



# COUNTY OF KENDALL, ILLINOIS

## Admin & HR Committee

County Office Building  
County Board Rooms 209-210

Tuesday, April 26, 2016 ~ 5:30p.m.

### MEETING AGENDA

1. **Call to Order**
2. **Roll Call:** Lynn Cullick (Chair), Judy Gilmour, Dan Koukol, John Purcell, John A. Shaw (Vice Chair)
3. **Approval of Agenda**
4. **Approval of Minutes from March 22, 2016 Meeting**
5. **Public Comment**
6. **Committee Business**
  - *Recommendations – Approve AT&T internet contract*
  - *Recommendations – Approve Salaries for Elected Officials (Circuit Clerk and Coroner) for Determination 180 days prior to beginning of term*
  - *Recommendations – Approve Policy for Managing Email Archive*
  - *Recommendations – Approve Employee Handbook Revisions*
8. **Action Items for County Board**
9. **Public Comment**
10. **Executive Session**
11. **Adjournment**

**COUNTY OF KENDALL, ILLINOIS**  
**ADMINISTRATION HUMAN RESOURCES COMMITTEE**  
**Meeting Minutes**  
**Tuesday, March 22, 2016**

**CALL TO ORDER**

The meeting was called to order by Admin HR Committee Vice Chair John Shaw at 5:40p.m.

**ROLL CALL**

Committee Members Present: Judy Gilmour – here, John Shaw – here, John Purcell - present

*Lynn Cullick entered the meeting at 5:43p.m*

Committee Members Absent: Dan Koukol

Others present: Joe Gillespie, Scott Koeppel, Jim Smiley, Jeff Wilkins

**APPROVAL OF AGENDA:** Member Gilmour made a motion to approve the agenda as presented, second by Member Purcell. With all in agreement, the motion carried.

**APPROVAL OF MINUTES:** Member Gilmour made a motion to approve the March 3, 2016 meeting minutes, second by Member Purcell. With all in agreement, the motion passed.

**MONTHLY REPORTS**

- a. **Department Heads and Elected Officials** – Scott Koeppel, Technology Services Director, stated that Technology conducted a PC recycling, and in conjunction with Facilities Management disposed of several copiers, and made sure they were disposed of environmentally and security-wise. This freed up some space and disposed of older equipment that was no longer usable.

Mr. Koeppel reported that Gina Hauge spent many hours assisting with the onsite voter registration set-up and laptop operations for several weeks before and on the day of the election at polling sites. Mr. Koeppel and Darrell Kollins also assisted in various areas of the technology side of the election.

Mr. Koeppel said the budget is on track for Technology and GIS.

Koeppel said that they have begun evaluating the replacement of the wireless link between the County Office Building and the Public Safety Building, and have started getting quotes and talking to vendors regarding the replacement. The original wireless link is approximately 8 years old, and there are some speed issues in the County Office Building.

## NEW BUSINESS

- *Approval of Firewall Equipment Purchase* – Mr. Koeppel explained the importance of purchasing new Firewall Equipment, and that they are evaluating different security devices. Although the purchase of new firewall equipment was not originally in the budget, Mr. Koeppel reported that funds are in his budget if he delays the purchase of some new PC's.
- *PSC/Courthouse Update* – Sheriff's Office Deputy Commander Joe Gillespie, Kendall County Sheriff's Office reported that he, Jim Smiley and Scott Koeppel met with Dewberry for the sixty percent completion on the design concept, the blue print page turn reviewing every device for replacement purposes, and spent time with the architect prior to the meeting. Gillespie said they spent a considerable amount of time ensuring that they continue to move in the right direction, and said they are at approximately \$2,819,000., not including the Dewberry fee of \$217,000, and are right at the sixty percent of expectations of the budget.

Deputy Commander Gillespie explained that all of the copper cabling and some fiber cable is bad, they planned to have the infrastructure fiber tested to see if any of it is usable as a cost savings initiative. Gillespie also explained that the wiring that would run between the Courthouse and the Sheriff's Office (dark fiber) through a completely separate tunnel, and not part of that building project. This dark fiber in a four-inch sleeve, 8-10 inches underground that hooks the network together for the County. There are additional cable pairs that aren't being used that they hope to use to save money on this project. Mr. Koeppel explained that when the HHS building was built, there was wiring installed between HHS, the Public Safety Center, and the Courthouse. Technology currently use that fiber optic cable to connect all of the computers together at those three locations, but they are not using all of that cable. Mr. Koeppel said Technology could spare some strands of that fiber to connect the PSC and the Courthouse. Mr. Koeppel said the fiber was run in 2004, and that he planned to have the cable inspected for viability and usage prior to proceeding with any project.

- *Approval of Resolution Authorizing Application for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. §5311) and Downstate Public Transportation Act 30 ILCS 740/2-1 et seq* – Jeff Wilkins explained that this is the annual resolution, and reviewed the 5311/Downstate Operating Assistance Program for FY2017, as well as ridership statistics. Member Purcell made a motion to forward to the County Board for approval, second by Member Shaw. **With four members present voting aye, the motion carried.**
- *Announce Public Hearing at April 5 County Board meeting to obtain public comment and consider economic, social, and environmental effects of the application for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. §5311)* – Mr. Wilkins reviewed the proposed Public Notice of the hearing to be scheduled on April 5, 2016. Member Purcell made a motion to forward to the County Board for approval, second by Member Gilmour. **With four members present voting aye, the motion carried.**

- *Employee Handbook* – Member Purcell suggested that the committee begin reviewing and making changes only to the portion of the handbook applicable to the County Administrator’s immediate supervision of the Facilities Management Director, the Technology Services/GIS Director, the Planning, Building and Zoning Director, Administrative Services and Animal Control. The committee will begin review of the employee handbook at the April 7, 2016 committee meeting with Assistant State’s Attorney Leslie Johnson in attendance

**OLD BUSINESS**

- *Organization Charts Discussion* – The committee will continue review of the organization charts at the April 7, 2016 committee meeting when Assistant State’s Attorney Leslie Johnson is in attendance.

**EXECUTIVE SESSION – Not Needed**

**ITEMS FOR COMMITTEE OF THE WHOLE – PSC/Courthouse Update on a monthly basis**

**ACTION ITEMS FOR COUNTY BOARD**

- *Approval of Resolution Authorizing Application for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. §5311) and Downstate Public Transportation Act 30 ILCS 740/2-1 et seq*
- *Public Hearing at April 5 County Board meeting to obtain public comment and consider economic, social, and environmental effects of the application for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 991, as amended (49 U.S.C. §5311)*

**PUBLIC COMMENT – None**

**ADJOURNMENT** – Member Purcell moved to adjourn the meeting at 6:24p.m., Member Shaw seconded the motion. The motion was unanimously approved by a voice vote.

Respectfully Submitted,

Valarie McClain  
Administrative Assistant/Recording Secretary





**FY 16 MONTHLY MEDICAL INSURANCE INVOICES**

	12/31/2015	1/31/2016	2/28/2016	3/31/2016	4/30/2016	5/31/2016	6/30/2016	7/31/2016	8/31/2016	9/30/2016	10/31/2016	11/30/2016	Totals
BlueCross Medical Premium	\$ 347,954	\$ 339,151	\$ 344,322	\$ 347,599									\$ 1,379,026
Lincoln Life Dental Premium	22,476	23,220	24,192	23,782									\$ 93,670
Lincoln Life Premium	726	732	725	727									\$ 2,910
Health Savings Account	336,000	-	-	-									\$ 336,000
<b>TOTALS</b>	<b>\$ 707,157</b>	<b>\$ 363,103</b>	<b>\$ 369,239</b>	<b>\$ 372,108</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,811,606</b>

**FY 15 MONTHLY MEDICAL INSURANCE INVOICES**

(BUDGETED: \$4,747,400) \* 91.4% of Budget

	12/31/2014	1/31/2015	2/28/2015	3/31/2015	4/30/2015	5/31/2015	6/30/2015	7/31/2015	8/31/2015	9/30/2015	10/31/2015	11/30/2015	Totals
BlueCross Medical Premium	\$ 316,655	\$ 322,904	\$ 323,368	\$ 321,771	\$ 328,759	\$ 328,521	\$ 318,882	\$ 322,074	\$ 319,795	\$ 313,546	\$ 313,232	\$ 323,642	\$ 3,853,148
Met Life Dental Premium	22,281	22,179	22,235	22,772	22,897	22,801	22,372	22,315	22,077	22,043	22,099	22,293	\$ 268,164
Lincoln Life Premium	718	730	743	742	759	747	737	732	726	730	736	729	\$ 8,829
Health Savings Account	16,375	17,375	17,000	17,000	18,000	18,125	17,500	17,750	17,000	17,125	18,500	17,780	\$ 209,500
<b>TOTALS</b>	<b>\$ 355,029</b>	<b>\$ 363,188</b>	<b>\$ 363,346</b>	<b>\$ 362,285</b>	<b>\$ 370,415</b>	<b>\$ 370,994</b>	<b>\$ 359,482</b>	<b>\$ 362,870</b>	<b>\$ 359,599</b>	<b>\$ 363,444</b>	<b>\$ 364,566</b>	<b>\$ 364,414</b>	<b>\$ 4,339,641</b>

**FY 14 MONTHLY MEDICAL INSURANCE INVOICES**

(BUDGETED: \$4,680,373) \$236,077 under FY

	12/31/2013	1/31/2014	2/28/2014	3/31/2014	4/30/2014	5/31/2014	6/30/2014	7/31/2014	8/31/2014	9/30/2014	10/31/2014	11/30/2014	Totals
BlueCross Medical Premium	\$ 333,830	\$ 337,723	\$ 333,582	\$ 323,495	\$ 334,201	\$ 334,375	\$ 327,651	\$ 325,037	\$ 324,487	\$ 330,947	\$ 324,542	\$ 332,659	\$ 3,962,531
Met Life Dental Premium	23,904	23,895	23,582	23,332	22,979	23,766	23,240	23,262	23,251	22,811	23,069	22,886	\$ 279,677
Lincoln Life Premium	637	626	786	778	743	743	750	750	745	750	750	7,430	\$ 18,887
Health Savings Account	15,875	15,875	15,875	15,750	15,750	16,500	16,375	15,875	15,250	16,250	15,250	13,875	\$ 187,500
<b>TOTALS</b>	<b>\$ 374,246</b>	<b>\$ 378,120</b>	<b>\$ 373,825</b>	<b>\$ 363,368</b>	<b>\$ 373,673</b>	<b>\$ 375,384</b>	<b>\$ 368,016</b>	<b>\$ 364,925</b>	<b>\$ 363,733</b>	<b>\$ 369,558</b>	<b>\$ 363,611</b>	<b>\$ 376,850</b>	<b>\$ 4,446,296</b>

