

TITLE III: ADMINISTRATION

Chapter

- 30. GENERAL PROVISIONS**
- 31. COUNTY ORGANIZATIONS**
- 32. EMERGENCY MANAGEMENT**
- 33. LAW ENFORCEMENT**
- 34. FINANCE AND REVENUE**
- 35. COUNTY POLICIES**
- 36. EMPLOYEES**
- 37. EMPLOYEE POLICIES**

Richland County - Administration

CHAPTER 30: GENERAL PROVISIONS

Section

County Board Meetings

- 30.01 Board meetings
- 30.02 Tape recording of meetings
- 30.03 Public comment

Committee Meetings

- 30.15 Committee meetings
- 30.16 Ad hoc committee meetings and special committee meetings

Community Meetings

- 30.30 Use of Courthouse for meetings

Elections

- 30.45 New County Board Districts
- 30.46 County Board composition
- 30.47 Judges of election pay
- 30.48 Election judges during a primary

Reimbursement of Travel, Meal and Lodging Expenses for County Officers and Employees

- 30.60 Definitions
- 31.61 Official business for which expenses may be reimbursed
- 31.62 Maximum allowable reimbursement for expenses
- 31.63 Approval of expenses
- 31.64 Documentation of expenses
- 31.65 Entertainment expenses
- 30.66 Forms

Richland County - Administration***County Property***

30.75 Prohibiting roller skating, roller blading and skate boarding on county-owned property

Cross-reference:

Employee policies, see Chapter 37

COUNTY BOARD MEETINGS**' 30.01 BOARD MEETINGS.**

The County Board meeting be the second Tuesday at 9:00 a.m. of each month.
(Meeting minutes of 5-1-1972; Meeting minutes of 12-6-1976)

' 30.02 TAPE RECORDING OF MEETINGS.

Someone will tape record the County Board meetings.
(Meeting minutes of 3-4-1980)

' 30.03 PUBLIC COMMENT.

(A) Members of the public may speak to the Board at its regular, special or emergency meetings on any issues before the Board or, with permission of the Chairperson, on any issue, by giving his or her name at the County Clerk=s office by 4:00 p.m. on the day prior to the meeting, or by giving his or her name at the door of the place designated for the meeting, ten minutes prior to the commencement of the meeting.

(B) The agenda for each meeting shall include a time for public comment.

(C) Speakers shall address their remarks to the Chairperson.

(D) Remarks shall not exceed five minutes in length, unless the Chairperson extends the time available to the speaker.

(E) The Chairperson may limit the time of any speaker, whose remarks are deemed by the Chairperson to be out of order.

(F) The Chairperson shall specify the reasons for ruling a speaker=s remarks out of order.

General Provisions

(G) At the Chairperson's discretion, the Chairperson may recognize anyone present at the meeting to speak at any point during the meeting.

(Res. 12-7-12(B), passed 8-1-2012)

COMMITTEE MEETINGS

' 30.15 COMMITTEE MEETINGS.

The Finance Committee will meet the first Thursday of each month in the County Board room at 8:00 a.m. The Road and Bridge Committee will meet the first Tuesday proceeding the first Thursday of each month at 7:00 p.m. and during daylight savings time at 8:00 p.m.

(Meeting minutes of 12-6-1982)

' 30.16 AD HOC COMMITTEE MEETINGS AND SPECIAL COMMITTEE MEETINGS.

(A) The Chairperson of the respective committees when convening an Ad-Hoc Committee meeting or special committee meeting will do the following 48 hours prior to a committee meeting:

(1) Notify County Clerk who will post the meeting particulars on the Courthouse Bulletin Board;

(2) Notify the Administrator in charge;

(3) Notify the County Board Chairperson;

(4) Notify the membership of the committee; and

(5) Notify the news media stating the nature of the meeting.

(B) The only exception to the procedure outlined in the above is when the announcement of the meeting is made at a regular meeting of the County Board. This announcement will be recorded in the official minutes of the Board.

(Meeting minutes of 2-27-1984)

Richland County - Administration***COMMUNITY MEETINGS*****' 30.30 USE OF COURTHOUSE FOR MEETINGS.**

The policy of the County Board is that no person or group or agency be authorized to use the Courthouse on a permanent basis, but meetings not on a permanent basis can be held with the authorization of the Sheriff.

(Meeting minutes of 4-13-1976)

ELECTIONS**' 30.45 NEW COUNTY BOARD DISTRICTS.**

Acceptance of new County Board Districts (Plan #2):

(A) District 1: Denver, Noble #1, Noble #2, Decker;

(B) District 2: Preston #1, Preston #2, German, Olney;

(C) District 3: Madison #1, Madison #2, Claremont, Bonpas;

(D) District 4: Olney #5, Olney #9;

(E) District 5: Olney #1, Olney #2, Olney #7;

(F) District 6: Olney #4 and Olney #6; and

(G) District 7: Olney #3, Olney #10.

(Meeting minutes of 5-12-1981; Ord. 14-6-12(2), passed 6-12-2014)

' 30.46 COUNTY BOARD COMPOSITION.

(A) The County Board shall be composed of seven members, which members shall be elected individually from districts as established herein, and which districts shall be made up of the various election precincts as delineated below, per precinct boundaries and descriptions previously established by this Board in its Resolution of July 14, 1977. ...[missing material]...

(Res. passed 5-12-1981)

General Provisions

' 30.47 JUDGES OF ELECTION PAY.

The Clerk is authorized to pay the judges of election following the election and before the regular November board meeting.
(Meeting minutes of 10-10-1972)

' 30.48 ELECTION JUDGES DURING A PRIMARY.

There is hereby approved the use of three election judges per precinct for general primary elections in the county.
(Res. 2018-02-08, passed 2-8-2018)

REIMBURSEMENT OF TRAVEL, MEAL AND LODGING EXPENSES FOR COUNTY OFFICERS AND EMPLOYEES

' 30.60 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ENTERTAINMENT. Includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.

TRAVEL. Any expenditure directly incident to official travel by employees and officers of the county or by wards or charges of the county involving reimbursement to travelers or direct payment to private agencies providing transportation or related services.
(Ord. 2016-12-12, passed 12-12-2016)

' 30.61 OFFICIAL BUSINESS FOR WHICH EXPENSES MAY BE REIMBURSED.

(A) An official of the county shall be entitled to reimbursement for travel, including meals or lodging, related to the following types of official business:

- (1) Education conferences related to the duties of the officer of the county; and
- (2) Site visits to current or potential vendors of the county.

(B) An employee shall be entitled to reimbursement for travel, including meals or lodging, related to the following types of official business:

Richland County - Administration

(1) Education conferences related to the duties of the employee of the county; and

(2) Site visits to current or potential vendors of the county.

(Ord. 2016-12-12, passed 12-12-2016)

' 30.62 MAXIMUM ALLOWABLE REIMBURSEMENT FOR EXPENSES.

Unless otherwise excepted in this herein, the maximum allowable reimbursement for an employee or officer of the county shall be those rates set by the reimbursement schedule of the Governor=s Travel Control Board in effect at the time the expense was incurred.

(Ord. 2016-12-12, passed 12-12-2016)

' 30.63 APPROVAL OF EXPENSES.

The County Board must approve the following reimbursements for travel, including meals or lodging, by a roll call vote at an open meeting of the County Board:

(A) Any expense of any officer or employee that exceeds the maximum permitted in ' 30.62 of this subchapter; or

(B) Any expense of any member of the County Board.

(Ord. 2016-12-12, passed 12-12-2016)

' 30.64 DOCUMENTATION OF EXPENSES.

(A) Before any reimbursement for travel, including meals or lodging, may be approved pursuant to ' 30.63 of this subchapter, a standardized form for submission of travel, meal, and lodging expenses supported by the following minimum documentation shall first be submitted to the County Board:

(1) An estimate of the cost of travel, meals, or lodging if expenses have not been incurred or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred;

(2) The name of the individual who received or is requesting the travel, meal or lodging expense;

(3) The job title or office of the individual who received or is requesting the travel, meal or lodging expense; and

(4) The date or dates and nature of the official business in which the travel, meal or lodging expense was or will be expended.

General Provisions

(B) All documents and information submitted under this section are public records subject to disclosure under the Freedom of Information Act, being 5 ILCS 140/1 et seq.
(Ord. 2016-12-12, passed 12-12-2016)

' 30.65 ENTERTAINMENT EXPENSES.

No employee or officer of the county shall be reimbursed by the county for any entertainment expense.
(Ord. 2016-12-12, passed 12-12-2016)

[See next page for ' 30.66]

Richland County - Administration

' 30.66

FORMS.

General Provisions

Richland County - Administration

General Provisions

(Ord. 2016-12-12, passed 12-12-2016)

Richland County - Administration***COUNTY PROPERTY*****' 30.75 PROHIBITING ROLLER SKATING, ROLLER BLADING AND SKATE BOARDING ON COUNTY-OWNED PROPERTY.**

(A) The use of roller skates, roller blades, and skate boards on any and all real property owned or leased by the county is hereby prohibited. The County Sheriff will request such enthusiasts found on county property to desist immediately from such activities.

(B) A violation of this section subjects such person or persons to a fine of \$50 and court costs for a first violation and a fine of \$200 and court costs for a second or subsequent violation.

(Res. passed 4-29-1996)

CHAPTER 31: COUNTY ORGANIZATIONS

Section

General Provisions

- 31.01 Composition of Finance and Road and Bridge Committees

Utility Coordination Council

- 31.15 Established

County Emergency Telephone System Board (911)

- 31.30 Purpose
- 31.31 Membership
- 31.32 Organization
- 31.33 Term of office
- 31.34 Committees
- 31.35 Administration
- 31.36 Surcharge

Cross-reference:

Emergency Management, see Chapter 32

GENERAL PROVISIONS

' 31.01 COMPOSITION OF FINANCE AND ROAD AND BRIDGE COMMITTEES.

The Finance Committee shall be made of three members and the Chairperson as ex officio member and the Road and Bridge Committee shall consist of three members and the Chairperson as ex officio member. The Building Committee will be combined with the regular meeting and will be held each month.

(Meeting minutes of 5-1-1972)

Richland County - Administration***UTILITY COORDINATION COUNCIL*****' 31.15 ESTABLISHED.**

A Utility Coordination Council is hereby established effective the date of this section, which includes the County Engineer, the County Board Chairperson or his or her designee, and such utility companies as determined by the County Engineer to best facilitate and accomplish the requirements of the County Highway Authority. Said utility company members may be added to or removed from the Coordination Council as determined by the County Engineer.
(Res. passed 11-13-2001)

COUNTY EMERGENCY TELEPHONE SYSTEM BOARD (911)**' 31.30 PURPOSE.**

(A) The County Emergency Telephone System Board (ETSB) was established pursuant to the Illinois Revised Statutes, Chapter 134, Paragraph 45.5 as amended by P.A. 85-978 and pursuant to a resolution of the County Board, adopted November 25, 1991.

(B) The powers of the County Emergency Telephone System Board are those powers which are provided by the Illinois Revised Statutes, Chapter 134, Paragraph 45.4, as amended by P.A. 85-978 and by the ordinance of the County Board, adopted November 25, 1991, and reenacted by this subchapter, pursuant to 50 ILCS 750/1 et seq.
(Ord. 14-10-9, passed - -2014)

' 31.31 MEMBERSHIP.

The county shall have membership on the County ETSB as per state regulations. At least three members of emergency services shall to be appointed by County Board Chairperson. Members shall be public safety users of the County Enhanced 9-1-1.
(Ord. 14-10-9, passed - -2014)

' 31.32 ORGANIZATION.

(A) *Officers.*

(1) *Chairperson.* The Chairperson shall be one of the members of the County ETSB and shall be elected by the County ETSB members. The Chairperson shall supervise and control all the business of the County ETSB. The Chairperson may sign, with any other properly authorized officer of the County

County Organizations

ETSB, any instruments authorized to be executed, and shall perform all duties incidental to the office of Chairperson and those prescribed by the Board.

(2) *Vice-Chairperson.* The Vice-Chairperson shall be one of the members of the County ETSB and shall be elected by members of the County ETSB. The Vice-Chairperson shall perform the duties of the Chairperson in his or her absence.

(3) *Secretary.* The Secretary may, but is not required to, be a member of the County ETSB and may be elected to the position or hired to fill the position by the County ETSB members. The Secretary shall be responsible for the minutes of all the meetings, see that notices are duly given in accordance with these bylaws and applicable laws, and perform all duties incidental to the Office of Secretary and those prescribed by the Board.

(4) *Treasurer.* The Treasurer of County ETSB shall be the Treasurer of county as provided for in the Illinois Revised Statutes, Chapter 134, paragraph 45.4, as amended by P.A. 85-978.

(5) *Requirements for offices of the County ETSB.* All members elected as officers shall be members of the County ETSB, with the exception of the Treasurer, who is ex-officio member by virtue of his or her elected office, and the Secretary who is not required to be a member of the County ETSB, but may be hired by the County ETSB and compensated for the services rendered.

(B) *Meetings.*

(1) *Regular meetings.* Regular meetings shall be held at least once a calendar quarter. The time, date and place shall be determined by the Chairperson of the County ETSB.

(2) *Special meetings.* Special meetings may be held at the call of the Chairperson of the Board. A 48-hour notice shall be give to the Board, including an agenda for the meeting, although the business of any special meeting may not be limited to the agenda.

(3) *Meetings of the Emergency Telephone System Board.* Meetings of the Emergency Telephone System Board shall be subject to the provisions of the Open Meetings Act, being 5 ILCS 120 et seq.

(C) *Voting.*

(1) A quorum shall be a majority of the members of the County ETSB.

(2) (a) Each County ETSB member present is entitled to one vote. An affirmative vote of a majority of all members of the County ETSB shall be required to approve the following: the expenditure of funds, personnel matters, and polices and regulations. The County ETSB, by an affirmative vote of a majority of all members of the County ETSB, may authorize the Finance Committee of the County ETSB to approve the following expenditures for payment without obtaining additional approval of the County ETSB prior to payment:

Richland County - Administration

1. Regular monthly bills;
2. Bills for emergency repairs and maintenance;
3. Expenditures previously discussed and pre-approved by the County ETSB; and
4. Any individual expenditure not exceeding \$250.

(b) When the Finance Committee has authority to approve any of the foregoing expenditures, such approval must be made by all members of the Finance Committee. Failure to obtain approval by all members of the Finance Committee will require the County ETSB to approve the expenditures. At each regular meeting of the County ETSB, all expenditure authorizations made by the Finance Committee shall be reviewed and confirmed by a majority vote of all members of the County ETSB present.

(3) Proxy votes will not be allowed.

(4) A tie vote shall require a roll call vote with the Chairperson casting the deciding vote.

(D) *Duties.* The following are the duties of the County ETSB:

(1) Planning an enhanced 9-1-1 system for the county;

(2) Coordinating and supervising the implementation, upgrading and maintenance of the 9-1-1 system, including establishment of equipment specifications and efforts, operations, cost sharing, expenditure approval, utilization of personnel and equipment in accordance with the policies established by the County ETSB and applicable laws;

(3) Pay bills and disburse monies in accordance with the policies and guidelines set by the County ETSB and as authorized by law. All disbursements of funds shall be made by check and shall be signed by both the Chairperson of the County ETSB and the County Treasurer;

(4) Hiring any staff necessary for the implementation or upgrade of the Enhanced 9-1-1 System and provide for the compensation of such staff;

(5) Adopt methods and procedures for the orderly conduct of business for the development, implementation and continuation of the 9-1-1 system;

(6) Prepare quarterly fiscal reports and annual report of the operation of the County ETSB and associated activities;

(7) Contract with other governmental bodies for the use of facilities, equipment and services necessary in the planning, implementation, upgrade or maintenance of the 9-1-1 system;

(8) Set the general policy and operations of the County ETSB;

County Organizations

- (9) Receive reports from committees of the County ETSB;
- (10) Receiving monies from the surcharge imposed under Illinois Revised Statutes, Chapter 134, paragraph 45.4 as amended by P.A. 85-978, and from any other source, for deposit into the Emergency Telephone System Fund;
- (11) Review and approve the annual budget as submitted by the Budget Committee. Said approved budget shall be submitted to the Office of Treasurer to be placed on file;
- (12) Enact amendments to the bylaws by two-thirds vote of all members;
- (13) Annually hire an auditor to conduct an audit of the fiscal operations and receive the report of the annual audit;
- (14) Serve without compensation from the County Emergency Telephone System Board, except that the Secretary may be compensated if not appointed to the County ETSB by the County Board Chairperson; and
- (15) Participate in a regional pilot project to implement next generation 911.
(Ord. 14-10-9, passed - -2014)

' 31.33 TERMS OF OFFICE.

