focused and re-defined Board Chairmanship is the appropriate structural form that will promote consistent performance in achieving satisfactory, visible public results.

It is the hope of the Commission that the Lake County Board will use all of these recommendations during the forthcoming legislative deliberations leading to its 1991 reapportionment.

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APPENDIX 1

LAKE COUNTY GOVERNMENTAL STUDY COMMISSION II

MINORITY REPORTS

SIZE OF THE LAKE COUNTY BOARD

On the Issue of the appropriate size of the Lake County Board, the minority opinion held that twenty-one (21) members would be representative of the diverse needs, interests and socio-economic levels of the population. While the current size of the board (24) is regarded as somewhat cumbersome, efficiency is believed to be less important than free and fair debate of all issues that may come before the body. Thus, in keeping with the Jeffersonian model of representative democracy while determining that same reduction in size would be desirable, the minority position held that twenty-one members would be a logical compromise. The odd number is viewed as a safeguard against the deadlock which makes the current board seem all the more unmanageable.

Several speakers who appeared before the Lake County Governmental Study Commission II testified on national trends regarding the size of county boards. It was generally noted that smaller boards needed more staff (i.e. a board of seven or nine, with each board member having two aides). It is not uncommon for members of these smaller boards to be paid close to fifty thousand dollars per annum. For example, board members in Hillsborough County, Florida, make forty-eight (48) thousand dollars per year, and each of seven members employs two aides.

The size of the Lake County Board is not unusually large for Northeastern Illinois. Indeed, Lake County has one of the smaller boards. Will County has twenty-seven (27) members, Kane County has twenty-six (26), DuPage County has twenty-four (24) plus a chairman elected-at-large and McHenry County has the same number of members as Lake County, twenty-four (24). All five counties share some border with Cook County, all have board members who serve in a dual capacity on the County Board and the County Forest Preserve Commission (in McHenry County there is a Conservation District rather than a Forest Preserve

District), and all are experiencing the unique problems of growing suburban counties.

All aspects of the question considered, the minority opinion believed twenty-one (21) members to be the most responsible, representative choice. The population continues to grow rapidly in Lake County, Illinois, and that population should be able to take some comfort in knowing that special interests will not dominate a too-small board. Safety in numbers is a time-worn cliché, yet it can be held to be a concept of merit.

Members of the Study Commission holding this position are Bruce Hansen, Debra Halas, Dan La Vista, Eugene Rawhoof, Oliver Washington, and Brad West.

MULTI-MEMBER DISTRICTS

Regarding the issue of multi-member versus single-member districts, the minority opinion preferred seven districts with three members to a district. This opinion increased the number of districts to resolve the accountability question and reduced the number of members per district to that same end.

County board elections take place every two years, at which time one-half of the current board must run. With twenty-one (21) members, this would be accomplished by having two members in some districts run for election while having only one member in the remaining districts run for election, and this process would be reversed in each district for the following election. Thus, ten members would be up for election at one time and eleven members would be up for election two years later. Each district would have the benefits of multi-member elections, with their resultant diversity, and single-member elections, with their increased accountability. Each district would have the opportunity to change its representation every two years, as is currently the case.

One irrefutable aspect of the single-member districts is that a given constituency may be burdened with poor representation for an entire four-year term. Although the offending member may very well be booted from office at a successive election, that official's constituency could be disenfranchised by a poor attendance record or a refusal to take the public's needs and interests into account.

Another benefit to multi-member districts, aside from the possibility of poor representation in a single-member district, is the assurance of some diversity in opinion and background. An ethnic or racial minority may be a very close second in terms of numbers in a given district, but may be totally excluded in districts where only the top vote-getter is elected. This could have been the case in current board districts when black candidates came in second in General Elections of the past. In a multi-member district, anyone who comes in second can still be elected.

One other consideration made by the Commission was a comparison between the composition and size of the Illinois House of Representatives and the size and composition of the Lake County Board. The Illinois House has not been a more efficient nor economical body since it was cut in size by one-third, with members elected from single-member districts. Although the cumulative voting process cannot be directly compared to a non-cumulative voting process, the results can be compared. Multi-member districts have resulted in diverse opinion different ethnic and racial backgrounds, political party alliances from both major parties and gender balance. Illinois House districts of three members resulted in much the same consequences, including the undeniable guarantee of minority political party representation.