**FY 13 MONTHLY MEDICAL INSURANCE INVOICES**

	12/31/2012	1/31/2013	2/28/2013	3/31/2013	4/30/2013	5/31/2013	6/30/2013	7/31/2013	8/31/2013	9/30/2013	10/31/2013	11/30/2013	Totals
BlueCross Medical Premium	\$ 388,429	\$ 323,668	\$ 348,602	\$ 339,854	\$ 342,421	\$ 343,576	\$ 341,555	\$ 340,995	\$ 333,428	\$ 334,508	\$ 338,081	\$ 339,583	\$ 4,114,699
Lincoln Dental Premium	21,939	23,232	21,747	22,188	22,133	23,625	22,498	22,874	22,863	22,818	22,555	*	\$ 248,451
Met Life Dental Premium	*	*	*	*	*	*	*	*	*	*	*	22,428	\$ 22,428
Lincoln Life Premium	708	714	733	717	737	739	734	727	747	753	726	731	\$ 8,766
Health Savings Account	11,625	11,625	13,500	12,500	12,875	12,525	12,875	12,625	12,625	13,125	12,875	12,875	\$ 161,750
<b>TOTALS</b>	<b>\$ 422,701</b>	<b>\$ 369,238</b>	<b>\$ 384,682</b>	<b>\$ 376,239</b>	<b>\$ 378,166</b>	<b>\$ 380,565</b>	<b>\$ 377,662</b>	<b>\$ 377,220</b>	<b>\$ 369,662</b>	<b>\$ 371,204</b>	<b>\$ 374,237</b>	<b>\$ 376,617</b>	<b>\$ 4,646,084</b>

Benefits Paid as of 03/31/16

Est totals \$ (4,358,289)  
 Budgeted \$ 4,747,400  
 Est saving \$ 391,111

Current Modified  
Duty

Open Claim Type	Incident Date	Department	Cause / Incident	Paid	Missed > 3 Days Work	Returned to Work	Current Modified Duty
WC	06/30/12	Forest Preserve	Injured back and shoulder	\$67,791.31	Y	N	
WC	02/04/13	Sheriff's	hurt / strain groin	\$239,273.38	Y	Term	
WC	05/10/14	Sheriff's	injured multiple body parts	\$110,790.85	Y	Y	
WC	08/15/14	Sheriff's	strain back	*** \$133,456.54	Y	Y	
WC	08/31/14	Sheriff's	contusion	\$13,644.28	Y	Y	
WC	05/05/15	Animal Control	contusion	** \$96.23	N	Term	
WC	05/05/15	Facilities	Strain/Sprain arm	\$46,025.10	Y	N	
WC	10/26/15	Sheriff's	contusion / hand	\$1,471.42	Y	Y	
WC	12/08/15	State's Attorney	contusion head	** \$10.00	N	Y	
WC	12/10/15	HHS	contusion hand	** \$390.55	N	Y	
WC	12/11/15	Sheriff's	contusion hand	** \$10.00	N	Y	
WC	12/14/15	Forest Preserve	Strain abdominal	** \$5.00	N	Y	
WC	12/23/15	Forest Preserve	contusion knee	\$2,150.03	N	Y	
WC	12/27/15	Sheriff's	contusion	\$0.00	N	Y	
WC	12/28/15	Sheriff's	contusion	** \$154.51	N	Y	
WC	01/01/16	Sheriff's	Hypothermia	\$1,127.03	N	Y	
WC	01/26/16	Animal Control	animal bite	\$0.00	N	Y	
WC	02/11/16	HHS	contusion	\$0.00	N	Y	
WC	02/16/16	Sheriff's	Scratch	\$314.20	N	Y	
WC	03/08/16	HHS	fell / contusion	\$0.00	N	Y	
WC	03/25/16	Sheriff's	struck by person / injured shoulder	\$0.00	N	Y	
				\$616,710.43			

Open Claim Type	Incident Date	Department	Cause / Incident	Paid	Paid by KC	Coverage Type
Liability	08/25/11	Sheriff's	police brutality	\$32,689.41	\$22,566.47	Police Professional Liability
Liability	01/02/14	VAC	wrongful termination	\$0.00	\$0.00	Errors & Omissions
Liability	02/21/14	Sheriff's	police excessive force	\$6,857.14	\$3,477.67	Police Professional Liability
Liability	05/15/14	Sheriff's	discrimination	\$89,989.87	\$25,000.00	Errors & Omissions
Liability	01/06/15	Circuit Clerk	work discrimination	\$10,241.30	\$7,579.50	Errors & Omissions
Liability	08/27/15	Circuit Clerk	work discrimination	** \$2,390.50	\$0.00	Errors & Omissions
Liability	09/28/15	Circuit Clerk	work discrimination	\$9.45	\$0.00	Errors & Omissions
Liability	10/19/15	Circuit Clerk	work discrimination	\$9.45	\$0.00	Errors & Omissions
				\$142,187.12	\$58,623.64	

\* New claim added to report  
 \*\* Closed Out  
 \*\*\* Re-Opened  
 As of 04/01/16



# KENDALL COUNTY, ILLINOIS

Resolution No. \_\_\_\_\_

## RESOLUTION APPROVING AMENDED TECHNOLOGY POLICY

WHEREAS, Kendall County, Illinois (“County”) is a unit of local government within the meaning of Article VII, Section 1 of the Illinois Constitution of 1970, organized and operated under the laws of the State of Illinois; and

WHEREAS, the County Board of Kendall County (“County Board”) recognizes that Kendall County employees and County Board members send and receive emails through Kendall County’s email server; and

WHEREAS, the County Board further recognizes that a convenience copy of said emails are also retained in the County’s journal copy email archive (“archive”), which is managed by the Kendall County Technology Services Department; and

WHEREAS, the County currently has a Technology Policy, which is contained in Chapter VII of the County’s Employee Handbook but said policy does not currently address the emails stored in the archive; and

WHEREAS, the Illinois Local Records Commission recently confirmed emails retained in the County’s archive are “convenience copies” that are not subject to the retention requirements of the Illinois Local Records Act; and

WHEREAS, as the records contained in the archive are not subject to the retention requirements set forth in the Illinois Local Records Act, the County Board seeks to amend the County’s Technology Policy to include provisions governing the management and retention requirements for the emails contained in the archive; and

**NOW, THEREFORE, BE IT RESOLVED**, by the County Board of Kendall County, as follows:

**Section 1.** The recitals set forth above are hereby incorporated by reference.

**Section 2.** The County’s current Technology Policy contained in Chapter VII of the County’s Employee Handbook is hereby amended and replaced with the Technology Policy (“Amended Technology Policy”), effective immediately. The Amended Technology Policy is attached hereto as **Exhibit A**.

**Section 3.** The County Administrator or his designee shall provide a copy of the Amended Technology Policy to all County Department Heads and Elected Officials within seven (7) calendar days after approval of this Resolution.

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**Section 4.** Within seven (7) calendar days after receipt of the Amended Technology Policy, the County Department Heads shall provide a copy of the Amended Technology Policy to each and every employee in their respective departments and shall obtain a signed acknowledgment of receipt of the Amended Technology Policy from each employee for placement in the employee's personnel file.

**Section 5.** Further amendments to the Technology Policy may occur at anytime with a majority vote of the Kendall County Board.

**Section 6.** This Resolution shall be in full force and effect as of the \_\_\_\_\_ day of March, 2016.

**Approved and adopted by the County Board of Kendall County, Illinois on this \_\_\_\_\_ day of March, 2016.**

\_\_\_\_\_  
John A. Shaw, Chairman  
County Board

Attest:

\_\_\_\_\_  
Debbie Gillette  
County Clerk

## **EXHIBIT A**

### **CHAPTER VIII TECHNOLOGY POLICY**

#### **Section 8.1 ORDER:**

Information technology (IT) resources are assets of Kendall County and must be used for authorized business. IT resources include, but are not limited to, electronic computer equipment, software, internet access, email accounts, and the information which is stored, processed, or transmitted from, to or through that equipment. County (IT) resources must be protected from accidental or unauthorized access, use, disclosure, modification, or destruction by employees, contractors, or any individual whether on County or non-County provided equipment.

#### **Section 8.2 OVERVIEW:**

The County reserves the right to, among other actions, access, audit, block, delete, disclose, intercept, monitor, publish, recover, restrict, restore, review, screen, or trace any information at any time without notice.

#### **Section 8.3 SECURITY:**

Each user is authorized to access only information which is required to do his/her job. Unauthorized access to information is strictly prohibited. All users must safeguard County information and treat electronic documents/communications with the same level of care, both in production and storage, as is accorded documents and communications that are in print form. Access to (IT) resources will be immediately deactivated when a County employee terminates employment or rights are withdrawn for any other reason.

#### **Section 8.4 ENFORCEMENT:**

Use of any County (IT) resource will be audited and monitored. It is each user's responsibility to understand and comply with the set forth Policy. Noncompliance with this Policy may be cause for disciplinary action as well as monetary charges being assessed where appropriate. If it is determined that an employee has misused (IT) resources, the employee will be subject to appropriate disciplinary action for misuse of County property, up to and including discharge.

#### **Section 8.5 DEFINITIONS:**

**Users** – The term *users* refers to all employees, independent contractors, consultants, temporary workers and other persons or entities who use County Information Technology resources.

**Information Technology (IT) Resources** – The term *information technology resources* refers to the County's entire computer network. Specifically, *information technology resources* includes, but is not limited to: individual workstations, file servers, communication servers, application servers, mail servers, fax servers, Web servers, laptops, software, data files and network cables, whether connected to the network or not.

## **Section 8.6 GUIDELINES:**

### **A. No Expectation of Privacy**

1. *No expectation of privacy.* The computers and computer accounts are given to users to assist them in performance of their jobs. Users do not have an expectation of privacy in anything they create, store, send, or receive on any technology resource. The computer system belongs to the County and may be used only for job-related purposes.
2. *Waiver of privacy rights.* Users expressly waive any right of privacy or expectation of privacy in anything they create, store, send, or receive on the computer or through the Internet or any other computer network. Users consent to allowing personnel selected at the sole discretion of the County to access and review materials users create, store, send, or receive on the computer or through the Internet or any other computer network. Users understand that the County may use human or automated means to monitor use of its computer resource.

