

REORGANIZATIONAL MEETING
MONDAY, DECEMBER 3, 2012
ELEVEN THIRTY A.M.

UNITED STATES OF AMERICA
STATE OF ILLINOIS
COUNTY OF WILL

County Executive Walsh called the meeting to order.

County Executive Walsh welcomed everyone present to the Reorganizational Meeting of the Will County Board.

Member Adamic led the Pledge of Allegiance to our Flag.

Member Brooks from St. John's Church in Joliet delivered the invocation.

Member Howard made a motion, seconded by Member Traynere, to seat the newly Elected and Re-Elected County Board Members.

NEWLY ELECTED AND RE-ELECTED COUNTY BOARD MEMBERS WERE SEATED.

Roll call showed the following Board members present: Howard, Ogalla, Izzo, Moustis, Moran, Rice, Harris, Traynere, Bible, Goodson, Freitag, Gould, Balich, Fricilone, Brooks, Winfrey, Adamic, Zigrossi, Babich, Wilhelmi, Hart, Maher, McDermed, Weigel, Collins and Ferry. Total: Twenty-six.

COUNTY EXECUTIVE WALSH DECLARED A QUORUM PRESENT.

Member Brooks made a motion, seconded by Member Zigrossi, to place Resolution #12-378, Setting Forth Governance Rules and Procedures for the Will County Board in the County of Will, State of Illinois on the floor.

Voting Affirmative were: Howard, Ogalla, Izzo, Moustis, Moran, Rice, Harris, Traynere, Bible, Goodson, Freitag, Gould, Balich, Fricilone, Brooks, Winfrey, Adamic, Zigrossi, Babich, Wilhelmi, Hart, Maher, McDermed, Weigel, Collins and Ferry. Total: Twenty-six.

No negative votes.

RESOLUTION #12-378 IS ON THE FLOOR.

Member Brooks stated now that they are on the floor, I would like to amend the rules that everyone should have. The amendment to the rules you should have that on your desk in front of you.

Member Brooks made a motion, seconded by Member Zigrossi, to amend Resolution #12-378.

Member Brooks stated does everyone have them?

Member Maher stated for clarification County Executive Walsh.

County Executive Walsh stated yes Member Maher.

Member Maher stated are we talking about the rules that was given to us when and the amendment is now from when?

Member Zigrossi stated that would be the Democratic Caucus Rules, that you would have received from County Clerk Voots office.

Member Moustis stated the one we received today?

Member Maher stated the one that we just got as we sat down?

Member Zigrossi stated correct but you also have a single sheet.

Member Maher stated it was here when we just sat down though. So, you're saying that you want us to accept the Democratic Caucus Rules from Saturday that you all had your caucus.

Member Zigrossi stated that's correct.

Member Brooks stated that's right.

Member Maher stated is that the amended rules that we haven't had a chance to look at yet?

Member Brooks stated that is the amended rules, yes sir.

Member Maher stated I personally can you explain to me, can you go through the rules...

County Executive Walsh stated that's what Member Brooks is going to do.

Member Maher stated so he's going to go through the rules for us and explain what they are. I thought he was looking to have this thing on...

Member Zigrossi stated no it's open for...

Member Brooks stated no we are putting it on the floor, isn't that right, County Executive Walsh?

County Executive Walsh stated yes, that's right.

Member Brooks stated and then we will move to discussion, is that right?

County Executive Walsh stated up for discussion just like every other thing.

Member Moustis stated well do we have to vote on the...

Member Maher stated we haven't even voted to accept the current rules.

County Executive Walsh stated no you don't even have to vote on he's amending the rules. He's amending what was originally prepared. This is the amended version.

Member Moustis stated I'm just asking can you make a motion to amend the rules?

Member Zigrossi stated he just did.

Member Brooks stated correct I did.

County Executive Walsh stated he did.

Member Moustis stated did we vote?

County Executive Walsh stated no, we are going to discuss. We'll have an open discussion, we'll have open discussion on the amended rules, then, as soon as everybody is satisfied with the discussion, then, we will vote to amend and then we will vote to approve the original as amended.

Member Brooks stated now do you want me to go through the amendment?

County Executive Walsh stated why don't you give some of the highlights isn't there a synopsis or something?

Member Brooks stated can I refer that to Member Zigrossi. I do have some vision problems that many times reading print I do have a problem. So, if you don't mind...Then, she did all the work of typing this together as well, may I?

County Executive Walsh stated yes.

Member Zigrossi stated there was actually only two things that were changed within our caucus meeting that we held on Saturday. One is a title correction which will carry through the entire length of the document of the rules. It was proposed previous that it would be referred to as Democrat or Republican Leader. The clarification on it, it has now been changed to Democratic Caucus Chair or Republican Caucus Chair. The purpose for this correction was to simply aid in distinguishing between the County

Executive's title, the County Board Leader's title and then each respective Political Party. The second change came in, which is an addition, which is a good thing we felt for both sides. The addition is to the Democratic and Republican Whips authority. In essence this person will now, and the language is put in, to serve as an Ex-Officio of all committees to constitute a quorum and have voting privileges in the absence of the respective Democratic or Republican Caucus Chair. Anything else which was done within the document itself was purely grammatical or a number sequencing change. Thank you.

Member Maher stated excuse me. Are we talking about these changes were from our original adopted rules or are you talking about the other proposal that you have that have never been elected by the committee?

Member Zigrossi stated correct this would be to the one that we just proposed on the 4th.

Member Maher stated so could you go through the changes that were made to our original rules that we have in the...not the Democratic Caucus not the Republican Caucus but the rules for the County Board and tell us the differences.

Member Zigrossi stated in your copy and as well as everyone's copy, it's highlighted the changes that are being requested by the Democratic Party and there are strikethroughs, but this is the original document. There has been nothing that has been taken out at this point in time. So everything is in it's original form and content, and what you will see as far as things that are being requested at this point, to be taken out have a strikethrough.

Member Maher stated can you go through them with us?

Member Zigrossi stated sure, I'd be happy to. The first thing I am going to address on the very first page again since Chairman County Board Leader this is a request that's being made as a correction in title. Democratic Caucus Chair...

Member Maher stated excuse me who did that request come from?

Member Zigrossi stated this is our rules that we are presenting, which are on the floor Member Maher at this point in time for discussion.

Member Maher stated I know that's why I'm discussing. So this point here is you guys spent a lot of time dicussing.

Member Zigrossi stated yes.

Member Maher stated so asking where this came from and did you give us an explanation on where you think the confusion comes from.

Member Brooks stated there is no...I can answer that. Where did the confusion come from you were given both sides of the corrections all the corrections that Member Zigrossi has described.

Member Maher stated no, no, no, the confusion on terminology between the Executive Branch and the fact that Mr. Walsh is the Executive versus the Chairman of the County Board which is a distinct legislative body by statute. It is not related to the Executive but the Executive by statute is only there for the ability to go and cast a tie-breaking vote, otherwise, is not involved in any of our business. So I'm a little confused on how after 10 years of using this terminology there is a confusion on the use of the terminology.

Member Zigrossi stated going back, I may have to defer to State's Attorney James W. Glasgow's Office also on this. There was a legal opinion that was rendered, I believe some time ago, with regard to the Chairman titling that was in there.

Member Brooks stated in 2005 I believe. Are we allowed..can State's Attorney James W. Glasgow comment on that, if you would please?

State's Attorney Glasgow stated we had this discussion 8 years ago with regards to the term Chairman. It has a statutory meaning that exists in most other counties where they either have a Chairman of the County Board that then elected by the County Board or they have a Chairman who is elected by the public at large and then serves also as a Member of the County Board. Also the word President was tossed out at some point, in Cook County, they have a President of the County Board. So, there are statutory instructions for the term Chairman and President that don't relate to this form of government, which is the County Executive form of government. It is unique in the State of Illinois, we are the only County that has it. We had discussed in the past potential confusion that could be caused by using a word that has a legal definition in the Illinois Compiled Statutes that's completely different from what the person in this particular County would do. Obviously, whatever term is chosen, whether it be Leader, Speaker or whatever the County Board chooses, will be more appropriate for this form of government.