Ultimately, seven districts of three members apiece was the minority choice for achieving fair representation and accountability.

Multi-member districts have served Lake County well for many years and may be expected to continue to do so.

Members of the Study Commission holding this position are Bruce Hansen, Debra Halas, Dan La Vista, Eugene Rawhoof, George Bell, and Oliver Washington.

CHAIRMAN ELECTED BY PEERS

The minority opinion of the members of the Lake County Governmental Study Commission II on the issue of the Chairman's Election stated that the Chairman should be elected by his or her peers. This opinion came about after careful deliberation of the testimony given at commission meetings.

Coalitions are a positive force for good government, and the first step in the reorganization of a peer-elected Chairman's Board is that peer election. In actively seeking support from fellow board members, a candidate must demonstrate leadership abilities and capabilities. It is unlikely that members of a board, many of whom have years of experience, will elect a chairman who is not up to the rigors and duties of the chairmanship. It is also in the members' best interests to elect someone they feel they can work with for the betterment of the entire citizenry of their county.

Experience is another key factor. Not only are abilities taken into account when members elect their chairman, but experience and the leader's overall understanding of county government are considered. Major for-profit and not-for-profit corporations usually have a board of directors with a chairman elected by the other board members, and this practice is generally regarded to be a sound one.

A chairman elected at-large would have powers very similar to a chairman who is peer-elected, and the position would not add an executive branch to

county government. Therefore, a change seems unnecessary. The county board would remain an administrative as well as a legislative body with the County Administrator serving to coordinate those functions. The appointed County Administrator position has served Lake County well.

Finally, the minority position of the Lake County Governmental Study Commission II concluded that a peer-elected chairman would be more effective in passing needed ordinances due to coalitions formed and experience with the process. Although the electorate may choose the best candidate, there is always the possibility that they might elect a chairman with no county experience or one who is all flash and no substance. There is also the possibility of special interest financing electing a chairman through a big bucks campaign.

These factors weighed heavily in the minority opinion on this issue. As long as the Lake County Board remains an administrative as well as a legislative body, a board chairman elected by the members from among their own numbers seems to be the best choice for the future.

Members of the Study commission holding this position are Bruce Hansen, Debra Halas, Eugene Rawhoof, Oliver Washington, George Bell, and Bill Krueger.

611074

APPENDIX 2

LAKE COUNTY GOVERNMENTAL STUDY COMMISSION II

STATEMENT OF COMMISSION MEMBER MARK F. LEOPOLD

611075

43

Had I been able to be present for the May 17, 1990 Commission meeting, I would have voted in the majority on each issue, except that I would have voted in favor of five multi-member districts of three (3) representatives each.

Mark F. Leopold

611076

MEMBERS

LAKE COUNTY GOVERNMENTAL STUDY COMMISSION II

Sid Danoff, Chairman
Waukegan Businessman and Civic Leader

Don Owen, Vice Chairman
Zion Banker and Businessman

George Bell
Mundelein Businessman

Debra Halas
Waukegan, Lake County Board Member

Bruce Hansen
Lake Zurich, Lake County Board Member

Bill Krueger, Director
Employee Relations and Lake County Personnel, Abbott Laboratories

Dr. Daniel J. LaVista
President, College of Lake County

Mark Leopold
Highland Park Attorney

Janet Morrison
Waukegan Civic Leader

Joyce O'Keefe
Highland Park City Councilperson

Eugene Rawhoof
Zion Union Leader

Janet Swartz
Highland Park, Lake County League of Women Voters

Oliver Washington
North Chicago, City Personnel Director

Brad West
Waukegan Businessman

NOTE: Maurice Dunne, Lake Forest Academician, resigned from the
Commission on November 16, 1989.



To: Hon. Fred Foreman, Chair, Lake County Government Reform and Accountability Commission
Hon. Kathy Ryg, Vice Chair, Lake County Government Reform and Accountability Commission

From: Kevin Knutson, Regional Vice President, Management Partners
Sam Lieberman, Senior Management Advisor, Management Partners

Subject: Multi-Member District Options

Date: September 13, 2017

After the August 23, 2017 Lake County Government Reform and Accountability Commission meeting, information about the Board's ability to create multi-member districts was requested. This memorandum summarizes the options available to the Board during redistricting.