### **B. Prohibited Activities**

1. *Inappropriate or unlawful material.* Material that is fraudulent, sexually explicit, profane, obscene, defamatory; that is intended to harass, embarrass or intimidate; or that is unlawful or otherwise determined by the County to be inappropriate shall not be sent by e-mail or other form of electronic communication (such as bulletin board systems, news groups, chat groups) or displayed on or stored in County computers. Users encountering or receiving this kind of material should immediately report the incident to their department head/elected official.
2. *Misuse of software.* All software must be approved by the Technology Director prior to installation on any County workstations or servers. Users may not do any of the following: (A) Copy software for use on their home computers; (B) provide copies of software to any independent contractors of the County or to any firm or individual, unless specifically authorized through an official County contract or agreement; (c) install software on any of the County workstations or servers; (d) download any software from the Internet or other online service to any of the County workstations or servers; (e) modify, revise, transform, recast, or adapt any software; or (f) reverse-engineer, disassemble, or decompile any software. Users who become aware of any misuse of software or violation of copyright law should immediately report the incident to their Department Head/Elected Official.
3. *Prohibited uses.* Without prior written permission from the Technology Director, County computer resources may not be used for dissemination or storage of personal advertisements, solicitations, promotions, destructive programs (i.e., viruses or self replicating code), or any other unauthorized use.
4. *Communication of confidential information.* Sending, transmitting or otherwise disseminating without authorization proprietary County data or other information identified as confidential is strictly prohibited.

### **C. Passwords**

1. *Responsibility for passwords.* Users are responsible for safeguarding their passwords for access to the computer system. Individual passwords should not be printed, stored online, or given to others. Users are responsible for all transactions made using their passwords.
2. *Passwords do not imply privacy.* Use of passwords to gain access to the computer system or to encode particular files or messages does not imply that users have an expectation of privacy in the material they create or receive on the computer system.

3. *Password management.* Passwords should have a minimum length of six (6) characters. These measures will require that all system users use unique and confidential passwords before using workstations on the network. Passwords shall be changed on a regularly scheduled basis, changes scheduled for every 90 days.

#### D. Security

1. *Accessing other computers and networks.* A user's ability to connect to other computer systems through the network does not imply a right to connect to those systems or to make use of those systems unless specifically authorized by the operators of those systems.
2. *Computer Security.* Each user is responsible for ensuring that use of outside computers and networks, such as the Internet, does not compromise the security of County computer resources. This duty includes taking reasonable precautions to prevent intruders from accessing the County's network without authorization and preventing introduction and spread of viruses.
3. *Exception process.* The County has a set standard, for network security, that disallows individual connections to the County network. It is understood that individual departments and agencies use proprietary software that require access to the County network. In those instances, the department/agency will be required to obtain authorization from the Director of Technology and appropriate network security permissions to allow access will be approved. The same process will apply for any department/agency requesting a waiver from any part of the Kendall County network security policy.

#### E. Viruses

1. *Virus detection.* Viruses can cause substantial damage to computer systems. Each user is responsible for taking reasonable precautions to ensure he/she does not introduce viruses into the County's network. To that end, all material received magnetic or optical medium and all material downloaded from the Internet or from computers or networks that do not belong to the County must be scanned for viruses and other destructive programs before being placed onto the computer system. Users should understand that home computers and laptops might contain viruses. All data transferred from these computers to the County's network must be scanned for viruses.
2. *Accessing the Internet.* To ensure security and avoid the spread of viruses, users accessing the Internet through a computer attached to the County's network must do so through an approved firewall.

#### F. Miscellaneous

1. *Confidential Information.* When sending confidential information to shared devices (e.g., printers, facsimile machines, etc.) users must exercise reasonable judgment to maintain confidentiality at the destination.
2. *Compliance with Applicable Laws and Licenses.* In their use of computer resources, users must comply with all software licenses; copyrights; and all other state, federal and international laws governing intellectual property and online activities.
3. *Other Policies Applicable.* In their use of computer resources, users must observe and comply with all other county policies and guidelines.

## **Section 8.7 JOURNAL COPY EMAIL ARCHIVE MANAGEMENT, RETENTION AND DISPOSAL**

### **A. RETENTION AND DISPOSAL REQUIREMENTS**

1. A duplicate copy of all emails sent and received via the County's email server will be stored on the County's journal copy email archive (hereinafter referred to as "archived emails"). The archived emails are convenience copies, which are not subject to the record retention requirements of the Illinois Local Records Act.
2. Archived emails shall be retained in their electronic form in the County's journal copy email archive for a period of at least seven (7) years from the date any email sent or received.
3. The seven (7) year retention period requirement set forth in Section 8.7(A)(2) above may be modified or waived upon entry of a court order or pursuant to applicable state or federal law.
4. Upon the completion of the required retention period, the Kendall County Technology Services Department shall permanently delete or purge the archived emails from the County's journal copy email archive. Because the archived emails are convenience copies, which are not subject to the Illinois Local Records Act, the Illinois Local Records Commission's prior approval for disposal of the archived emails is not necessary.

### **B. PRESERVATION NOTICE**

1. The County acknowledges there may be situations that arise that require the Kendall County Technology Services Department to retain certain archived emails beyond the required retention period set forth in Section 8.7(A) above (e.g., pending litigation and/or a pending law enforcement investigation). It is the applicable County department head and/or elected official's responsibility to notify the Kendall County Technology Services Department when certain archived emails must be preserved beyond the required seven (7) retention period. The County department head and/or elected official shall provide such notice in writing to the Kendall County Technology Services Department on the Preservation Notice Form, which is attached as Exhibit 1.
2. Upon receipt of the Preservation Notice Form, the Kendall County Technology Services Department shall take all steps reasonably necessary to preserve and retain the applicable archived emails. The Kendall County Technology Services Department shall then preserve and retain the archived emails until the County department head or elected officials confirms, in writing, that the preservation hold is concluded and the archived emails may be destroyed.

### C. ACCESS TO ARCHIVED EMAILS

While the archived emails are retained in the journal copy email archive, the Kendall County Technology Services Department may provide access to archived emails as follows:

1. Access may be provided to the individual employee or elected official who sent or received the archived email, provided the individual has submitted their request in writing to the Technology Services Department.
2. Access may be provided to a County department head and/or elected official or their designee for archived emails sent or received by employees supervised by the requesting County department head/elected official. The County department head and/or elected official requesting access to a subordinate employee's archived emails must make a written request to the Kendall County Technology Services Department by completing the "Technology Services Internal Request for Archived Email" form, which is attached as Exhibit 2.
3. Access may be provided to the County Board Chairman or their designee for archived emails sent or received by a County department head and/or employees supervised by a County department head.
4. To the extent permitted by law, access may be provided to any third party pursuant to a validly issued subpoena and/or court order.

### Section 8.8 RESPONSIBILITIES:

#### A. Administrative Responsibilities

The County Administrator and Technology Director are responsible for the implementation of this policy. Department Heads and Elected Officials are responsible for compliance by their employees.

1. *Department Head/Elected Official Responsibilities.* Department Heads/Elected Officials are responsible for:
  - a. Ensuring that all users have access only to data needed to perform their job responsibilities;
  - b. Ensuring that all users understand their obligation to protect technology resources  
Implementing required security practices;
  - c. Reporting noncompliance; and
  - d. Initiating corrective action.
2. *Technology Services responsibilities.* The Technology Director and support staff must be zealous in their efforts to maintain user confidence in privacy, availability, reliability, and productivity. Computer files may be accessed to verify compliance with County policies. On suspicion that a security breach has occurred, the findings are to be reported to the Technology Director to determine if the breach is significant enough to warrant further investigation. Technology Services staff is responsible to the users for the integrity of the information environment they support. Although Technology Services staff must have, at times, access to a users private domain to provide support, they must not use that privilege for any other purpose. Any support person who uses his/her privileges for purposes other than support, divulges confidential information gained from such support, or fails to comply with the principles set forth in this security policy is subject to disciplinary action, up to and including discharge. Compliance with this policy will be monitored by Technology Services and violations will be reported in a discreet and professional manner when it appears the user has intentionally violated this policy or any other related policy. The incidents will be fully documented and reported to the County

Administrator. A back-up of users and shared directories will be performed on a regular basis with all directories located on shared file servers, not individual drives, backed up on an appropriate schedule. Controls must be in place to confirm that obligations under software license agreements are being met for all software on workstations and network servers.

## B. User Responsibilities

All employees are responsible for compliance with this order.

1. **Restricted access to (IT) resources.** Access to (IT) resources must be protected by unique user accounts restricted by password or other controls. Passwords shall be confidential and protected by individual users to prevent unauthorized use and release of information.
2. **Dissemination of Data.** Dissemination of confidential data acquired when performing job responsibilities, in any form (printed, electronically, verbal, etc.) is strictly forbidden unless prior written permission has been granted, and such dissemination is not in conflict with any other County policy.
3. **Computer Software.** All software and data files developed on County Owned or controlled (IT) resources are for official business. Employees must adhere to all terms and conditions for licensing agreements governing distribution and use of software. Violation of software license agreements and copyright laws may subject the offender to criminal prosecution and civil damages. No software will be run on County computers that has not been reviewed and approved by Technology Services. This review process ensures that the software is compatible (if required) with other existing software and is free from any computer viruses. This includes software available commercially or circulated public domain software.
4. **Backup Responsibilities.** Any user who uses county systems not on the County network or proprietary computer systems is responsible for backing up data and software of those systems. Users who store files on the Local Area Network (LAN) drives are protected due to a nightly LAN backup. If, however, an employee stores user files on the hard drive (C) or on the desktop, the employee is responsible for the file backup.
5. **Responsible Care.** All users shall maintain a clean work area and guard against potential damage to hardware or destruction of data through spillage, carelessness, etc. All equipment relocation shall be coordinated in advance through Technology Services and performed by Technology Services. A user must return any County hardware or software which is in his/her possession prior to leaving County employment.
6. **Use of the Internet.** The Internet is a tool to be used in helping employees meet the requirements of their job (i.e., those who need information from a reliable Internet source to perform research duties or interface with organizations that use the Internet for conducting business with the County). Users must refrain from requesting information which is inappropriate in the workplace. Examples of inappropriate use of resources include, but are not limited to, any traffic that violates state and/or federal laws, the distribution of non-business related advertising, and propagation of computer worms and/or viruses, distribution of chain letters, attempts to make unauthorized entry into another network. Technology Services provides level of internet access that is assigned to employees by the responsible authority of the office/department. Internet use is monitored and reported to supervisors if requested.
7. **Electronic Mail.** County employees are to use the County's e-mail system primarily for County business communications and are responsible to guard against e-mail abuse. Examples of abuse are chain letters, selling or purchasing of personal items.



