

OPERATIONS & ADMINISTRATIVE COMMITTEE AGENDA

Called by: Keith McDonald, Chairman

Members: John Butitta, Jean Crosby,

Paul Arena, Joe Hoffman, Dorothy

Redd, Jaime Salgado

DATE: MONDAY, MAY 17, 2021

TIME: 5:30 PM

LOCATION: VIRTUAL MEETING - ZOOM
(WINNEBAGO COUNTY YOUTUBE
LIVE)

The Winnebago County Board Chairman has determined that an in-person meeting is not practicable or prudent because of the COVID-19 pandemic.

AGENDA:

A. Call to Order

B. Roll Call

C. Approval of March 4, 2021 Minutes

D. Public Comment – This is the time we invite the public to address the Operations and Administrative Committee with issues and concerns. We ask you to limit your comments to three minutes. Personal attacks or inappropriate language of any sort will not be tolerated. We will allow a maximum of five speakers on a first come basis with sign up at the meeting. Speakers may not address zoning matters which are pending before the ZBA, the Zoning Committee or the County Board. Personnel matters or pending or threatened litigation may not be addressed in open session. An individual may speak a maximum of three times per calendar year on the same topic. This prohibition shall include the repetition of the same topic in a statement on what is purported to be a different topic. After acknowledgement by the chair, please stand and state your name. Thank you.

E. Discussion Regarding the 2020 Reapportionment of County Board Districts

F. Other Matters

G. Adjournment

Winnebago County Board
Operations and Administrative Committee Meeting
Virtual Meeting – Zoom
(Winnebago County YouTube Live)

Thursday, March 4, 2021
5:30 PM

Present:

John Butitta
Jean Crosby
Paul Arena
Joe Hoffman
Dorothy Redd
Jaime Salgado

Absent:

Keith McDonald, **Chairman**

Others Present:

Joe Chiarelli, County Board Chairman
Pat Thompson, County Administrator
Dave Rickert, Chief Financial Officer
Gus Gentner, IT Department
Lafakeria Vaughn, State's Attorney's Office
Melinda Macias, Purchasing Dept.
Tom Hodges, Supervisor of Assessments
Steve Schultz, County Board Member
Dave Kelley, County Board Member
Dave Tassoni, County Board Member

AGENDA:

- A. Call to Order
- B. Roll Call
- C. Approval of October 7, 2020 Operations and Administrative Minutes and September 17 and October 15, 2020 Personnel and Policies
- D. Public Comment
- E. Resolution to Change Hours of the County Clerk's Office on Election Day
- F. Resolution Awarding Bids for Uniform Rental Services
- G. Other Matters
- H. Adjournment

Mr. Butitta called the meeting to order at 5:30 PM.

Motion to approve the October 7, 2020 Operations and Administrative Minutes and September 17 and October 15, 2020 Personnel and Policies

Moved: Ms. Crosby, Seconded: Mr. Hoffman.

Roll call: Ms. Crosby yes, Mr. Arena yes, Mr. Hoffman yes, Ms. Redd yes, Mr. Salgado yes and Mr. Butitta yes.

Motion passed by unanimous voice vote.

Public Comment

Mr. Butitta omitted reading the Public Comment section of the Agenda due to no one present to speak.

Resolution to Change Hours of the County Clerk's Office on Election Day

Motion by Mr. Butitta and Seconded by Ms. Crosby.

Roll call: Ms. Crosby yes, Mr. Arena yes, Mr. Hoffman yes, Ms. Redd yes, Mr. Salgado yes and Mr. Butitta yes.

Motion passed by unanimous voice vote.

Resolution Awarding Bids for Uniform Rental Services

Motion by Mr. Butitta and Seconded by Mr. Hoffman.

- A discussion followed.

Roll call: Ms. Crosby yes, Mr. Arena yes, Mr. Hoffman yes, Ms. Redd yes, Mr. Salgado yes and Mr. Butitta yes.

Motion passed by unanimous voice vote.