Illinois State Law

Division 2-3 of chapter 55 in the Illinois compiled statutes details the options available to counties when undertaking the redistricting process. Specifically, 55 ILCS 5/2-3002 allows for the election of board members by district or at large while 55 ILCS 5/2-3003 allows for multi-member districts. The number of board members elected per district is not specified, as long as the districts meet the following criteria:

- a) Shall be substantially equal in population to each other district;
- b) Shall be comprised of contiguous territory, as nearly compact as practicable; and
- c) May divide townships or municipalities only when necessary to conform to the population requirement of paragraph a. of this Section.
- d) Shall be created in such a manner so that no precinct shall be divided between two or more districts, insofar as is practicable.

Additionally, counties are allowed per Illinois state statute to have both single and multi-member districts as long as, "the population of any multi-member district shall be equal to the population of any single member district, times the number of members found within that multi-member district." The full text of the relevant statutes is shown in Appendix 1.

Relevant Scholarly Articles

Included in the background research materials provided to you via Dropbox are two relevant scholarly articles discussing the impact of multimember districts on minority representation. The articles are “At Large Elections and Minority Group Representation: A Re-examination of Historical and Contemporary Evidence,” *The Journal of Politics*, 1981, by Chandler Davidson and George Korbel, and “The Multimember District: A Study of the Multimember District and the Voting Rights Act of 1965,” *Albany Law Review*, 2002, by George Bundy Smith.

While these two articles look at the history of minority representation in multi-member congressional and judicial districts some comparison can be drawn to countywide elected offices as well. The conclusion of these two scholarly articles is that “empirical evidence supports the conclusion that multimember districts hinder minority voters from electing the candidate of their choice.”



Appendix 1: Relevant Illinois Constitution Sections and Illinois Compiled Statutes

Division 2-3. Reapportionment of County for Election of County Board

(55 ILCS 5/2-3001)

Sec. 2-3001. Definitions.

As used in this Division, unless the context otherwise requires:

- a. "District" means a county board district established as provided in this Division.
- b. "County apportionment commission" or "commission" means the county clerk, the State's Attorney, the Attorney General or his designated representative and the chairmen of the county central committees of the first leading political party and the second leading political party as defined in Section 1-3 of The Election Code.
- c. "Population" means the number of inhabitants as determined by the last preceding federal decennial census.
- d. "Member" or "board member" means a person elected to serve on the county board.

(Source: P.A. 86-962.)

(55 ILCS 5/2-3002)

Sec. 2-3002. Counties with population of less than 3,000,000 and with township form of government.

- a) Reapportionment required. By July 1, 1971, and each 10 years thereafter, the county board of each county having a population of less than 3,000,000 inhabitants and the township form of government shall reapportion its county so that each member of the county board represents the same number of inhabitants. In reapportioning its county, the county board shall first determine the size of the county board to be elected, which may consist of not less than 5 nor more than 29 members and may not exceed the size of the county board in that county on October 2, 1969. The county board shall also determine whether board members shall be elected at large from the county or by county board districts.
- b) If the chairman of the county board is to be elected by the voters in a county of less than 450,000 population as provided in Section 2-3007, such chairman shall not be counted as a



member of the county board for the purpose of the limitations on the size of a county board provided in this Section.

- c) Advisory referenda. The voters of a county may advise the county board, through an advisory referendum, on questions concerning (i) the number of members of the county board to be elected, (ii) whether the board members should be elected from single-member districts, multi-member districts, or at-large, (iii) whether voters will have cumulative voting rights in the election of county board members, or (iv) any combination of the preceding 3 questions. The advisory referendum may be initiated either by petition or by ordinance of the county board. A written petition for an advisory referendum authorized by this Section must contain the signatures of at least 8% of the votes cast for candidates for Governor in the preceding gubernatorial election by the registered voters of the county and must be filed with the appropriate election authority. An ordinance initiating an advisory referendum authorized by this Section must be approved by a majority of the members of the county board and must be filed with the appropriate election authority. An advisory referendum initiated under this Section shall be placed on the ballot at the general election designated in the petition or ordinance.

(Source: P.A. 93-308, eff. 7-23-03.)

(55 ILCS 5/2-3003)

Sec. 2-3003. Apportionment plan.