8. **Accountability.** Anyone observing what appears to be a breach of security where County information could be compromised, modified, stolen, lost or destroyed must report the incident to the Technology Director or County Administrator.
9. **Computer Hardware:** No hardware will be added to the County computers or network that has not been reviewed and approved by Technology Services. This review process ensures that the hardware is compatible with existing hardware standards. The purchaser will assume ongoing maintenance and support responsibility for peripheral devices (printers, scanners, phones with email functions, etc.) purchased without Technology Services approval. The purchaser will also be responsible for purchasing any consumables that this equipment requires.

# CHAPTER VIII, EXHIBIT 1

## Kendall County Technology Services Preservation Notice

Effective immediately, please preserve until further written notice all of the following:

A brief description of the records to be preserved:
Dates:
To (if known):
From (if known):
Subject (if known):
Keywords:
Attachment Name (if known):
Reason for preservation:
Duration of preservation requirement (if known):
Other:

\_\_\_\_\_ Date Requested  
Elected or Appointed Department Head

\_\_\_\_\_ Date Delivered  
Technology Services

# CHAPTER VIII, EXHIBIT 2

## Kendall County Technology Services Internal Request for Archived Emails

Please list dates, keywords, and/or email addresses below.

Dates:
To:
From:
Subject:
Keywords:
Attachment Name:
Other:

Appointed Department Heads and Elected Officials shall only have access to emails sent or received by employees supervised by the Appointed Department Head or Elected Official while said emails are retained in the journal copy archive.

**X** \_\_\_\_\_  
Elected or Appointed Department Head                      Date Requested

**X** \_\_\_\_\_  
Technology Services    Date Delivered

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## CHAPTER II EMPLOYMENT POLICIES

### Section 2.1 DEFINITIONS OF EMPLOYMENT STATUS

A. **FULL-TIME EMPLOYEES:** A full-time employee shall be one who is employed full time on a minimum of thirty-four (34) hours per week basis for continuous service and who has completed a minimum of six (6) months of continuous work or service, interrupted only by absence with official permission. For employees hired prior to December 21, 1993, thirty (30) hours per week shall be utilized to determine full-time status.

B. **PROBATIONARY EMPLOYEES:** Employees who have been employed on a full-time or part-time year-round basis for a period of less than six (6) months and who will become full-time employees at the successful conclusion of six (6) consecutive months employment. Successful completion of the probationary period will not alter the employee's at-will employment status.

C. **PART-TIME EMPLOYEES:** Any employee who is employed on a less than thirty-four (34) hours per week basis for continuous service and who has completed a minimum of six (6) months of continuous work or service, interrupted only by absence with official permission. For employees hired prior to December 21, 1993, less than thirty (30) hours per week shall be utilized to determine part-time status. Part-time employees are not eligible for employee health and dental coverage. Sick/personal days are earned proportionate to the anticipated number of hours worked per month.

D. **TEMPORARY EMPLOYEES:** Temporary continuous appointment (i.e., a position which is clearly understood to be six (6) months in duration at the maximum) may be made for specified positions.

### Section 2.2 EMPLOYMENT PROCEDURES

A. **RECRUITMENT AND BACKGROUND REFERENCE CHECKS AND PREEMPLOYMENT INVESTIGATIONS:** Department heads, including the County Administrator, should post an open position within a department on the County website to start recruitment efforts and promptly remove the posting at the time of application deadline. Elected Officials are encouraged to utilize the County website to post open positions in their offices.

All new employees of the County will be employed strictly on merit. When possible, references from the most recent employers must be received prior to hiring an individual.

Employment history and references should be verified prior to hiring new full time or part time employees including interns. Other pre-employment investigation may include criminal history and other matter when pertinent to performance of the position. ~~If the department head determines questionable history during the pre-employment investigation of the preferred candidate, the department head shall seek advice of their respective Board Committee prior to hiring the candidate.~~ Convictions, if disclosed by the applicant, will not absolutely prohibit employment, but will be considered in relation to the specific job requirements. Consideration will be given to factors such as the age and time of the offense, the seriousness and nature of the violation, the relationship between the conviction and the job, the nature and number of convictions and rehabilitation. Hiring decision will follow applicable state and federal laws including American with Disabilities Act and Employee Polygraph Protection Act.

Regardless of the nature and extent of the investigation into the applicant's background, investigations should be uniformly applied to all applicants.

All advancement will be made on the basis of ability and will include consideration of aptitude and attitude. Whenever possible, qualified employees will be upgraded to more responsible positions. If employment qualifications are equal, employees with longer service to the County will be given preference for advancement.

- B. **SELECTION:** Department Heads, including the County Administrator, have the authority to select a department's employees to work under the Department Head's or County Administrator's supervision within budget parameters set by the County Board and in accordance with state and federal laws and regulations. The County Administrator is provided the authority to recruit and recommend appointment of Department Heads to the County Board prior to the County Board's approval by simple majority of the Department Head appointment.

~~The selection of all employees, other than department heads, shall be handled in the following manner: All applicants shall make application through the appropriate supervisor or department head. The supervisor or department head shall recommend personnel to be employed to the next level of authority, department head, or County Board. This same policy of once removed authority shall also hold true for dismissal. The selection of and/or dismissal of a department head shall be made by a majority of the full County Board where applicable.~~

- C. **DISTRIBUTION OF KENDALL COUNTY EMPLOYEE HANDBOOK:** At the time of employment, this Employee Handbook will be made available to all employees.
- D. **EXAMINATION:** The County may conduct or arrange for examinations for such positions as may be deemed necessary and at such times and places as the needs of the County require. These tests will examine bona fide occupational qualifications of the position in question.
- E. **PHYSICAL EXAMINATION:** Employees may be required to submit to a physical examination. Such examination shall be conducted by a physician approved by the County. All such employees must be certified by the physician as being able to meet the physical requirements of their positions. The costs of the examination shall be incurred by the County or by the department requiring the examination.
- F. **DRUG TESTING:** The County reserves the right to require a drug test prior to employment or following a workplace accident. Those employees covered under collective bargaining agreements should refer to their contract requirements.
- G. **PERSONNEL FILE:** A personnel file will be established for all County employees. The County tries to balance the need to obtain, use and retain employment information with a concern for each individual's privacy. To this end, it attempts to maintain only the personnel information that is necessary for the conduct of its business or required by federal, state or local law. This information will be kept confidential and in the Office of Administrative Services or the employing department.

Reasonable access of an employee's personnel file for inspection by an employee or an authorized representative may be obtained upon written request by the employee. All requests for file inspection shall be governed by the Illinois Employee Access to Personnel Records Act, as amended, as well as the Illinois Freedom of Information Act, as amended.

The County shall provide the employee with the inspection opportunity within seven (7) working days after the employee makes the request, or if the County can reasonably show that such a deadline cannot be met, the County shall have an additional seven (7) work days to comply. Such access shall be limited to non-confidential personnel documents which are, have been, or are intended to be used in determining that employee's qualification for employment, promotion, transfer, additional compensation, discharge or other disciplinary action.

After the review time provided, an employee may obtain a copy of the information or part of the information contained in his personnel record. The County may charge a fee for providing a copy of such information

- H. **EMPLOYMENT ACKNOWLEDGEMENT:** A letter will be issued to successful candidates for all regular full-time positions. Included in this letter will be such information as job title, salary, expected starting date and other details pertinent to a newly hired employee. A copy of this letter, signed by the employee's immediate supervisor and the employee, will be maintained in the employee's personnel file.
- I. **CHANGE OF PERSONAL DATA:** It is to each employee's advantage to see that all personnel records are up to date. If there is a change in your name, address, telephone number, marital status, etc. at any time during your employment, notify your department head, the Treasurer's office, and the Office of Administrative Services immediately. For any change in the number of tax exemptions claimed or change

Every effort will be made to transfer employees to another department rather than lay them off. When this is impractical, the department head will consider seniority where skill, qualifications, ability and performance factors are substantially the same in determining who to lay off.

Seniority is the continuous length of time an individual has been a regular full-time employee of the County. A person whose continuous regular employment with the County has been broken by a period of more than ninety (90) calendar days where he was not employed by the County and where he was not on sick leave or other approved leave of absence shall not have his service with the County prior to his resumption of regular employment counted as part of his seniority.

A regular full-time employee who is laid off only as a result of the necessity to reduce the number of County employees (reduction in force) will be given preference in filling positions which subsequently open and for which the employee is qualified.

B. RESIGNATION: A regular full-time or regular part-time employee resigning from a position should give sufficient notice of his intention to enable the County to make proper adjustments to procedure and staffing. Sufficient notice is two (2) weeks at a minimum. All regular full-time or regular part-time employee resignations shall be in writing and may contain the reasons for leaving. A resignation will be placed in the employee's personnel file. The department head, or County Administrator, or the appropriate County committee chairperson is authorized to accept all resignations for the department. Appropriate written notification should be initiated by the immediate supervisor and forwarded to the Treasurer's office and the Office of Administrative Services for resignations/terminations so all pertinent records and files can be updated.

C. EXIT INTERVIEW: Any time an employee permanently terminates employment with the County an exit interview may be scheduled with either his department head, human resources and/or the County Administrator.

The employee is encouraged to provide input into matters directly associated with their employment with the County, such as discussing job satisfaction, training both in-house and outside, employee's impression of supervision, compensation and employee benefits, and general suggestions for improvement of the delivery of services to residents.

D. RETURN OF COUNTY PROPERTY: An employee leaving County employment, whether through resignation, lay-off or dismissal, shall return any property including keys, equipment and identification cards in his possession to the appropriate location. Failure to return all County property may result in prosecution.

