

**AN ORDINANCE TO AMEND  
THE “PERSONNEL POLICIES FOR COUNTY BOARD APPOINTED OFFICIALS AND  
DEPARTMENT HEADS” AND CERTAIN MADISON COUNTY ORDINANCES**

Mr. Chairman and Members of the County Board:

**WHEREAS**, the County Board has lost confidence in its Chairman to advance a fiscally responsible future for the County; and

**WHEREAS**, it is the opinion of the County Board that the Chairman has exhibited chronically inept management, lack of communication or research on important issues relating to lowering property taxes, lack of attention to his job which decreases the quality of services paid for by taxpayers, and multiple disastrous personnel decisions which have cost the County millions of dollars in legal costs and settlements; and

**WHEREAS**, the Chairman, even while delegated significant authority by the County Board, continues to have improper communications with multiple employees terminated by the County Board while these terminated employees are in continual active litigation against the County Board; and

**WHEREAS**, based on the foregoing the County Board believes now is an appropriate time to modify certain Madison County ordinances and policies to ensure County Government is best able to serve the people and taxpayers of Madison County in a fiscally responsible and professional manner; and

**WHEREAS**, a copy of the proposed revisions (in “redline” format) to various parts of the “PERSONNEL POLICIES FOR COUNTY BOARD APPOINTED OFFICIALS AND DEPARTMENT HEADS” and the Madison County Ordinances are provided with this Ordinance as Attachment A and are on file in the offices of the County Board and County Clerk; and

**NOW, THEREFORE, BE IT ORDAINED** by the County Board of Madison County Illinois that the attached amendments to various parts of the “PERSONNEL POLICIES FOR COUNTY BOARD APPOINTED OFFICIALS AND DEPARTMENT HEADS” and the Madison County Ordinances are hereby adopted. All previous handbooks, policies and procedures which address the matters herein are hereby replaced with these proposed revisions to the extent there is a conflict. But, all these changes will automatically “sunset” (revert back to the previous version of the ordinance or policy) on December 1, 2024, unless this “sunset” date is changed or eliminated by further proper action of the County Board.

**FILED**

**JUL 01 2022**

**DEBRA D. MING-MENDOZA  
MADISON COUNTY CLERK**

## Attachment A

### Redlines of Proposed Ordinance / Personnel Policy Revisions

#### Proposed revisions to Section I of "PERSONNEL POLICIES FOR COUNTY BOARD APPOINTED OFFICIALS AND DEPARTMENT HEADS"

##### I. APPOINTMENT

- A. All Appointed Officials and Department Heads (as listed in Appendix A) under the jurisdiction of the Madison County Board shall be appointed by resolution of the County Board. Individuals so appointed shall be recommended by the County Board Chairman Pro Tem, in consultation with the committee that has the responsibility of overseeing the operation of that department, if any.
- B. If the position to which an Appointed Official or Department head is appointed has a statutory term, and then the appointment shall be for the appropriate term for that position. If the position does not have a statutory term, then the appointment shall continue until either resignation or dismissal.
- C. Each Appointed Official and Department Head will serve at the pleasure of the Chairman Pro Tem and County Board and may be dismissed by the Chairman Pro Tem and County Board in accordance with conditions set forth in section ten of this policy.

#### Proposed changes to Section X of "PERSONNEL POLICIES FOR COUNTY BOARD APPOINTED OFFICIALS AND DEPARTMENT HEADS"

##### X. TERMINATION

Appointed Officials and Department Heads serve at the pleasure of the Chairman Pro Tem and the County Board and may be terminated by the Chairman Pro Tem and County Board.

In the event the Department Head or Appointed Official is terminated, then thirty (30) days written notice of such termination shall be given. At the end of such thirty (30) days, the County agrees to pay severance benefits of a lump sum cash payment equal to three (3) months' aggregate salary and continue all benefits at the County's expense for that same period of time; PROVIDED, HOWEVER, that in the event Department Head/Appointed Official is terminated because of his/her conviction of any illegal act involving personal gain to the official, or for a felony under Federal or State Law, or a crime of moral turpitude, then, in that event, county shall have no obligation to pay the aggregate severance sum designated in this paragraph, nor to give prior notice of such termination.