Other Matters

None

Motion to Adjourn. Moved: Mr. Hoffman, Seconded: Mr. Arena.

Motion passed by unanimous voice vote.

Respectfully submitted,

Amy Ferling

Administrative Assistant



Memo - Executive Summary

Committee Date: Monday, May 17, 2021

Committee: Operations & Administrative

Prepared By: Chris Dornbush

Document Title: Discussion regarding the 2020 Reapportionment of County Board Districts

State Law: 55ILCS 5/2-3001, et seq.

Board Meeting Date: NA

Budget Information:

Was item budgeted? NA	Appropriation Amount: \$
If not, explain funding source:	
ORG - OBJ - Project Code:	Budget Impact:

Background Information:

Every 10 years the U.S Census Bureau counts the U.S. population as mandated by the U.S. Constitution. The State of Illinois requires that Counties sized and structured as Winnebago County reapportion the board districts by July 1, 2021. Statute further requires a meeting to be held by the 3rd Wednesday of May regarding a reapportionment plan. However, due to the federal government missing the set deadlines, this process (redistricting) is not able to follow the outlined statute. The U.S. Census Bureau data must be used for the reapportionment of county board districts and cannot be substituted. Until the U.S. Census Bureau provides the data, the County is unable to proceed with reapportioning.

Recommendation:

Winnebago County Administration recommends complying with State Statute, until further direction can be given by the State.

Contract/Agreement:

No

Legal Review:

Yes – State Statute.

Follow-Up:

The County Board Chairman will update the Board as the situation develops.

Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as Public Acts soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the Guide.

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

COUNTIES

(55 ILCS 5/) Counties Code.

(55 ILCS 5/Div. 2-3 heading)

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

(55 ILCS 5/2-3001) (from Ch. 34, par. 2-3001)

Sec. 2-3001. Definitions. As used in this Division, unless the context otherwise requires:

a. "District" means a county board district established as provided in this Division.

b. "County apportionment commission" or "commission" means the county clerk, the State's Attorney, the Attorney General or his designated representative and the chairmen of the county central committees of the first leading political party and the second leading political party as defined in Section 1-3 of The Election Code.

c. "Population" means the number of inhabitants as determined by the last preceding federal decennial census.

d. "Member" or "board member" means a person elected to serve on the county board.

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

(55 ILCS 5/2-3002) (from Ch. 34, par. 2-3002)

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

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

If the chairman of the county board is to be elected by the voters in a county of less than 450,000 population as provided in Section 2-3007, such chairman shall not be counted as a member of the county board for the purpose of the limitations on the size of a county board provided in this Section.

(b) Advisory referenda. The voters of a county may advise the county board, through an advisory referendum, on questions concerning (i) the number of members of the county board to be elected, (ii) whether the board members should be elected from single-member districts, multi-member districts, or at-large, (iii) whether voters will have cumulative voting rights in the election of county board members, or (iv) any combination of the

preceding 3 questions. The advisory referendum may be initiated either by petition or by ordinance of the county board. A written petition for an advisory referendum authorized by this Section must contain the signatures of at least 8% of the votes cast for candidates for Governor in the preceding gubernatorial election by the registered voters of the county and must be filed with the appropriate election authority. An ordinance initiating an advisory referendum authorized by this Section must be approved by a majority of the members of the county board and must be filed with the appropriate election authority. An advisory referendum initiated under this Section shall be placed on the ballot at the general election designated in the petition or ordinance.

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

(55 ILCS 5/2-3002.5)

Sec. 2-3002.5. Beginning with members elected at the general election in 2002, counties having a population between 800,000 and 3,000,000 according to 2000 decennial census shall have no more than 18 members on their county board. If the chairman of the county board is elected at-large by the voters of the county as provided in Section 2-3007, the chairman shall not be counted as a member of the county board for the purpose of the limitations on the size of the county board provided in this Section. Neither a member nor the chairman of that county board shall serve simultaneously as commissioner or president of the board of commissioners of the forest preserve district. No person shall seek election to both the county board and the forest preserve commission at the same election.

