

# County Board

PRESENTED BY THE ILLINOIS ASSOCIATION OF COUNTY BOARD MEMBERS AND COMMISSIONERS

## Primary Duties

The county board is both the legislative and executive branch of county government. As a legislative body, the board enacts ordinances and resolutions that can apply either to the county as a region, including the cities within it, or specifically to the unincorporated area of the county. As an executive body, the board administers the activities of county departments and offices, except those headed by the other elected county officials.

In their capacity as the governing body, the county board adopts an annual budget for the county, establishes tax rates, and authorizes bond issues, subject to voter approval. In a quasi-judicial role, the board reviews zoning, planning and land use matters and considers appeals in granting or denying certain permits and licenses. The county board is also empowered to establish and control special districts to provide services in unincorporated areas of the county. In order to effectively supervise the operations of the county, the board elects a chairman from its membership who serves as the head of the county government. The chairman facilitates the operations of the county board and the other departments of the county.



## Structure of County Government and County Board

The Illinois Constitution mandates that a county board be elected in each county. The number of members of the county board are set by ordinance in each county with limitations provided by law. Counties with township organization may see boards between 5 and 29 members, while counties under commission form are governed by a 3 or 5 member board. Voters can establish whether county board members will be selected at large, from single member, or multi-member districts. However, the number of members and the number of districts is decided by the county board, not the voters.

The General Assembly, by statute, provides for three kinds of counties: counties under township organization, counties under commission form, and counties under a county executive form of government.

### Township Form

The Illinois Constitution of 1848 allowed voters in each county to choose to establish township governments or a county commission form of government. Today, 85 of the 102 counties in Illinois operate under the township form of government. Township counties usually operate with standing committees (see page 3). These committees study the particular problems that arise within their areas of responsibility and submit recommendations to the board for action. A county board member may also hold the office of township supervisor.

### Commission Form

The commission form of government is the oldest and most traditional county organizational structure. Under the commission form, the county governing body consists of an elected board composed of three or five commissioners who serve as the legislative body and also perform executive functions. No single administrator or executive oversees a county's operations under commission form of government. Each year, the commissioners select one of themselves as chairman, most often alternating the designation. There are currently 17 counties operating under the commission form of government: Alexander, Calhoun, Edwards, Hardin, Johnson, Massac, Menard, Monroe, Morgan, Perry, Pope, Pulaski, Randolph, Scott, Union, Wabash and Williamsons.

## County Executive Form – Home Rule

A county which has a chief executive officer is considered a "home rule unit: A county-wide referendum is required to establish this plan. Home rule counties have broad authority to provide for local government issues. The advantage of this designation is that, except as limited by State law, home rule counties may exercise any power and perform any function relating to its government and affairs, including the power to regulate for the protection of the public health, safety, morals and welfare; to license; and to borrow money and levy taxes. Cook County is the only home rule county in Illinois. Will County voters elected to go to a county executive form without home rule in 1988.

## Major functions of County Boards and Commissions:

Counties' governmental and service functions are broken into two broad categories: (1) functions that are mandated by state law or constitution, and (2) optional, or discretionary, functions that counties may choose to perform or not to perform. The second category is much more extensive than the first.

### Mandatory Functions

- Elect a chairman to conduct meetings, hold meetings at prescribed times, and publish a report of each meeting.
- Furnish space, fixtures, fittings and other necessary equipment for county offices. This includes providing a courthouse, a jail, and other buildings necessary for the operation of the courts and other county administrative offices.
- Adopt an annual budget that appropriates funds to cover expenditures for various county offices and functions. Included in the overall budgeting responsibility is the obligation to prepare annual financial report.
- Evaluate all claims made on county funds, and prosecute or defend lawsuits brought by or against the county and any officers thereof. In the event that a lawsuit results in a judgment against the county or on of its officers, the board or commission is responsible for paying any damages awarded by the court.
- May engage in land use planning and zoning, including participating in regional planning, and may regulate in the area of building and safety codes, building permits, and subdivisions regulations.
- May provide employment procedures, personnel policies, maintenance of property record system, business and economic development, various types of insurance, and so on.
- May provide public parks and open spaces, museums, historic preservation activities, county libraries, county fairs, and funding of soil and crop improvement associations.
- May provides social services, including making grants to community action agencies and providing services for youth, the aging, the mentally deficient, and neglected or delinquent children. Many counties in Illinois have provided funding to establish veterans' assistance agencies.

### Discretionary Functions

- May oversee the care and custody of county-owned property, including museums, dog pounds, recreational facilities, waste treatment facilities, sanitary landfills, and so on.
- May assume general management responsibility for obtaining and administering federal funds, for levying and collecting taxes on real property and on the sale of goods and services, and for issuing bonds to provide funds for acquisition or construction of capital equipment projects.
- Have broad discretionary authority in the area of public and environmental health and safety. The county board may act as a board of health or establish a health department; provide for various emergency services; make available clinics, hospitals, and shelters; and engage in environmental health activities.
- Have some authority to engage in emergency services planning, to provide ambulance services, to provide for police and fire communication systems, and to work closely with other public agencies in the provision of emergency services.
- Have extensive power to provide for the construction of highways, roads, bridges, lighting, culverts, etc.; to organize county unit road districts; to establish a road naming or numbering system; to construct and operate parking facilities; and to operate an airport.
- May support the local elections authority with regard to all aspects of the election process: voter registration, fixing election districts and polling places, appointing election judges, providing for balloting boxes, etc.

## Committees and Subcommittees

Most county boards are organized into committees with members appointed by the chairman. This allows each member to develop greater expertise on a set of issues than would be possible if the whole board dealt with all the details. How the committees are organized and how members are assigned to them varies depending upon the size of the board and the form of the county government. In most instances, the chairman of their committee who reports to the full board on the operations of the departments with which they deal. Some of the more standard committees include:

**Executive Committee** acts in an advisory capacity to all standing committees and is usually composed of the chair of all committees. It oversees matters concerning the coordination and operation of the county's programs and policies.

**Judicial Committee** reviews all matters related to law enforcement, including public safety, criminal justice and the county corrections facilities.

**Land Use Committee or Zoning and Building Committee** recommends and enforces all of the county's zoning ordinances and regulations.

**Legislative Committee** is responsible for monitoring, reviewing and recommending positions on state and federal legislation impacting local governments.

**Transportation Committee** reviews all matters that involve the constructions of county highways. It considers and makes recommendations relating to the maintenance and improvement of public road and bridge systems.



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## Training

The office of county board and county commissioner is open to lay persons. Because of the extent of control which a county board exercises and the diversity of responsibilities associated with the office, board members must remain alert to all issues relative to the county and local governments. In addition to representing their constituencies, board members must set and adopt a county budget, oversee the general operations of the various county departments, and at times, deal with the media. To maintain this level of professionalism, board members must continually review state and federal laws, legislation, technology, polices and procedures to increase the effectiveness of the county. Board members need to have a clear understanding of the Illinois Constitution, the Counties Code, the Illinois Open Meetings Act and the Illinois Freedom Information Act. A good working knowledge of the rules of parliamentary procedure are also required.

## Term

Every ten years, the county board in counties under township form, reapportion the county so that each member represents an equal number of residents. Since county board are reapportioned every ten years, the length of terms are staggered (four, four, two years or two, four, four years). County commissioners serve rotating six-year terms.