- (A) Original County ETSB members to be appointed for three years succeeding terms will be staggered.
- (B) There shall be no limit to the number of terms a member may serve on the County ETSB.
- (C) A vacancy on the County ETSB shall be occasioned by the resignation, cessation of continued employment with the representing unit of local government, death, physical or mental incapacity, or continuous refusal to attend the scheduled meetings by the member.
 - (1) Continuous refusal to attend is defined as follows: AThe member shall be absent from four consecutive scheduled meetings or absent from six scheduled meetings during a calendar year.@ The County ETSB will confirm the position on the County ETSB vacant.
 - (2) The County Board Chairperson will be informed in writing of the vacancy. Vacancies are to be filled as per state statutes and County ETSB bylaws.
- (D) The County ETSB shall have the power to determine the existence of the vacancy. They shall recommend a replacement to the County Board Chairperson for appointment to the unexpired term.
(Ord. 14-10-9, passed - -2014)

Richland County - Administration**' 31.34 COMMITTEES.**

The County Emergency Telephone System Board shall establish any committees necessary to fulfill the functions of the Board. Committees and the committee members of the County ETSB shall be appointed by the County ETSB Chairperson.
(Ord. 14-10-9, passed - -2014)

' 31.35 ADMINISTRATION.

(A) The procedures to be followed by the County ETSB for expenditures and disbursement of funds shall be consistent with the procedures used by the County Treasurer.

(1) The fiscal year of the County ETSB will be December 1 through November 30.

(2) Expenses incurred by County ETSB members/representatives as authorized by County ETSB are reimbursable.

(3) The 911 Board will prepare and adapt an annual budget and publish and annual audit for public impaction.

(B) Except as otherwise required by these bylaws, laws of the state or other local ordinances, meetings shall be conducted in accordance with the latest revised edition of Robert=s Rules of Order.
(Ord. 14-10-9, passed - -2014)

' 31.36 SURCHARGE.

(A) All moneys received by the County Emergency Telephone System Board pursuant to a surcharge shall be deposited into a separate interest-bearing Emergency Telephone System Fund account. The County Treasurer shall be custodian of the Fund. All interest accruing on the Fund shall remain in the Fund. No expenditures may be made from such Fund except upon the direction of the Board by resolution passed by a majority of all members of the Board.

(B) Expenditures may be made only to pay for the cost associated with the following:

(1) The design of the emergency telephone system;

(2) The coding of an initial master street address guide date base, and update and maintenance thereof;

(3) The repayment of any moneys advanced for the implementation of the system;

(4) The charges for automatic number identification and automatic location identification equipment, a computer aided dispatch system that records, maintains, and integrates information, mobile

County Organizations

data transmitters equipped with automatic vehicle locators, and maintenance, replacement and update thereof to increase operational efficiency and improve the provision of emergency services;

(5) The non-recurring charges related to installation to the emergency telephone system and the ongoing network charges;

(6) The acquisition and installation, or the reimbursement of costs therefor to other governmental bodies that have incurred those costs of road or street signs that are essential to the implementation of the emergency telephone system and that are not duplicative of signs that are the responsibility of the jurisdiction charged with maintaining road and street signs;

(7) Other products and services necessary for the implementation, upgrade, and maintenance of the system and any other purpose related to the operation of the system, including costs attributable directly to the construction, leasing, or maintenance of any buildings or facilities or costs of personnel attributable directly to the operation of the system. Costs attributable directly to the operation of an emergency telephone system do not include the cost of public safety agency personnel who are and equipment that is dispatched in response to an emergency call;

(8) The purchase of real property if the purchase is made before March 16, 2006;

(9) The defraying of expenses incurred in participation in a regional pilot project to implement next generation 9-1-1; and

(10) The implementation of a computer aided dispatch system or hosted supplemental 9-1-1 services.

(Ord. 14-10-9, passed - -2014)

Richland County - Administration

CHAPTER 32: EMERGENCY MANAGEMENT

Section

General Provisions

- 32.01 Adoption of National Incident Management System

County Emergency Management Agency

- 32.15 Establishment; purposes; membership; statutory authority
- 32.16 Limitations
- 32.17 Definitions
- 32.18 Functions; statutory responsibilities
- 32.19 County EMA Coordinator; office
- 32.20 Compensation; state reimbursement
- 32.21 Local disaster declarations
- 32.22 Testing of disaster-warning devices
- 32.23 Mutual aid between political subdivisions
- 32.24 Immunity
- 32.25 Authority to accept services, gifts, grants or loans
- 32.26 Orders, rules and regulations
- 32.27 Utilization of existing agency, facilities and personnel
- 32.28 Oath
- 32.29 No private liability
- 32.30 Prohibition of political activity

County ESDA/EMA Coordinator

- 32.45 Position classification/job description

Cross-reference:

County Emergency Telephone System Board (911), see " 31.30 through 31.36
Emergency alarm systems, see Chapter 94
General administration provisions, see Chapter 30
Law enforcement, see Chapter 33
National 9-1-1 education month, see ' 35.01

Richland County - Administration***GENERAL PROVISIONS*****' 32.01 ADOPTION OF NATIONAL INCIDENT MANAGEMENT SYSTEM.**

The county hereby adopts the NIMS concept of emergency planning and unified command.
(Res. passed 4-12-2005)

COUNTY EMERGENCY MANAGEMENT AGENCY**' 32.15 ESTABLISHMENT; PURPOSES; MEMBERSHIP; STATUTORY AUTHORITY.**

(A) There is hereby created within the county governmental organization an entity to be known as the County Emergency Management Agency, hereinafter referred to as the County EMA. This entity shall be responsible for the coordination of all emergency management programs within its jurisdiction and with private organizations, other political subdivisions and the state and federal government in accordance with the provisions of the Illinois Emergency Management Agency Act (20 ILCS 3305), hereinafter AThe Act@.

(B) The purpose of the County EMA shall be the coordination of emergency services functions which may be necessary or proper to prevent, minimize, repair and alleviate injury, or damage resulting from any natural or technological causes.

(C) The County EMA shall consist of the Coordinator and such additional members as may be selected by the Coordinator and approved by the County Board.

(D) All emergency services functions of the County EMA shall at all times be in accordance with the provisions of the Act and all rules and regulations promulgated thereunder.
(Ord. passed 11-14-2006)

' 32.16 LIMITATIONS.

Nothing in this subchapter shall be construed to:

(A) Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this subchapter or other laws may be taken when necessary to mitigate imminent or existing danger to public health or safety;

Emergency Management

(B) Interfere with dissemination of news or comment of public affairs; but any communications facility or organization (including but not limited to radio and television stations, wire services, and newspapers) may be requested to transmit or print public service messages furnishing information or instructions in connection with a disaster;

(C) Affect the jurisdiction or responsibilities of police forces, firefighting forces, units of the armed forces of the United States, or of any personnel thereof, when on active duty; but state and political subdivision emergency operations plans shall place reliance upon the forces available for performance of functions related to emergency management; or

(D) Limit, modify or abridge the authority of the Governor to proclaim martial law or exercise any other powers vested in him or her under the constitution, statutes or common law of this state, independent of or in conjunction with any provisions of the Act; limit any home rule unit; or prohibit any contract or association pursuant to Article VII, ' 10 of the Illinois Constitution.

(Ord. passed 11-14-2006)

' 32.17 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COORDINATOR. The staff assistant to the principal executive officer of a political subdivision with the duty of coordinating the emergency management programs of that political subdivision.

DISASTER. An occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from any natural or technological cause, including, but not limited to, fire, flood, earthquake, wind, storm, hazardous materials spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, extended periods of severe and inclement weather, drought, infestation, critical shortages of essential fuels and energy, explosion, riot, or hostile military or paramilitary action.

DISASTER TRAINING EXERCISE. A planned event designed specifically to simulate an actual disaster, which will provide emergency operations training for emergency response personnel. Actual response by County EMA volunteers to local emergency situations not qualifying as disasters, as defined in this section, is considered a **DISASTER TRAINING EXERCISE**; provided, however, that performance of the usual and customary emergency functions of a political subdivision (e.g., police, fire or emergency medical services) is not included within this definition.

EMERGENCY MANAGEMENT. The efforts of the state and political subdivisions to develop, plan, analyze, conduct, implement and maintain programs for disaster mitigation, preparedness, response and recovery.

Richland County - Administration

EMERGENCY MANAGEMENT AGENCY. The agency established by ordinance within a political subdivision to coordinate the emergency management program within that political subdivision and with private organizations, other political subdivisions and the state and federal governments.

EMERGENCY OPERATIONS PLAN. The written plan of the state and political subdivisions describing the organization, mission and functions of the government and supporting services for responding to and recovering from disasters.

EMERGENCY SERVICES. The coordination of such functions by the state and its political subdivision, other than functions for which military forces are primarily responsible, as may be necessary or proper to prevent, minimize, repair and alleviate injury and damage resulting from any natural or technological causes. These functions include, without limitation, firefighting services, police services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken or threatened areas, emergency assigned functions of plant protection, temporary restoration of public utility services and other functions related to civilian protection, together with all other activities necessary or incidental to protecting life or property.

ILLINOIS EMERGENCY MANAGEMENT AGENCY or IEMA. The agency established by this Act within the executive branch of state government responsible for coordination of the overall emergency management program of the state and with private organizations, political subdivisions and the federal government.

MOBILE SUPPORT TEAM. The utilization of personnel to be dispatched by the Governor, or, if he or she so authorizes the Coordinator, by the Coordinator, to supplement local political subdivisions for emergency management programs in response to a disaster.

MUNICIPALITY. Any city, village and incorporated town.

POLITICAL SUBDIVISION. Any county, city, village, incorporated town or township if the township is in a county having a population of more than 2,000,000.

PRINCIPAL EXECUTIVE OFFICER. Chairperson of the County Board, supervisor of a township, if the township is in a county having a population of more than 2,000,000, mayor of a city or incorporated town, president of a village, or in their absence or disability, the interim successor as established pursuant to ' 7 of the Emergency Interim Executive Succession Act, being 5 ILCS 275/7. (Ord. passed 11-14-2006)

' 32.18 FUNCTIONS; STATUTORY RESPONSIBILITIES.

(A) The county shall maintain a County EMA, which has jurisdiction over and serves the entire county, except as otherwise provided in the Act.

Emergency Management

(B) The County EMA shall not have jurisdiction within a political subdivision that has its own emergency management agency, but shall cooperate with the emergency services and disaster agency of a city, village or incorporated town within their borders.

(C) The County EMA shall work with the liaison appointed by each municipality within its jurisdiction which is not required to and does not have an emergency management agency in order to facilitate the cooperation and protection of that municipality with the County EMA in the work of disaster mitigation, preparedness, response and recovery.

(D) The Principal Executive Officer of the county shall notify the State Emergency Management Agency of the manner in which the political subdivision is providing or securing emergency management, identify the executive head of the County EMA and furnish additional information relating thereto as the State Emergency Management Agency requires.

(E) The County EMA shall prepare and keep current an emergency operations plan for its geographic boundaries. It shall be submitted to the IEMA for review and approval, in accordance with paragraph g of ' 10 of the Act.

(F) The County EMA shall prepare and distribute to all appropriate officials in written form a clear and complete statement of the emergency responsibilities of all local departments and officials and of the disaster chain of command.

(G) The County EMA shall coordinate emergency management functions within the territorial limits of the political subdivision within which it is organized as are prescribed in and by the State Emergency Operations Plan, and programs, orders, rules and regulations as may be promulgated by the State Emergency Management Agency and in addition, shall conduct such functions outside of those territorial limits as may be required pursuant to such mutual aid agreements and compacts as are entered into under subparagraph 5 of paragraph c of ' 6 of the Act.

(H) The county upon advice from the County EMA may enter into contracts and incur obligations necessary to place it in a position to effectively combat such disasters in order to protect the health and safety of persons and to protect property, and to provide emergency assistance to victims of those disasters. If such a disaster occurs, the county may exercise the powers vested under this section in the light of the exigencies of the disaster and, excepting mandatory constitutional requirements, without regard to the procedures and formalities normally prescribed by law pertaining to the performance of public work, entering into contacts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, and the appropriation, expenditure and disposition of public funds and property.

(I) The County EMA personnel who, while engaged in a disaster or disaster training exercise, suffer disease, injury or death, shall, for the purposes of benefits under the Workers= Compensation Act, being 820 ILCS 305 et seq. or Workers= Occupational Diseases Act, being 820 ILCS 318 et seq. only, be deemed to be employees of the state, if: the claimant is duly qualified and enrolled (sworn in) as a volunteer of the State Emergency Management Agency or an emergency management agency accredited by the State Emergency Management Agency; and if the claimant was participating in an actual disaster

Richland County - Administration

as defined in paragraph (e) of ' 4 of the Act or the exercise participated in was specifically and expressly approved by the State Emergency Management Agency. The State Emergency Management Agency shall use the same criteria for approving an exercise and utilizing state volunteers as required for any political subdivision. The computation of benefits payable under either of those Acts shall be based on the income commensurate with comparable state employees doing the same type work or income from the person=s regular employment, whichever is greater.

(J) Prior to conducting a disaster training exercise, the Principal Executive Officer of the county or his or her designee shall provide area media with written notification of the disaster training exercise. Such notification shall indicate that information relating to the disaster training exercise shall not be released to the public until the commencement of the exercise. The notification shall also contain a request that the notice be so posted to ensure that all relevant media personnel are advised of the disaster training exercise before it begins. During the conduct of such disaster training exercise, all messages, two-way radio communications, briefings, status reports, news releases and other oral or written communications shall begin and end with the following statement: AThis is an exercise message@.

(Ord. passed 11-14-2006)

' 32.19 COUNTY EMA COORDINATOR; OFFICE.

(A) The County EMA shall have a Coordinator who shall be appointed by the Principal Executive Officer of the county in the same manner as are the heads of regular governmental departments.

(B) The County EMA Coordinator shall have direct responsibility for the organization, administration, training and operation of the County EMA, subject to the direction and control of that Principal Executive Officer.

(C) The County EMA shall have an office and the county is authorized to designate space in a county building, or elsewhere, as may be provided for the County EMA.

(Ord. passed 11-14-2006)

' 32.20 COMPENSATION; STATE REIMBURSEMENT.

(A) County EMA members who are paid employees or officers of the county, if called for training by the State Coordinator, shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not such county employees or officers shall receive for such training such compensation as may be established by the County Board.

(B) The County Treasurer may receive and allocate to the appropriate fund, any reimbursement by the state to the county for expenses incident to training members of the County EMA prescribed the State Coordinator, compensation for services and expenses of members of a mobile support team while serving outside the county in response to a call by the Governor or State Coordinator, as provided by law, and any other reimbursement made by the state incident to County EMA activities as provided by law.

(Ord. passed 11-14-2006)

Emergency Management

' 32.21 LOCAL DISASTER DECLARATIONS.

(A) A local disaster may be declared only by the Principal Executive Officer of the county, or his or her interim emergency successor, as provided in the Emergency Interim Executive Succession Act (5 ILCS 275/7 et seq.). It shall not be continued or renewed for a period in excess of seven days except by or with the consent of the governing board of the county. Any order or proclamation declaring, continuing or terminating a local disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk.

(B) The effect of a declaration of a local disaster is to activate the emergency operations plan of the county and to authorize the furnishing of aid and assistance thereunder.
(Ord. passed 11-14-2006)

' 32.22 TESTING OF DISASTER-WARNING DEVICES.