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

(55 ILCS 5/2-3003) (from Ch. 34, par. 2-3003)

Sec. 2-3003. Apportionment plan.

(1) If the county board determines that members shall be elected by districts, it shall develop an apportionment plan and specify the number of districts and the number of county board members to be elected from each district and whether voters will have cumulative voting rights in multi-member districts. Each such district:

a. Shall be substantially equal in population to each other district;

b. Shall be comprised of contiguous territory, as nearly compact as practicable; and

c. May divide townships or municipalities only when necessary to conform to the population requirement of paragraph a. of this Section.

d. Shall be created in such a manner so that no precinct shall be divided between 2 or more districts, insofar as is practicable.

(2) The county board of each county having a population of less than 3,000,000 inhabitants may, if it should so decide, provide within that county for single member districts outside the corporate limits and multi-member districts within the corporate limits of any municipality with a population in excess of 75,000. Paragraphs a, b, c and d of subsection (1) of this Section shall apply to the apportionment of both single and multi-member districts within a county to the extent that compliance with paragraphs a, b, c and d still permit the establishment of such districts, except that the population of any multi-member district shall be equal to the population of any single member district, times the number of members found within that multi-member district.

(3) In a county where the Chairman of the County Board is elected by the voters of the county as provided in Section 2-

3007, the Chairman of the County Board may develop and present to the Board by the third Wednesday in May in the year after a federal decennial census year an apportionment plan in accordance with the provisions of subsection (1) of this Section. If the Chairman presents a plan to the Board by the third Wednesday in May, the Board shall conduct at least one public hearing to receive comments and to discuss the apportionment plan, the hearing shall be held at least 6 days but not more than 21 days after the Chairman's plan was presented to the Board, and the public shall be given notice of the hearing at least 6 days in advance. If the Chairman presents a plan by the third Wednesday in May, the Board is prohibited from enacting an apportionment plan until after a hearing on the plan presented by the Chairman. The Chairman shall have access to the federal decennial census available to the Board.

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

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

(55 ILCS 5/2-3004) (from Ch. 34, par. 2-3004)

Sec. 2-3004. Failure to complete reapportionment. If any county board fails to complete the reapportionment of its county by July 1 in 2011 or any 10 years thereafter or by the day after the county board's regularly scheduled July meeting in 2011 or any 10 years thereafter, whichever is later, the county clerk of that county shall convene the county apportionment commission. Three members of the commission shall constitute a quorum, but a majority of all the members must vote affirmatively on any determination made by the commission. The commission shall adopt rules for its procedure.

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

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

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

(55 ILCS 5/2-3005) (from Ch. 34, par. 2-3005)

Sec. 2-3005. Filing of apportionment plan. The apportionment plan developed by the county board or the county apportionment

commission, as the case may be, must be filed in the office of the county clerk by the time required by this Division. The county clerk shall promptly forward copies of that plan to the chairman of the county board and shall keep other copies of the plan available for distribution free of charge to any registered voter of the county requesting a copy.
(Source: P.A. 86-962.)

(55 ILCS 5/2-3006) (from Ch. 34, par. 2-3006)

Sec. 2-3006. Failure to file apportionment plan; election of board members at large. If no apportionment plan is filed with the county clerk as required by this Division, the members of the county board shall be elected at large in the county. If the county board has determined the number of members for the board, that number shall be elected; otherwise, the number of members to be elected shall be the largest number to which the county is entitled under Sections 2-3002 and 2-3002.5.
(Source: P.A. 91-933, eff. 12-30-00.)