In the event Department Head/Appointed Official voluntarily resigns his/her position with the County at any time, then he/she shall give the County thirty (30) days' notice in advance, unless the parties otherwise agree. Voluntary resignation by Department Head/Appointed Official will result in a loss of all severance pay and benefits by the County.

Proposed Revisions to Madison County's Ordinances:

§ 30.01 ORGANIZATION.

(A) Upon this ordinance change taking effect, at the next County Board meeting the County Board shall elect, by simple majority, a member of the Board to serve as the new Chairperson Pro Tem and a different person to serve as Vice Chairperson Pro Tem, both of whose terms shall expire upon the seating of the newly elected board members following the next general election at which County Board members are elected, or earlier if removed as outlined in Paragraph B below.

(BA) The Board shall meet at the time prescribed by state statute following the general election at which County Board members are elected to seat the newly elected members. The County Board Chairperson shall appoint then elect by simple majority a member of the Board to serve as Chairperson Pro Tem and a different member of the Board to serve as Vice Chairperson Pro Tem for a term of two years, with the approval of a simple majority of the Board. A Chairperson Pro Tem or Vice Chairperson Pro Tem may be removed, with or without cause, upon a motion adopted by an affirmative vote of two-thirds of the county board. Upon adoption of a motion to remove the Chairperson Pro Tem: (i) the Chairperson Pro Tem position becomes vacant; (ii) the Vice Chairperson Pro Tem immediately assumes the duties of Chairperson Pro Tem; and (iii) a new Chairperson Pro Tem shall be elected at the next regularly scheduled county board meeting. A Chairperson Pro Tem removed maintains his or her status as a member of the county board.

(CB) The County Board Chairperson and Board members shall receive such compensation as set by Board resolution as provided by state statute.

(DE) Vacancies on the Board or in the position of County Board Chairperson due to resignation or death shall be filled under the procedures prescribed by state statute.

§ 30.04 COUNTY BOARD CHAIRPERSON PRO TEM AND CHAIRPERSON.

(A) The Chairperson Pro Tem and Chairperson shall have no powers or authority within the Jurisdiction of the County Board, beyond those powers required by State Statute, except as outlined in Madison County Ordinances or Policy.

(BA) The County Board Chairperson Pro Tem shall appoint the members of the standing and special committees established by Board resolution, with the approval of the Board. The Chairperson Pro Tem shall be an ex officio member of all Board committees. Committee assignments shall remain until the next County Board election and qualification of members, unless changed by action of the Chairperson Pro Tem of the County Board.

(CB) The County Board Chairperson Pro Tem shall implement the decisions and policies of the Board. The County Board Chairperson Pro Tem shall appoint the County Administrator, department heads and other officials as required by statute under the jurisdiction of the County Board, with approval of the Board.

(DE) The County Board Chairperson shall appoint members of public boards, commissions and committees as are required by state statutes, but all such appointments must first be put before the Government Relations Committee for consideration and a recommendation prior to going before the entire Board. Then, these appointments shall be subject to approval by simple majority vote of the Board.

(E) The County Board Chairperson [Pro Tem](#) will work with the County Administrator and County Auditor to prepare a draft county budget for presentation to the Finance and Government Operations Committee for consideration and recommendation to the full Board. In preparing the draft budget, the County Board Chairperson may consult with other Board Committee Chairpersons, elected officeholders and department heads as the Chairperson determines to be appropriate and necessary. The draft budget shall be presented to the Finance and Government Operations Committee by September 15 of each year.

~~—(E)—Any ordinance passed, adopted or otherwise enacted by the Board shall be presented to the County Board Chairperson before it becomes effective. If the County Board Chairperson approves such ordinance, resolution or motion, he or she shall sign it and it shall become law on the date prescribed; if not, he or she shall return it to the Board within ten business days with his or her objections and the Board shall proceed to reconsider the matter at its next meeting, to be held within 30 business days of the Board's receipt of the County Board Chairperson's objections. If after such reconsideration a majority of the members of the Board pass such ordinance, it shall become effective on the date prescribed but not earlier than the date of passage following reconsideration. If any ordinance is not returned by the County Board Chairperson to the Board within ten business days after it is presented to him or her, it shall become effective at the end of the tenth day, as per the provisions of 55 ILCS 5/2-1005.~~

(F) The County Board Chairperson Pro Tem may delegate the County Administrator to fulfill any or all of the Chairperson Pro Tem's duties or powers as outlined in Madison County policy or ordinance, but may withdraw this delegation at any time.