(A) The County EMA shall be allowed to test disaster-warning devices, including outdoor warning sirens, on the first Tuesday of each month at 10:00 in the morning.

(B) The County EMA may also test disaster-warning devices, including outdoor warning sirens, during disaster training exercises that are specifically and expressly approved in advance by the State Emergency Management Agency.
(Ord. passed 11-14-2006)

' 32.23 MUTUAL AID BETWEEN POLITICAL SUBDIVISIONS.

(A) The County EMA Coordinator may, in collaboration with other public agencies within his or her immediate vicinity, develop or cause to be developed mutual aid arrangements with other political subdivisions within this state for reciprocal disaster response and recovery assistance in case a disaster is too great to be dealt with unassisted.

(1) Such mutual aid shall not, however, be effective unless and until approved by each of such political subdivisions.

(2) Such arrangements shall be consistent with the State Emergency Operations Plan and State Emergency Management Program, and in the event of such a disaster as described in ' 4 of the Act, it shall be the duty of the County EMA to render assistance in accordance with the provisions of such mutual aid arrangements.

(B) The County EMA Coordinator may, subject to the approval of the Coordinator of the State Emergency Management Agency, assist in the negotiation of mutual aid agreements between this and other states.

Richland County - Administration

(Ord. passed 11-14-2006)

' 32.24 IMMUNITY.

Neither the county, any political subdivision of the county, nor, except in cases of negligence or willful misconduct, the County Board Chairperson, the Coordinator, or the agents, employees, or representatives of any of them, engaged in any emergency management response or recovery activities, while complying with or attempting to comply with the Act or any rule or regulations promulgated pursuant to the Act is liable for the death of or any injury to persons, or damage to property, as a result of such activity. This section does not, however, apply to political subdivisions and principal executive officers required to maintain emergency management agencies that are not in compliance with ' 10 of the Act, notwithstanding provisions of any other laws. This section does not, however, affect the right of any person to receive benefits to which he or she would otherwise be entitled under this Act under the Workers= Compensation Act, being 820 ILCS 305 et seq. or the Workers= Occupational Diseases Act, being 820 ILCS 318 et seq., or under any pension law, and this section does not affect the right of any such person to receive any benefits or compensation under any act of Congress.

(Ord. passed 11-14-2006)

' 32.25 AUTHORITY TO ACCEPT SERVICES, GIFTS, GRANTS OR LOANS.

(A) Whenever the federal government or any agency or officer thereof or whenever any person, firm or corporation shall offer to the county, services, equipment, supplies, materials or funds by the way of gift or grant, for purposes of emergency management, the county, acting through the Principal Executive Officer, may accept such offer and upon such acceptance, may authorize an officer of the county to receive such services, equipment, supplies, materials or funds on behalf of the county.

(B) The county, acting through the Principal Executive Officer, shall have the authority to establish a special fund if needed to accept such gifts, grants or loans. The establishment of such a special fund shall be in accordance with all county ordinances relating to this subject mater and the laws of the state. All services, gifts, grants or loans accepted pursuant to this section shall be subject to county auditing procedures.

(Ord. passed 11-14-2006)

' 32.26 ORDERS, RULES AND REGULATIONS.

(A) The County Board shall have the authority to promulgate orders, rules and regulations upon the advice of the County EMA Coordinator for the purpose of emergency management and in times of disaster.

(B) The County EMA shall execute and enforce such orders, rules and regulations as may be made by the Governor under the authority of the Act. The County EMA shall have available for inspection at its office all orders, rules and regulations made by the Governor, or under the Governor=s authority and which have been provided by the State Emergency Management Agency.

Emergency Management

(Ord. passed 11-14-2006)

' 32.27 UTILIZATION OF EXISTING AGENCY, FACILITIES AND PERSONNEL.

The County EMA acting through its Principal Executive Officer may utilize the services, equipment, supplies and facilities of existing departments, offices and agencies within its jurisdiction to the maximum extent practicable, and the officers and personnel of all such departments, offices and agencies are directed, upon request, to cooperate with and extend such services and facilities as may be needed.

(Ord. passed 11-14-2006)

' 32.28 OATH.

Every person appointed to serve in any capacity in the County EMA organization shall, before entering upon his or her duties, subscribe to the following oath, which shall be filed with the County EMA Coordinator:

AI, _____ do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I, nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; and that during such time I am affiliated with the County EMA, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence.@

(Ord. passed 11-14-2006)

' 32.29 NO PRIVATE LIABILITY.

(A) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual or impending disaster, or a disaster training exercise together with his or her successors in interest, if any, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission, or for negligently causing loss of, or damage to, the property of such person.

(B) Any private person, firm or corporation and employees and agents of such person, firm or corporation in the performance of a contract with, and under the direction of the county under the provisions of the Act shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct.

Richland County - Administration

(C) Any private person, firm or corporation, and any employee or agent of such person, firm or corporation, who renders assistance or advice at the request of the county under the Act during an actual or impending disaster, shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct.

(Ord. passed 11-14-2006)

' 32.30 PROHIBITION OF POLITICAL ACTIVITY.

The County EMA established by this subchapter shall not be employed directly or indirectly by any person for political purposes.

(Ord. passed 11-14-2006)

COUNTY ESDA/EMA COORDINATOR**' 32.45 POSITION CLASSIFICATION/JOB DESCRIPTION.**

(A) The following County ESDA/EMA Coordinator duties and responsibilities are for reference only.

(B) Individual job descriptions may vary.

(C) The County ESDA/EMA job description should reflect the responsibilities and duties of the County ESDA/EMA Coordinator required by their particular jurisdiction.

(1) The Coordinator shall be the staff assistant to the County Board Chairperson with the duty of coordinating the emergency management programs.

(2) The Coordinator shall have direct responsibility for organization, administration, training and operation of the County EMA/ESDA, subject to the direction and control of that County Board Chairperson.

(3) The Coordinator shall be responsible for the coordination of all emergency management programs within the jurisdiction and with private organizations, other political subdivisions, the state and federal government in accordance with the provisions of the Illinois Emergency Management Agency Act (20 ILCS 3305).

(4) The Coordinator shall coordinate emergency service functions with respect to mitigation, preparedness, response and recovery which may be necessary for or proper to prevent, minimize, repair and alleviate injury and damage resulting from any natural or technological causes.

(5) The Coordinator shall prepare and keep current an Emergency Operations Plan in

Emergency Management

accordance with current state guidelines.

(6) The Coordinator shall perform disaster training exercises in accordance with current state guidelines.

(7) The Coordinator shall implement new or revised procedures as required in accordance with Federal Emergency Management Agency and State Emergency Management Agency guidelines.

(8) The Coordinator shall appear before civic organizations and groups giving illustrated talks to explain the Emergency Services and Disaster Program.

(9) The Coordinator shall prepare progress and financial reports for submission to the Federal Emergency Management Agency, the State Emergency Management Agency and local governmental bodies as may be required.

(10) The Coordinator shall recruit, organize, instruct and supervise volunteer emergency services and disaster personnel.

(11) The Coordinator shall supervise the issuance, return and maintenance of local emergency services and disaster equipment used by emergency services and disaster personnel; inspect equipment periodically to ensure a state of readiness in the event of an emergency.

(12) The Coordinator will maintain a close working relationship with the liaison appointed by each municipality within the county which is not required to have an ESDA. (This is for County ESDAs only).

(13) The Coordinator shall prepare and distribute to all appropriate officials in written form a clear and complete statement of emergency responsibilities of all local departments and officials and of the disaster chain of command.

(14) The Coordinator shall develop or cause to be developed mutual aid agreement with other political subdivisions within the state.

(15) The Coordinator shall perform other duties as required or assigned.
(Ord. passed 8-11-2008)

Richland County - Administration

CHAPTER 33: LAW ENFORCEMENT

Section

- 33.01 Sheriff=s deputies
- 33.02 State police training school
- 33.03 Consolidation of some police services
- 33.04 Housing out-of-county prisoners

' 33.01 SHERIFF=S DEPUTIES.

The Sheriff of the county is authorized to hire and employ nine deputy sheriffs for the County Sheriff=s Department.

(Res. 2012-06-14, passed 8-2-2012; Ord. 18-10-11, passed 10-11-2018)

' 33.02 STATE POLICE TRAINING SCHOOL.

(A) The county elects to participate in the program provided for in the Illinois Police Training Act, being 50 ILCS 705 et seq.

(B) Before an individual may commence regular employment as a police officer, he or she must have been certified by the State Local Governmental Law Enforcement Officers Training Board as having successfully completed an approved training course as provided in said Act.

(C) Such basic training must be completed by the trainee within his or her probationary period of 12 months.

(Res. passed 5-14-1974)

' 33.03 CONSOLIDATION OF SOME POLICE SERVICES.

Whenever a question of authority arises within the county, the Sheriff of the county or his or her designate will be the supervising authority. Whenever a question of authority arises within the city limits, the Chief of Police of Olney or his or her designate will be the supervising authority.

(Meeting minutes of 2-11-1975)

Richland County - Administration**' 33.04 HOUSING OUT-OF-COUNTY PRISONERS.**

The charge be set at \$9.50 per day for boarding prisoners to other counties, except an additional charge will be made in event of a matron being hired. Each county will take care of any damages sustained by their prisoners, medical care and the like.
(Meeting minutes of 5-13-1973)

CHAPTER 34: FINANCE AND REVENUE

Section

Investment Policy

- 34.001 General provisions
- 34.002 Scope of policy
- 34.003 Objectives
- 34.004 Investment guidelines
- 34.005 Diversification
- 34.006 Responsibility
- 34.007 Performance measures
- 34.008 Periodic review
- 34.009 Reporting
- 34.010 Authorized investments
- 34.011 Financial institutions
- 34.012 Collateralization (if any)
- 34.013 Safekeeping of securities
- 34.014 Prudent person standard
- 34.015 Internal controls
- 34.016 Ethics and conflict of interest
- 34.017 Amendment

Taxation

- 34.045 Special county occupation taxes for public safety
- 34.046 Countywide sales tax
- 34.047 Tax expense
- 34.048 Tax on tangible personal property purchased outside the state
- 34.049 Participation of bidders at real estate tax sales
- 34.050 Tax on transfer of beneficial interest

Funds

- 34.060 Vital Records Technology/Automation Fund
- 34.061 Sales in Error Fund
- 34.062 Court Automation Fund

Richland County - Administration***Fees***

- 34.075 Temporary buying location fee
- 34.076 Guardian Center fees
- 34.077 Mental health and drug court expenses
- 34.078 Public safety fines
- 34.079 Sheriff=s fees
- 34.080 Vital records and real estate and recording fees
- 34.081 Court fees
- 34.082 Booking fee
- 34.083 Youth diversion program fees
- 34.084 Geographic information system recording fee
- 34.085 Charge for positive drug tests
- 34.086 Circuit Court fees
- 34.087 Mortgage lender fees
- 34.088 Law library fees
- 34.089 Trauma center fees
- 34.090 Solid waste fees
- 34.091 Jury demand and alternate jurors requested fees

INVESTMENT POLICY**' 34.001 GENERAL PROVISIONS.**

It is always prudent for any public unit to have an investment policy in place for the purpose of safeguarding funds, equitably distributing the investments, and maximizing income of the governmental unit. The following policy is hereby promulgated for use by the county.
(Meeting minutes of 11-16-1999)

' 34.002 SCOPE OF POLICY.

This investment policy applies to the investment activities of all funds under the jurisdiction of the county. This investment policy will also apply to any new funds or temporary funds placed under the jurisdiction of the county. The state statutes will take precedence except where this policy is more restrictive wherein this policy will take precedence.
(Meeting minutes of 11-16-1999)

Finance and Revenue

' 34.003 OBJECTIVES.

(A) The purpose of this investment policy is to establish cash management and investment guidelines for the stewardship of public funds under the jurisdiction of the county.

(B) The specific objectives of this policy will be as follows.

(1) *Safety*. The security of monies, whether on hand or invested, shall be the primary concern of the County Treasurer in selecting depositories or investments.

(2) *Liquidity*. The investment portfolio shall remain sufficiently liquid to meet all operating requirements, which might be reasonably anticipated.

(3) *Return*. The County Treasurer shall seek to attain a market average or better rate of return throughout budgetary and economic cycles, taking into account risk, constraints, cash flow and legal restriction on investment.

(Meeting minutes of 11-16-1999)

' 34.004 INVESTMENT GUIDELINES.

To assist in attaining the stated objectives, the following guidelines shall be observed.

(A) Investments shall be undertaken in a manner that seeks to insure preservation of capital in the overall portfolio. To avoid unreasonable risks, diversification of investments is required.

(B) The portfolio should remain sufficiently liquid to meet operating requirements which may be reasonably anticipated. Cash flows shall be reviewed quarterly.

(C) To maximize earnings, all funds shall be deposited/invested within two working days at prevailing rates or better.

(D) All investments shall be selected on the basis of competitive bids.

(Meeting minutes of 11-16-1999)

' 34.005 DIVERSIFICATION.

(A) To avoid unreasonable risks, diversification of the investment portfolio shall be consistent with the objectives in the investment policy.

(B) Commercial paper shall not exceed 10% of the investment portfolio.

(Meeting minutes of 11-16-1999)

Richland County - Administration**' 34.006 RESPONSIBILITY.**

All investment of funds under the control of the County Treasurer is the direct responsibility of the County Treasurer. The County Treasurer shall be responsible for all transactions and shall establish a system of controls for all authorized subordinates who are directly involved in the assistance of such investment activities.

(Meeting minutes of 11-16-1999)

' 34.007 PERFORMANCE MEASURES.

The use of U.S. Treasury bills, average Fed Fund rate, EPTIP or other stable markets can be used to determine whether market average yield benchmarks are being achieved.

(Meeting minutes of 11-16-1999)

' 34.008 PERIODIC REVIEW.

The County Treasurer should establish annual independent review for internal control, which assures compliance with the investment policy. This will be accomplished with external auditors.

(Meeting minutes of 11-16-1999)

' 34.009 REPORTING.

All investment transactions shall be recorded by the County Treasurer or the County Treasurer=s staff. A report will be generated, at least weekly, listing all active investments, location of investments, maturity of investments, interest rate and other pertinent information deemed necessary. This report will be submitted monthly to the County Board.

(Meeting minutes of 11-16-1999)

' 34.010 AUTHORIZED INVESTMENTS.

(A) The county shall invest in instruments as allowed by the Public Funds Investment Act, 30 ILCS 235/2.

(B) A summary of authorized investments follows.

(1) Notes, bonds, certificates of indebtedness, treasury bills or other securities, which are guaranteed by the full faith and credit of the United States of America.

(2) Bonds, notes, debentures or other similar obligations of the United States of America or its agencies.

Finance and Revenue

(3) Interest bearing accounts, certificates of deposit or interest bearing time deposits or any other investment constituting direct obligations of any bank as defined by the Illinois Banking Act, being 205 ILCS 5 et seq.

(4) Short-term obligations (corporate paper) of corporations organized in the United States with assets exceeding \$500,000,000 if:

(a) Such obligations are rated at the time of purchase within the three highest classifications established by at least two standard rating services and which mature not later than 180 days from the date of purchase; and

(b) Such purchases do not exceed 10% of the corporation=s outstanding obligations; or

(c) In money market mutual funds registered under the Investment Company Act of 1940, being U.S.C. " 80a-1 through 80a-64.
(Meeting minutes of 11-16-1999)

' 34.011 FINANCIAL INSTITUTIONS.

The County Board will have the sole responsibility to select which financial (IPTIP, banks, savings and loan, credit unions and other non-banks) institutions will be depositories for the county. Any financial institution, upon meeting the requirements of the state statutes and of this policy, may request to become a depository for the county=s funds. The county will take into consideration security, size, location, financial condition, service, fees, competitiveness, and the community relations involvement of the financial institution when choosing depositories.

(Meeting minutes of 11-16-1999)

' 34.012 COLLATERALIZATION (IF ANY).

(A) At all times, in order to meet the objective of safety of capital, the County Treasurer will require deposits in excess of the federally insured amount to be collateralized to the extent of 110% and evidenced by an approved written agreement.