(55 ILCS 5/2-3007) (from Ch. 34, par. 2-3007)

Sec. 2-3007. Chairman of county board; election and term. Any county board when providing for the reapportionment of its county under this Division may provide that the chairman of the county board shall be elected by the voters of the county rather than by the members of the board. In that event, provision shall be made for the election throughout the county of the chairman of the county board, but in counties over 3,000,000 population no person may be elected to serve as such chairman who has not been elected as a county board member to serve during the same period as the term of office as chairman of the county board to which he seeks election. In counties over 300,000 population and under 3,000,000 population, the chairman shall be elected as chairman without having been first elected to the county board. Such chairman shall not vote on any question except to break a tie vote. In all other counties the chairman may either be elected as a county board member or elected as the chairman without having been first elected to the board. Except in counties where the chairman of the county board is elected by the voters of the county and is not required to be a county board member, whether the chairman of the county board is elected by the voters of the county or by the members of the board, he shall be elected to a 2 year term. In counties where the chairman of the county board is elected by the voters of the county and is not required to be a county board member, the chairman shall be elected to a 4 year term. In all cases: (i) the term of the chairman of the county board shall commence on the first Monday of the month following the month in which members of the county board are elected, and (ii) no person may simultaneously serve as a member of a county board and the chairman of the same board if the office of chairman is elected by the voters of the county rather than by the members of the board.

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

(55 ILCS 5/2-3008) (from Ch. 34, par. 2-3008)

Sec. 2-3008. Determination of method of compensation of members of county board. At the time it reapportions its county under this Division, the county board shall determine whether the salary to be paid the members to be elected shall be computed on a per diem basis, on an annual basis or on a combined per diem and annual basis, and shall fix the amount of that salary. If the county board desires before the next reapportionment to change the basis of payment or amount of compensation after fixing those items, it may do so by ordinance

or by resolution. Those changes shall not however, take effect during the term for which an incumbent county board member has been elected. In addition, the county board shall determine the amount of any additional compensation for the chairman of the county board. The county board may adjust that additional compensation at any time adjustments in the salary of board members may be made. Those adjustments shall not however, take effect during the term for which the incumbent chairman of the county board has been elected.

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

(55 ILCS 5/2-3009) (from Ch. 34, par. 2-3009)

Sec. 2-3009. Terms of board members; vacancies; elections.

(a) County board member elections by county board districts. In those counties subject to this Division which elect county board members by county board districts the members shall, no later than 45 days after December 15, 1982, and thereafter no later than September 1 of the year of the next general election following reapportionment, divide the county board districts publicly by lot as equally as possible into 2 groups. Board members or their successors from one group shall be elected for successive terms of 2 years, 4 years and 4 years; and members or their successors from the second group shall be elected for successive terms of 4 years, 4 years, and 2 years. A county under this subsection may, by ordinance, decide to divide the county board districts into 3 rather than 2 groups. If a county adopts an ordinance to this effect, the members of the county board shall divide the county board districts publicly by lot as equally as possible into 3 groups no later than September 1 of the year of the next general election following reapportionment. Board members or their successors from one group shall be elected for successive terms of 2 years, 4 years, and 4 years; members or their successors from the second group shall be elected for successive terms of 4 years, 2 years, and 4 years; and members or their successors from the third group shall be elected for successive terms of 4 years, 4 years, and 2 years. All terms shall commence on the first Monday of the month following the month of election.

(b) County board member elections at large. In those counties which elect county board members at large, under Sections 2-3002 and 2-3006, the members elected in the general election following reapportionment shall, no later than 45 days after taking office, divide themselves publicly by lot as equally as possible into 2 groups. Board members or their successors from one group shall be elected for successive terms of 2 years, 4 years and 4 years; and members or their successors from the second group shall be elected for successive terms of 4 years, 4 years and 2 years. A county under this subsection may, by ordinance, decide to divide the county board members into 3 rather than 2 groups. If a county adopts an ordinance to this effect, the members of the county board elected in the general election following reapportionment shall, no later than 45 days after taking office, divide themselves publicly by lot as equally as possible into 3 groups. Board members or their successors from one group shall be elected for successive terms of 2 years, 4 years, and 4 years; members and their successors from the second group shall be elected for successive terms of 4 years, 2 years, and 4 years; and members or their successors from the third group shall be elected for successive terms of 4 years, 4 years, and 2 years. All terms shall commence on the first Monday of the month following the month of election.

