# LAKE COUNTY STANDARDS FOR APPOINTEES TO UNITS OF LOCAL GOVERNMENT OR AGENCY

As the appointing authority for many units of local government, the Lake County Board hereby enacts these Standards for Appointees to Units of Local Government (Standards) in accordance with 55 ILCS 5/5-1133.

This ordinance delineates the governing rules for appropriate conduct for appointees who are entrusted to make important decisions and carry out responsibilities that affect the people in Lake County. Each appointee is required to sign the attached certificate acknowledging they have read and agree to abide by the Standards.

The Standards fall into three classifications:

A. Ethics
B. Transparency
C. Fiscal Responsibility, Communication & Reporting

## A. ETHICS

The Standards as outlined in the Lake County Ethics Ordinance and are governed by procedures set out in that ordinance.

Appointees are required by the State Officials and Employees Ethics Act (5 ILCS 430/70-20) (Ethics Acts) to "abide by the ethics laws applicable to, and the ethics policies of, the county and, if applicable, shall be subject to the jurisdiction of that county's ethics officer or inspector general."

In 2004, Lake County Board adopted an Ethics Ordinance. The Ethics Ordinance:

- Prohibits specified political contributions and activity;
- Imposes limits on the receipt and solicitation of gifts; and
- Bans undue influence in hiring or vendor selection.

As provided by the Ethics Act, an appointee who violates the Lake County Ethics Ordinance is subject to the same penalties as other officers and employees of Lake County. In addition, the County Code (55 ILCS 1133) provides that an appointee may be removed from office for violating a code of conduct. Pursuant to this authority, violation of the Lake County Ethics Ordinance also may subject an appointee to removal from office.

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

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## B. TRANSPARENCY

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

1) Understand and comply with the requirements of the Illinois Freedom of Information Act. (5 ILCS 140/1).

2) Understand and comply with the Illinois Open Meetings Act. (5 ILCS 120/1)

3) Complete the Open Meetings Act training through the state's online program. Appointees to governmental bodies must complete training no later than the 90th day after taking the oath of office or otherwise assuming responsibilities as a member of the public body. Proof of completion must be submitted to the Lake County Board Office annually. The Public Access Counselor's Office's OMA electronic training is available free of charge.

4) Willful failure to comply with FOIA or OMA, including the annual OMA training, may result in removal.

## C. FISCAL RESPONSIBILITY, COMMUNICATION & REPORTING

### 1. FISCAL RESPONSIBILITY

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

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

1) Establish Annual Budget Policies based on the needs of the organization and the people it serves.

2) Adhere to statutory requirements when making decisions on budgeting, contracting, expenditures, employment, compensation, benefits, settlements and other financial standards.

3) Adopt financial practices and policies in accordance with the Government Finance Officers Association (GFOA) recommendations which take into consideration the unique financial operations of governmental entities. *See* http://www/gfoa.org/

4) Strive to minimize costs and increase efficiency by promoting shared services

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and collaborating with other units of government.

5) Any internal or external findings by a court of law and/or administrative agency of failure to meet fiduciary responsibilities, may result in removal.

## 2. COMMUNICATION GUIDELINES

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

The Lake County Board expects that Appointees will:

1) Notify the Lake County Board Office of major events, expenditures, employment issues, and settlement agreements.

2) Promptly disclose any internal or external inquiries or findings by a court of law and/or administrative agency of non-compliance with any law or regulation involving the unit of local government and/or its personnel.

3) Willful failure to disclose inquires or findings may result in removal.

## 3. REPORTING REQUIREMENTS

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

The Reporting Requirements will be managed through an internal review process defined by the Ethics and Oversight Committee and will be strictly enforced.
Lake County hereby requires the unit of local government or agency to which the County Board Chair nominates and the County Board confirms a majority of member appointments to provide the following information annually for the most recently completed fiscal year within 30 days of receipt of their audit, or if no audit is required by December 31, or upon written request of the Lake County Board Chair:

- Employee and trustee/board member benefit allowances and any other form of compensation including bonuses or vehicle use allowances
- Annual audit, including internal controls and management letters
- Adopted appropriation or budget for the current fiscal year
- List of capital items purchased over $50,000
- List of contractual agreements over $50,000
- List of settlement agreements larger than $100,000 in total consideration
- List of significant litigation resulting in payout larger than $50,000
- Employment contracts of the organization administrator/executive director and all others over $100,000

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- Bargaining unit contracts ratified during fiscal year
- List of top five vendors with total fiscal year expenditures over $5,000
- List of top ten highest paid salaries
- Proof of required insurance bonds for all office holders

Appointees shall provide any additional information requested by the Lake County Board Chair or their designee.

This information shall be posted either on the unit of government's webpage or on a page hosted by the County on an annual basis.

Willful failure to provide information required by these Reporting Requirements may result in removal.

***Pursuant to 55 ILCS 5/5-1133, the process for removal of appointed officials is as follows:***

1) The Lake County Board Ethics and Oversight Committee or its successor committee will by majority vote make recommendations to the County Board Chair to remove an Appointee.

2) An Appointee is entitled to a hearing prior to the vote by the County Board.

3) An Appointee may be removed by the County Board Chair with concurrence by a 2/3 majority vote of the County Board.

4) An Appointee will receive notice of the specific violation(s) and of a hearing at least 14 days prior to the scheduled hearing.

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CERTIFICATE OF ACKNOWLEDGEMENT

I,_____as an appointee to the
(NAME)

_____acknowledge that I have
(UNIT OF GOVERNMENT)

reviewed the Lake County Standards for Appointees to Local Units of Government or Agency.

_____
(SIGNATURE)

_____
(DATE)

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