Member Moustis stated State's Attorney Glasgow, certainly, we have used this term as the title of Chairman of the County Board for the last 8 years and we did get an outside opinion. Of course, you did not at that time, tell us we could not use the term as a Board. In that opinion, even though there are statutory requirements in different forms of County Government...is what was important, my recollection, as long as that person understands he doesn't have the duties of that necessarily a Chairman who is countywide elected or elected by the Board. It had more to do with the duties than it actually had to do with the title. I hear a lot of references, even in the opinion you rendered, references to the Constitution in relation to counties. But yet, it doesn't seem to acknowledge the fact that the Executive form of government, which was not always a form of government in the State of Illinois, has its own separate statutes. In those statutes, it clearly says the County Executive takes the administrative duties of a Chairman. Nowhere does it say he replaces the Chairman. I'm not an attorney, this is

your opinion, this is your opinion. I didn't think it was your opinion 10 years ago, and certainly you allowed it to go on. I'm not here to argue about it, I'm just telling you I don't agree with it and certainly your office did not prevent us from using the term for the last 10 years. I'm not looking for an answer it was more of a statement.

Member Freitag said you stated that we had a discussion about this 8 years ago, I would like to know who we was? If this discussion was taken place 8 years ago why wasn't it changed 8 years ago and why are we now 8 years later making that change?

State's Attorney Glasgow stated this was an issue that was addressed in a legal opinion. I hired outside counsel to do that to remove politics from the issue. The attorney (inaudible) Stuart Diamond wrote an opinion and the opinion laid out the conflicts that can occur. At one point, Member Moustis was served with a lawsuit against the County because the person thought he was the one to be serve and not the County Executive. There's an example of an attorney misunderstanding how we are running our government here. So, for purposes of keeping this house in order and having making sure that those mistakes are not made. It's a very simple change in terminology from Chairman to Leader to Speaker whatever you want to do, it's up too you. A term that doesn't have another legally defined role under Illinois Statutes, I think that would be the safest way to go and again it's the County Board's decision.

Member Wilhelmi stated just being on the Board 8 years ago or 10 years ago or whatever it was. Really what it comes down to the as a group the Democrats did feel like it was a confusing term and that's the reason why it wasn't changed up until now. Now, we feel like we have the ability to make this change and make it more clear and so we're taking it.

Member Adamic stated thank you County Executive Walsh. County Executive Walsh, I've been here a long time, probably second in seniority, only second to Member Babich who has been here longer than I have. You know we could make this really go awry really a lot quicker or we could go word for word, sentence for sentence and pick through it. I don't really care personally, if you call it Chairman, or if you call it Speaker, or if you call it whatever else you decide. We all know that the political will wasn't there or the votes weren't there when this first came up. That is the reality of the situation. This should be about good, honest and open government. Does it really, really matter what you call yourself...call your self Grand Pumba for all I care. We are here to do the peoples' work and do what's right. We shouldn't be making a big deal out of what it's really called. It's really when you get right down to it, what is that position? What are those duties? What are they? And doing what's right. We could go back and forth and make this a political battle. We can do it for the next 2 years or the next 2 hours here. Is that what it's really going to become? Is that what we really want in our government? Come on, I don't care if you call it Chairman, that's fine with me. I don't care if you call it Speaker, that's fine with me. Apparently, the group has decided here, on this side of the aisle, they would like to call it Leader. That's fine by me. I'm not going to step in the way. Let's get on with it and do what's right, you know, we are all here to do a job. Let's do it right. We have an excellent opportunity to work together. We made a fair map, maybe too fair. 13 votes to 13 votes, 13 doesn't beat 13 any day of the week in

this baseball game it usually goes into extra innings. But by the grand fact that we've elected the Democratic County Executive that's the fourteenth vote so we are in effective control. That's where we are at. We are going to find out about 13/13 on the Forest Preserve there is no tiebreaker vote. You know we need to work together here, that's what it should all be about. You know I just get so sick and tired of the process, where people want to go and nitpick. I don't care, I want to do something that's right for the citizen's of the County of Will.

County Executive Walsh stated thank you Member Adamic.

Member Howard stated I concur with Member Adamic and I offer my support to that. Let's just get on with this we just need to get it done. We have a lot more important issues here then to argue over a grammatical term. And Leader, simply we need a Leader so let's stick with it.

Member Moustis stated let's talk about the term Leaders in a legislative context. The Leaders in most legislative bodies are, it's a partisan title, and generally a partisan position that a Leader in a legislative body has. So, I don't like the term Leader for those reasons. I would have much preferred something like Speaker, I think that more reflects...well, you want to not confuse people then let's call it what it is. Let's look at something that maybe is like a Speaker, evidently President, Chairman, anything that really says this body has it's own identity and it's own leadership basically we're told that we can't use those terms. You would rather have the public think that the County Executive is the Leader of the County Board. So, I do have problem with the word Leader in place of a Chairman in a legislative context. I would much prefer something like Speaker, they speak for the County Board. Member Adamic you can say this doesn't mean anything, but it does. It's about how this Board is perceived and the integrity of this Board. I do think it makes a difference and I do think we should be looking at terms that are more reflective of what the duties are. Actually, this is the last I'm going to say about it. I'm just saying whoever is selected as the Leader from the Democratic side of the aisle, I kind of feel like you're not my Leader. You're not the Leader of the Caucus, you're not necessarily...you speak for the Board and you're position is to bring the County Board Agenda forward to get to a vote. Work with the respective caucuses in other interest...I just don't think the word Leader is reflective of that. So, this is the last word I'm going to say about it. I'm just telling you why I think it's a bad term to use, that's all.

State's Attorney Glasgow stated in that regard again I have no favorite term that I'm going to try to select. In light of what was just said, everyone in the country understands what the Speaker of the House is. When you hear that you know what that means. That's a legislative body, that's a term that's not used in the Illinois Statutes. Again, it would go further to remove any question of politics and just simply show the County this is the person that speaks on behalf of the County Board and once there is a decision made by that Board.

Member Babich stated I would like to make a motion to use the word Leader for the County Board instead of Chairman or Speaker.

County Executive Walsh stated it's already in there Member Babich. That's what's already being discussed.

Member Adamic stated I'm not hell bent on one way or the other, to distinguish the County Board and legislative process, if it makes everybody happy I will make a motion to make the term instead of County Board Leader to County Board Speaker.

Member Adamic made a motion, seconded by Member Maher, to amend the verbiage in Resolution #12-378 from County Board "Leader" to County Board "Speaker."

County Executive Walsh asked is there any discussion?

County Executive Walsh stated now does everyone understand what this is? This is an amendment to change the title from County Board "Leader" to "Speaker", Speaker of the County Board I presume. Right, Member Adamic?

Member Adamic stated yes, Speaker correct. Speaker of the County Board.

Voting Affirmative were: Howard, Ogalla, Izzo, Moustis, Moran, Rice, Harris, Traynere, Bible, Goodson, Freitag, Gould, Balich, Fricilone, Brooks, Winfrey, Adamic, Zigrossi, Wilhelmi, Hart, Maher, McDermed, Weigel, Collins and Ferry. Total: Twenty-five.

Negative votes: Babich. Total: one.

RESOLUTION #12-378 IS AMENDED.

**GOVERNANCE RULES AND PROCEDURES
FOR THE WILL COUNTY BOARD
IN THE COUNTY OF WILL, STATE OF ILLINOIS**



HERBERT BROOKS, JR., COUNTY BOARD SPEAKER

DIANE ZIGROSSI, DEMOCRATIC CAUCUS CHAIR

JIM MOUSTIS, REPUBLICAN CAUCUS CHAIR

ADOPTED DECEMBER 3rd, 2012

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RESOLUTION #12-378
RE: SETTING FORTH GOVERNANCE RULES AND PROCEDURES
FOR THE WILL COUNTY BOARD
IN THE COUNTY OF WILL, STATE OF ILLINOIS

I. DUTIES AND OFFICERS OF THE WILL COUNTY BOARD

- 1.01 Will County Board
- 1.02 Officers
- 1.03 Duties of County Board Speaker
- 1.04 Duties of Legislative Democratic Caucus Chair and Republican Caucus Chair
- 1.05 Duties of the County Executive

1.01 Will County Board. The governing body of the County of Will shall be known as the "*Will County Board*", or the "*County Board of Will County, Illinois*", hereinafter referred to as the "*Board*" [55 ILCS 5/2-5003(a)], and its members as "*County Board Member/Members*" (abbreviated "*CBM/CBM's*"). The Board is the legislative body of the County of Will [55 ILCS 5/2-5003(c)], having those powers provided for by the Constitution and laws of the State of Illinois.