(c) Vacancies; time for elections. In counties under subsection (a) or (b), if a vacancy occurs in the office of chairman of the county board, the remaining members of the board

shall elect one of the members of the board to serve for the balance of the unexpired term of the chairman.

In counties under subsection (a) or (b), the time for the election of county board members shall be as provided by the general election law for the election of such members.

(Source: P.A. 86-962; 87-924.)

(55 ILCS 5/2-3010) (from Ch. 34, par. 2-3010)

Sec. 2-3010. Multi-member districts. In making the determination by lot, pursuant to Section 2-3009, as to which members shall serve for 2 years and which for 4 years, the county board of a county having multi-member districts may provide for the drawing of lots in such manner as to insure that in each district the number of members drawing 2 year and 4 year terms, respectively, shall be equal, or as nearly equal as possible.

Any such determination by lot made before October 1, 1973 is validated.

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

(55 ILCS 5/2-3015)

Sec. 2-3015. Qualifications of County Board Members and Commissioners. In counties with a population of 3,000,000 or less, no person is eligible to hold the office of county board member or commissioner unless he or she is a legal voter and has been a resident of the county for at least one year next preceding the election.

(Source: P.A. 90-173, eff. 1-1-98.)

Clock ticking on tight timeline to redistrict county boards

Published Monday, October 12, 2020 | Source: (/)

Data collection for the 2020 U.S. Census is currently scheduled to end Sept. 30. While that closes one window, it opens others, including the time period for many county governments to redistrict their governing boards and the opportunity for citizens to get involved in the process.

Counties that elect board members by district will draw new county board districts in a process called redistricting, or reapportionment.

Counties with populations of fewer than 3,000,000 people that use a township form of government must complete their redistricting plans by July 1, 2021. Counties operating under the commission form of government, in which voters elect commissioners by district, must redistrict by May 31.

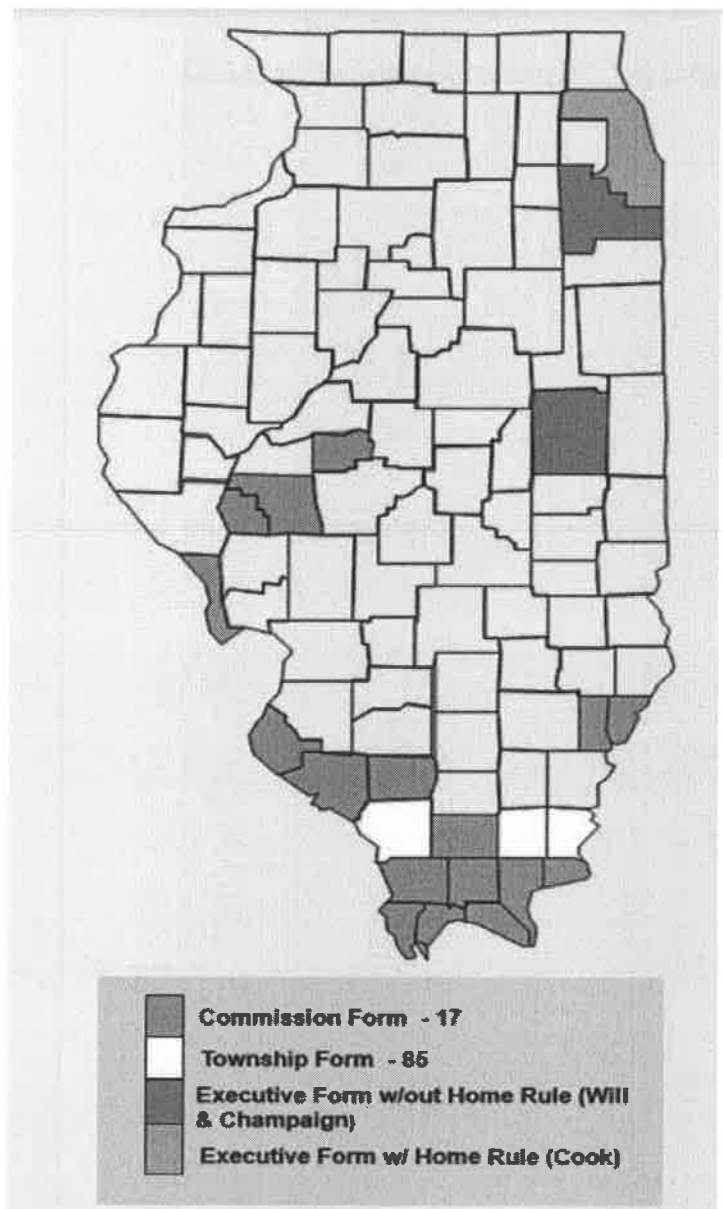
The redistricting process consists of redrawing district boundary lines based on the census' new population figures. The census will show that some districts have gained residents, while others have lost some. Redrawing the lines ensures each district has the same number of people, complying with the constitutional tenet that each voter has an equal say. Counties in which board members are elected at large don't require redistricting.