- 1) If the county board determines that members shall be elected by districts, it shall develop an apportionment plan and specify the number of districts and the number of county board members to be elected from each district and whether voters will have cumulative voting rights in multi-member districts. Each such district:
 - a. Shall be substantially equal in population to each other district;
 - b. Shall be comprised of contiguous territory, as nearly compact as practicable; and
 - c. May divide townships or municipalities only when necessary to conform to the population requirement of paragraph a. of this Section.



- d. Shall be created in such a manner so that no precinct shall be divided between 2 or more districts, insofar as is practicable.
- 2) The county board of each county having a population of less than 3,000,000 inhabitants may, if it should so decide, provide within that county for single member districts outside the corporate limits and multi-member districts within the corporate limits of any municipality with a population in excess of 75,000. Paragraphs a, b, c and d of subsection (1) of this Section shall apply to the apportionment of both single and multi-member districts within a county to the extent that compliance with paragraphs a, b, c and d still permit the establishment of such districts, except that the population of any multi-member district shall be equal to the population of any single member district, times the number of members found within that multi-member district.
- 3) In a county where the Chairman of the County Board is elected by the voters of the county as provided in Section 2-3007, the Chairman of the County Board may develop and present to the Board by the third Wednesday in May in the year after a federal decennial census year an apportionment plan in accordance with the provisions of subsection (1) of this Section. If the Chairman presents a plan to the Board by the third Wednesday in May, the Board shall conduct at least one public hearing to receive comments and to discuss the apportionment plan, the hearing shall be held at least 6 days but not more than 21 days after the Chairman's plan was presented to the Board, and the public shall be given notice of the hearing at least 6 days in advance. If the Chairman presents a plan by the third Wednesday in May, the Board is prohibited from enacting an apportionment plan until after a hearing on the plan presented by the Chairman. The Chairman shall have access to the federal decennial census available to the Board.
- 4) In a county where a County Executive is elected by the voters of the county as provided in Section 2-5007 of the Counties Code, the County Executive may develop and present to the Board by the third Wednesday in May in the year after a federal decennial census year an apportionment plan in accordance with the provisions of subsection (1) of this



Section. If the Executive presents a plan to the Board by the third Wednesday in May, the Board shall conduct at least one public hearing to receive comments and to discuss the apportionment plan, the hearing shall be held at least 6 days but not more than 21 days after the Executive's plan was presented to the Board, and the public shall be given notice of the hearing at least 6 days in advance. If the Executive presents a plan by the third Wednesday in May, the Board is prohibited from enacting an apportionment plan until after a hearing on the plan presented by the Executive. The Executive shall have access to the federal decennial census available to the Board.

(Source: P.A. 96-1540, eff. 3-7-11; 97-986, eff. 8-17-12.)





To: Hon. Fred Foreman, Chair, Lake County Commission on Government Reform and Accountability
Hon. Kathy Ryg, Vice Chair, Lake County Commission on Government Reform and Accountability

From: Kevin Knutson, Regional Vice President, Management Partners
Susan Hoyt, Special Advisor, Management Partners

Subject: Comparison of County Board Chair Duties in Lake, DuPage, McHenry, Kane and Will County

Date: September 7, 2017

A comparison of the roles of the County board chairs in the five collar counties of Lake, DuPage, McHenry, Kane and Will, is shown in Table 1 as background information for the deliberation regarding the format of the board chair election. The names of each current board chair will link to their websites for further information.

Table 1. County Board Chair Roles in Illinois Collar Counties

Comparison	Lake County	DuPage	Kane	McHenry	Will
Title	Board Chair	Board Chair	Board Chair	Board Chair	County Executive
Current Officeholder	Aaron Lawlor	Dan Cronin	Chris Lauzen	Jack Franks	Larry Walsh
Method of Election	Board elected Chair	Countywide elected Chair	Countywide elected Chair	Countywide elected Chair	Countywide elected Executive (only one in Illinois)
Term (Statutory)	Every two years	Every four years	Every four years	Every four years	Every four years
Representation	District	Countywide	Countywide	Countywide	Countywide