1.02 Officers. On the first Monday in December of December in even numbered years after each regular election at which members are elected, at the biennial reorganization meeting, the Board shall elect from its membership a County Board Speaker, a Legislative Democratic Caucus Chair and Legislative Republican Caucus Chair; these three members shall constitute Will County Board Leadership. These officers shall serve two-year terms, or until their successors are elected and qualified.

1.03 Duties of the County Board Speaker.

A. The County Board Speaker shall preside over Board meetings in the temporary absence of the elected County Executive. As the presiding officer of the Executive Committee, the County Board Speaker shall be an ex-officio member of all other committees and may, in the event of a temporary committee vacancy, fill such vacancy for the purpose of establishing a quorum, with voting privileges, and in that event, may act as the Committee Chair in the absence of the Chair and Vice-Chair. The County Board Speaker shall be the presiding official at all times that the Will County Board meets as a "Committee of the Whole" and in his absence the Democratic Caucus Chair shall preside.

B. The County Board Speaker shall be the chief administrative official of the Will County Board. All staff of the Board shall work at the direction of the County Board Speaker. The County Board Speaker shall assign all matters to committees as recommended by the Executive Committee, and have responsibility for the preparation of all agendas of the Will County Board. The Executive and Judicial Branch of county government and elected officials shall work directly through the County Board Speaker and staff regarding requests for assignment of any matter to a committee of the County Board. Any County Board Member may submit a written request to the Executive Committee for assignment of any matter to a committee, and the Executive Committee shall then consider such request. Moreover, it shall be the policy of the Will County Board that County Board staff shall, upon request, be made available in their respective areas of expertise to elected County Officers and department heads to the extent that the availability is not in conflict with the priorities assigned by the County Board.

1.04 Duties of the Legislative Democratic and Republican Caucus Chairs

A. The Legislative Democratic and Republican Caucus Chairs shall provide floor leadership for all Democratic and Republican party members with respect to all legislative matters pending before the Board, including, but not limited to, informing the membership of reasons for and against the adoption of proposed ordinances and

resolutions, assessing support for and opposition to the adoption of proposed ordinances and resolutions, assessing the need for amendments thereto, consulting with the opposite Legislative Democratic and Republican Caucus Chair with respect to the passage of proposed ordinances and resolutions, and generally assisting in the efficient consideration by the Board of all matters before the Board. The Legislative Democratic and Republican Caucus Chairs shall be the Chief spokesmen of their respective parties on the floor, shall be members of the Executive Committee, and shall be an ex-officio members of all other committees and may, in the event of a temporary committee vacancy, fill such vacancy for the purpose of establishing a quorum with voting privileges, and may act as the Committee Chair in the absence of the Committee Chair and Vice-Chair.

B. In the absence of the Legislative Democratic or Republican Caucus Chair, the County Board Members of the Democratic or Republican political party may designate a leader “pro tem” who shall act and serve on committees in the Leader’s place with like authority.

C. The Legislative Democratic and Republican Caucus Chair shall each appoint a Legislative Whip, to be known as the Democratic and Republican Whip who shall assist its Legislative Democratic or Republican Caucus Chair, at the Caucus Chair’s direction, in the performance of the Democratic and Republican Caucus Chair’s duties. In the absence of the Democratic or Republican Caucus Chair, the Legislative Democratic or Republican Whip shall serve as an ex-officio member of all committees for the purpose of establishing a quorum with voting privileges.

1.05 Duties of the Will County Executive. The Will County Executive shall perform those duties as set forth in 55 ILCS 5/2-5001 ET. seq., and as follows:

A. Submit Budget to Board:

It is the duty of the County Executive to prepare and submit to the County Board for its approval the annual budget required by Division 6-1 of the Counties Code [55 ILCS 5/2-5009, (c)].

1. Said budget shall be submitted by the County Executive to the County Board at the regular September Will County Board meeting.

B. Reports to the Board:

It is the duty of the County Executive to 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 [55 ILCS 5/2-5001];

1. The Will County Board hereby designates the regular recessed August County Board meeting for the making of the County Executive's annual report to the County Board.
2. The Will County Board's Finance Committee shall receive the advice of the County Executive on the financial condition of the County and its future financial needs not less than monthly.

C. Appointments:

1. The County Executive shall:

a. 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 [55 ILCS 5/2-5009 (d)]

b. 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 [55 ILCS 5/2-5009 (e)]

2. At the beginning of each fiscal year the Executive's Office shall provide to the County Board a listing of all 'Board' and 'Commission' appointment positions to be filled in the coming year.

3. A list of appointments to be approved at the next month's County Board meeting shall be submitted by the County Executive to the County Board administrative office not later than the Tuesday before the current month's County Board meeting.

a. The Board's staff will insure that a copy of the appointment list for approval next month is on the desk of each County Board Member (CBM) at the current month's County Board meeting. (In this way each CBM will have knowledge of next month's appointments a month in advance)

4. The appointment list will contain the following information for each position:

- a. Name of position
- b. Position Criteria
- c. Name of appointee
- d. Appointee qualifications
- e. Will County Board and Commissions form
- f. County Board District, if criteria for appointment
- g. Letters of recommendation, if any

5. The County Executive shall post vacant positions (not including positions where incumbent is to be re-appointed) on the County's website.

D. County Executive Hires

1. *The County Executive shall 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 [55 ILCS 5/2-5009 (g)];

2. A list of general administration positions, to be filled by appointment under this section, shall be submitted to the County Board administrative office not later than the Tuesday before the first Executive Committee meeting of the month.

3. An **EMPLOYEE ADVICE AND CONSENT REQUEST FORM**, (attached to these rules as “Exhibit A”) shall be completed for each general administration appointee and included with the **List of General Administration Positions** submitted to the County Board administrative office not later than the Tuesday before the first Executive Committee meeting of the month.

4. The Board’s staff will insure that a copy of the “General Administration Position List” for approval at the current month’s County Board meeting is provided each Will County Board Member (WCBM) by the Tuesday preceding the second (2nd) Executive Committee meeting of the month.

5. The Board’s staff will maintain a file in the County Board administrative office of all the “Personnel Advice and Consent” forms submitted in support of candidate approval so that it is available for review by members of the County Board, at their discretion, prior to consideration by the full County Board. **The names of all candidates for general administration positions shall remain confidential, to the extent allowed by law, until acted upon by the Will County Board.**

6. All general administration appointments, beginning with the declaration of a position vacancy to the identification of a position candidate, shall be processed by the Human Resources Department and its staff in accordance with the policy or policies established from time to time by the Will County Board, approved collective bargaining agreements (as may be applicable), as well as Federal and State of Illinois laws and regulations.

7. Vacant positions shall be posted on the County's web site for at least ten (10) business days prior to the selection of a candidate by the County Executive.

8. General administration appointments shall be based solely on a candidate's overall qualifications and ability to work with others and consistent with approved collective bargaining agreements then in effect (and if applicable). Appointing or supporting a candidate to further a political agenda or purpose (political hiring) is **expressly prohibited**.

9. Hires in advance of County Board approval are hereby prohibited except in the following cases:

- a. Replacement staff at Sunny Hill Nursing Home.
- b. An "emergency hire" with the prior approval of the County Board Speaker, Legislative Democratic and Republican Caucus Chair until such time that the hire is formally approved or disapproved by the Will County Board.