E. REINSTATEMENT: Employees who have resigned while in good standing may be rehired. The conditions of rehire will be as a new employee and there shall be no carry forward of accrued service time, unless the rehire date occurs within ninety (90) calendar days (Section 2.3A)

Employees who resign while awaiting disciplinary action or who are discharged shall not be eligible for re-employment.

F. EMPLOYEE REFERENCES:

All requests for reference information about a current or former County employee should be referred to the appropriate department head. It shall be the policy of the County that subjective or interpretive information about an employee's job performance will not be offered to those making reference inquiries. The County will only authorize the release of the following information:

- Job title
- General description of job responsibilities
- Length of employment (starting date, termination date)
- Final salary

Any other information provided by a department head will be considered a personal reference and the County will accept no responsibility for the information relayed.



compensatory time within each County fiscal year. All additional time beyond five (5) days shall be at the premium pay rate. All compensatory time must be taken within the year that it is earned.

Working in excess of the normal work hours within a work week requires prior approval by the employee's supervisor. The supervisor and the employee must agree, prior to working beyond the normal work hours, how time is to be compensated (i.e. compensatory time or cash payment). All department heads are required to submit a report at the end of the fiscal year with a notation on their budget of the amount of overtime and compensatory time given to each employee.

- C. **ATTENDANCE:** It is the responsibility of the department head/elected official or designee to prepare and maintain attendance records.

When a reporting employee is absent from a normally scheduled work day or absent from accepted overtime assignment, that employee is required to report that absence. When an employee knows he or she will be absent, that absence should be reported as far in advance as practical. All absences must be reported to the employee's supervisor or department head. A physician's statement may be required for absences in excess of three consecutive work days. Excessive absenteeism may result in disciplinary action up to and including termination.

- D. **EMERGENCY CLOSURES:** County facilities shall be open at all times during regular business hours. If an employee is unable to come in to work, the employee will make up the lost time. The buildings will be open in all instances except for a disaster. The County Board Chairman or his designee will determine to close buildings whenever necessary.

- E. **SUGGESTIONS:** Employees are urged to make any suggestions they feel will be of benefit to the County and which would save time, reduce waste, promote safety and increase efficiency. Suggestions should be made to department heads, supervisors, [the Employee Relations/Safety Committee](#), or the Office of Administrative Services.

### Section 3.3 SAFETY

Kendall County policy is to provide safe and pleasant working conditions for all employees. Department heads are required to follow insurance company recommendations for safety and utilize good judgment regarding health and safety for all employees. Should an employee incur a job-related injury or illness, the County provides insurance coverage for medical care and lost time from work. Upon occurrence of an accident or emergency, the employee's immediate supervisor should be notified immediately. Delay in filing official notice may result in loss or delay in receiving benefits.

The County of Kendall develops, implements, and administers an all-encompassing safety program. The County maintains that its residents and employees are its most important asset. Therefore, their safety is the County's greatest responsibility. In all of the County's assignments, the health and safety of all should be the utmost consideration.

Department heads and supervisory personnel at all levels of the County work force are directed to make safety a matter of continuing concern, equal in importance with all other operational considerations.

This program is part of management procedures designed to efficiently utilize County capital and personnel.

Every department head or director is responsible for developing positive safety attitudes among all the personnel under his or her supervision, and emulating a safety program in conjunction with the County program that will reduce conditions that can cause unnecessary injuries and accidents. It will also be the department head's or director's responsibility to advise the Board Chairman of any federal, state and local standards with which compliance is felt to be lacking. Within the operational activities of any endeavor, there may be exposure to personal injury or property damage. A review of operations should include consideration of hazards which could be present. The possibility of unsafe job procedures and/or improper equipment can also contribute to the occurrence of an accident. Accidents are unplanned events which through proper planning can be minimized. Continual emphasis on safe working has been

The County does not discourage the attendance of spouses; however, cost for their attendance, lodging and other related expenses will not be incurred by the County.

- B. **WEBSITE & BULLETIN BOARDS:** Emails, County employee website, Bulletins and bulletin boards are the County's "official" way of keeping everyone informed about new policies, changes in procedures and special events. Information of general interest is posted regularly emailed and posted on the County employee website and bulletin boards. Please form the habit of reading the County employee website and bulletin boards regularly so that you will be familiar with the information posted on it. The County Board shall have the option of directing the removal of inappropriate material from all bulletin boards.

- C. **POLITICAL ACTIVITIES AND CONTRIBUTIONS:** Kendall County employees have a constitutional right to engage in political activity through voluntary political contributions or voluntary political work. Nothing should be done to abridge the constitutional right of an employee to participate in the political process. An individual's employment with the County will not require him to participate in any political activity.

While in a duty status during regular working hours, Kendall County employees shall not participate in political activities.

No employee shall use or threaten to use the influence of his position of employment to coerce or to inhibit.

- D. **FLOWERS, DONATION AND GIFTS:** any flowers, plants, donations or other gifts given voluntarily by a department's employees as an expression of sympathy or illness or in celebration of a marriage, birthday, retirement or other occasion shall be made by employee donation.

An expression of sympathy or long-term illness will be sent to any full-time employee or his/her immediate family member (father, mother, child or spouse) by the Office of Administrative Services on behalf of the County Board members and the County's employees.

- E. **GIFTS AND GRATUITIES:** The County has a policy in place modeled after the State of Illinois Act which states that employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or other thing of monetary value, except those of nominal value from any person, corporation or other organization, as outlined in the State Ban Gift Act.

- F. **AUTO INSURANCE:** Employees required to use their own vehicle on County business must have auto insurance with at least the following coverage:

- \$20,000 for injury or death of one person in an accident;
- \$40,000 for injury or death of more than one person in an accident;
- \$15,000 for damage to property of another person

The defense and indemnity by the County will be, in all cases, secondary to the policy coverage mentioned above. It is the responsibility of each employee to maintain coverage as specified and by driving a vehicle while on the job, it is assumed that coverage is in force.

- G. **USE OF COUNTY EQUIPMENT AND VEHICLES:** Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines.

The employee should not use or allow the use of County property for any activity other than official, approved duties.

Notify the supervisor if any equipment, machines, tools or vehicles appear to be damaged, defective or in need of repair. Prompt reporting could prevent the deterioration of equipment and possible injury to employees or others. Failure to report damage caused by accidents with County equipment and vehicles shall be considered grounds for disciplinary action up to and

including discharge. The supervisor can answer any questions about an employee's responsibility for maintenance and care of the equipment or vehicles used on the job.

The improper, careless, negligent, destructive or unsafe use or operation of vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

- H. **USE OF COUNTY OFFICE EQUIPMENT:** Office equipment such as computers, printers and copiers must also be used with care by County employees. If any office machinery becomes inoperable or requires service, employees are to notify their supervisor and arrange for the necessary repair.
- I. **NO SOLICITATION:** Solicitation will not be permitted during working time or during non-working time in areas where it will disturb other employees who are working. Distribution or circulation of printed material by employees will not be permitted during working time or during non-working time in areas where it will disturb other employees who are working nor will distribution be permitted at any time, including working and non-working time, in working areas. "Working time" refers to that portion of any work day during which an employee is supposed to be performing any actual job duties; it does not include other duty free periods of time. Solicitation and distribution by non-employees on County property is strictly prohibited. **The sole exception to the rule's restrictions is the allowance of an annual campaign for the United Way**

### Section 3.6 WORKPLACE VIOLENCE

The County's policy is to strive to maintain a work environment free from intimidation, threats, or violent acts. This includes, but is not limited to, intimidating, threatening or hostile behavior; physical abuse; vandalism; arson; sabotage; use of weapons; carrying unauthorized weapons of any kind while on duty, in county vehicles or on County property; or any other act, which, in your supervisor's opinion, is inappropriate to the workplace. In addition, jokes or offensive comments regarding violent events will not be tolerated and may result in disciplinary measures.

If an employee feels he has been subjected to any of the behaviors listed above or has witnessed such behavior, he is requested to immediately report the incident to his immediate supervisor, department head or to the County Administrator. Complaints will be investigated. Based upon the results, disciplinary action up to and including termination will be taken against the offender, if appropriate.

The employee is also empowered to contact the proper law enforcement authorities without first informing the employee's supervisor if he reasonably believes a threat to his safety or that of others exists.

### Section 3.7 IDENTITY-PROTECTION POLICY

Kendall County, Illinois ("Kendall 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 (SSNs) agencies collect, maintain, and use.

#### SSN PROTECTIONS PURSUANT TO STATE LAW

Whenever an individual is asked to provide the Kendall County with a SSN, Kendall County shall provide that individual with a statement of the purpose or purposes for which Kendall County is collecting and using the Social Security number. Kendall County shall also provide the statement of purpose upon request. That Statement of Purpose is attached to this Policy.

#### KENDALL COUNTY SHALL NOT:

- A. Publicly post or publicly display in any manner an individual's SSN. "Publicly post" or "publicly display" means to intentionally communicate or otherwise intentionally make available to the general public.

## CHAPTER IV COMPENSATION AND PERFORMANCE

**Section 4.1**     **PAY AND CLASSIFICATION PLAN:** The pay plan includes the minimum and maximum rate of pay for each position. It represents an orderly method of determining the salary of the position for the work performed.

Salary ranges shall be determined with regard to objective criteria:

- A. Ranges of pay for other County positions
- B. Relative difficulty and responsibility of positions
- C. Availability of employees in particular occupational categories
- D. Rates of pay in other jurisdictions
- E. The financial policies of the Counties

And such other considerations which may be appropriate.

**Section 4.2**     **PAY PERIODS:** The frequency of pay periods has been established for the maximum convenience of both the County and its employees

**PROCEDURE:** Employees are paid once every two weeks on Fridays (26 pay periods per year). When a payday falls on a holiday, the paycheck is distributed on the preceding workday.

**Section 4.3**     **PERFORMANCE APPRAISAL**

**A. PURPOSE:**

The County has developed a uniform performance appraisal system for all full-time employees. Pursuant to this system, an employee's performance is evaluated for the purpose of effective personnel control in matters including but not limited to the following: promotions, transfers, demotions, discipline, terminations and salary adjustments.