(B) Eligible collateral instruments and collateral rates (market value divided by deposit) are as follows:

(1) Negotiable obligations of the U.S. government: 110%;

(2) Negotiable obligations of any agency or instrumentality of the U.S. government backed by the full faith and credit of the U.S. government: 110%; and

(3) Negotiable obligations of the state which are rated A or better by Moody=s or Standard and Poor=s: 110%.

Richland County - Administration

(C) Maturity of acceptable collateral shall not exceed 120 months.

(D) The ratio of fair market value of collateral to the amount of funds secured shall be reviewed and additional collateral will be requested when the ratio declines below the level required.

(E) Safekeeping of collateral.

(1) Third party safekeeping is required for all collateral. To accomplish this, the securities will be held at a safekeeping depository as approved from time to time by the County Treasurer and County Board.

(2) Safekeeping will be documented by an approved written agreement. Substitution, exchange or release of securities held in safekeeping may be done upon two days prior written notice to the County Treasurer.

(3) When collateral is extended, the County Treasurer should receive a copy of the financial institution's board minutes, indicating the Board of Directors' approval.
(Meeting minutes of 11-16-1999)

' 34.013 SAFEKEEPING OF SECURITIES.

(A) Securities, unless held physically by the County Treasurer, require third party safekeeping.

(B) The County Treasurer will have the sole responsibility for selecting safekeeping agents. Safekeeping will be documented by an approved written agreement.
(Meeting minutes of 11-16-1999)

' 34.014 PRUDENT PERSON STANDARD.

(A) Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the possible income to be derived.

(B) In maintaining its investment portfolio, the County Treasurer shall avoid any transaction that might impair public confidence in the county.

(C) The above standards are established as standards for professional responsibility and shall be applied in the context of managing the portfolio. The County Treasurer and employees of the County Treasurer acting in accordance with this investment policy and procedures as have been or may be established and exercising due diligence shall be relieved of personal liability for an individual security's credit risk or market changes.
(Meeting minutes of 11-16-1999)

Finance and Revenue

' 34.015 INTERNAL CONTROLS.

Only the County Treasurer or the County Board is authorized to establish financial accounts and investments for the office or Elected Board. At all times either the County Treasurer, singly or two, jointly, of two or more signatories as designated by the County Treasurer or the County Board should be authorized to sign on financial accounts of the office of the County Treasurer. Authorized signatories are not permitted to reconcile bank accounts at any time.

(Meeting minutes of 11-16-1999)

' 34.016 ETHICS AND CONFLICT OF INTEREST.

The Corrupt Practices Act of Illinois Compiled Statutes shall apply in the case of this policy. In addition, no person in the investment process shall make any investment decision based upon personal or political gain or consequence.

(Meeting minutes of 11-16-1999)

' 34.017 AMENDMENT.

This policy may be reviewed from time to time and revised upon approval of the County Treasurer or County Board.

(Meeting minutes of 11-16-1999)

TAXATION

' 34.045 SPECIAL COUNTY OCCUPATION TAXES FOR PUBLIC SAFETY.

(A) A tax is hereby imposed upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of this state=s government, at retail in this county at the rate of 0.50% of the gross receipts from such sales made in the course of such business while this section is in effect; and a tax is hereby imposed upon all persons engaged in this county in the business of making sales of service, at the rate of 0.50% of the selling price of all tangible personal property transferred by such serviceman as an incident to a sale of service. Such Special County Occupation Taxes for Public Safety shall not be applicable to the sales of food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks and food that has been prepared for immediate consumption) and prescription and non-prescription medicines, drugs, medical appliances and insulin, urine testing materials, syringes and needles used by diabetics. The imposition of these public safety taxes is in accordance with the provisions of " 5-1006.5(a) and 5-1006.5(b), of the ACounties Code@ (55 ILCS 5/5-1006.5 and 55 ILCS 5/5-1006.5(b).

Richland County - Administration

(B) (1) The taxes hereby imposed, and all civil penalties that may be assessed as an incident thereto, shall be collected and enforced by the Department of Revenue of the state.

(2) The Department of Revenue shall have full power to administer and enforce the provisions of this section.

(Res. 99-3-30, passed 3-30-1999)

' 34.046 COUNTYWIDE SALES TAX.

A .25% sales tax was approved.

(Meeting minutes of 2-10-1987)

' 34.047 TAX EXPENSE.

(A) The County Board adopts House Bill 194 and House Bill 752, the Mobile Home Local Services Tax Act, being 35 ILCS 515 et seq., as enacted by the state legislature.

(B) The County Collector shall determine the total expense incurred for extending and collecting taxes for all taxing districts in the county.

(C) Each taxing district be billed for its proportionate share of the expense incurred (as determined by an independent auditor) by the County Collector.

(Res. passed 3-9-1976)

' 34.048 TAX ON TANGIBLE PERSONAL PROPERTY PURCHASED OUTSIDE THE STATE.

There is hereby imposed, levied and assessed upon the privilege of using, in the unincorporated area of the county a tax of 1% of selling price of all motor vehicles, sail boats in excess of 12 feet, motor boats and aircraft and other tangible personal property, titled or required to be registered with or titled with a state agency of Illinois, which are purchased outside the state at retail from a retailer, by a person whose Illinois address for titling is in the unincorporated area of the county.

(Res. passed 10-8-1974)

' 34.049 PARTICIPATION OF BIDDERS AT REAL ESTATE TAX SALES.

Consistent with the provisions of 35 ILCS 200/21-220, the County Board approves the participation of bidders at its real estate tax sale, who have failed to register ten business days prior to the sale.

(Res. 00-11-14, passed 11-14-2000)

Finance and Revenue

' 34.050 TAX ON TRANSFER OF BENEFICIAL INTEREST.

(A) A tax is imposed on the privilege of transferring title to real estate as represented by a deed or any document relating to the transfer of a taxable beneficial interest under this section that is filed for recordation, at a rate of \$.25 for each \$500 of value or fraction thereof stated in the Illinois Department of Revenue declaration presented therewith, and pursuant to the terms of 55 ILCS 5/5-1031, A beneficial interest@ includes, but is not limited to:

- (1) The beneficial interest in a state land trust;
- (2) The lessee interest in a ground lease (including any interest of the lessee in the related improvements) that provides for a term of 30 or more years when all options to renew or extend are included, whether or not any portion of the term has expired; or
- (3) The indirect interest in real property as reflected by a controlling interest in a real estate entity.

(B) The Recorder of Deeds shall continue to sell the state revenue stamps at a rate of \$.50 per \$500 of value or fraction thereof; and the county revenue stamps at a rate of \$.25 per \$500 of value or fraction thereof.

(C) The county real estate transfer tax shall be subject to the same terms, conditions and exemptions as the Illinois Real Estate Transfer Act.
(Ord. 14-02-13, passed 2-13-2014)

FUNDS

' 34.060 VITAL RECORDS TECHNOLOGY/AUTOMATION FUND.

(A) Per 55 ILCS 5/4-4001, the County Board of any county of the first or second class may by ordinance authorize the County Clerk to impose an additional \$2 charge for certified copies of vital records as defined in ' 1 of the Vital Records Act, being 410 ILCS 515, for the purpose of developing, maintaining and improving technology in the office of the County Clerk.

(B) These funds collected may, by ordinance, authorize the County Treasurer to establish a special fund for deposit of the additional charge. Monies in the special fund shall be used solely to provide the equipment, material and necessary expenses incurred to help defray the cost of implementing and maintaining such document storage system.

(C) Currently the fee for certified copies of vital records is \$15 for the first copy and \$7 for each additional copy.

Richland County - Administration

(D) Now, the County Board is authorizing the \$2 additional Atechnology automation@ fee, certified copies of vital records shall be \$17 for the first copy and \$9 for each additional copy (when purchased at the same time).

(Ord. 2012-06-14, passed 6-14-2012)

' 34.061 SALES IN ERROR FUND.

The County Treasurer/Collector may impose a \$20 fee per parcel at the annual tax sale for a sale in Error Fund with the Treasurer/Collector as Trustee.

(Res. 03-10-14A, passed 10-14-2003)

' 34.062 COURT AUTOMATION FUND.

(A) Pursuant to 705 ILCS 105/27.3a, the County Board elects to establish an automated record keeping system in the office of the Clerk of the Circuit Court in the county and the Richland County Circuit Clerk shall commence and collect said fee of \$3 upon receipt of written notice from the Chairperson of the County Board together with a certified copy of this section, which shall be filed by the Circuit Clerk of the county in his or her office.

(B) Said fee of \$3 shall be in addition to all other fees and charges of the County Circuit Clerk, and assessable as costs, and shall be remitted monthly by the County Circuit Clerk to the County Treasurer, to be retained by the County Treasurer in a special fund designated as the Court Automation Fund.

(C) Said Fund shall be audited by the county accountants and the Board shall make expenditure from the Fund in payment of any cost related to the automation of court records, provided that the expenditure is approved by the Clerk of the Court and by the Chief Judge of the Circuit Court or his or her designate.

(Meeting minutes of 3-12-1985)

FEES**' 34.075 TEMPORARY BUYING LOCATION FEE.**

The Sheriff of the county shall collect from all unregistered buyers, who establish a temporary buying location within the county, the sum of \$100, and such buyers must also comply with all the terms of 205 ILCS 510.

(Ord. 12-03-08(b), passed 3-8-2012)

Finance and Revenue

' 34.076 GUARDIAN CENTER FEES.

The Board, having considered a fee to be placed upon certain court cases for the Child Advocacy Center, known as the Guardian Center, located in Carmi, White County, Illinois, hereby passes this section with the following terms.

(A) Pursuant to 55 ILCS 5/5-1101 (f-5), the Board is authorized to adopt a mandatory fee of between \$5 and \$30 to be paid by the defendant on a judgment of guilty or a grant of supervision under section 5-9-1 of the Unified Code of Corrections for a felony, a Class A, B or C misdemeanor, a petty offense, or a business offense.

(B) A reasonable fee of \$10 shall be imposed upon all felonies, misdemeanors, petty, and business offenses.

(C) The Circuit Clerk shall collect the foregoing fees and remit the same to the Guardian Center.
(Res. 09-12-10, passed 12-10-2009)

' 34.077 MENTAL HEALTH AND DRUG COURT EXPENSES.

The county shall collect a \$10 fee per case, pursuant to statute, to defray court expenses related to mental health cases and drug court cases, and the Sheriff, Circuit Clerk and State=s Attorney may make a claim against such Mental Health Court Fund and Drug Court Fund for costs incurred related to mental health and drug court cases filed in the county.
(Ord. 09-10-08, passed 10-8-2009)

' 34.078 PUBLIC SAFETY FINES.

The county hereby establishes a Pet Population Control Fund and imposes on the owner of a dog or cat not vaccinated for rabies a \$25 public safety fine for cases involving a bite, a \$50 public safety fine for cases involving a dangerous dog, and a \$100 public safety fine for cases involving a vicious dog. All public safety fine proceeds shall be deposited into the Pet Population Control Fund.
(Ord. 07-08-13, passed 8-13-2007)

' 34.079 SHERIFF=S FEES.

The following Sheriff=s fees are in effect:

(A) For serving or attempting to serve summons on each defendant in each county, \$21;

(B) For serving or attempting to serve an order or judgment granting injunctive relief in each county, \$21;

Richland County - Administration

(C) For serving or attempting to serve each garnishee in each county, \$21;

(D) For serving or attempting to serve an order for replevin in each county, \$21;

(E) For serving or attempting to serve an order for attachment on each defendant in each county \$21;

(F) For serving or attempting to serve a warrant of arrest, \$21;

(G) For serving or attempting to serve a subpoena on each witness, in each county, \$21;

(H) For returning each process, in each county, \$11; and

(I) For serving or attempting to serve an order or judgment for the possession of real estate in an action of ejectment or in any other action, or for restitution in an action of forcible entry and detainer without aid, \$21.

(Res. 07-5-14, passed 6-1-2007)

' 34.080 VITAL RECORDS AND REAL ESTATE AND RECORDING FEES.

(A) County Clerk fee list:

<i>Vital Records</i>	<i>Fee</i>
Certified births (first/additional copy)	\$10/\$4
Certified deaths (first/additional copy)	\$10/\$4
Marriage certificates (first/additional)	\$10/\$4
Marriage licenses	\$25
Genealogy copies	\$6
Genealogical surname search	\$40

<i>Real Estate and Recording</i>	<i>Fee</i>
Recording per document (General Fund)	\$18
Recording per document (recorder equipment)	\$5
Certified copies of recordings (minimum)	\$18
Tax redemption Clerk certificate	\$10
Assumed name filing	\$10

Finance and Revenue

<i>Real Estate and Recording</i>	<i>Fee</i>
Supplemental assumed name filing	\$10
Notary certificate filing	\$10
Notary verification	\$5

(B) The Recorder of Deeds shall charge \$2 for each instrument submitted for recording and to use the revenue generated to enhance the computerization and micrographics of the records in the office of the Recorder of Deeds.

(C) The additional \$10 for marriage licenses and \$5 for dissolution be submitted by the County Clerk and the Circuit Clerk to the County Treasurer=s office.

(Meeting minutes of 12-8-1981; Ord. passed 5-26-1992; Res. 05-06-14(a), passed 5-6-2005)

' 34.081 COURT FEES.

The following fees and costs are hereby established:

(A) Court security: \$61.75 per case;

(B) Certified copies: \$5;

(C) Authenticated copies: \$5;

(D) Copy fee: \$5;

(E) Automation fee: \$25 per case; and

(F) Document storage fee: \$25 per case.

(Res. 05-04-12, passed 4-12-2005; Res. 14-8-14(a), passed 8-14-2014; Res. 2014-08-14(1), passed 8-14-2014; Res. passed - -2016)

' 34.082 BOOKING FEE.

The County Sheriff shall require and impose a \$21 booking fee on all inmates processed out of the county jail upon payment of a cash bond or a recognizance bond for bail, effective immediately.

(Res. 05-01-13, passed 1-13-2005)

Richland County - Administration**' 34.083 YOUTH DIVERSION PROGRAM FEES.**

(A) Pursuant to 55 ILCS 5/5-1101(e), the county has established a teen court, peer court, peer jury, youth court or other youth diversion program.

(B) The County Board does hereby adopt a mandatory fee of up to \$5 to be assessed as follows:

(1) A fee of up to \$5 paid by the defendant on a judgement of guilty or grant of supervision for violation of the State Vehicle Code, being 625 ILCS 5 et seq. or violations of similar provisions contained in county or municipal ordinances committed in the county; and

(2) A fee of up to \$5 paid by the defendant on a judgement of guilty or grant of supervision under ' 5-9-1 of the Unified Code of Corrections, being 730 ILCS 5 et seq. for a felony; for a Class A, Class B or Class C misdemeanor; for a petty offense; and for a business offense.

(C) Assessments collected by the Clerk of the Circuit Court pursuant to this division (C) must be deposited into an account specifically for the operation and administration of a teen court, peer court, peer jury, youth court or youth diversion program.

(D) The Clerk of the Circuit Court shall collect the fees established in this division (D) and must remit the fees to the teen court, peer court, peer jury, youth court or other youth diversion program monthly, less 5%, which is to be retained as fee income to the office of the Clerk of the Circuit Court.
(Res. 04-12-14, passed 12-14-2004)

' 34.084 GEOGRAPHIC INFORMATION SYSTEM RECORDING FEE.

An additional charge of \$18 for filing every instrument, paper or notice of record, shall be implemented by the County Recorder. Of the sum of \$18, \$17 must be deposited into a Special Fund set up by the Treasurer of the county; any monies collected pursuant to this section and deposited into the Recorder=s Special Fund and may be used, at his or her discretion, to defray the cost of implementing or maintaining the county=s GIS.

(Res. 01-5-8, passed 5-8-2001; Res. 04-12-14(b), passed 12-14-2004)

' 34.085 CHARGE FOR POSITIVE DRUG TESTS.