II. COMMITTEES OF THE WILL COUNTY BOARD

2.01 Committee Appointments

2.02 Committee Vacancies

2.03 Standing Committees

1. Executive
2. Finance
3. Public Works & Transportation
4. Judicial
5. Public Health and Safety
6. Land Use & Development
7. Legislative & Policy
8. Capital Improvements
9. Insurance and Personnel

2.04 Powers of Committees

2.05 Written Minutes

2.01 Committee Appointments. The County Board Speaker, in consultation with the Legislative Democratic and Republican Caucus Chairs, shall appoint the Chair of each standing committee from the membership of the Democratic or Republican parties, and shall appoint such other members of the nine (9) standing committees as is deemed necessary for the proper oversight and functioning of the business of the Board.

2.02 Committee Vacancies. Whenever any member of any committee is either temporarily or permanently unable to perform the duties of such appointment due to resignation, death, disability, illness, or absence, the appointing authority may declare such position vacant and appoint another member to fill the vacancy. If the vacancy is temporary and not permanent, the appointment shall terminate once the incumbent member is able to return to perform the duties of the committee assignment. If a member misses three (3) consecutive meetings, the County Board Speaker may replace that member either permanently or temporarily.

2.03 Standing Committees.

A. There shall be nine (9) permanent committees of the County Board. Each permanent committee shall consist of at least 5 members, except the following:

- The Executive Committee, which shall consist of at least thirteen (13)

B. The date and time of a committee's meeting shall be set by the County Board Speaker in consultation with the Committee Chair. At a meeting of a committee, in the absence of a Committee Chair, the Committee Vice-Chair shall act as temporary Chair. In the absence of the Chair and Vice-Chair, present committee members, with the ability to comprise a quorum, may elect a Chair-Pro-tem in order to conduct the business of the Committee.

C. The permanent committees and their responsibilities are as follows:

1. **Executive.**

This Committee shall be responsible for the following:

- i. Assignment of all matters to all standing committees for consideration.

- ii. Consideration of all County Executive appointments.
- iii. The approval of the County Board agenda.
- iv. Making a recommendation to the Board on all contracts for professional services, including but not limited to insurance and audits.
- v. The review and oversight of the Community Development Block Grant Program, including recommendations to the Board for grant proposals. Economic development; hearings on the issuance of County licenses, in accordance with State Statutes and local resolutions and ordinances.
- vi. All other matters not specifically assigned to other committees of the Board.

Membership on the Executive Committee shall be comprised of at least the following:

- County Board Speaker
- Legislative Democratic and Republican Caucus Chairs or, in the absence of the Legislative Democratic or Republican Caucus Chair, the Democratic or Republican Whip;
- Chair of each of the eight (8) other standing committees of the Board or, in the absence of any such Chair, the Committee's Vice-Chair ; and
- In addition to the County Board Speaker, Legislative Democratic and Republican Caucus Chair and Committee Chairs, all remaining members shall be determined by leadership.

2. **Finance.**

This Committee shall be responsible for the following:

- i. Making recommendations concerning County fiscal policies and financial administration.
- ii. Establishing and reviewing County Board budget priorities.
- iii. The examination, review, analysis, and where appropriate the modification of the annual budget proposed by the County Executive.

- iv. The preparation of the annual appropriation and levy ordinances for the County of Will.
- v. The review of all internal and external audits of all County departments and the offices of all elected County officials.
- vi. The review and disposition of grant requests.
- vii. Review and approve all county indebtedness and approve of any short-term or long-term borrowings.
- viii. The appropriation of salaries of all County employees, appointed officials and officeholders.
- ix. The review of all matters of taxation and finance for the purpose of generating new revenue for the County.
- x. This Committee shall also receive monthly financial reports from the County Executive's Office containing both monthly and year-to-date income statements, revenue projections, expense statements and projections and projected budget surpluses and/or shortfalls. The Committee shall include a summary statement of the County Executive's report in its report to the Executive Committee.

3. Public Works & Transportation.

This Committee shall be responsible for the following:

- i. Recommending to the County Board the prioritization of proposed public works and transportation projects, the development and expansion of current vendor list, the review and policy-setting of planning, acquisition, construction, improvement, demolitions, modification, and maintenance of Will County's infrastructure, such as roads, bridges, right of ways, water systems, cable systems and resource recovery systems.
- ii. In conjunction with the Land Use & Development Committee, this Committee shall be responsible for oversight and review of infrastructure to insure the health, safety, and welfare of the residents of the County, and shall be responsible for solid waste planning, oversight and compliance, in conjunction with any special committee appointed in

accordance with Federal or State Statutes, rules and regulations, and the siting of regional pollution control facilities.

- iii. Finally, this Committee shall monitor all aspects of the County's Solid Waste Management Plan, shall conduct those public hearings required by statute, rule, regulation or ordinance (except as otherwise may be determined by the County Board), and shall make recommendations to the Board for the expenditure of County revenues and funds allocated for environmental matters. Nothing in these rules shall supersede specific lawful statutory assignments of authority.

4. **Judicial.**

This Committee shall be responsible for the examination, review, analysis, recommendation and policy setting for the judicial and law enforcement needs of the County (excepting the construction or expansion of facilities), including the needs of the Circuit Court, the Jury Commission, the State's Attorney, the Sheriff, the Coroner, the Circuit Court Clerk, the Public Defender, the Adult and Juvenile Detention Facilities, the Probation Department, and the Juvenile Detention Ad Hoc Committee, among others.

5. **Public Health, & Safety.**

This Committee shall be responsible for the following:

- i. The examination, review, analysis and policy setting of the County's health, and public welfare needs.
- ii. To act as the liaison between the County Board and the Board of Health and the Health Department Administration.
- iii. Identifying the changing needs of Will County's aging and disabled population.
- iv. Oversight of the EMA (Emergency Management Agency), Animal Control Department, and all community programs within the County.

6. Land Use & Development.

This Committee shall be responsible for the following:

- i. Examination, review, analysis and policy setting of the Will County Land Resource Management Plan, including landfills and wetlands, as well as the land use needs and requirements of the County.
- ii. Review, adoption, and modification to the County's land use plans, zoning ordinances, and subdivision ordinances, construction guidelines and building codes and standards, stormwater regulation policy and associated fees.
- iii. Policy and associated fees for the County's Geographic Information System (GIS).
- iv. All proposals for changes to or modifications involving agricultural lands or flood plains.
- v. In conjunction with the Public Works & Transportation Committee, provide oversight and review of infrastructure to insure the health, safety, and welfare of the residents of the County.

7. Legislative and Policy.

This Committee shall be responsible for the following:

- i. Examination, review and coordination of the state and federal legislative needs of the County. Such needs shall include, but are not limited to, recommendations for legislation transmitted from any standing committee, any Board member(s) or an elected County official or department head to the Executive Committee.
- ii. Communication liaison with Federal and State Will County legislators, for legislative and grant assistance and to foster better intergovernmental cooperation between all levels of government. Where time is of the essence and the Legislative Committee is unable to meet then the Legislative Committee Chair shall consult with Leadership for purposes of determining the legislative message to be conveyed.

- iii. The examination, review, analysis, and recommendation to the County Board of all matters dealing with general County policy issues and amendments to the County Board Rules.

8. **Capital Improvements.**

This Committee shall be responsible for the following:

- i. Making recommendations to the County Board on matters dealing with accommodating the space needs of Will County Government including all branches of government and all constitutional officers for both the long and short term.
- ii. Review and analysis of lease options for the county.
- iii. Provide oversight, planning and recommendations on other matters dealing with capital improvements, including, but not limited to, communications, infrastructure matters, and projects of benefit to the citizens of Will County.
- iv. Make recommendations on matters of economic benefit to the citizens of Will County.

9. **Insurance and Personnel.**

This committee is responsible for the following:

- i. The examination, review, analysis and policy setting of the County's various insurance plans and policies, personnel policy issues including, but not limited to, the examination and review of employee salaries and job descriptions, and, setting policy on Deferred Compensation and employee development programs offered in the County.