**B. RESPONSIBILITY:**

Performance appraisals are done by the immediate supervisor who is responsible for the work of the employee being evaluated. The immediate supervisor will discuss the performance appraisal with the employee. Performance appraisals become part of the employee's personnel records and a copy of each shall be contained in the employee's personnel file. Department heads' performance appraisals will be completed by the County Administrator and the County Administrator's performance appraisal will be completed by the County Board. ~~done by the committee chairman to which they report.~~

**C. FREQUENCY:**

Immediate supervisors shall appraise regular full-time employees on the basis of performance, efficiency, dependability, adaptability and other relevant job-related criteria at the end of the sixth (6<sup>th</sup>) month of their probationary period and within the months of June or July in the month of July of each subsequent year of employment.

**D. FORM:**

The County approved personnel appraisal form will be utilized for this review process.

**E. UNSATISFACTORY EVALUATION:**

Any employee receiving an unsatisfactory evaluation is ineligible for a pay increase. They will be subject to appropriate disciplinary action up to, and including, dismissal.

**F. APPEAL:**

If an employee is not in agreement with his performance appraisal, he may request another interview with his reviewing supervisor. If an agreement is not reached, the employee may appeal in writing within five (5) work days to the next-level-reporting-authority, i.e. department

head or County Administrator committee to which the department head reports for an impartial review of his service appraisal. A written decision shall then be rendered sustaining or modifying the rating to the employee within five (5) work days.

**G. COMPLETION OF PROBATIONARY PERIOD: ~~PERFORMANCE APPRAISAL:~~**

Non-bargaining unit employees short of completing their six months probationary period by the start of the new fiscal year (December 1) may be eligible for a salary increase after satisfactory completion of six months probation. The department head is required to plan such an increase and receive approval during the County's regular budget process. The department head has the discretion to give the increase, however, is not required to do so.



vacation, sick/person leave, bereavement leave, jury duty, Family Medical Leave, IMRF Disability Leave, military leave or a general leave of absence;

Y. Any other reason as determined by the employee's supervisor or department head. ~~or County Board member.~~

These grounds for discipline DO NOT constitute an exhaustive list of all the acts which will subject an employee to disciplinary action. No set of rules can cover all situations. The County reserves the right to discipline and discharge employees for unacceptable conduct other than those prescribed herein.

With respect to all employees, it is the policy of the County to apply progressive discipline in the forms prescribed below where appropriate. The County may forego lesser forms of discipline and proceed immediately to dismissal depending upon the nature of the employee's conduct.

In general, any action or attitude which adversely affects job performance or the reputation of Kendall County government may be cause of disciplinary action.

The following is a recommended procedure for employee discipline consistent with legal guidelines and good personnel management, and which may be utilized unless otherwise provided by Statute. While a system of progressive discipline may be followed, it is not always appropriate that each step be completed before moving to the next level or that any step be taken prior to discharge.

1. Documented Verbal Reprimand: The immediate supervisor may give a verbal reprimand and explanation to the employee of which he did wrong and why it is important that the episode not be repeated. The immediate supervisor will then make a short written record of their conversation. The supervisor and employee will both initial the written record, and both will retain a copy of it. This record will become part of the employee's departmental and County personnel file only if the conduct or performance did not become satisfactory after 90 days have elapsed.

2. Written Reprimand: If the employee continues to have difficulties in the same areas, or if the violation or infraction warrants, the immediate supervisor may prepare a written warning which contains a statement as to the date and nature of the infraction, and any other pertinent data including corrective measures to be taken. This record will be retained in the employee's personnel file.

3. Disciplinary Probations: Repetition of conduct otherwise meriting a lesser form of discipline, or commission of more serious misconduct, may result in an employee being placed on probation for a period of from one to three months. This may be done simultaneously with or following a written reprimand.

4. Suspension: The department head may use suspension as a disciplinary action. The department head may order an employee absent from duties with or without pay for a period not to exceed 30 calendar days, only if there is evidence or reasonable suspicion that serious offense has been committed against the County or another employee. Prior to suspension, the department head must inform the employee in writing of the charges against him and the basis thereof allowing the employee to give his side of the story. However, if the presence of the employee poses a continuing threat or disruption to the department, the department head may order the suspension without notice. The department head shall, within 24 hours of such action, prepare a memorandum stating the grounds for such action, and submit it to the suspended employee, and the County Administrator ~~departmental committee chairperson~~. Such memorandum shall be held confidential.

Dismissal: Since all employees are at-will, the County retains the right to dismissal and that remains the right of the department head or elected official.

5. Discipline and Removal of Department Heads: The County Administrator shall keep respective liaison committees and County Board informed of serious personnel problems and necessary disciplinary action of Department Heads. The County Administrator is provided the authority to discipline Department Heads with verbal reprimands, written reprimands and probation. The County Administrator is provided the authority to recommend suspension or

~~dismissal of Department Heads to the County Board prior to the County Board's approval by simple majority of the suspension or dismissal of the Department Head. In urgent situations where the County Administrator deems it necessary to immediately suspend a Department Head, the County Board Chairman's consent shall be provided prior to suspension of the Department Head with pay until acted upon by the Board. The Board shall act on the suspension within ten days voting either to remove permanently or reinstate the Department Head. Department Heads serve at the pleasure of the County Board. A department head may be removed by a majority vote of the members present at any regular or special meeting of the County Board. In situations where the County Board Chairman deems it necessary, the County Board Chairman shall have the power to order the immediate suspension of the department head with pay until acted upon by the Board. In such cases, the Board shall act on the suspension within ten days voting either to remove permanently or reinstate the department head. In cases of urgency, the County Board Chairman or in his/her absence, the County Board Vice Chairman and the State's Attorney will have the authority to terminate a department head.~~

## Section 7.3 GRIEVANCE PROCEDURE

### A. General

A grievance is a non-probationary employee complaint arising from a situation that is contrary to regular and ordinary employment practices and falls in the following categories:

1. Safety
2. Working Conditions
3. Wages and Hours
4. Involuntary Termination

Employees have the right to a fair hearing on any request or complaint arising in the course of employment. Each supervisor/department head has an obligation to make every effort to resolve employee relation problems informally as they arise.

### B. Definitions and Rules for Grievance Procedure

Work days are considered to be Monday through Friday, exclusive of County observed holidays.

A grievance filed by an employee of the County, except those subject to collective bargaining agreements which contain grievance procedure language, or employees of elected officials, shall be filed in accordance with provisions of this policy. An employee representative may be involved with and/or represent the employee at any step in the procedure.

If at any step in the grievance procedure the representative of the employer fails to respond within the time limits set forth, the employee may appeal the grievance to the next step within the time limits set forth. Time limits may be extended by mutual consent of both parties involved provided their decision has been communicated to the County Administrator.

~~The Grievance Committee shall consist of the County Board Chairman, the chairman of the respective liaison committee to which the employee reports and the County Administrator. If there is a conflict of interest or a member of the committee declines to sit on the committee, the County Board Chairman shall appoint a County board member replacement.~~

### C. Grievance Filing Procedure

These procedures are intended to encourage open communications between employees and their supervisors, and swift resolution.

#### Step 1

The goal of swift resolution can best be achieved if employees will present their grievance verbally to their immediate supervisor. This should be done as soon as the cause for the grievance is known, but not later than five (5) workdays from the occurrence or circumstance. The immediate supervisor should respond verbally as soon as possible, but again no longer than

five (5) workdays from receipt of the grievance. Many, if not most grievances, can be resolved swiftly in this informal manner.

**Step 2**

If the grievance is not settled at Step 1, the employee may file a written grievance with the department head, within five (5) workdays after the immediate supervisor's response in Step 1. The department head and the supervisor shall discuss the grievance with the employee at a time mutually agreeable to the parties (within five (5) workdays). The department head shall provide a written answer to the grievance with five (5) workdays following the meeting with the employee. ~~If the department head is the immediate supervisor referred to in Step 1, then the employee will proceed to Step 3 immediately.~~

**Step 3**

~~If the grievance is not settled in Step 2 and the employee wishes to appeal the grievance further, the employee shall assume the responsibility of referring the written grievance with five (5) workdays to the County Administrator. A meeting will be held between the County Administrator, Department Head, immediate supervisor, employee, and employee's representative (if applicable) on a date agreeable to the parties within twenty-one (21) workdays after the grievance is presented to the County Administrator. The County Administrator shall provide a written answer to the grievance with five (5) workdays following the meeting with the employee.~~

**Step 3**

~~If the grievance is not settled in Step 2 and the employee wishes to appeal the grievance further, the employee shall assume the responsibility of referring the written grievance within five (5) workdays to the committee chairman of the County Board to which the employee's department reports. The committee chairman shall notify the County Board Chairman to call a Grievance Committee meeting. A meeting will be held between the Grievance Committee and the employee, the employee's representative (if applicable) and the immediate supervisor agreeable to the parties not to exceed twenty-one (21) workdays after the grievance is presented to the committee. The Grievance Committee shall provide the employee with a written answer to the grievance within five (5) workdays following the meeting.~~

**Step 4**

~~If the grievance is not settled in Step 3 and the employee wishes to appeal the grievance further, the employee shall assume the responsibility of referring the written grievance within five (5) workdays to the County Administrator. The County Administrator shall notify the County Board Chairman and chairman of the respective liaison committee to schedule a Grievance Committee meeting. A meeting will be held between the Grievance Committee and the Department Head, immediate supervisor, employee, and employee's representative (if applicable) on a date agreeable to the parties within twenty-one (21) workdays after the second presentation of the grievance to the County Administrator. The Grievance Committee shall provide the employee with a written answer to the grievance within five (5) workdays following the meeting.~~

D. Decision

The decision of the Grievance Committee of the County Board shall be final.

E. Accelerated Grievance Procedure of Suspension without Pay

In grievance cases involving suspension without pay, the employee may elect to follow the following "fast track" grievance procedure: Omit Step 1 and go immediately to Step 2 unless this department head was the one who took the action to suspend the employee without pay or terminate the employee involuntarily then the employee shall proceed immediately to Step 3 and file the written grievance with the County Administrator ~~appropriate committee chairman~~.