Comparison	Lake County	DuPage	Kane	McHenry	Will
Authority for Duties	Duties set by County Board through ordinances, orders, resolutions, and regulations (Article VII Section 4(d) 1970 Constitution)	Duties set by County Board through ordinances, orders, resolutions, and regulations (Article VII Section 4(d) 1970 Constitution)	Duties set by County Board through ordinances, orders, resolutions, and regulations (Article VII Section 4(d) 1970 Constitution)	Duties set by County Board through ordinances, orders, resolutions and regulations (Article VII Section 4(d) 1970 Constitution)	Coordinate and direct by executive order all administrative and management functions of the county (55ILCS 5/2-5009)
Additional Duties	Liquor Commissioner for unincorporated areas (Article IV Section 4-2 Liquor Control Act 1934)	Liquor Commissioner for unincorporated areas (Article IV Section 4-2 Liquor Control Act 1934)	Liquor Commissioner for unincorporated areas (Article IV Section 4-2 Liquor Control Act 1934)	Liquor Commissioner for unincorporated areas (Article IV Section 4-2 Liquor Control Act 1934)	Liquor Commissioner for unincorporated areas (Article IV Section 4-2 Liquor Control Act 1934)
Board Chair Major Responsibilities	Presides over board meetings, appoints committee members to ad hoc and special committees subject to Board approval, serves as ex-officio member of all committees	Presides over board meetings, prepares proposed budget, appoints committee members and makes chair assignments	Presides over board meetings; appoints committee members	Presides over board meetings; sets committee agendas in coordination with County Administrator	Responsible for day-to-day operations including oversight of 26 departments; preparing proposed budget and annual report
County Administrator	Yes	Yes	No	Yes	No
County Administrator Major Responsibilities	County Administrator oversees day-to-day operations and prepares proposed budget	Administers and provides general oversight of all policies, ordinances and resolutions adopted by the County Board Oversees and directs senior staff on operational issues as directed by County Board Chair and provides line supervision	n/a	County Administrator oversees day-to-day operations and prepares proposed budget	n/a



Comparison	Lake County	DuPage	Kane	McHenry	Will
		for all senior staff			
Administrator is ICMA Member*	Yes	No	n/a	Yes	n/a

* ICMA (International City/County Management Association) members adhere to a code of ethics that requires them to "refrain from all political activities."





To: Hon. Fred Foreman, Chair, Lake County Government Reform and Accountability Commission
Hon. Kathy Ryg, Vice Chair, Lake County Government Reform and Accountability Commission

From: Kevin Knutson, Regional Vice President, Management Partners
Sam Lieberman, Senior Management Advisor, Management Partners

Subject: County Independent Redistricting Commissions

Date: December 1, 2017

This memorandum provides information about three counties with independent redistricting commissions. It will answer, where available, the following questions posed by the Commission on Government Reform and Accountability:

- When were the respective commissions created, and by whom (court order, state or other mandate, County Board Ordinance)?
- What is the structure of the independent commission? Number of members, who appoints them, etc.?
- What authorities and duties do they have?
- Do they have a published set of criteria, value judgements, hierarchy of priorities or other information that describes how they go about drawing their map?
- What body has final approval power?
- Any litigation resulting from the creation of an independent commission and any notable news coverage following their respective implementations?
- What form of government does each county have?
- How many county board members does each county have and how are they elected?
- What is the racial breakdown of each county? County board?
- Do any of them have majority-minority districts? If so, how many?

The counties we identified that have an independent redistricting commission are San Diego County, California (the county seat is San Diego), Tompkins County, New York (the county seat is Ithaca), and Dane County, Wisconsin (the county seat is Madison). Each is discussed below.

San Diego County, CA

- The commission was technically created by the California State Legislature, but that followed a request by the County Board of Supervisors to have the legislature allow the Board to create an independent redistricting commission in 2012. Voters then approved

this change in June 2016. The redistricting commission will first be in use after the 2020 census.

- The Board of Supervisors randomly selects five members and two alternates to the commission. Interested applicants must be former or retired state or federal judges who are residents and registered voters in San Diego County.
- The commission is required to hold seven public hearings, at least one in each of the five supervisorial districts, and their final map would be subject to referendum.
- We found no published set of criteria, value judgements or other information describing how they will develop maps.
- County voters have final approval over any map that is created.
- The county board consists of five members elected by district. The board consists of three white men and two white women. The administration is run by an appointed chief administrative officer.
- San Diego County is 64% white, 11% Asian, 5% African American. About 34% are of Hispanic descent. The 2016 population was 3,317,749.