D. Ad Hoc committees shall be appointed by the County Board Speaker with the concurrence of the Executive Committee. Every ad hoc committee shall consist of a sufficient number of members to accomplish the specific purpose or purposes for which it was created.

E. The County Board may meet as a "Committee of the Whole" by the call of the County Board Speaker, or an affirmative vote of a majority of the Executive Committee,

or upon the affirmative vote of 14 County Board members at a regular meeting of the County Board, or upon a written request setting forth the items for discussion and signed by 14 members of the County Board. The time, place and agenda for any meeting of the "Committee of the Whole" shall be set by the County Board Speaker consistent with the provisions of this paragraph and Rules, and published and posted in accordance with Illinois law.

2.04 Powers of Committees. The various elected officials and department heads, in addition to the County Board staff, shall provide such assistance, information and support to the standing committees and to the Board as a whole, as may be required, by said committees or by the Board. Information required by the Board or any of its standing committees shall be provided upon request of any Board member or Board staff. The staffing for the standing committees shall be provided by the County Board staff and access to the Executive Committee agenda shall be through the County Board staff. All County Board Committees, in the exercise of their legislative functions and powers, shall have the right to summon employees and to review those documents and records necessary or helpful in the exercise of such responsibilities. Willful failure to respond to a request issued to a County employee or appointed department head by a Board Committee shall be sufficient cause to authorize the Committee to apply to the Board for a *Resolution of Notification* to the appropriate County officer (elected official) of the failure of his/her employee/employees to appear, and to request an immediate redress of said grievance.

2.05 Written Minutes. All Committees shall keep written minutes and all such forms of minutes as required by law. Minute Books for every committee shall be kept in the County Board Office. Secretarial services shall be provided by the County Board staff.

III. CONDUCT OF BUSINESS OF THE WILL COUNTY BOARD

- 3.01 Order of Business
- 3.02 Time and Place of Regular and Special Meetings
- 3.03 Parliamentary Procedure
- 3.04 Board Rules and Amendments
- 3.05 Suspension of Rules

- 3.06 Right to Address the Board
- 3.07 Text Amendments/Map Amendments; Objections & Protests
- 3.08 Agenda
- 3.09 Motions
- 3.10 Debate
- 3.11 Vote
- 3.12 Reconsideration of Motions
- 3.13 Executive Vetoes
- 3.14 Committee Reports

3.01 Order of Business. The order of business for each regular meeting of the County Board shall be as follows:

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Invocation
4. Roll Call
5. Determination of Quorum
6. Motion to Place on File Certificate of Publication
7. Approval of Minutes
8. Citizens to be Heard
9. Honorary Resolutions/Proclamations
10. Old Business - Executive Vetoes
11. New Business - Committee Reports and Recommendations
12. Appointments by the County Executive
13. Announcements by the County Board Speaker, Legislative Democratic and Republican Caucus Chair
14. Executive Session
15. Recess/Adjournment

3.02 Time and Place of Regular and Special Meetings. The County Board shall meet for the purpose of transacting business at the hour of 9:30 a.m. on the third Thursday of each month at the County Board Room, 302 North Chicago Street, Joliet, Illinois, 60432.

Special meetings of the County Board not called by the Executive in accordance with his statutory authority may be called by a written direction signed by not less than nine (9) members of the Board and delivered to the Will County Clerk. Such direction shall specify the date and time of the meeting, the business to be conducted, and shall be delivered with at least 24 hours notice to the residence of each Board member. All special meetings shall take place in the County Board Room, 302 North Chicago Street, Joliet, Illinois, 60432.

3.03 Parliamentary Procedure. In the absence of a County Board rule to the contrary, the parliamentary procedure of this Board shall be governed by "Roberts Rules of Order - Newly Revised".

3.04 Board Rules and Amendments. At the Board reorganization meeting, which shall be held on the first Monday in December in even numbered years at the hour of 9:30 a.m. in the County Board Room, the County Clerk shall initially preside and call the meeting to order. After the invocation, pledge of allegiance and roll call, the newly elected County Executive, county-wide elected officials—if any, and newly elected County Board Members, shall take the oath of office and the meeting called to order. The only business that may be transacted at the reorganization meeting of the Will County Board is the adoption of the rules, selection of board leadership (as defined by the rules) and committee appointments. Board Rules must be approved by a majority of the members of the Board at the reorganization meeting. Thereafter, no amendment shall be made to any of the Rules of the Board except upon motion made in writing and approved by three-fifths (3/5's) of the members of the Will County Board at the next regular meeting of the Board, adjourned or otherwise occurring not less than 30 days from the date of the initial written motion.

3.05 Suspension of Rules. In a particular case, to avoid hardship or to promote the orderly transaction of County business, a Rule or Rules of the Board may be temporarily suspended by a voice vote of three-fifths of the members present.

3.06 Right to Address the Board. No person who is not a member of the Board, excepting the County Executive in the performance of his duties as Presiding Officer of the County Board Meeting, shall be permitted to address the Board unless the purpose of the comment pertains to an item specifically placed on the agenda. Excepting Public Hearings,

such person shall be allowed to address the Board for a period of three minutes only, but only after submitting a formal written request to the Will County Clerk's Office not less than 48 hours prior to the published starting time of the Will County Board meeting, or, upon a motion, second and affirmative vote to suspend the rules to allow a non-member to address the board. However, when the County Board Speaker or Legislative Democratic or Republican Caucus Chair requests the opinion of the County Executive (unrelated to the conduct of the County Board Meeting), State's Attorney or of a Department Head, it shall not be necessary to suspend the Rules to allow such person to speak.

3.07 Text Amendments/Map Amendments, Objections & Protests. All written protests and written objections to proposed zoning ordinance text amendments and map amendments shall be submitted to the Will County Board in accordance with the rules of the Board and agencies of Will County Government not in conflict with the laws of the State of Illinois.

3.08 Agenda. There shall be a written agenda prepared for every meeting of the Will County Board. The agenda shall be prepared by the Executive Committee, not less than seven (7) days prior to the regularly scheduled meeting of the Will County Board. Any elected official wishing to place an item on the agenda shall present it to the Executive Committee, through the County Board Staff at the time the agenda is set. A copy of the agenda shall be made available to the members at least five (5) days prior to the Board Meeting, and shall also be placed on display in the Clerk's Office and posted outside of the County Board Room at least five (5) days prior to the Board Meeting. No matter not on the published agenda may be placed on the agenda at the meeting of the County Board, except as may be allowed by law and upon an affirmative vote of a majority of the members present, and such motion shall require a roll call vote. Notwithstanding the above, the County Board Speaker shall have the authority to place an item or items on the agenda after the Executive Committee has prepared the agenda but prior to 48 hours before the scheduled County Board meeting for any item or items which are of a time sensitive or critical nature. Said addition of an item or items shall be done in full compliance with the Open Meetings Act.

3.09 Motions. Every motion shall be reduced to writing if requested by any member of the Board.

3.10 Vote. Any member in attendance may vote "Yes", "No", "Present", or "Abstain", on any matter before the Board. A roll call vote may be requested by any member on any matter before the Board.

3.11 Reconsideration of Motions. When a question has been decided in the affirmative or the negative, it shall be in order for any member of the prevailing side who voted on such question to move reconsideration thereof, but no motion for the reconsideration of any vote shall be in order unless made on the same day on which the vote was taken. Such motion may be seconded by a member of either the prevailing or the losing side.

3.12 Executive Vetoes.

- A.** *Any Ordinance, Resolution, Motion or Item of Appropriation vetoed by the County Executive shall be returned to the Board at its first meeting occurring not less than six (6) days, Sundays excepted, after said Ordinance, Resolution, Motion or Item of Appropriation has been presented to him. Each such vetoed Ordinance, Resolution, Motion or Item of Appropriation shall be accompanied by a written statement of the objections of the County Executive, which objections shall be entered and spread upon the journal. 55 ILCS 5/2-5010*
- B.** *The Board shall proceed to reconsider all such ordinances, resolutions motions or items of appropriation vetoed and returned to the Board by the County Executive as provided in the County Executive Law. The County Executive shall take no part in the conduct of the debate. Upon the close of debate, the Clerk shall call the roll on a vote to reconsider as required by the County Executive Law, and if three-fifths of the members of the Board vote affirmatively to reconsider (override) the veto, then the Ordinance, Resolution, Motion or Item of Appropriation shall become effective on the date prescribed, but no earlier than the date of the override vote. 55 ILCS 5/2-5010*

- C. *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. 55 ILCS 5/2-5010*

[Format to be used by the County Executive in the event an Ordinance, Resolution, Motion or Item of Appropriation is vetoed/disapproved by County Executive.]