#### § 31.15 COUNTY AUDITOR, COUNTY CLERK AND TREASURER.

(A) The County Auditor and County Treasurer shall present financial reports at each Board meeting up to the first day of the month in which the meeting is held showing receipts, disbursements, investments and balances in each of the county budgets and funds.

(B) The County Auditor shall assist and advise the Board in all matters of finance and contracts, and specifically assist and advise the County Board Chairperson [Pro Tem](#) and Government and Finance Operations Committee in the preparation of the annual county budget.

(C) The County Auditor shall audit all financial reports and statements of officeholders and department heads when due, whether made pursuant to state statute or by direction of the County Board Chairperson [Pro Tem](#) and Board.

(D) The County Clerk, as Clerk of the Board, shall keep the county calendar of meetings, post agendas and notify Board members of committee meetings.

(E) The County Clerk shall provide a copy of the proceedings of all regular and special meetings of the Board to each Board member at least five working days before the next regular meeting of the Board.

(F) The County Clerk shall mail the agenda for each regular and special Board meeting, or provide e-mail notification of the agenda's availability on the county's website, not less than three working days prior to the scheduled regular or special Board meeting.

(G) The County Treasurer is authorized to delay the required payment of real estate taxes to provide for installments as follows: 50% of each installment of taxes shall not become delinquent until 60 days

after each installment would otherwise become delinquent under §§ 21-15, 21-20, 21-25 or 21-30 of the Illinois Property Tax Code, 35 ILCS 200/21-40 et seq.

Proposed Changes to Sec. 31.16 of Madison County's Ordinances:

§ 31.16 COUNTY BOARD OFFICE; COUNTY ADMINISTRATOR.

(A) ~~The County Administrator, under the direction of the County Board Chairperson Pro Tem~~ ~~The shall administer the~~ County Board office, ~~which~~ shall assist any County Board member or County Board committee in drafting resolutions and shall provide typing assistance or photocopying service related to Board or committee business.

(B) The County Administrator, under the direction of the County Board Chairperson Pro Tem, shall coordinate and implement the actions of the County Board and shall attend County Board committee meetings as required.

(C) The County Administrator, ~~under the direction of the County Board Chairperson Pro Tem~~, shall ~~act as staff advisor to the County Board Chairperson~~ have authority to direct ~~for~~ the overall management of all departments under the jurisdiction of the Board and shall provide, under the direction of the County Board Chairperson Pro Tem, administration and management oversight to these offices, as well as coordination of operations with elected officeholders.

§ 31.31 AUTHORITY FOR TRAVEL.

(A) *In-county travel.*

(1) All county officials and employees shall be entitled to reimbursement for authorized in-county travel by privately owned conveyance in the furtherance of their duties at the official Internal Revenue Service published rate for each mile traveled.

(2) Authorized in-county travel for County Board members shall be as defined by statute or county ordinance, or shall be as approved by the County ~~Board Chairperson~~ Administrator, but shall not include travel necessary to attend committee or board meetings listed on the official schedule of meetings maintained by the County Clerk's office.

(3) In-county travel for county officials and employees shall be defined by statute or county ordinance, or shall be approved by an appropriate supervisor.

(B) *Out-of-county travel.*

(1) (a) All travel outside the St. Louis metropolitan area shall be approved by the ~~Chairperson of the County Board~~ Administrator for all employees in departments under the Board and by the appropriate county official for employees in other departments prior to the beginning of travel. For the purposes of these regulations, the St. Louis metropolitan area are those counties defined by the United States Office of Management and Budget as being within the St. Louis Metropolitan Statistical Area (MSA).

(b) Requests for approval for travel outside the St. Louis metropolitan area shall be submitted by written memorandum. Approval by the County ~~Board Chairperson~~ Administrator or appropriate county official shall be indicated on a copy for attachment to the travel voucher. No travel voucher will be approved for reimbursement unless accompanied by an approval request.