The County Board, pursuant to 730 ILCS 5/5-6-3.1(g), shall authorize the assessment of \$25 for each positive drug test, made pursuant to court order, and such monies shall be collected by the Clerk of the Circuit Court and distributed to the County Treasurer to defray the costs of drug testing, alcohol testing and electronic monitoring.

(Ord. 04-08-10, passed 8-10-2004)

Finance and Revenue

' 34.086 CIRCUIT COURT FEES.

The fees to be charged by the County Circuit Clerk, pursuant to 705 ILCS 105/21.1a and this section are hereby adopted by reference and included in the code as fully as if set out at length herein.
(Meeting minutes of 11-10-1992; Res. 94-2-8, passed 2-8-1994; Res. 03-10-14, passed 10-14-2003)

' 34.087 MORTGAGE LENDER FEES.

The County Collector is authorized to collect a fee of \$5 for each duplicate tax bill provided to any mortgage lender, who is not the property owner of record. All fees collected under this section shall be deposited into the Tax Sale Automation Fund, as provided by 35 ILCS 200/21-245.
(Res. 99-10-12, passed 10-12-1999)

' 34.088 LAW LIBRARY FEES.

Pursuant to state statute, the law library fee is \$20, and the court document storage fee is \$25 in all applicable cases in which these fees are collected.
(Res. 97-5-13, passed 5-13-1997; Res. 14-8-14(a), passed 8-14-2014; Res. 2014-08-14(1), passed 8-14-2014)

' 34.089 TRAUMA CENTER FEES.

The Circuit Clerk shall, when collecting fines imposed upon a conviction of or an order of supervision for a violation of laws or ordinances regulating the movement of traffic that amounts to \$55 or more, remit \$5 of the total amount collected, less 2.5% of the \$5 to help defray the administrative costs incurred by the Clerk, within one month to the State Treasurer to be deposited into the Trauma Center Fund.
(Ord. 93-3-9, passed 3-9-1993)

' 34.090 SOLID WASTE FEES.

A tipping fee is hereby established to be paid by applicable solid waste disposal facilities within the county based upon the amount of solid waste in cubic yards taken to individual landfills each year to be paid to the County Treasurer and is established in the amount as follows.

(A) \$0.60 per cubic yard if more than 150,000 cubic yards of non-hazardous solid waste is permanently disposed of at the site in a calendar year, unless the owner or operator weighs the quantity of the solid waste received with a device for which certification has been obtained under the Weights and Measures Act, being 225 ILCS 470/1 et seq., in which case the fee shall not exceed \$1.27 per ton of solid waste permanently disposed of.

Richland County - Administration

(B) \$33,350 if more than 100,000 cubic yards, but not more than 150,000 cubic yards, of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

(C) \$15,000 if more than 50,000 cubic yards, but not more than 100,000 cubic yards, of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

(D) \$4,650 if more than 10,000 cubic yards, but not more than 50,000 cubic yards, of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

(E) \$650 if more than 10,000 cubic yards of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

(Ord. passed 5-16-1992)

' 34.091 JURY DEMAND AND ALTERNATE JURORS REQUESTED FEES.

The Clerk of the Circuit Court is hereby authorized and directed to assess and collect a fee of \$212.50 for a civil jury trial demand and \$150 for each alternate juror requested, and said fee shall be collected from the requesting party in each civil case within which a jury trial demand is made as provided in 705 ILCS 105/27.1a(s).

(Res. R-2015-06-11, passed 6-11-2015)

CHAPTER 35: COUNTY POLICIES

Section

General Provisions

- 35.01 National 9-1-1 education month
- 35.02 Pollution control facilities; rules and procedures
- 35.03 Childhood cancer awareness month

Identity Protection Policy

- 35.15 General provisions
- 35.16 Social Security number protection pursuant to law
- 35.17 County restrictions
- 35.18 Requirement to redact Social Security numbers
- 35.19 Employee access to Social Security numbers

Procurement Policy

- 35.30 Purpose
- 35.31 Application
- 35.32 Methods of procurement
- 35.33 Contract pricing
- 35.34 Procurement records

GENERAL PROVISIONS

' 35.01 NATIONAL 9-1-1 EDUCATION MONTH.

The County Board recognizes April as ANational 9-1-1 Education Month@.
(Res. 2009-04-09, passed 4-9-2009)

Richland County - Administration**' 35.02 POLLUTION CONTROL FACILITIES; RULES AND PROCEDURES.**

The following rules and procedures are adopted by the County Board for the conduct of public hearings, required pursuant to the Illinois Environmental Protection Act, being 415 ILCS 5 et seq., for approval of regional control facilities.

(A) Applicants and interested persons will be afforded an opportunity to be heard and may present documentation, evidence or testimony in support of, or in opposition to, any application.

(B) Applicants and interested parties may appear in person or be represented by an attorney or agent.

(C) The Chairperson of the County Board is authorized to conduct the public hearing on behalf of the County Board.

(D) All persons offering documentation, evidence or testimony shall identify themselves for the record, including addresses, and shall be sworn. Exhibits will be numbered consecutively.

(E) The schedule of presentations shall be as follows:

(1) First: presentation by the applicant or his or her agents;

(2) Second: presentation by all other persons in support of the subject application;

(3) Third: presentation by persons in opposition to the subject application;

(4) Fourth: inclusion in the record of written comments received prior to or at the time of the public hearing;

(5) Fifth: rebuttal by the applicant to any presentations, comments or statements in opposition to the subjects application; and

(6) Sixth: inquiry by the County State=s Attorney on behalf of the County Board members, by the County Board members, and by other persons in attendance as may be directed to any person testifying at the public hearing. All persons making inquiry shall identify themselves by name and address. To avoid inconvenience to witnesses, the Hearing Officer may permit questioning of a witness at any point in the proceeding if it appears that a witness would have to return to a continued session of the public hearing for questioning.

(7) Seventh: Adjournment, recess or continuance of the public hearing. The Hearing Officer may allow variance with the above order of presentation in the interest of fairness and the conducting of an orderly public hearing.

(F) As provided by the Act, the County Board members shall consider any comment received or postmarked not later than 30 days after the date of the last public hearing pertaining to the subject application. All comments shall be directed to the attention of the County Board members and filed in

County Policies

the office of the County Clerk.

(G) County Board members may be present in person at the time of the public hearing or may review the record of the public hearing and the documents submitted relative thereto.

(H) Notice of the public hearing, as prepared by the County Clerk, will be by notice published in the AOLney Daily Mail,@ as a newspaper of general circulation in the county, not less than ten days prior to the date of the public hearing. In addition, the notice will be posted in the public area of the County Courthouse and in the United States Post Office not less than ten days prior to the public hearing and during regular business hours from the date of posting to the date of hearing.

(I) Notice will also be given to all members of the Illinois General Assembly from the district in which the proposed site is located and to the State Environmental Protection Agency by certified mail, not less than ten days prior to the date of the public hearing.

(J) County Board members who do not appear or attend the public hearing shall refer to a transcript of the proceedings.

(K) Decisions of the County Board members will be in writing, specifying the reasons for the decision, such reasons to be in conformance with subsection (a) of ' 39.2 of the Act. Such decision shall be available for public inspection at the office of the County Clerk and may be copied upon payment of the actual cost of reproduction. If there is no final action by the County Board members within 180 days after the filing of the request for site approval, as provided by the Act, the applicant may deem the request approved.

(L) These rules shall be interpreted liberally for the purpose of determining the suitability of the site proposed for such new regional pollution control facility only in accordance with the criteria stated in ' 39.2 of the Act and for the purpose of considering the approval or denial of the subject application.
(Meeting minutes of 4- -1987)

' 35.03 CHILDHOOD CANCER AWARENESS MONTH.

The County Board hereby recognizes September as Childhood Center Awareness Month.
(Proclamation of 9-13-2018)

Richland County - Administration***IDENTITY PROTECTION POLICY*****' 35.15 GENERAL PROVISIONS.**

County adopts this identity-protection policy pursuant to the Identity Protection Act, 5 ILCS 179/1 et seq. The Identity Protection Act requires each local and state government agency to draft, approve and implement an Identity-Protection Policy to ensure the confidentiality and integrity of Social Security numbers agencies collect, maintain and use. It is important to safeguard Social Security numbers (SSNs) against unauthorized access because SSNs can be used to facilitate identity theft. One way to better protect SSNs is to limit the widespread dissemination of those numbers.
(Ord. passed 5-12-2011)

' 35.16 SOCIAL SECURITY NUMBER PROTECTIONS PURSUANT TO LAW.

Whenever an individual is asked to provide this office with a SSN, the county shall provide that individual with a statement of the purpose or purposes for which the county is collecting and using the Social Security number. The county shall also provide the statement of purpose upon request. That statement of purpose is attached to this policy.
(Ord. passed 5-12-2011)

' 35.17 COUNTY RESTRICTIONS.

(A) The county shall not:

(1) Publicly post or publicly display in any manner an individual=s Social Security number. ***PUBLICLY POST*** or ***PUBLICLY DISPLAY*** means to intentionally communicate or otherwise intentionally make available to the general public;

(2) Print an individual=s Social Security number on any card required for the individual to access products or services provided by the person or entity;

(3) Require an individual to transmit a Social Security number over the internet, unless the connection is secure or the Social Security number is encrypted; or

(4) Print an individual=s Social Security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless state or federal law requires the Social Security number to be on the document to be mailed.

(B) SSNs may be included in applications and forms sent by mail, including, but not limited to, any material mailed in connection with the administration of the Unemployment Insurance Act, being 820 ILCS 405 et seq., any material mailed in connection with any tax administered by the Department of

County Policies

Revenue, and documents sent as part of an application or enrollment process or to establish, amend or terminate an account, contract or policy or to confirm the accuracy of the Social Security number. A Social Security number that is permissibly mailed will not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened.

(C) In addition, the county shall not:

(1) Collect, use or disclose a Social Security number from an individual, unless:

(a) Required to do so under state or federal law, rules or regulations, or the collection, use or disclosure of the Social Security number is otherwise necessary for the performance of the county's duties and responsibilities;

(b) The need and purpose for the Social Security number is documented before collection of the Social Security number; and

(c) The Social Security number collected is relevant to the documented need and purpose.

(2) Require an individual to use his or her Social Security number to access an internet website;
or

(3) Use the Social Security number for any purpose other than the purpose for which it was collected.

(Ord. passed 5-12-2011)

' 35.18 REQUIREMENT TO REDACT SOCIAL SECURITY NUMBERS.

The county shall comply with the provisions of any other state law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's Social Security number. The county shall redact Social Security numbers from the information or documents before allowing the public inspection or copying of the information or documents.

(B) When collecting Social Security numbers, the county shall request each SSN in a manner that makes the SSN easily redacted if required to be released as part of a public records request. **REDACT** means to alter or truncate data so that no more than five sequential digits of a Social Security number are accessible as part of personal information.

(Ord. passed 5-12-2011)

Richland County - Administration**' 35.19 EMPLOYEE ACCESS TO SOCIAL SECURITY NUMBERS.**

Only employees who are required to use or handle information or documents that contain SSNs will have access. All employees who have access to SSNs are trained to protect the confidentiality of SSNs. (Ord. passed 5-12-2011)

PROCUREMENT POLICY**' 35.30 PURPOSE.**

The purpose of this subchapter is to ensure that sound business judgment is utilized in all procurement transactions and that supplies, equipment, construction, and services are obtained efficiently and economically and in compliance with applicable federal law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition. (Res. passed - -2015)

' 35.31 APPLICATION.

This subchapter applies to the procurement of all supplies, equipment, construction, and services of and for the county related to the implementation and administration of the CDBG award. All procurements will be done in accordance with 24 C.F.R. Part 85.36. (Res. passed - -2015)

' 35.32 METHODS OF PROCUREMENT.

Procurement under grants shall be made by one of the following methods, as described in this section: small purchase procedures; sealed bids (formal advertising); competitive proposals or noncompetitive proposals.

(A) Small purchase procedures are relatively simple and informal procurement methods that are sound and appropriate for the procurement of services, supplies, or other property, costing in aggregate not more than \$100,000. If small purchase procedures are used for a procurement under a grant, price or rate quotations shall be obtained from an adequate number of qualified sources.

(B) In sealed bids (formal advertising), sealed bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all of the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction.

County Policies

(1) In order for formal advertising to be feasible, appropriate conditions must be present, including, at a minimum, the following:

- (a) A complete, adequate and realistic specification or purchase description is available;
- (b) Two or more responsible bidders are willing and able to compete effectively for county business; and
- (c) The procurement lends itself to a firm-fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

(2) When sealed bids are used for a procurement under a grant, the following requirements apply:

- (a) A sufficient time prior to the date set for opening of bids, bids shall be solicited (publicly advertised) from an adequate number of known suppliers.
- (b) The invitation for bids, including specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the invitation for bids.
- (c) All bids shall be opened publicly at the time and place stated in the invitation for bids.
- (d) A firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine low bid when prior experience of the county indicates that such discounts are generally taken.
- (e) Any or all bids may be rejected if there are sound documented business reasons in the best interest of the program.

(C) Procurement by competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursable type contract is awarded, as appropriate. Competitive proposals is generally used when conditions are not appropriate for the use of sealed bids. If the competitive proposals method is used for a procurement under a grant, the following requirements apply:

- (1) Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals shall be honored to the maximum extent practical.
- (2) Requests for proposals shall be solicited from an adequate number of qualified sources.
- (3) The county shall have a method for conducting evaluations of the proposals received and for selecting awardees.

Richland County - Administration

(4) Awards will be made to the responsible offeror whose proposal will be most advantageous to the procuring party, with price (other than architectural/engineering) and other factors considered. Unsuccessful offerors will be promptly notified in writing.

(5) The county may use competitive proposal procedures for qualification-based procurement of architectural/engineering (A/E) professional services whereby competitor=s qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the procurement of architectural/engineering (A/E) professional services. It cannot be used to procure other types of services (such as, administration professional services) even though architectural/engineering (A/E) firms are a potential source to perform the proposed effort.

(D) Noncompetitive proposals is procurement through solicitation of a proposal from only one source, or after solicitation from a number of sources, competition is determined inadequate. Noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids (formal advertising), or competitive proposals. Circumstances under which a contract may be awarded by noncompetitive proposals are limited to the following:

(1) The item is available from only a single source;

(2) After solicitation of a number of sources, competition is determined inadequate;

(3) A public exigency or emergency exists when the urgency for the requirement will not permit a delay incident to competitive solicitation; and

(4) The Department of Commerce and Economic Opportunity (DCEO) authorizes noncompetitive proposals. (Sole source procurement for supplies, equipment, construction, and services valued at \$25,000 or more must have prior approval of DCEO).

(E) The county will provide, to the greatest extent possible, that contracts be awarded to qualified small and minority firms, women business enterprises, and labor surplus area firms whenever they are potential sources.

(F) Any other method of procurement must have prior approval of the DCEO.
(Res. passed - -2015)

' 35.33 CONTRACT PRICING.

(A) The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.

(B) The county shall perform some form of cost/price analysis for every procurement action, including modifications, amendments or change orders.
(Res. passed - -2015)

County Policies

' 35.34 PROCUREMENT RECORDS.

The county shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(Res. passed - -2015)

Richland County - Administration

CHAPTER 36: EMPLOYEES

Section

- 36.01 State=s Attorney Appellate Prosecutor
- 36.02 Animal Control Officer

' 36.01 STATE=S ATTORNEY APPELLATE PROSECUTOR.

(A) The County Board, in regular session, does hereby support the continued operation of the office of the State=s Attorneys Appellate Prosecutor, and designates the Office of the State=s Attorneys Appellate Prosecutor as its agent to administer the operation of the appellate offices and process said appellate court cases for this county.

(B) The attorneys employed by the office of the State=s Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State=s Attorneys on behalf of the State=s Attorney of this county in the appeal of all cases, when requested to do so by the State=s Attorney, and with the advice and consent of the State=s Attorney prepare, file and argue appellate briefs for those cases; and also, as may be requested by the State=s Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act being 750 ILCS 750 et seq., the Cannabis Control Act being 720 ILCS 550 et seq., the Drug Asset Forfeiture Procedure Act being 725 ILCS 150 et seq. and the Narcotics Profit Forfeiture Act being 725 ILCS 175 et seq. Such attorneys are further authorized to assist the State=s Attorney in the State=s Attorney=s duties under the Illinois Public Labor Relations Act, being 5 ILCS 315 et seq., including negotiations thereunder, as well as in the trial and appeal of tax objections.