I am hereby returning (Ordinance, Resolution, Motion or Item of Appropriation as appropriate) #_____ to the County Board this _____ day of _____ 20____ with the attached objections.

Will County Executive

[Format to be used by County Clerk when appropriate]

This (Ordinance, Resolution, Motion or Item of Appropriation as appropriate) not having been approved by the County Executive, nor returned to the Will County Board at its first meeting occurring not less than 6 (six) days, Sundays excepted, nor more than 60 (sixty) days since its adoption, by operation of law this (Ordinance, Resolution, Motion or Item of Appropriation as appropriate) is now deemed effective.

Signed this __ day of _____, 20____. (SEAL) _____
Will County Clerk

[Format to be used upon reconsideration of Executive veto/disapproval of Ordinance, Resolution, Motion or Item of Appropriation]

On this ___ day of __ 20__, the Will County Board reconsidered the above (Ordinance, Resolution, Motion or Item of Appropriation as appropriate). The vote was _____Aye _____Nay ___ Pass _____Abstain. Three-fifths of the County Board having voted to approve the (Ordinance, Resolution, Motion or Item of Appropriation as appropriate) it is adopted over the Executive's veto.

OR

On this _____ day of __ 20__, the Will County Board reconsidered the above (Ordinance, Resolution, Motion or Item of Appropriation as appropriate). The vote was _____Aye _____Nay ___ Pass ___ Abstain. Three-fifths of the County Board not having voted to approve the (Ordinance, Resolution, Motion or Item of Appropriation as appropriate), the reconsideration fails.

3.13 Committee Reports. Committee reports shall be made by the Chair of each respective Committee, or in his absence by the Vice-Chair of said Committee. In the event of the absence of both the Chair and Vice-Chair of a Committee at a regular Board Meeting, the Committee report may be made by any other member of said Committee.

IV. PURCHASES

All purchases, including printing, publications and contracts for all offices and departments of the County of Will shall be made in accordance with the Will County Purchasing Ordinance 08-461.

V. **SETTLEMENT AUTHORITY FOR GENERAL LIABILITY AND WORKERS' COMPENSATION**

- 5.01 Settlement offers of up to \$15,000
- 5.02 Settlement offers from \$15,001 up to \$50,000
- 5.03 Settlement offers from \$50,001 up to \$100,000
- 5.04 Settlement offers in excess of \$100,000

5.01 Settlement offers of up to \$15,000: Delegated to the Third Party Administrator with settlements resulting from such offers remaining contingent upon approval of the Will County Board.

5.02 Settlement offers from \$15,001 up to \$50,000: Delegated to the Risk Manager/Human Resource Director with settlements resulting from such offers remaining contingent upon the approval of the Will County Board.

5.03 Settlement offers from \$50,001 up to \$100,000: May be made by the appropriate parties, including the Third Party Administrator and/or the attorneys, with the authorization of the Risk Manager/Human Resource Director, with settlements resulting from such offers remaining contingent upon the approval of the Will County Board.

5.04 Settlement offers in excess of \$100,000: Must be authorized by the Executive Committee prior to being extended, with the final settlement agreement remaining contingent upon the approval of the Will County Board.

VI. **LEGAL SERVICES**

The State's Attorney of Will County shall perform all legal services required by the Board or any of its committees or members. If the State's Attorney has a conflicting position with the County Board, the Board shall have the option to seek appointment of special counsel.

VII. ETHICS ORDINANCE

It shall be the obligation of every Will County Board member, county employee and appointed or elected official (except Circuit Judge, Circuit Clerk or State's Attorney) to comply with the terms of the Will County Ethics Ordinance 06-261, attached hereto as Exhibit "B".

VIII. EXISTING LEGISLATION CONTINUED

Except to the extent that they are inconsistent with the provisions of these Rules, Procedures and Standards of Conduct, all existing County laws, Ordinances, rules and regulations heretofore adopted shall continue in full force and effect until amended, superseded or repealed.

IX. SEVERABILITY

If any term and/or provision of this Resolution shall to any extent be held invalid or unenforceable, the remaining terms or provisions of this Resolution shall not be affected thereby, but each term and/or provision of this Resolution shall be valid and enforced to the fullest extent permitted by law.

X. EFFECTIVE DATE

This Resolution shall be effective immediately upon its passage and adoption by the Will County Board and approval of the Will County Executive.

Adopted by the Will County Board this 3rd day of December, 2012.

Vote: Yes____ No____ Pass____ Abstain____ (SEAL)

Nancy Schultz Voots
Will County Clerk

Approved this _____ day of _____, 2012.

Lawrence M. Walsh
Will County Executive

COUNTY OF WILL
OFFICE OF THE COUNTY EXECUTIVE
EMPLOYEE HIRE ADVICE AND CONSENT REQUEST

Candidate Name: _____
Job Title / Board Name: _____
Department Name: _____

Internal Candidate
External Candidate

Hiring Manager's Name: _____
Budget Code: _____

Union Position?: Yes No New Position Replacement Hire

If replacement, did predecessor: Terminate County employment Transfer to another position

Is this position critical to departmental operations?: Yes No If Yes, why:

Is this position included in the current budget?: Yes No If no, where will the funds come from to fund this position?

Was this position publicly posted?: Yes No If no, why?

Projected Start Date: _____

Projected Annual Salary: \$ _____ Is this a grant-funded position?: Yes No

Is this candidate the best qualified for the job? Yes No

Number of Applicants Internal External

Number of Applicants Interviewed _____

Lawrence M. Walsh Date

Please attach a copy of the following, if applicable:

- Job Description
Job Posting
Incumbent Resume

Review by County Board _____



"EXHIBIT B"

Policy & Rules Committee
Ordinance #06-261

Ordinance
Re: Adopting Ethics Ordinance

PREAMBLE

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF WILL, AS FOLLOWS:

SECTION 1: The Code of Ordinances of the County of Will is hereby amended by the addition of the following provisions:

ARTICLE 1

DEFINITIONS

Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

“Campaign for elective office” means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.

“Candidate” means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3).

“Collective bargaining” has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

“Compensated time” means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, “compensated time” includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

“Compensatory time off” means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

“Contribution” has the same meaning as that term is defined in section 9-14 of the Election Code (10 ILCS 5/9-1.4).

“Elected Official” means a person elected or appointed to an Elective County Office, regardless of whether the officer is compensated for service in his or her official capacity, but does not include the Circuit Court Judges, the Circuit Clerk or the State’s Attorney.

“Employee” means a person employed by the County, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

“Employer” means the County of Will, as well as its elected and appointed officials who are subject to this Act.

“Gift” means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an officer or employee.

“Leave of absence” means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

“Officer” means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

“Political activity” means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.

“Political organization” means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

“Prohibited political activity” means:

(1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

(2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.

(3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.

"EXHIBIT B"

Policy & Rules Committee

Resolution 06-261

Page 4 of 11

(4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

(5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for a political purposes or for or against any referendum question.

(6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question.

(7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.

(8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.

(9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.

(10) Preparing or reviewing responses to candidate questionnaires.

(11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.

(12) Campaigning for any elective office or for or against any referendum question.

(13) Managing or working on a campaign for elective office or for or against any referendum question.

(14) Servicing as a delegate, alternate, or proxy to a political party convention.

(15) Participating in any recount or challenge to the outcome of any election.

“Prohibited source,” means any person or entity who:

(1) is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;

(2) does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;

(3) conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or

(4) has interests that may be substantially affected by the performance or non-performance of the official duties of the officer or employee.