**From:** Melissa Barnhart  
**Sent:** Thursday, April 27, 2006 3:08 PM  
**To:** Jeff Wilkins  
**Subject:** RE: Setting of Elected Official salaries

Jeff:

This was a fun one to research. My findings are as follows:

The County Clerk, Treasurer, and Sheriff are separate from the Circuit Clerk. Their salaries must be established prior to the general election for that office. So, if you want to increase the compensation for the first three, it has to be done before they take office. (See: Illinois Constitution, Art. IV and V; and, 55 ILCS 5/5-1010, which provides that the time of fixing the compensation of county officer, which compensation is to be fixed by the county board, shall be at a meeting of such board held before the regular election of the officers whose compensation is to be fixed). However, the Circuit Clerk position is somewhat unique. They are included under the judiciary, specifically Art. 6 sec. 18; 705 ILCS 105/27.3; and more recently, an interesting Illinois Supreme Court case right here from Kendall County- Ingemunson v. Hedges, 133 ILL.2d 364 (1990) That case basically said that if there is no specific provision governing the payment of salaries to State's Attorneys and clerks of the court, the Constitution guides. Therefore, I believe that the Circuit Clerk's salary can be increased during her term in office.

If you have any other questions in this regard, let me know.

Melissa

**Illinois County Administrators - Salaries of Elected Officials**  
**October 30, 2015**

Description	Bureau County	Champaign County	Dekalb County	Henry County	Jo Daviess County	Kendall County	Lake County	Madison County	McHenry County	Peoria County	Tazewell County
<b>Overview</b>											
A-1 Name of County	Bureau	Champaign	Dekalb	Henry	Jo Daviess	Kendall	Lake	Madison	McHenry	Peoria	Tazewell
A-2 Population - 2010 Census	34,978	201,081	105,160	50,436	22,678	115,206	703,462	269,282	306,760	186,494	135,394
A-3 Area in Square Miles	873	1,000	648	869	618	320	444	740	603	629	658
A-4 Number of Property Parcels		73,643	41,025	30,359	22,716	53,285	267,306		144,844	88,647	
A-5 Total Taxable Value		3,532,923,580	1,695,232,717	904,121,206	673,221,302	2,528,541,825	22,967,939,408		6,934,119,488	3,287,482,406	
A-6 Total Budget General Fund		35,588,094	28,646,600	12,266,612	7,781,721	26,973,402	177,308,673		88,980,941	44,121,175	
A-7 Members on County Board	26	22	24	20	17	10	21	29	24	18	22
A-8 Board Meeting Time of Day	6:30 PM	7:30 PM	7:30 PM	7:00 PM	9:00 AM & 6:00 PM	9:00 AM & 6:00 PM	9:00 AM & 7:00 PM	5:00 PM	7:00 PM	6:30 p.m.	6:00 PM
A-9 Board Meetings per Month	1	1	1	1	2	2	2	1	1	1	1
A-10											
<b>Circuit Clerk</b>											
G-1 FY 2015	58,110	90,070	100,000	68,729	59,660	88,766	121,712	107,303	104,750	92,362	80,336
G-2 FY 2016	60,144	90,070	104,000	68,064	61,152	90,097	121,712	109,990	104,750	94,210	85,156
G-3 FY 2017		91,871	105,000		62,681	?		109,990	104,750		
G-4 FY 2018		93,709	106,000		62,248	?		112,190	104,750		
G-5 FY 2019		93,709	108,100			?		114,134	104,750		
G-6 FY 2020		93,709	110,300			?		116,772	104,750		
<b>County Clerk</b>											
H-1 FY 2015	58,110	88,372	91,250	67,462	59,660	88,766	121,712	107,303	109,466	92,362	73,011
H-2 FY 2016	60,144	90,139	91,250	66,772	61,152	90,097	121,712	109,990	109,466	94,210	77,391
H-3 FY 2017		91,942	92,200	68,107	62,681	93,025	124,755	109,990	109,466		
H-4 FY 2018		93,781	93,100	70,150	64,248	95,584	127,874	112,190	109,466		
H-5 FY 2019								114,134	109,466		
H-6 FY 2020								116,772	109,466		
<b>County Recorder</b>											
I-1 FY 2015	see County Clerk	86,328	see County Clerk	see County Clerk	see County Clerk	see County Clerk	121,712	see County Clerk	104,750	see County Clerk	see County Clerk
I-2 FY 2016		86,328					121,712		104,750		
I-3 FY 2017		88,055							104,750		
I-4 FY 2018		89,816							104,750		
I-5 FY 2019		89,816							104,750		
I-6 FY 2020		89,816							104,750		
<b>Coroner</b>											
J-1 FY 2015	Part Time 32,221	Full Time 86,328	Part Time 60,600	Part Time 25,277	Part Time 17,340	57,944	Full Time 121,712	Full Time 107,303	Full Time 104,750	Full Time 92,362	Full Time 68,230
J-2 FY 2016	32,221	86,328	63,000	25,656	17,687	57,944	121,712	109,990	104,750	94,210	69,594
J-3 FY 2017		88,055	63,600		18,000	?		109,990	104,750		
J-4 FY 2018		89,816	64,250	65,752	18,360	?		112,190	104,750		
J-5 FY 2019		89,816	65,500	67,724	18,722	?		114,134	104,750		
J-6 FY 2020		89,816	66,800		19,101	?		116,772	104,750		
<b>Treasurer</b>											
M-1 FY 2015	58,110	88,372	91,250	65,198	59,660	88,766	121,712	105,821	104,750	96,565	71,659
M-2 FY 2016	60,144	90,139	91,250	65,462	61,152	90,097	121,712	107,938	104,750	98,979	74,525
M-3 FY 2017		91,942	92,200	65,752	62,681	93,025	124,755	110,096	104,750	101,454	
M-4 FY 2018		93,781	93,100	67,724	64,248	95,584	127,874	112,298	104,750	103,990	
M-5 FY 2019									104,750		
M-6 FY 2020									104,750		

Grundy County: 1.50%- 2% anticipated  
 Sangamon County: 1.50%  
 JoDavies  
 Circuit Clerk current-\$78,613; Coroner and County Clerk \$76,696  
 Circuit Clerk set in FY 2015-FY 2018 with same ordinance with Clerk and Treasurer \$62,681 (FY 17) \$64,248 (FY18)



**Kendall County**  
**Office of Administrative Services**  
111 West Fox Street  
Yorkville, Illinois 60560

April 26, 2016

To: Administration HR Committee  
From: Jeff Wilkins, County Administrator

A handwritten signature in black ink, appearing to be "JW", is positioned to the right of the "From:" line.

Re: Coroner and Circuit Clerk Compensation

As the Committee determines the compensation for the Coroner and Circuit Clerk positions, attached you will find pertinent sections from the Illinois Constitution, Illinois Statutes and Illinois Attorney General Opinions applicable to setting the compensation of county elected officials.

**Circuit Clerks**

Included under the Judiciary Article in Illinois Constitution Article VI, Section 18  
705 ILCS 105/27.3 – see below – sets minimum salary for Circuit Court Clerk  
Attorney General Opinion S-864 – Fees and salaries Circuit Court Clerk  
Illinois Constitution Article VII, Section 9 (b)

1) Illinois Constitution - Judiciary Article VI, Section 18

SECTION 18. CLERKS OF COURTS

(a) The Supreme Court and the Appellate Court Judges of each Judicial District, respectively, shall appoint a clerk and other non-judicial officers for their Court or District.

(b) The General Assembly shall provide by law for the election, or for the appointment by Circuit Judges, of clerks and other non-judicial officers of the Circuit Courts and for their terms of office and removal for cause.

(c) The salaries of clerks and other non-judicial officers shall be as provided by law.  
(Source: Illinois Constitution.)

2) 705 ILCS 105/27.3 – see below – sets minimum salary for circuit court clerk

(705 ILCS 105/27.3) (from Ch. 25, par. 27.3)

Sec. 27.3. Compensation.

(a) The county board shall provide the compensation of Clerks of the Circuit Court, and the amount necessary for clerk hire, stationery, fuel and other expenses. Beginning December 1, 1989, the compensation per annum for Clerks of the Circuit Court shall be as follows:

In counties where the population is:

Less than	at least
14,000.....	\$13,500
14,001-	at least
30,000.....	\$14,500
30,001-	at least
60,000.....	\$15,000
60,001-	at least
100,000.....	\$15,000
100,001-	at least
200,000.....	\$16,500
200,001-	at least
300,000.....	\$18,000
300,001-	at least
3,000,000.....	\$20,000
Over	at least
3,000,000.....	\$55,000

(b) In counties in which the population is 3,000,000 or less, "base salary" is the compensation paid for each Clerk of the Circuit Court, respectively, before July 1, 1989.

(c) The Clerks of the Circuit Court, in counties in which the population is 3,000,000 or less, shall be compensated as follows:

(1) Beginning December 1, 1989, base salary plus at least 3% of base salary.

4) Illinois Constitution Article VII, Section 9 (b)

SECTION 9. SALARIES AND FEES

(a) Compensation of officers and employees and the office expenses of units of local government shall not be paid from fees collected. Fees may be collected as provided by law and by ordinance and shall be deposited upon receipt with the treasurer of the unit. Fees shall not be based upon funds disbursed or collected, nor upon the levy or extension of taxes.

(b) An increase or decrease in the salary of an elected officer of any unit of local government shall not take effect during the term for which that officer is elected.

(Source: Illinois Constitution.)