Tompkins County, NY

- The Tompkins County legislature (county board) created the independent redistricting commission in 2011.
- The commission consists of nine members appointed by the Tompkins County legislature. Members of the commission must be county residents, registered voters, and knowledgeable about Tompkins County and its municipalities, and about government and electoral processes. Commission members cannot be currently elected officials.
- The commission submits its plan (and any alternatives) to the Government Operations Committee, which then forwards it to the full legislature in the form of a proposed local law or laws. Following a public hearing, the legislature may adopt a local law, or may refer the plan (and/or alternatives) back to the commission with written comments. That can only be done one time. Upon receipt, the commission considers the legislature's comments and may revise the plan and return it to the Government Operations Committee for re-transmittal to the legislature, or the commission may decline to make changes and so advise the legislature in writing with its reasons. In that event, the legislature shall proceed to adopt a plan for redistricting.
- The "charge" of the commission can be found here:
<http://www.tompkinscountyny.gov/files2/redistricting/Memo%20and%20Charge.pdf>
- There are 14 members of the Tompkins County legislature, elected by district:
 - One black woman
 - Five white women
 - Eight white men

The administration is run by an appointed chief administrative officer.

- Tompkins County is 77% white, 10% Asian, 4% African American. Less than 5% are of Hispanic descent. Tompkins is about 43% rural, with a 2016 population of 104,871.



Dane County, WI

- Dane County voters in 2014 overwhelmingly approved an advisory referendum to establish impartial, nonpartisan redistricting. The County Board then established a subcommittee to make recommendations for how to conduct the next mapping process.
 - The Dane County Board approved a new Citizen Redistricting Commission to redraw maps following the release of the 2020 Census.
 - The Citizen Redistricting Commission will include from nine to eleven members who are not affiliated with any political party, lobbying group, labor union or other entities with a vested interest in drawing voting boundaries.
 - Once the 2020 Census figures are released, Dane County will begin putting together its Redistricting Commission. The County Board chair and Dane County clerk will make appointments to the commission, with the final selection to be approved by the full County Board. The Dane County Towns Association, the Dane County Cities and Villages Association and the City of Madison will have input into the appointments.
 - The Redistricting Commission will then submit one to three maps to the County Board for a vote. If none of the maps have enough votes for adoption, the maps would be re-referred to the Redistricting Commission, which then can amend the maps and resubmit them to the Board for final approval.
 - We found no published set of criteria, value judgements or other information describing how they will develop maps.
 - Dane County Board of Supervisors has 37 members elected by district.
 - One black woman
 - 13 white women
 - 23 white men
- Dane County has an elected county executive.
- Dane County is 85% white, 5% Asian, 5% African American. A little over 6% identify as Hispanic. The 2016 population was 531,273.





Collar County Comparison of County Board Size and Method of Electing the Chair

Comparison	Lake County	DuPage	Kane	Kendall	McHenry	Will
Title	Board Chair	Board Chair	Board Chair	Board Chair	Board Chair	County Executive
2010 Population (Source: CMAP)	682,753	904,784	508,482	114,528	307,113	669,013
Method of Election	Board Elected Chair	Countywide Elected Chair	Countywide Elected Chair	Board Elected Chair	Countywide Elected Chair	Countywide Elected Executive (only one in Illinois)
Term (Statutory)	Every two years	Every four years	Every four years	Every two years	Every four years	Every four years
Representation by Chair	District	Countywide	Countywide	District	Countywide	Countywide
Members per District	1 member per District	3 members per district	1 member per district	5 members per district	4 members per district	2 members per district
Number of County Board Members	21 members including chair	18 + Chair	24 + Chair	10 members including chair	24 + Chair	26 + Co Executive
Major Duties	Presides over county board meetings, appoints committee members and ad hoc and special committees subject to Board approval	Schedules, prepares the agenda and presides over county board meetings, prepares the proposed budget.	Presides over County Board meetings; makes appointments subject to Board Approval	Presides over County Board meetings	Chair presides over meetings; sets agenda, sets committee agendas in coordination with County Administrator	Responsible for day-to-day operations including oversight of 26 departments; preparing proposed budget and annual report
County Administrator Staff	Yes	Yes	No	Yes	Yes	No