ARTICLE 2

PROHIBITED POLITICAL ACTIVITIES

Section 2-1. Prohibited political activities. (a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the County, including County issued cell phones, vehicles or other County property or resources, in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.

(e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 3

GIFT BAN

Section 3.1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 3.2. Exceptions. Section -3-1 is not applicable to the following:

(1) Opportunities, benefits, and services that are available on the same conditions as for the general public.

(2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.

(3) Any (i) contribution that is lawfully made under the Election Code (ii) activities associated with a fundraising event in support of a political organization or candidate.

(4) Educational materials and missions.

(5) Travel expenses for a meeting to discuss business related to the office or an employee's official capacity.

(6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

(7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same

time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

(8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered," means food or refreshments that are purchased ready to consume which are delivered by any means.

(9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section is mutually exclusive and independent of every other.

Section 3.3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c) (3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

ARTICLE 4

ETHICS ADVISOR

Section 4.1. The County Executive, with the advice and consent of the County Board shall designate an Ethics Advisor for the County. Said Ethics Advisor may not be already an "employee" of the County and shall not be related, either by blood or by marriage up to the degree of first cousin, to any elected official of the County. Said Ethics Advisor shall be an independent contractor of the County, and the compensation for said Ethics Advisor shall be as set by the Will County Board.

Section 4.2. The Ethics Advisor shall provide guidance to the officers and employees of the County concerning the interpretation of and compliance with the provisions of this Ordinance and State ethics laws for the future actions of any officer or employee. Should the Ethics Advisor become aware of any past violations of this Ordinance, the Ethics Advisor shall inform the Ethics Commission of said violation. If the Ethics Commission does not exist, the Ethics Advisor shall inform the Will County State's Attorney of said violation. The Ethics Advisor shall perform such other duties as may be delegated by the County Board.

ARTICLE 5

WHISTLE BLOWER PROTECTION

Section 5.1. Definitions. In this Article:

"Public body" means (1) any officer, member, or agency; (2) the federal government; (3) any local law enforcement agency or prosecutorial office; (4) any judiciary, grand or petit jury, law enforcement agency, or prosecutorial office; and (5) any officer, employee, department, agency, or other division of any of the foregoing.

"Supervisor" means an officer, a member, or an employee who has the authority to direct and control the work performance of an employee or who has authority to take corrective action regarding any violation of a law, rule, or regulation of which the employee complains.

"Retaliatory action" means the reprimand, discharge, suspension, demotion, or denial of promotion or transfer of any employee in the terms and conditions of employment, and that is taken in retaliation for an employee's involvement in protected activity, as set forth in Section 5.2.

Section 5.2. Protected activity. An officer, a member, or an agency shall not take any retaliatory action against an employee because the employee does any of the following:

(1) Discloses or threatens to disclose to a supervisor or to a public body an activity, policy, or practice of any officer, member, agency, or other employee that the employee reasonably believes is in violation of a law, rule, or regulation.

(2) Provides information to or testifies before any public body or Ethics Commission conducting an investigation, hearing, or inquiry into any violation of a law, rule, or regulation by any officer, member, agency, or other employee.

(3) Assists or participates in a proceeding to enforce the provisions of this Ordinance.

Section 5.3. Burden of proof. A violation of this Article may be established only upon a finding that (i) the employee engaged in conduct described in Section 5.2 and (ii) that conduct was a contributing factor in the retaliatory action alleged by the employee. It is not a violation, however, if it is demonstrated that the officer, member, other employee, or agency would have taken the same unfavorable personnel action in the absence of that conduct.

Section 5.4. Remedies. The employee may be awarded all remedies necessary to make the employee whole and to prevent future violations of this Article. Remedies imposed may include, but are not limited to, all of the following:

(1) reinstatement of the employee to either the same position held before the retaliatory action or to an equivalent position;

(2) 2 times the amount of back pay;

(3) interest on the back pay; and

(4) the reinstatement of full fringe benefits and seniority rights.

Section 5.5. Preemption. Nothing in this Article shall be deemed to diminish the rights, privileges, or remedies of an employee under any other federal or State law, rule, or regulation or under any collective bargaining agreement or employment contract.

ARTICLE 6

PENALTIES

Section 6.1. Penalties. (a) A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(b) A person who intentionally violates any provision of Article 3 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(d) A violation of Article 2 of this Ordinance shall be referred to the Will County State's Attorney or his designee for review. The State's Attorney or his designee may file in the circuit court by way of an information or sworn complaint charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

A violation of Article 3 of this Ordinance may be prosecuted as a quasi-criminal offense by the Will County State's Attorney, or his designee, or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 2 or Article 3 of this Ordinance is subject to discipline or discharge.

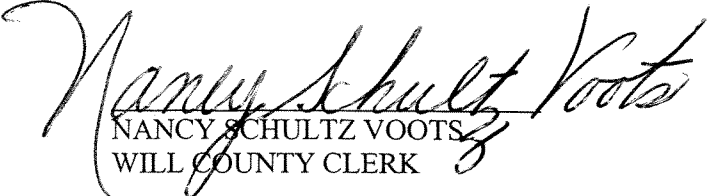
SECTION 2: This Ordinance shall be in effect upon its passage, approval and publication as provided by law.

SECTION 3: If any term and/or provision of this Ordinance shall to any extent be held invalid or unenforceable, the remaining terms or provisions of this Ordinance shall not be affected thereby, but each term and/or provision of this Ordinance shall be valid and enforced to the fullest extent permitted by law.

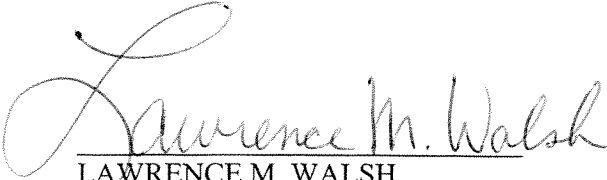
BE IT FURTHER ORDAINED that the Preamble is incorporated in full as though set forth herein.

Adopted by the Will County Board this 15th day of June, 2006.

VOTE: YES: 27 NO: 0 PASS: 0 (SEAL)


NANCY SCHULTZ VOOTS
WILL COUNTY CLERK

Approved this 7 day of July, 2006.


LAWRENCE M. WALSH
WILL COUNTY EXECUTIVE

County Executive Walsh stated everywhere "Leader" was used, we will insert "Speaker".

Member Moustis made a motion, seconded by Member Maher, to approve Resolution #12-378 as amended.

Voting Affirmative were: Howard, Ogalla, Izzo, Moustis, Moran, Rice, Harris, Traynere, Bible, Goodson, Freitag, Gould, Balich, Fricilone, Brooks, Winfrey, Adamic, Zigrossi, Wilhelmi, Hart, Maher, McDermed, Weigel, Collins and Ferry. Total: Twenty-five.

Negative votes: Babich. Total: one.

RESOLUTION #12-378 IS APPROVED AS AMENDED.

NOMINATION OF COUNTY BOARD SPEAKER

Executive Walsh opened the floor and asked for nominations for the position of County Board Speaker.

Member Zigrossi made a motion, seconded by Member Winfrey, to nominate Member Brooks as County Board Speaker.

Executive Walsh asked are there any other nominations for County Board Speaker?

Member Adamic made a motion, seconded by Member Moran, to close nominations.

Voting Affirmative were: Howard, Ogalla, Izzo, Moustis, Moran, Rice, Harris, Traynere, Bible, Goodson, Freitag, Gould, Balich, Fricilone, Brooks, Winfrey, Adamic, Zigrossi, Babich, Wilhelmi, Hart, Maher, McDermed, Weigel, Collins and Ferry. Total: Twenty-six.

No negative votes.

MOTION TO CLOSE NOMINATIONS BY VOICE VOTE CARRIES.

Member Zigrossi made a motion, seconded by Member Winfrey, to Elect Member Brooks as County Board Speaker.

Voting Affirmative were: Howard, Ogalla, Izzo, Moustis, Moran, Rice, Harris, Traynere, Bible, Goodson, Freitag, Gould, Balich, Fricilone, Brooks, Winfrey, Adamic, Zigrossi, Babich, Wilhelmi, Hart, Maher, McDermed, Weigel, Collins and Ferry. Total: Twenty-six.