(C) The Office of the State=s Attorneys Appellate Prosecutor will offer Continuing Legal Education training programs to the State=s Attorney and Assistant State=s Attorneys.

(D) The attorneys employed by the office of the State=s Attorneys Appellate Prosecutor may also assist the State=s Attorney of this county in the discharge of the State=s Attorney=s duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

Richland County - Administration

(E) The County Board hereby agrees to participate in the service program of the Office of the State=s Attorneys Appellate Prosecutor for fiscal year 2019, commencing December 1, 2018, and ending November 30, 2019, by hereby appropriating the sum of \$7,000 as consideration for the express purpose of providing a portion of the funds required for financing the operation of the Office of the State=s Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State=s Attorneys Appellate Prosecutor on request during the fiscal year 2019.

(Res. passed 12-13-2012; Res. passed 11-13-2014; Res. passed 12-12-2016; Res. passed 12-14-2017; Res. passed 11-8-2018)

' 36.02 ANIMAL CONTROL OFFICER.

The position of the County Animal Control Warden entails a variety of activities which may include, but is not limited to, the following areas of work:

(A) Responds to calls to pick up stray or nuisance dogs, cats and other animals;

(B) Investigates dog bite cases;

(C) Makes conscientious efforts to adopt out impounded dogs and cats;

(D) Feeds impounded animals on a daily basis;

(E) Cleans and disinfects the animal shelter on a daily basis;

(F) Responds to emergency calls during off hours, holidays and weekends;

(G) Promotes registration of dogs whose owners reside within the county;

(H) Cooperates with the Animal Control Administrator to provide the humane dispatch of animals;

(I) Provides for the sanitary disposal of animal carcasses;

(J) Cooperates with various state and local agencies, including the County State=s Attorney and County Sheriff=s Department, in matters pertaining to animal control;

(K) Identifies and keeps a log of incoming animals into the animal shelter;

(L) Issues warnings, citations and quarantine notices when applicable;

(M) Testifies in hearings and trials of criminal complaints and ordinance violations, related to such warnings, citations and notices;

(N) Vouchers all purchases through the County Finance Committee;

Employees

(O) Agrees to perform the above activities at the rate of \$8 per hour with annual compensation not to exceed \$16,640. Comp time will be awarded for any overtime logged. The Animal Control Warden shall, to the extent possible, log himself or herself on and off duty by radio communication to the County Sheriff=s Department=s dispatchers. Termination of employment by either party will require a 30-day written notice; and

(P) As a county employee, the Animal Control Warden is covered by other resolutions and policies of the Board, unless specifically excluded.
(Meeting minutes of - -1996)

Richland County - Administration

CHAPTER 37: EMPLOYEE POLICIES

Section

General Employee Policies

- 37.001 Solicitation and acceptance of gifts by employees
- 37.002 Utilization of Highway Department resources for non-highway uses
- 37.003 Record-keeping
- 37.004 Non-discrimination policy
- 37.005 Restricting use of animal control vehicle
- 37.006 Substance abuse prevention for public works projects

Sexual Misconduct Policy

- 37.020 Policy statement
- 37.021 Adult contact with children
- 37.022 Management role in administering this policy
- 37.023 Reporting procedures and designated child abuse counselor
- 37.024 Child abuse
- 37.025 Maintenance of records and documents

Sexual Harassment in the Workplace

- 37.040 Statement of policy
- 37.041 Responsibilities
- 37.042 Applicable procedures
- 37.043 Non-retaliation

Ethics

- 37.055 Definitions
- 37.056 Prohibited political activities
- 37.057 Gift ban
- 37.058 Ethics advisor
- 37.059 Ethics Commission

Richland County - Administration***Drug and Alcohol Abuse Policy***

- 37.070 Purpose
- 37.071 Use prohibited
- 37.072 Searches
- 37.073 Testing
- 37.074 Test results

Employee Benefits

- 37.085 Prevailing wage
- 37.086 Adoption of Personnel Policy by reference

Highway Department Employees

- 37.100 Highway Department Employee=s Manual adopted by reference

Computer Use Policy

- 37.115 Overview
- 37.116 Purpose
- 37.117 Scope
- 37.118 General use and ownership
- 37.119 Security and proprietary information
- 37.120 Unacceptable use
- 37.121 System and network activities
- 37.122 Email and communications activities
- 37.123 Blogging
- 37.124 Enforcement

- 37.999 Penalty

Cross-reference:

Reimbursement of travel, meal and lodging expenses for county officers and employees, see " 30.60 through 30.66

GENERAL EMPLOYEE POLICIES**' 37.001 SOLICITATION AND ACCEPTANCE OF GIFTS BY EMPLOYEES.**

(A) No public official nor public employee of the county shall solicit or accept any gift from any source in violation of the State Officials and Employee Ethics Act, being 5 ILCS 430 et seq.

Employee Policies

(B) No public official nor public employee of the county shall solicit or accept any gift from any source in violation of any federal or state statute, or rule of regulation.

(C) The ban imposed by this section shall apply to and include spouses and immediate family living with the public official or public employee of the county.

(D) No person nor entity shall make or offer to make any gift to a public official or public employee of the county, if the solicitation or acceptance of such gift by the county public official or employee would be a violation of this section.

(Ord. 99-7-12(a), passed 7-13-1999) Penalty, see ' 37.999

' 37.002 UTILIZATION OF HIGHWAY DEPARTMENT RESOURCES FOR NON-HIGHWAY USES.

(A) *Policy.* It is recognized that resources in the form of labor and equipment exist at the County Highway Department and that these resources are often adequate to perform minor construction and/or maintenance procedures at the Courthouse, jail or other county facilities. It is also recognized that these procedures can often be efficiently performed by the County Highway Department but that care must be taken so that Highway Department resources are not dissipated for non-highway uses. It is finally recognized that a method is required to assign Highway Department resources for said non-highway related duties in accordance with County Board policy.

(B) *Procedure.*

(1) Any county elected or appointed official may initiate a request for County Highway Department assistance by filing such a request with the Chairperson of the County Board or the County Road and Bridge Committee.

(2) Requests received by the Road and Bridge Committee Chairperson shall be presented to the County Engineer at the next regular Road and Bridge Committee meeting.

(3) The County Engineer shall meet with the appropriate county official or committee in order to determine the scope of work and prepare an estimate of costs.

(4) The County Engineer shall present a written estimate of costs for the procedure to the Road and Bridge Committee at its next regular meeting.

(5) The Committee shall either grant or deny the request by vote. If the Committee votes to grant the request, the County Engineer shall provide the assistance as soon as possible thereafter.
(Meeting minutes of 6-9-1992)

Richland County - Administration**' 37.003 RECORD-KEEPING.**

(A) Pursuant to the Clerk of Courts Act, being 705 ILCS 105 et seq., the County Board elects to establish an automated record-keeping system in the office of the Clerk of the Circuit Court in the county and the County Circuit Clerk shall commence and collect said fee of \$3 upon receipt of written notice from the Chairperson of the County Board, together with a certified copy of this section, which shall be filed by the Circuit Clerk of the county in his or her office.

(B) Said fee of \$3 shall be in addition to all other fees and charges of the County Circuit Clerk, and assessable as costs, and shall be remitted monthly by the County Circuit Clerk to the County Treasurer, to be retained by the County Treasurer in a special fund designated as the Court Automation Fund.

(C) Said Fund shall be audited by the county accountants and the Board shall make expenditure from the Fund in payment of any cost related to the automation of court records, provided that the expenditure is approved by the Clerk of the Court and by the Chief Judge of the Circuit Court or his or her designate.

(D) Such fees shall not be charged in any matter coming to any such clerk or change of venue, nor in any proceeding to review the decision of any administrative officer, agency or body.
(Res. passed 3-10-1992)

' 37.004 NON-DISCRIMINATION POLICY.

The purpose of this policy adopted by the County Board is to give assurances that no person in the county shall be excluded from participation in, be denied the benefits of or be subject to discrimination under any program of activity of the county with respect to a qualified handicapped individual, as provided in ' 504 of the Rehabilitation Act of 1973, as amended, being 29 U.S.C. " 701 et seq.
(Meeting minutes of 1-10-1984)

' 37.005 RESTRICTING USE OF ANIMAL CONTROL VEHICLE.

(A) The County Board directs the County Animal Control Warden to restrict the use of the animal control vehicle to business hours and business use only, and that said vehicle shall be parked each day in the vicinity of the county jail, when said vehicle is not in use for purposes related to animal control, effective December 1, 2001.

(B) Furthermore, a set of keys for the animal control vehicle shall remain at the County Sheriff=s Department at all times to allow said vehicle to be moved, if necessary, for emergency or snow removal purposes.
(Res. 01-11-13(a), passed 11-13-2001)

Employee Policies

' 37.006 SUBSTANCE ABUSE PREVENTION FOR PUBLIC WORKS PROJECTS.

(A) Before any employer commences work on a public works project, said employer will provide the County Clerk with a written program related to the testing of its employees, consistent with the terms of P.A. 095-0635, including minimum testing requirements for blood and urine pre-hire and post-accident testing, and anticipated responses when an employee tests positive for alcohol and/or drugs or fails to test. Testing shall also be required when reasonable suspicion of alcohol and/or drug use is present.

(B) The written program shall be filed with the County Clerk and be available for public inspection.

(C) Testing must be performed at a certified laboratory, as required by P.A. 095-0635.

(D) Employees who violate the terms of the written protocol shall be banned from the work site.
(Ord. 2014-03-13, passed - -2014)

SEXUAL MISCONDUCT POLICY

' 37.020 POLICY STATEMENT.

(A) The county prohibits and will not tolerate and will seek to eradicate any behavior by its employees, volunteers or students, which constitutes sexual misconduct toward another employee, volunteer, detainee, student, patron or participant. **SEXUAL MISCONDUCT** means any actual, attempted or alleged sexual molestation, assault, abuse, sexual exploitation or sexual injury. **SEXUAL MISCONDUCT** does not include Asexual harassment@.

(B) The county has a zero-tolerance policy for any sexual misconduct committed by an employee, volunteer, board member or third party. Upon completion of the investigation, disciplinary action up to and including termination of employment and criminal prosecution may ensue.

(C) Sexual misconduct is inappropriate sexual contact of a criminal nature or interaction for gratification of the adult who is a caregiver and who is responsible for the detainee=s, student=s, participant=s or patron=s care. Sexual misconduct includes any sex offense against a child, as such sex offenses are defined in 720 ILCS 5 et seq. and extending those definitions of sex offenses to include children under the age of 18 years of age.

(D) Any incidents of sexual misconduct reasonably believed to have occurred will be reportable to the appropriate law enforcement agencies and regulatory agencies when necessary.

Richland County - Administration

(E) For the purposes of this policy, the term **CHILD** will refer to a detainee, student, patron or participant under the age of 18 years and for which the county offers, at any time, care, custody and control.

(Meeting minutes of 8-13-2007)

' 37.021 ADULT CONTACT WITH CHILDREN.

(A) Note: sexual relations with a minor is a crime.

(B) Under most circumstances, employees/volunteers will not be allowed to have one-on-one contact with children. In those instances in which one-on-one contact with children is beneficial, such as a confidential counseling session, the door will be kept open and the lights kept on and a Awhite noise@ machine used to mask the conversation. Ideally, all contact of this nature should be done in a room with the wall adjacent to the hallway being composed completely of windows. Curtains will remain open at all times and nothing taped to the window. Supervisory staff will periodically monitor these sessions.

(C) A child will never be transported alone by an employee/volunteer. A child will never be touched by an employee/volunteer, except in those cases in which a child seeks emotional support. In these instances, only a shoulder pat or shoulder hug, or a pat on the upper back or a hand shake, will be allowed and the contact will be very brief in nature.

(D) In no instances will a conversation be initiated by an employee/volunteer which is of a personal nature or which focuses on a child=s physical appearance or attributes. Jokes that belittle or diminish a child=s self esteem will not be made. Sexual comments or innuendos or sexist comments are expressly forbidden. No gifts will be given to a child by the employee/volunteer unless approved by supervision.

(E) No social activities outside of the workplace between the employee/volunteer and the child will be arranged or take place. If an impromptu encounter with the employee/volunteer and the child takes place, the contact will be limited and brief.

(F) All potential employees/volunteers will be subject to a background check prior to employment/ assignment. An Illinois State Police criminal background check and a State Department of Children and Family Services Child Abuse and Neglect Tracking System check will be made. Both of these checks have to be approved by the potential employee/volunteer. Failure to authorize these checks will remove the potential employee/visitor from any further consideration for employment or assignment.

(Meeting minutes of 8-13-2007)

' 37.022 MANAGEMENT ROLE IN ADMINISTERING THIS POLICY.

(A) It is the duty of all managerial and supervisory staff to administer and to monitor the effectiveness of this program to the fullest extent possible. They must be ever-diligent in recognizing unacceptable behaviors and activities.

Employee Policies

(B) One such group of behaviors includes those exhibited by sexual predators.

(C) The following should aid in recognizing these behaviors in employees/volunteers:

- (1) Overly affectionate behavior and inappropriate touching beyond the limits given above;
- (2) Telling jokes of a sexual nature or sexual teasing;
- (3) Over-socializing with students and engaging in activities with children to which parents would not approve;
- (4) Expressing a need to be alone with children; and
- (5) Unapproved gift-giving.

(D) The physical evidence of child abuse as exhibited by the child include:

- (1) Bruising, swelling or bleeding of the genitalia;
- (2) Difficulty in walking;
- (3) Torn or stained underwear; and
- (4) Pain or itching of the genitalia.

(E) Behavioral traits that indicate abuse include reluctance to be alone with a particular person, fear of touching, and complaints of nightmares and sleeplessness.

(F) Consideration should also be given to switching counseling assignments periodically in situations in which there is one-on-one contact. All managerial and supervisory staff should be trained to recognize the above behaviors and physical evidence of possible abuse.
(Meeting minutes of 8-13-2007)

' 37.023 REPORTING PROCEDURES AND DESIGNATED CHILD ABUSE COUNSELOR.

(A) *Generally.* It is the express policy of the (ICRMT member) to encourage victims of sexual misconduct, and their parents or guardians in the case of minors, to come forward with such claims. The (ICRMT member) has designated a child abuse counselor who shall remain accountable for the implementation and monitoring of this policy. The identity of the designated child abuse counselor shall remain on file with the (ICRMT member). In order to conduct an immediate investigation, any incident of sexual misconduct must be reported as quickly as possible in confidence, as follows:

(1) *Employees.* Employees and volunteers are required to report any known or suspected incidents of sexual misconduct according to the state mandatory reporting guidelines. The State Child

Richland County - Administration

Abuse Hotline number is #1-800-252-2873. They must also report any known or suspected incidents of sexual misconduct to their direct supervisor or the designated child abuse counselor. If the report is made to the supervisor that individual shall immediately notify the designated child abuse counselor. If the person to whom an employee or volunteer is required to report is the offending person, the report should be made to the next higher level of administration or supervision. Please refer to the Illinois DCFS Document entitled Manual for Mandatory Reporting at www.state.il.us/DCFS/docs/Mandated2002.pdf for further details on the law as it pertains to mandatory reporting.

(2) *Volunteers.* All volunteers who have unsupervised contact with minors shall be advised of the contents of this sexual misconduct policy, shall be trained on the state mandatory reporting guidelines, and instructed to report any known or suspected incidents of sexual misconduct to the ...[missing text]...

(3) *Students/inmates.* Each year, parents or legal guardians of students or inmates shall be advised of the contents of this sexual misconduct policy and be instructed to report any incident of known or suspected sexual misconduct to (ICRMT Member) or the designated child abuse counselor, unless that individual is the offending person. If the complaint is made to (ICRMT Member), that individual shall follow state mandatory reporting policy and immediately notify the designated child abuse counselor.