Besides redistricting, counties can use this time as an opportunity to make other changes to the government structure, including:

1. The number of districts.
2. The number of members representing a district.
3. Whether members are elected by district or at large.

Currently, 76% of Illinois counties elect their representatives by district, compared with 24% at large.

4. Number of total board members. Counties with a population less than 800,000 must consist of at least five board members, no more than 29 and no more than the size of the board on Oct. 2, 1969. Counties with a population between 800,000 and 3,000,000 must have no more than 18 board members.



County government officials don't have much time to make these changes and neither does anyone who wants to get involved.

As part of the process, many county boards will hold at least one public hearing and take comments from local residents. These hearings allow citizens to make their voices heard on how potential changes might impact them.

However, by law, only in those counties where the redistricting plan is developed by the chairman of the county board elected by the voters or, by a County Executive elected by the voters is there a requirement to hold a public hearing on the redistricting plan.

With a relatively short timeline, this process will likely be a priority for many county boards. Whether a public hearing is required by law, or in response to civic pressure placed on the board by county residents, be on the lookout for opportunities for public input and be ready to get involved.

This article first appeared in the September-October edition of LINK. (<https://www.ilfb.org/media/7437/link-sept-oct-2020-vol-11-issue-5.pdf>)

Tags: [LINK \(/resources/ifb-in-action/?tag=LINK\)](#)



May 13, 2021

RE: Reapportionment of Winnebago County Board Districts Timeline

Dear Illinois General Assembly Representatives:

The Illinois law (55 ILCS 5/2-3001, *et seq.*) requires that county board districts be redrawn every ten years and requires the utilization of the federal census data to properly reapportion the county board districts. Due to the COVID-19 pandemic interfering with the decennial census process, the U.S. Census Bureau missed its statutory deadline of December 31, 2020, to deliver population counts to the President and Congress. This further caused the U.S. Census Bureau to miss its April 1, 2021, deadline to send redistricting counts to the states. Ultimately, this has caused an unpreventable consequence for Winnebago County, Illinois being unable to meet the requirements of the Illinois statute (55 ILCS 5/2-3001, *et seq.*) to reapportion county board districts by July 1, 2021. In addition, the U.S. Census Bureau has announced that it will not release the new census data until September 2021. Without the federal census data, Illinois counties, including Winnebago County will not be able to fulfill statutory obligations and timetables to redraw county board districts in a manner that utilizes the most recent and updated population counts. The ability to reapportion county board districts using updated numbers is essential to preserving elected representation at the county level that reflects the true and accurate population within Winnebago County. The accuracy for representation is essential for giving voters a meaningful voice within their government and is therefore the foundation for maintaining the integrity and substance of representative government and our democratic institutions. Winnebago County, Illinois urges the General Assembly and the Governor to work with county leaders toward a viable solution intended to address the delay in the federal census data and to ensure that county board districts can be reapportioned using the most accurate numbers.

Sincerely,

Joseph Chiarelli
Chairman of the County Board
of the County of Winnebago, Illinois