No negative votes.

MEMBER BROOKS IS ELECTED COUNTY BOARD SPEAKER.

County Executive Walsh stated congratulations County Board Speaker Brooks.

NOMINATION OF DEMOCRATIC CAUCUS CHAIR

County Executive Walsh asked for nominations for Democratic Caucus Chair.

Member Brooks made a motion, seconded by Member Babich, to nominate Member Zigrossi as Democratic Caucus Chair.

Executive Walsh asked for further nominations.

Member Adamic made a motion, seconded by Member Ferry, to close nominations.

Voting Affirmative were: Howard, Ogalla, Izzo, Moustis, Moran, Rice, Harris, Traynere, Bible, Goodson, Freitag, Gould, Balich, Fricilone, Brooks, Winfrey, Adamic, Zigrossi, Babich, Wilhelmi, Hart, Maher, McDermed, Weigel, Collins and Ferry. Total: Twenty-six.

No negative votes.

MOTION TO CLOSE NOMINATIONS FOR DEMOCRATIC CAUCUS CHAIR BY VOICE VOTE CARRIES.

Member Brooks made a motion, seconded by Member Babich, to Elect Member Zigrossi as Democratic Caucus Chair.

Voting Affirmative were: Howard, Moran, Rice, Harris, Traynere, Bible, Brooks, Winfrey, Adamic, Zigrossi, Babich, Wilhelmi and Ferry. Total: Thirteen.

No negative votes.

MEMBER ZIGROSSI IS ELECTED DEMOCRATIC CAUCUS CHAIR.

NOMINATIONS FOR REPUBLICAN CAUCUS CHAIR

Member Izzo made a motion, seconded by Member Goodson, to nominate Member Moustis as Republican Caucus Chair.

Executive Walsh asked for further nominations.

Member Izzo made a motion, seconded by Member Gould, to close nominations.

Voting Affirmative were: Howard, Ogalla, Izzo, Moustis, Moran, Rice, Harris, Traynere, Bible, Goodson, Freitag, Gould, Balich, Fricilone, Brooks, Winfrey, Adamic, Zigrossi, Babich, Wilhelmi, Hart, Maher, McDermed, Weigel, Collins and Ferry. Total: Twenty-six.

No negative votes.

MOTION TO CLOSE NOMINATIONS FOR REPUBLICAN CAUCUS CHAIR BY VOICE VOTE CARRIES.

Member Izzo made a motion, seconded by Member Goodson to Elect Member Moustis as Republican Caucus Chair.

Voting Affirmative were: Ogalla, Izzo, Moustis, Goodson, Freitag, Gould, Balich, Fricilone, Hart, Maher, McDermed, Weigel and Collins. Total: Thirteen.

No negative votes

MEMBER MOUSTIS IS ELECTED REPUBLICAN CAUCUS CHAIR.

COMMITTEE APPOINTMENTS

Member Brooks stated the committee appointments, everyone should have on their desk; however, I must prelude to this appointment to say that all of them have no been completed. So, having said that, should I go through each committee even though we do not have commitments from or know?

County Executive Walsh stated why don't you name the 9 committees. Wait a minute State's Attorney Glasgow has a question.

State's Attorney Glasgow stated I just want to clarify before we start the firestorm here. Everything's been going so smoothly. I saw Member Moustis raising his hand, the committee appointments under 2.01 of the rules that you just adopted, Member Brooks, yourself, Member Zigrossi and Member Moustis by rule 2.01 would get together make these appointments, okay. If Member Moustis hasn't been consulted yet, we shouldn't be announcing any of these committees. I would recommend that we follow the rules that we just adopted.

County Executive Walsh stated that's the best thing to do to follow our own rules. Member Brooks then it will fall on your responsibility; meet with your group and report back. Is that okay Member Zigrossi? Member Moustis?

Member Zigrossi stated yes.

Member Moustis stated yes.

COMMENTS

County Executive Walsh stated that got that meeting over with quick. Comments will go to our Speaker, Member Brooks.

Member Brooks stated thank you very much. Good afternoon everyone. Let me first of all begin by thanking everyone for your support on this afternoon. I have to thank my wife because she had to leave, we've been married 38 years, but I've had 4 eye surgeries and I have to depend on her for rides everywhere so please let me throw in thank you Gwen for the rides. Also, let me thank this entire Board. One of the reasons why I need you all to understand, I'm not tied up on titles and I'm glad Member Moustis you did come up with a solution so we could move this forward. In another light, my full-time job is a pastor of a church. I've gotten so many calls from so many people asking me what do I call you? Ladies and gentlemen, for the record, I have no titles in front of my name. I do not use titles and I'm comfortable with what my mother named me because she named after my father and I'm very proud of that. So, having said that, you may choose whatever you like as long as, State's Attorney Glasgow says it's legal, they may call me that. I also would like to, for the record, to also thank Member Zigrossi for all the hard work she did all weekend long. A lot of the paperwork that you have in front of you was done by her over this weekend and I want to publicly thank her for her support and for all the work you have done Member Zigrossi thank you very much. And then lastly, as far as the word Speaker is concerned, if my job is entitled, pastor of a church, if you come to my church Member Winfrey you might find out that everybody there may not think I'm a very good speaker. That is why I have had a problem with that word. However, I would whatever word you choose to call me, I am pledging right now to work with everybody in this Board, every Leader and everybody in this room. What is at stake here is the almost 700,000 people that decided to make their resident called Will County and I pledge to work with this Board and every resident and I thank you very much for your support.

Member Zigrossi stated thank you. First of all, I'd like to extend my congratulations to first our veteran's for having been re-seated today and having been sworn in, and of course, our new people that hopefully will be around for a very long time as well. I'm here to help in whatever way that I can and this goes on both sides of the aisle. One of the things that occurred back in April, I believe, is when we started this past year, there was a Reapportionment Committee that was put together. Member Gould at the time graciously chaired that, I was vice-chair. The intent throughout that process, as far as the re-mapping of our County, was trying to be fair. What we have now as far as the outcome obviously at this past election speaks directly to that 13/13. You can't call it any different than that and then and then with County Executive Walsh at the helm. So what we have basically, is a situation where we have an opportunity, there are many forms of government that are out there right now at the State at the Federal level. There is sometimes in fighting between parties. But we have a unique opportunity before us to show other governmental entities how to do it and how to do it right. That's going to be working side by side. So, I look forward to working with everyone. Thank you.

Member Moustis stated I would also like to congratulate everyone of you on your victories and having the people in your districts say that this is the person that I would

like to represent me at the County level. I do look forward to working with you all. I look forward to getting to know you new members. I always felt...I will be going into my 21st year, so I am third in seniority behind Member Babich and Member Adamic. Every 10 years, we do seem to get this large turnover of Board Members because it's reapportionment and so forth. I would say hopefully everyone stays committed, it is a lot of work, it does take away from your job or your businesses, but it is a commitment that you've made. So, hopefully you'll all be able to honor that commitment. I look forward to doing the work of the people and bringing the peoples' agenda forward and doing what's best for Will County. I know you all want to do the same. Welcome to everyone and I look forward to working with you.

County Executive Walsh stated well we've had a great day and a busy day. Thank you County Clerk Voots and your office for all the work that you've done to make sure that this day ran smoothly, which it always does and we appreciate that. Welcome to all of our new Board Members. Great institution here, get to know your fellow Board Members on both sides of the aisle. Everybody's here that has a willingness that they want to serve our community, so look forward to that and at this state...Member Brooks.

County Board Speaker Brooks stated before you close out. I just want to remind everyone that after our Forest Preserve on Monday the 10th, please stay with us a little longer. We have a Committee of the Whole meeting on a week from today on the 10th, to set the agenda. You all should have gotten that announcement by now, if you don't have e-mail I delivered it to your house, Member Babich. Thank you.

County Executive Walsh stated seeing no other business; we stand as adjourned until Thursday, December 20, 2012 at 9:30 a.m.