## Kendall County Elected Salaries

### Positions Elected 2008

<b>CIR. CLERK</b>	FY09	80,040	4.00%
	FY10	83,245	4.00%
	FY11	85,321	2.49%
	FY12	87,454	2.50%

<b>CORONER</b>	FY09	50,000	22.01%
	FY10	52,000	4.00%
	FY11	54,080	4.00%
	FY12	56,244	4.00%

### Positions Elected 2012

<b>CIR. CLERK</b>	FY13	87,454	0.00%
	FY14	87,454	0.00%
	FY15	88,766	1.50%
	FY16	90,097	1.50%

<b>CORONER</b>	FY13	57,088	1.50%
	FY14	57,944	1.50%
	FY15	57,944	0.00%
	FY16	57,944	0.00%

### Positions Elected 2010

<b>COUNTY CLERK</b>	FY11	85,321	2.55%
	FY12	87,454	2.50%
	FY13	87,454	0.00%
	FY14	87,454	0.00%

<b>TREASURER</b>	FY11	85,321	2.55%
	FY12	87,454	2.50%
	FY13	87,454	0.00%
	FY14	87,454	0.00%

<b>SHERIFF</b>	FY11	106,600	2.50%
	FY12	109,265	2.50%
	FY13	109,265	0.00%
	FY14	109,265	0.00%

### Positions Elected 2014

<b>COUNTY CLERK</b>	FY15	88,766	1.50%
	FY16	90,097	1.50%
	FY17	93,025	3.25%
	FY18	95,584	2.75%

<b>TREASURER</b>	FY15	88,766	1.50%
	FY16	90,097	1.50%
	FY17	93,025	3.25%
	FY18	95,584	2.75%

<b>SHERIFF</b>	FY15	110,904	1.50%
	FY16	112,568	1.50%
	FY17	116,226	3.25%
	FY18	119,422	2.75%

COUNTY OF KENDALL

RESOLUTION 2012- 20

**A RESOLUTION ESTABLISHING THE SALARY FOR  
THE KENDALL COUNTY CIRCUIT CLERK**

WHEREAS, 50 ILCS 145/2 requires the salary of elected officers for local governments to be established at least 180 days prior to the start of their term; and

WHEREAS, 55 ILCS 5/5-1010 requires the County Board to establish the salary of County officers prior to the election of the officers whose salary is being established; and

NOW, THEREFORE, BE IT RESOLVED that the annual salary for the elected County Circuit Clerk shall be as follows:

Effective December 1, 2012	\$ 87,454
Effective December 1, 2013	\$ 87,454
Effective December 1, 2014	\$ 88,786
Effective December 1, 2015	\$ 90,097

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit copies of this resolution to the County Board, County Circuit Clerk, County Coroner, and County Administrator.

Approved and adopted by the County Board of Kendall County, Illinois, this 1<sup>st</sup> day of May, 2012.

  
\_\_\_\_\_  
John Purcell, Chairman  
County Board

Attest:

  
\_\_\_\_\_  
Debbie Gillette  
County Clerk

COUNTY OF KENDALL

RESOLUTION 2012-\_\_\_\_\_

**A RESOLUTION ESTABLISHING THE SALARY FOR  
THE KENDALL COUNTY CORONER**

WHEREAS, 50 ILCS 145/2 requires the salary of elected officers for local governments to be established at least 180 days prior to the start of their term; and

WHEREAS, 55 ILCS 5/5-1010 requires the County Board to establish the salary of County officers prior to the election of the officers whose salary is being established; and

NOW, THEREFORE, BE IT RESOLVED that the annual salary for the elected County Coroner shall be as follows:

Effective December 1, 2012	\$57,088	
Effective December 1, 2013	\$57,944	1.5%
Effective December 1, 2014	\$57,944	0
Effective December 1, 2015	\$57,944	0

BE IT FURTHER RESOLVED that the County Clerk be directed to transmit copies of this resolution to the County Board, County Circuit Clerk, County Coroner, and County Administrator.

Approved and adopted by the County Board of Kendall County, Illinois, this \_\_\_\_\_ day of May, 2012.

\_\_\_\_\_  
John Purcell, Chairman  
County Board

Attest:

\_\_\_\_\_  
Debbie Gillette  
County Clerk



ORDINANCE 2014- 4

Section 2: The salary for the elected official position of County Sheriff shall be set as follows:

- A. The salary for FY2015 is \$65,498 effective December 1, 2014;
- B. The salary for FY2016 is \$67,136 effective December 1, 2015;
- C. The salary for FY2017 is \$68,814 effective December 1, 2016;
- D. The salary for FY2018 is \$70,534 effective December 1, 2017.

PRESENTED, PASSED, APPROVED AND ADOPTED by the Jo Daviess County Board on this 13<sup>th</sup> day of May, 2014.

Ayes: 14  
Absent: 3

Nays: 0  
Abstained: 0

Ron Smith  
Ron Smith, Chairperson  
Jo Daviess County Board

Attest: Jean Dimke  
Jean Dimke  
Jo Daviess County Clerk



**WILLIAM J. SCOTT**  
ATTORNEY GENERAL  
STATE OF ILLINOIS  
500 SOUTH SECOND STREET  
SPRINGFIELD  
62708

February 4, 1975

FILE NO. S-864

**COUNTIES:**  
**Fees and Salaries of**  
**Circuit Court Clerk**

Honorable Dale A. Allison, Jr.  
State's Attorney, Wabash County  
One Twenty East Fourth Street  
Mt. Carmel, Illinois 62853

Dear Mr. Allison:

I have received your letter wherein you state in part:

"The County Board of Wabash County has requested that I seek your opinion concerning the effect of Senate Bill 1240 on the salary of the Circuit Clerk of Wabash County.

On November 27, 1974, the Governor signed the Senate Bill 1240 which was to take effect immediately which changed the minimum salary for Wabash County public officials from \$8500 to \$12000. At the present time the salary of the Circuit Clerk of Wabash County is \$11000. \* \* \*

Here in Wabash County we had a special election because of the death of our Circuit Clerk which

Honorable Dale A. Allison, Jr. - 2.

resulted in a new Circuit Clerk taking office December 2, 1974. Because of the enactment of Senate Bill 1240 she requested that her salary be adjusted to at least reflect the minimum allowed for a Circuit Clerk in a county of our size being \$12000. Since the county Board had not increased the salary of the Circuit Clerk the questions from the county Board are two. One, does the enactment of Senate Bill 1240 and its signing into law make mandatory on Wabash County the adjustment of the salary of the Circuit Clerk to reflect at least the minimum salary allowed for a county the size of Wabash County? Two, if that be the case would that adjustment in salary begin on December 2, 1974, the date of the taking of office of the new Circuit Clerk of Wabash County?"

Section 1 of "AN ACT in relation to the compensation of Sheriffs, Coroners, County Treasurers, County Clerks, Clerks of the Circuit Court, Recorders and Auditors with their necessary clerk hire, stationery, fuel and other expenses, in counties of less than 1,000,000 inhabitants" (Ill. Rev. Stat. 1973, ch. 53, par. 37a.), grants the Wabash County Board the statutory power to set the salary of the clerk of the circuit court. Prior to November 27, 1974, section 1 read in part as follows:

"The County Board, in all counties of less than 1,000,000 inhabitants, shall fix the compensation of Sheriffs, Coroners, County Treasurers, County Clerks, Clerks of the Circuit Court,

Honorable Dale A. Allison, Jr. - 3.

Recorders and Auditors, \* \* \* and such compensation \* \* \* shall be fixed within the following limits:

To each such officer in counties containing less than 14,000 inhabitants, not less than \$8,500 per annum and not more than \$15,500 per annum.

\* \* \*

Section 1 was amended by Senate Bill 1240 (P.A. 78-1251).

This amendment raised the minimum salary payable to the clerk of the circuit court to \$12,000 per annum. Senate Bill 1240 was passed by the General Assembly on November 22, 1974 and signed by the Governor on November 27, 1974. The Bill was to take effect immediately.

The various counties of the State of Illinois have only the express powers granted to them by the Constitution or by law plus those powers which are necessarily implied to carry out such expressed powers. (Ill. Const., art. VII, sec. 7; Heidenreich v. Honske, 26 Ill. 2d 360.) Therefore, the County Board of Wabash County may only set the salary of the circuit court clerk within the amounts contemplated by statute, that is, between \$12,000 per annum and \$15,500 per annum.

I have previously held that a circuit court clerk is not an officer of a unit of local government, but rather is a

Honorable Dale A. Allison, Jr. - 4.

non-judicial officer of the judicial branch of State government. (Op. Atty. Gen. S-659, October 26, 1973.) As a result, the provisions of section 9(b) of article VII of the Illinois Constitution which prohibit an increase or decrease in the salary of an elected officer of any unit of local government during the term for which that officer is elected is not applicable to the clerk of the circuit court.

Therefore, in answer to your first question I am of the opinion that the County Board of Wabash County must comply with the statutory directive of the legislature and provide for a salary of no less than \$12,000 per annum for the clerk of the circuit court. Since your clerk took office on December 2, 1974, after the raise in salary became effective, she is entitled to the increased salary as of that date.

Very truly yours,

ATTORNEY GENERAL

JO DAVIESS COUNTY, ILLINOIS

**ORDINANCE ESTABLISHING SALARIES OF ELECTED OFFICIALS  
COUNTY CLERK AND RECORDER, COUNTY TREASURER, COUNTY  
SHERIFF, AND CLERK OF THE CIRCUIT CLERK**

WHEREAS, the Jo Daviess County Board is statutorily required to determine the amount of compensation for the offices of County Clerk and Recorder and County Treasurer (55 ILCS 5/4-6001) and County Sheriff (55 ILCS 5/4-6003) and to do so without regard to awards or stipends from State funds for this office, and;

WHEREAS, the Jo Daviess County Board is required per (50 ILCS 145/2) to fix the compensation of certain elected County officials including the County Clerk and Recorder, County Treasurer, and County Sheriff at least 180 days before the beginning of the terms of the officers whose compensation is to be fixed, and;

WHEREAS, the Jo Daviess County Board is required to fix the salary for each year of the 4-year term of the elected officials listed above, and;

WHEREAS, the Jo Daviess County Board historically fixes the compensation of the Clerk of the Circuit Court, as allowed in Attorney General Opinion number S-864, at the same time as the County Clerk and Recorder, County Treasurer, and County Sheriff, and;

WHEREAS, the Jo Daviess County Board must balance its duty to fairly and adequately compensate all elected officials including the County Clerk and Recorder, County Treasurer, County Sheriff, and the Clerk of the Circuit Court with its duty to protect the public's tax dollars and provide County services effectively and efficiently, and;

WHEREAS, the FY2014 salary of the County Clerk and Recorder is \$58,205, the County Treasurer is \$58,205, the Clerk of the Circuit Court is \$58,205 and the County Sheriff is \$63,900, and;

WHEREAS, the Jo Daviess County Board wishes to increase the annual salary of the County Clerk and Recorder, County Treasurer, the Clerk of the Circuit Court, and the County Sheriff by an amount equal to 2.5% each year, for 4 years beginning FY2015, FY2016, FY2017, and ending FY2018.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF JO DAVIESS COUNTY, ILLINOIS, THAT:**

Section 1: The salaries for the elected official positions of County Clerk and Recorder, County Treasurer, and the Clerk of the Circuit Court shall be set as follows:

- A. The salary for FY2015 is \$59,660 effective December 1, 2014;
- B. The salary for FY2016 is \$61,152 effective December 1, 2015;
- C. The salary for FY2017 is \$62,681 effective December 1, 2016;
- D. The salary for FY2018 is \$64,248 effective December 1, 2017.