(2) Trips made outside the county but within the St. Louis metropolitan area require advance oral authorization by the department head for those departments under the County Board or from the appropriate county official for employees in other departments.

§ 31.32 ALLOWABLE TRANSPORTATION EXPENSES.

(A) *General.* Modes of transportation authorized for official travel include automobiles, railroads, airlines, buses, taxicabs and other usual means of conveyance. Transportation may include fares and expenses incidental to transportation such as baggage transfer, official telephone messages in connection with items classed as transportation and reasonable tips.

(B) *Taxicabs and limousines.* Reimbursement for taxicab fares incurred in the efficient and economical pursuit of the county's business will be allowed. All taxicab fares in excess of \$7 must be accompanied by a receipt indicating the amount paid. When transportation by airport limousine is available and convenient, it shall be used in lieu of a taxicab.

(C) *Travel at temporary location.* Where the nature and location of the county business at a temporary location, such as, but not limited to, a convention, seminar and the like, is such that suitable meals cannot be procured there, the expenses of daily travel required to procure meals at the nearest available place will be considered necessary transportation. Also, transportation between place of lodging and place of business (meeting, convention, seminar and the like) will be allowed as a transportation expense. The use of a rental car for this purpose must be approved in advance by the County Board ~~Chairperson~~ Administrator for all employees in departments under the Board or by the appropriate county official for employees in other departments, prior to the beginning of travel.

(D) *Routing of travel.* All travel shall be by the most direct route. Travel by other routes may be allowed when the official necessity therefor is satisfactory established. If an individual, for his or her own convenience, travels by an indirect route, he or she shall bear the extra expense. Reimbursement for expenses will be based only on such charges as would have been incurred by the most direct and economical route.

(E) *Airplane accommodations.* Travel on airplanes shall ordinarily be coach class. Reimbursement for first-class accommodations on commercial air carriers shall be permitted only when:

(1) Regularly scheduled flights between authorized origin and destination points provide only first-class accommodations;

(2) Space is not available in less than first-class accommodations in time to carry out the purpose of travel; and

(3) The ~~Chairperson of the County Board~~ Administrator or the appropriate county official authorizes or approves the use of first-class accommodations as necessary for the conduct of the mission or other extenuating circumstances. Excursion and economy class accommodations should be used whenever warranted.

(F) *Train accommodations.* One standard sleeping car roomette is allowable when overnight travel is involved. When adequate coach accommodations are available, such accommodations are to be used to the maximum extent possible, on the basis of advantage to the county, suitability and convenience to the traveler and nature of the business involved. Otherwise, one seat in a sleeping or parlor car will be allowed.

(G) *Use of privately-owned conveyance.* The use of privately-owned motor vehicles for county business is not permitted for out-of-state travel except when such use is necessary or desirable due to lack of other convenient means of transportation or is otherwise advantageous to the county.

(H) *Use of rental vehicles as the principal mode of transportation.* The use of a rental vehicle for county business travel is permitted only when it can be demonstrated the total rental and fuel costs are advantageous to the county both in terms of the cost being less than the mileage payment if a private vehicle were used and less than public transportation, if a reasonable alternative exists. The use of a rental vehicle shall be approved by the County Board ~~Chairperson~~ Administrator for all employees in departments under the Board, or by the appropriate county official for employees in other departments, prior to the beginning of travel.

(1) *Mileage determinations.* Distances between points traveled will be shown in official highway mileage guides or on official state maps. Substantial deviations from distances shown in the standard highway mileage guides shall be verified.

(1) Where no guides or maps are available, odometer readings may be used.

(2) Travel within, and in the near vicinity of a city may be reported as mileage in and around such city.

(3) When the use of public transportation is a reasonable alternative, the mileage payment shall not exceed the cost of using public transportation. A reasonable alternative exists when the cost of the travel, taking into account both time and costs, would be less if public transportation were used.

(4) Mileage will be payable to only one of two or more individuals traveling in the same vehicle. The names of individuals so traveling shall be stated on the travel voucher.