(B) *Investigation and confidentiality.* All formal complaints will be given a full, impartial and timely investigation. During such investigation, while every effort will be made to protect the privacy rights of all parties, confidentiality cannot be guaranteed.

(C) *Discipline.*

(1) Any (ICRMT member) employee or volunteer who is determined, after an investigation, to have engaged in sexual misconduct in violation of this policy will be subject to disciplinary action up to and including discharge. Any student/inmate/patron of the (ICRMT member) who is determined, after an investigation, to have engaged in sexual misconduct in violation of this policy will be subject to disciplinary action, including suspension, discipline and expulsion.

(2) False accusations regarding sexual misconduct will not be tolerated, and any person knowingly making a false accusation will likewise be subject to disciplinary action up to and including discharge, with regard to employees or volunteer, or suspension, discipline and expulsion, with regard to students/detainees/participants.

(3) The (ICRMT member) will discipline any individual who retaliates against any person who reports alleged sexual misconduct or who retaliates against any person who testifies, assists or participates in an investigation, a proceeding or a hearing relating to sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.
(Meeting minutes of 8-13-2007)

Employee Policies

' 37.024 CHILD ABUSE.

(A) *Crime.* Sexual abuse of a minor is a crime.

(B) *Child abuse incident reporting and follow-up.*

(1) Any case of known or suspected child abuse of a minor must be reported immediately in compliance with state mandatory reporting guidelines and to the designated child abuse counselor, a police officer or the State=s Attorney=s office. The Illinois Child Abuse Hotline #1-800-252-2873 is available and staffed at all times.

(2) In the event that designated child abuse counselor is first notified of an incident of known or suspected child abuse, the designated child abuse counselor shall immediately notify the child=s parent or legal guardian as the case may be (unless the suspected abuser is the child=s parent or legal guardian), and the appropriate legal authorities as required by state or local law. The designated child abuse counselor shall prepare a suspected child abuse standard report and immediately follow-up to investigate the incident and to ascertain the condition of the child. The designated child abuse counselor is encouraged to communicate any questions or concerns about any incident with legal counsel for the _____.

(3) Any employee or volunteer involved in a reported incident of sexual misconduct or child abuse shall be immediately relieved of responsibilities that involve interaction with minors or shall be suspended, as determined by the _____. They may be put on administrative leave or reassigned to a purely administrative position while the investigation is ongoing. In no instances will they be allowed to have contact with children during the investigation. Reinstatement of employees or volunteers involved in a reported incident of child abuse shall occur only after all allegations of child abuse have been cleared by the _____.
(Meeting minutes of 8-13-2007)

' 37.025 MAINTENANCE OF RECORDS AND DOCUMENTS.

The designated child abuse coordinator shall maintain all records and documentation required by law or otherwise required by this and other such related policies of the district, including all documents related to procedures for hiring-screening, employee/volunteer code of conduct, training, sign-in/sign-out, pick-up and release procedures, incident reporting follow-up and disciplinary action.
(Meeting minutes of 8-13-2007)

Richland County - Administration***SEXUAL HARASSMENT IN THE WORKPLACE*****' 37.040 STATEMENT OF POLICY.**

(A) It is the county=s policy that it will not tolerate sexual harassment by any employee in violation of federal or state law.

(B) Sexual harassment is prohibited by the county. Sexual harassment includes unwelcome sexual advances, requests for sexual favors or any other visual, verbal or physical conduct of a sexual nature when:

(1) Submission to or rejection of this conduct explicitly or implicitly affects a term or condition of individual=s employment;

(2) Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or

(3) The harassment has the purpose or effect of unreasonably interfering with the employee=s work performance or creating an intimidating, hostile or offensive work environment.

(C) Sexual harassment can occur in a variety of circumstances, including, but not limited to, the following:

(1) The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex;

(2) The harasser can be the victim=s supervisor, an agent of the employer, a supervisor in another area, a co-worker or a non-employee;

(3) The victim does not have to be the person harassed but could be anyone affected by the offensive conduct;

(4) Sexual harassment may occur without economic injury to or discharge of the victim; and

(5) The harassed conduct must be unwelcome.

(D) Each employee must exercise his or her own good judgement to avoid engaging in conduct that may be perceived by others as sexual harassment; the following are illustrations of actions that the county deems inappropriate and in violation of our policy:

(1) A supervisor tells an employee or implies that he or she can earn a promotion or salary increase by providing any form of sexual favor to or dating the supervisor;

Employee Policies

(2) A supervisor downgrades an employee=s performance rating because he or she turned down the supervisor=s request for any sexual favor or date;

(3) An employee gives unwelcome hugs, kisses, massages or makes other unwelcome physical contact with another employee;

(4) An employee tells sexually offensive or degrading jokes or stories;

(5) An employee uses sexually oriented profanity;

(6) An employee makes offensive gestures of a sexual nature;

(7) An employee makes unwelcome comments about the anatomy of another;

(8) The work place contains pictures of naked or scantily clothed men or women, or sexually explicit pictures or text; or

(9) An employee interferes with another=s movement by blocking ingress and/or egress of another.

(Ord. 05-06-09, passed 6-9-2005)

' 37.041 RESPONSIBILITIES.

(A) *Supervisors*. Each supervisor shall be responsible for ensuring compliance with this policy, including the following:

(1) Monitoring the workplace environment for signs of discrimination or harassment;

(2) Stopping any observed acts of harassment and taking appropriate steps to intervene, whether or not the involved employees are within his or her line of supervision;

(3) Reporting any complaint of harassment or discrimination to the State=s Attorney; and

(4) Taking immediate action to limit the work contact between employees when there has been a complaint of harassment, pending investigation.

(B) *Employees*. Each employee is responsible for assisting in the prevention of discrimination and harassment through the following acts:

(1) Refrain from participation in, or encouragement of, actions that could be perceived as harassment;

(2) Reporting acts of harassment to a supervisor; and

Richland County - Administration

(3) Encouraging any employee who confides that he or she is being harassed to report these acts to a supervisor.

(C) *Action*. Failure to take action to stop known harassment may be grounds for discipline. (Ord. 05-06-09, passed 6-9-2005)

' 37.042 APPLICABLE PROCEDURES.

(A) The county takes allegations of discrimination and harassment very seriously. It will actively investigate all complaints.

(B) It is helpful for the victim to directly inform the harasser that the conduct is unwelcome and must stop. The victim should use the county's complaint procedure to advise the county of any perceived discrimination or harassment.

(1) *Bringing a complaint.*

(a) Any employee of the county, or an employee of a county official, who believes that he or she has been the victim of discrimination or harassment may bring the matter to the attention of the county in one of the following ways:

1. Advising his or her supervisor; or

2. Advising the employee's supervisor and the County State's Attorney or the County Clerk in the event that the alleged harasser is the State's Attorney.

(b) If the complaint involves someone in the employee's direct line of command, then the employee should go directly to the State's Attorney.

(c) The complaint should be presented as promptly as possible after the alleged discrimination or harassment occurs.

(d) All complaints will be handled with the utmost discretion.

(2) *Resolution of a complaint.*

(a) Promptly after a complaint is submitted, the county will undertake such investigation, corrective and preventative actions as are appropriate.

(b) In general, the procedure in resolving any complaints can (but will not necessarily) include any of the following items.

Employee Policies

1. Private conferences between the employee making the complaint and an individual designated by the county to investigate such complaints; important data to be provided by the complaining employee includes the following:

- a. A description of the specific offensive conduct;
- b. Identification of all person(s) who engaged in the conduct;
- c. The location where the conduct occurred;
- d. The time when the conduct occurred;
- e. Whether there were any witnesses to the conduct;
- f. Whether conduct of a similar nature has occurred on prior occasions;
- g. Whether there are any documents which would support the complaining employee=s allegations; and
- h. What impact the conduct had on the complaining employee.

2. While not required, the county encourages anyone who makes a complaint under this policy to provide a written statement setting forth the above details and attaching any pertinent records. Cases of discrimination and harassment are particularly sensitive and demand special attention to issues of confidentiality. Therefore, the information provided either informally or by the written statement will not be released to third parties, except as provided or required by law.

3. After a written statement of complaint is submitted by the employee, the alleged offending employee will be contacted by a designated representative of the county. The alleged offending employee will be advised of the charges brought against him or her, and may be provided with a copy of the written statement of complaint made by the complaining employee. The alleged offending employee will have an opportunity to fully explain his or her side of the circumstances, and may also submit a written statement, if desired.

4. After the alleged offending employee is interviewed, any witnesses identified by either the complaining employee or the alleged offending employee will be interviewed individually and in conformance with privacy requirements.

5. Once this investigation is completed, the county will take such action as is appropriate based upon the information obtained in the investigation. In the event that the county finds merit in the charges made by the complaining employee, disciplinary action will be taken against the offending employee consistent with the term of the applicable collective bargaining agreement, if any. This disciplinary action may, but need not necessarily, include:

- a. Verbal or written reprimand;

Richland County - Administration

- identified;
- b. Placing the offending employee on probation for a period of time to be identified;
 - c. Delay in pay increases or promotions;
 - d. Suspending the offending employee from work without pay; and
 - e. Immediate termination.

6. Upon completion of the investigation, the county will advise the complaining employee of the results of the investigation, including action taken, if any, against the offending employee.

(c) When investigating allegations of discrimination or harassment, the county looks at the whole record including, but not limited to, the nature of the allegations, the context in which the alleged incidents occurred, and the statements of the parties and witnesses. A determination on the allegations is made from the facts on a case-by-case basis.
(Ord. 05-06-09, passed 6-9-2005)

' 37.043 NON-RETALIATION.

(A) Under no circumstances will there be any retaliation against any employee making a complaint of discrimination or harassment. Any act of retaliation by any party directed against either a complaining employee, an accused employee, witnesses or participants in the process will be treated as a separate and distinct charge and will be similarly investigated. Complaints of retaliation should be addressed to the State=s Attorney.

(B) If one has any questions concerning the county=s policies on this matter, please see the State=s Attorney. Further information may also be obtained from the State Department of Human Rights, 312-814-6200, or the Equal Employment Opportunity Commission (EEOC), 312-353-2713.

(C) Please acknowledge receipt and review of the policy by signing the acknowledgment attached to the ordinance codified herein, and returning it to the County Clerk.
(Ord. 05-06-09, passed 6-9-2005)

ETHICS

' 37.055 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Employee Policies

CAMPAIGN FOR ELECTIVE OFFICE. 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: relating to the support or opposition of any executive, legislative or administrative action; relating to collective bargaining; or that are otherwise in furtherance of the person=s official duties.

CANDIDATE. 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 ' 1-3 of the Election Code (10 ILCS 5/1-3).

COLLECTIVE BARGAINING. Has the same meaning as that term is defined in ' 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

COMPENSATED TIME. 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 subchapter, 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. 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. AContribution@ has the same meaning as that term is defined in ' 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

EMPLOYEE. 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. Richland County.

GIFT. 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. Any period during which an employee does not receive: compensation for employment; service credit towards pension benefits; and health insurance benefits paid for by the employer.

OFFICER. 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.

Richland County - Administration

POLITICAL ACTIVITY. Any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities: relating to the support or opposition of any executive, legislative or administrative action; relating to collective bargaining; or that are otherwise in furtherance of the person=s official duties.

POLITICAL ORGANIZATION. 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 ' 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.

(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.

(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 garnering 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 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.

Employee Policies

(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) Serving 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. Any person or entity who:

(1) Is seeking official action: by an officer, or by an employee, or by the officer or another employee directing that employee;

(2) Does business or seeks to do business: with the officer, or with an employee, or with the officer or another employee directing that employee;

(3) Conducts activities regulated: by the officer, or 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.
(Meeting minutes of 5-11-2004)

' 37.056 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 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:

(1) As part of that officer or employee=s duties;

(2) As a condition of employment; or

(3) During any compensated time off (such as holidays, vacation or personal time off).

Richland County - Administration

(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 subchapter.

(E) No person in either of the following 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:

(1) In a position that is subject to recognized merit principles of public employment; or

(2) 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.

(Meeting minutes of 5-11-2004)

' 37.057 GIFT BAN.

(A) *Gift ban.* Except as permitted by this section, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as Arecipients@), 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 division (A).

(B) *Exceptions.*

(1) Division (A) above is not applicable to the following:

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

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

(c) Any contribution that is lawfully made under the Election Code, being 10 ILCS 5 et seq. or activities associated with a fundraising event in support of a political organization or candidate;

(d) Educational materials and missions;

Employee Policies

(e) Travel expenses for a meeting to discuss business;

(f) 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;

(g) 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: 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; 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 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;

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

(i) 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;

(j) 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;

(k) Bequests, inheritances and other transfers at death; or

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

(2) Each of the exceptions listed in this section is mutually exclusive and independent of every other.

Richland County - Administration

(C) *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 subchapter 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 I.R.C. ' 501(c)(3) of 1986, as now or hereafter amended, renumbered or succeeded.

(Meeting minutes of 5-11-2004)

' 37.058 ETHICS ADVISOR.

(A) The County Board Chairperson, with the advice and consent of the County Board, shall designate an Ethics Advisor for county. The duties of the Ethics Advisor may be delegated to an officer or employee of the county unless the position has been created as an office by the county.

(B) 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 subchapter and state ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the County Board.

(Meeting minutes of 5-11-2004)

' 37.059 ETHICS COMMISSION.

(A) There is hereby created a Commission to be known as the Ethics Commission of the county. The Commission shall be comprised of three members appointed by the Board Chairperson with the advice and consent of the County Board. No person shall be appointed as a member of the Commission who is related, either by blood or by marriage up to the degree of first cousin, to any elected officer.

(B) At the first meeting of the Commission, the initial appointees shall draw lots to determine their initial terms. Two Commissioners shall serve two-year terms, and the third Commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to two-year terms. Commissioners may be reappointed to serve subsequent terms. At the first meeting of the Commission, the Commissioners shall choose a Chairperson from their number. Meetings shall be held at the call of the Chairperson or any two Commissioners. A quorum shall consist of two Commissioners, and official action by the Commission shall require the affirmative vote of two members.

(C) The Board Chairperson, with the advice and consent of the County Board, may remove a Commissioner in case of incompetency, neglect of duty or malfeasance in office after service on the Commissioner by certified mail, return receipt requested, of a copy of the written charges against the Commissioner and after providing an opportunity to be heard in person or by counsel upon not less than ten days= notice. Vacancies shall be filled in the same manner as original appointments.

(D) The Commission shall have the following powers and duties:

(1) To promulgate procedures and rules governing the performance of its duties and the exercise of its powers;

Employee Policies

(2) Upon receipt of a signed, notarized, written complaint, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with ' 37.999 and refer violations of " 37.056 and 37.057 to the appropriate attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this subchapter, and not upon its own prerogative.

(3) To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this subchapter.

(4) To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all officers and employees of the county to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.

(5) The powers and duties of the Commission are limited to matters clearly within the purview of this subchapter.

(E) (1) Complaints alleging a violation of this subchapter shall be filed with the Ethics Commission.

(2) Within three business days after the receipt of a complaint, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within three business days after receipt by the Commission. The notices to the respondent and the complainant shall also advise them of the date, time and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.

(3) Upon not less than 48 hours= public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this section, to determine whether there is probable cause, based on the evidence presented by the complainant to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act, being 5 ILCS 120 et seq. The Commission shall issue notice to the complainant and the respondent of the Commission=s ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed within seven business days after receiving the complaint.

(a) If the complaint is deemed sufficient to allege a violation of ' 37.057 and there is a determination of probable cause, then the Commission=s notice to the parties shall include a hearing date scheduled within four weeks after the complaint=s receipt. Alternatively, the Commission may elect to notify in writing the attorney designated by the county to prosecute such actions and request that the complaint be adjudicated judicially. If the complaint is deemed not sufficient to allege a violation or if there is no determination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

Richland County - Administration

(b) If the complaint is deemed sufficient to allege a violation of ' 37.056, then the Commission shall notify in writing the attorney designated by the county to prosecute such actions and shall transmit to the attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation.

(4) On the scheduled date and upon at least 48 hours= public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act, being 5 ILCS 120 et seq.

(5) Within 30 days after the date the hearing or any recessed hearing is concluded, the Commission shall either: dismiss the complaint; or issue a recommendation for discipline to the alleged violator and to the County Board Chairperson and employing official giving authority to discipline the officer or employee, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline and any fine imposed shall be a matter of public information.

(6) If the hearing was closed to the public, the respondent may file a written demand for a public hearing on the complaint within seven business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours= public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within seven days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the County Board Chairperson and employing official having authority to discipline the officer or employee or impose a fine upon the violator, or both.

(7) If a complaint is filed during the 60 days preceding the date of any election at which the respondent is a candidate, the Commission shall render its decision as required under division (E)(5) above within seven days after the complaint is filed, and during the seven days preceding that election, the Commission shall render such decision before the date of that election, if possible.

(8) The Commission may fine any person who intentionally violates any provision of ' 37.057 in an amount of not less than \$1,001 and not more than \$5,000. The Commission may fine any person who knowingly files a frivolous complaint alleging a violation of this subchapter in an amount of not less than \$1,001 and not more than \$5,000. The Commission may recommend any appropriate discipline up to and including discharge.

(9) A complaint alleging the violation of this Act must be filed within one year after the alleged violation.

(Meeting minutes of 5-11-2004) Penalty, see ' 37.999

Employee Policies

DRUG AND ALCOHOL ABUSE POLICY

' 37.070 PURPOSE.

It is the policy of this government agency to provide a safe, healthful, drug and alcohol-free work environment for our drivers. The county also recognizes that its own health and future are dependent upon the physical and psychological health of its drivers. To ensure that we achieve that goal, we have adopted the following policy that meets Federal Motor Carrier Safety requirements on drug and alcohol abuse as set forth in 49 C.F.R. Part 40 and Part 382.

(Meeting minutes of - -)

' 37.071 USE PROHIBITED.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol is prohibited on all government premises, in any government-owned or leased motor vehicle, or other location at which the driver is to perform work, nor will this government agency hire or retain any individual who uses or possesses any illegal drug, in any amount and regardless of frequency, or any individual who engages in prohibited alcohol-related conduct.

(A) The government agency will maintain a pre-employment screening program designed to prevent hiring anyone who uses any illegal drugs, or engages in prohibited alcohol-related conduct.

(B) No driver will consume any Schedule 1 drug of the Schedule of Controlled Substance of the Drug Enforcement Administration or any amphetamines, narcotics, opiates, hallucinogenic substances, depressants, stimulants, or any other habit forming drug while on or off duty, except as provided in division (D) below.

(C) No driver shall report for work or drive while impaired by any drug, controlled substance or with an alcohol breath concentration of .02 or greater.

(D) A driver may use a substance administered by or under direction of a physician who has advised the driver that the substance will not affect the driver's ability to safely operate a motor vehicle.

(E) No driver may operate any motor vehicle whose motor senses, sight, hearing, balance, reaction, reflexes or judgement are or may be presumed affected or has consumed any alcohol within four hours.

(F) Any driver who sells or otherwise dispenses illegal drugs or alcohol to others on government premises, in or from a government-owned or leased motor vehicle is subject to immediate termination.
(Meeting minutes of - -)

Richland County - Administration**' 37.072 SEARCHES.**

The government agency may conduct reasonable searches for illegal drugs or alcohol on government premises or in government-owned or leased motor vehicles.

(A) No driver, at any work site, in any government vehicle or leased vehicle, will possess any quantity of any controlled substance or alcohol, lawful or unlawful, which in sufficient quantity could result in impaired performance. The only exception being a substance administered by or under the direction of a physician, as stated in ' 37.071(D).

(B) Searches of drivers and their personal property may be conducted when there is reasonable grounds to believe the driver is in violation of this policy.
(Meeting minutes of - -)

' 37.073 TESTING.

...[missing material]...

(F) *Random testing.*

(1) All employees covered by this policy will be included as a part of the Mid-West Truckers Association Drug and Alcohol Test Consortium Group from which the consortium will randomly select 50% each year for drug testing and 25% each year for breath alcohol testing per the requirements of 49 C.F.R. ' 382.305.

(2) On a monthly basis, our Medical Review Officer will, from the total group, select randomly on his or her computer a number to be tested that on an annual basis will equal 50% of that total group for random drug testing and 25% for breath alcohol testing. This same process will be repeated each month.

(3) Once the MRO makes the monthly selections, he or she will forward that list to the Consortium which will notify the government agencies under whose drug policies those selected are covered. The government agency will be given a date before which the individual must be tested per these random selection processes. The person to be tested shall not be informed of the need to be tested except just prior to the actual test being performed.

(4) Failure of the government agency to accomplish the above requirements in the time allotted will cause it to be out of compliance with the random testing requirements of 49 C.F.R. Part 40.

(G) *Post-accident testing.*

(1) This government agency will require post-accident urine drug and breath alcohol testing of all employees covered by this policy as required by ' 332.303 and 49 C.F.R. Part 40.

Employee Policies

(2) Post-accident urine drug and breath alcohol testing will be required of those employees who are involved in an accident if the driver receives a citation for a moving traffic violation arising from the accident or there is a fatality.

(3) The post-accident urine drug test shall be conducted as soon as possible but not later than 32 hours after the reportable or fatal accident. If the test is not administered the government agency shall prepare and maintain on file a record stating the reasons the test was not promptly completed. If a breath alcohol test is not conducted within two hours, a record shall be prepared and retained stating why. If in eight hours a test is still not conducted, all attempts shall cease and a complete record made of why it was not accomplished. In addition, the driver shall not consume any alcohol for at least eight hours following an accident or until a breath alcohol test has been accomplished.

(4) A driver who is seriously injured and cannot provide a urine specimen or breath alcohol test at the time of the accident shall provide the necessary authorization for obtaining medical records and reports that would indicate if a controlled substance or alcohol was in the driver=s system and the level present.

(5) The government agency shall provide the driver with sufficient procedures so that the driver can meet the requirements of divisions (G)(1), (G)(2), (G)(3), (G)(4) above, and comply with all provisions of 49 C.F.R. Part 40.

(6) Failure of the driver to be readily available or refusal to give a urine sample or breath alcohol test when the driver has been involved in a fatal accident or received a citation for a moving violation, except for a driver who meets the conditions of division (G)(4) above, shall be considered a refusal to take a test and a positive test result.

(Meeting minutes of - -)

' 37.074 TEST RESULTS.

(A) *Drug test results.* Test results will be reviewed to determine whether there is any indication of a controlled substance abuse.

(1) The test results will be reviewed by a Medical Review Officer. If there is any evidence of a positive result, the MRO will give the person tested an opportunity to discuss the results and provide documentation of legally prescribed medication.

(2) The results will be released to the Medical Review Officer, who will then release the results to the Mid-West Truckers Association (our drug test consortium). MTA will forward those results to this county, which will maintain them in a secure location with controlled access.

(B) *Alcohol test results.* The test results shall be provided on forms established by Subpart C 40.59 Appendix A. Copy 1 (white) will be transmitted to the county, copy 2 (green) shall go to the employee, copy 3 (blue) shall be retained by the B.A.T.

Richland County - Administration**(C) General.**

(1) The test results from all drug and alcohol tests will become a part of the driver=s qualification file which shall be in a secured location with controlled access and retained as specified in ' 382.401 or in this policy.

(2) The results will not be released to any unauthorized party without written consent. Every driver, upon termination, is required to permit in writing the release of their urine drug and breath alcohol test results for at ...[missing material]...
(Meeting minutes of - -)

EMPLOYEE BENEFITS**' 37.085 PREVAILING WAGE.**

(A) To the extent and as required by 820 ILCS 130 et seq., the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the county is hereby ascertained to be the same as the prevailing rate of wages for construction work in the county area as determined by the Department of Labor of the state as of June, 2014, a copy of that determination being attached to the ordinance codified herein, and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the state shall supersede the Department=s June determination and apply to any and all public works construction undertaken by the county. The definition of any terms appearing in this section, which are also used in aforesaid Act, shall be the same as in said Act.

(B) Nothing herein contained shall be constructed to apply said general prevailing rate of wages as herein ascertained to any work or employment except public works construction of the county to the extent required by the aforesaid Act.

(C) The County Clerk shall publicly post or keep available in the main office of the County Clerk this determination or any revisions of such prevailing rate of wages for inspection by any interested party. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

(D) The County Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be effected by such rates.

(Ord. passed 6-12-2014)

Employee Policies

' 37.086 ADOPTION OF PERSONNEL POLICY BY REFERENCE.

The personnel policy is hereby adopted by reference and incorporated into this code as fully as if set out at length herein.

(Meeting minutes of - -; Meeting minutes of 3-12-1974; Meeting minutes of 3-12-1974; Meeting minutes of 1-27-1975; Meeting minutes of 11-29-1976; Meeting minutes of 4-10-1979; Meeting minutes of 5-1-1979; Meeting minutes of 5-21-1979; Meeting minutes of 1-25-1982; Meeting minutes of 9-7-1982; Meeting minutes of 2-14-1984; Meeting minutes of 3-13-1984; Res. passed 4-10-1984; Meeting minutes of 12-10-1985; Meeting minutes of 10-13-1987; Res. 90-20-2, passed 12-20-1990; Res. passed 6-24-1991; Res. 94-10-31A, passed 10-31-1994; Res. 97-10-14A, passed 10-14-1997; Res. 08-13-13, passed 10-13-2008)

HIGHWAY DEPARTMENT EMPLOYEES

' 37.100 HIGHWAY DEPARTMENT EMPLOYEE=S MANUAL ADOPTED BY REFERENCE.

The Highway Department *Employee=s Manual* is hereby adopted by reference and incorporated into this code as fully as if set out at length herein.

(Adopted 7- -2003)

COMPUTER USE POLICY

' 37.115 OVERVIEW.

(A) The county intentions for publishing an acceptable use policy are not to impose restrictions that are contrary to the county=s established culture of openness, trust and integrity. The county is committed to protecting its employees from illegal or damaging actions by individuals, either knowingly or unknowingly.

(B) Internet/intranet/extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, web browsing, and FTP, are the property of the county. These systems are to be used for business purposes in serving the interests of the county in the course of normal operations.

(C) It is the responsibility of every computer user to know these guidelines and to conduct their activities accordingly.

(Ord. 2014-05-08(2), passed - -2014)

Richland County - Administration**' 37.116 PURPOSE.**

The purpose of this policy is to outline the acceptable use of computer equipment. These rules are in place to protect the employee and the county. Inappropriate use exposes the county to risks including virus attacks, compromise of network systems and services, and legal issues.
(Ord. 2014-05-08(2), passed - -2014)

' 37.117 SCOPE.

This subchapter applies to employees, contractors, consultants, temporaries, and other workers at the county, including all personnel affiliated with third parties. This subchapter applies to all equipment that is owned or leased by the county.
(Ord. 2014-05-08(2), passed - -2014)

' 37.118 GENERAL USE AND OWNERSHIP.

(A) While the county's network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the corporate systems remains the property of the county.

(B) Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of internet/intranet/extranet systems. In the absence of such policies, employees should be guided by departmental policies on personal use, and if there is any uncertainty, employees should consult their supervisor or manager.

(C) For security and network maintenance purposes, authorized individuals within the county may monitor equipment, systems and network traffic at any time.

(D) The county reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.
(Ord. 2014-05-08(2), passed - -2014)

' 37.119 SECURITY AND PROPRIETARY INFORMATION.

(A) Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts.

(B) All PCs, laptops and workstations should be secured with a password-protected screensaver.

Employee Policies

(C) Postings by employees from a county email address to newsgroups should obtain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of the county, unless posting is in the course of business duties.

(D) All hosts used by the employees that are connected to the county internet/intranet/extranet, whether owned by the employee or the county, shall be continually executing approved virus-scanning software with a current virus database unless overridden by departmental or group policy.

(E) Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs or Trojan horse code.
(Ord. 2014-05-08(2), passed - -2014)

' 37.120 UNACCEPTABLE USE.

(A) The activities listed in " 37.121 through 37.123 are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities.

(B) Under no circumstances is an employee of the county authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing county-owned resources.

(C) The activities listed in " 37.121 through 37.123 are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.
(Ord. 2014-05-08(2), passed - -2014)

' 37.121 SYSTEM AND NETWORK ACTIVITIES.

The following activities are strictly prohibited, with no exceptions:

(A) Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of pirated or other software products that are not appropriately licensed for use by the county;

(B) Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the county or the end user does not have an active license is strictly prohibited;

(C) Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal;

(D) Introduction of malicious programs into the network or server (such as, viruses, worms, Trojan horses, e-mail bombs and the like);

Richland County - Administration

(E) Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home;

(F) Using a county computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws;

(G) Making fraudulent offers of products, items or services originating from any county account;

(H) Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, Adisruption@ includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service and forged routing information for malicious purposes;

(I) Port scanning or security scanning is expressly prohibited;

(J) Executing any form of network monitoring which will intercept data not intended for the employee=s host, unless this activity is a part of the employee=s normal job/duty;

(K) Circumventing user authentication or security of any host, network or account;

(L) Interfering with or denying service to any user other than the employee=s host;

(M) Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user=s terminal session, via any means, locally or via the internet/intranet/extranet; or

(N) Providing information about or lists of county employees.
(Ord. 2014-05-08(2), passed - -2014)

' 37.122 EMAIL AND COMMUNICATIONS ACTIVITIES.

The following activities are strictly prohibited, with no exceptions:

(A) Sending unsolicited email messages, including the sending of junk mail or other advertising material to individuals who did not specifically request such material (email spam);

(B) Any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages;

(C) Unauthorized use, or forging, or email header information;

Employee Policies

(D) Solicitation of email for any other email address, other than that of the poster=s account, with the intent to harass or to collect replies;

(E) Creating or forwarding chain letters, Ponzi or other pyramid schemes of any type;

(F) Use of unsolicited email originating from within the county=s networks of other internet/intranet/extranet service providers on behalf of, or to advertise, any service hosted by the county or connected via the county=s network; or

(G) Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).
(Ord. 2014-05-08(2), passed - -2014)

' 37.123 BLOGGING.

(A) The county=s confidential information policy also applies to blogging. As such, employees are prohibited from revealing any confidential or proprietary information, trade secrets or any other material.

(B) Employees shall not engage in any blogging that may harm or tarnish the image, reputation and/or goodwill of the county and/or any of its employees. Employees are also prohibited from making any discriminatory, disparaging, defamatory or harassing comments when blogging or otherwise engaging in any conduct prohibited by the county=s non-discrimination and anti-harassment policy.

(C) Employees may also not attribute personal statements, opinions or beliefs to the county when engaged in blogging. If an employee is expressing his or her beliefs and/or opinions in blogs, the employee may not, expressly or implicitly, represent themselves as an employee or representative of the county. Employees assume any and all risk associated with blogging.
(Ord. 2014-05-08(2), passed - -2014)

' 37.124 ENFORCEMENT.

Any employee found to have violated this subchapter may be subject to disciplinary action, up to and including termination of employment.
(Ord. 2014-05-08(2), passed - -2014)

' 37.999 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to ' 10.99.

Richland County - Administration

(B) Any person who violates the provision of ' 37.001 shall be guilty of a petty offense. A conviction for this offense shall be punishable by a fine of not less than \$50. Each solicitation or acceptance of a prohibited gift shall constitute a separate offense.

(C) (1) A person who intentionally violates any provision of ' 37.056 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.

(2) A person who intentionally violates any provision of ' 37.057 is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

(3) Any person who intentionally makes a false report alleging a violation of any provision of " 37.055 through 37.059 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.

(4) A violation of ' 37.056 shall be prosecuted as a criminal offense by an attorney for the county by filing in the circuit court 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 ' 37.057 may be prosecuted as a quasi-criminal offense by an attorney for the county or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

(5) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of " 37.056 or 37.057 is subject to discipline or discharge.

(Ord. 99-7-12(a), passed 7-13-1999; Meeting minutes of 5-11-2004)