

ARTICLE I – QUINCY AND ADAMS COUNTY 9-1-1 COMMUNICATIONS SYSTEMS GOVERNING BOARD

4-1-1 FORMATION OF SYSTEM. For the purpose of acquiring, constructing, owning, operating and maintaining a centralized emergency answering system, there is hereby created a Public Communications Systems know as the Quincy and Adams County 9-1-1 Communications System.

4-1-2 AREA OF SERVICE. The operating area of the Quincy and Adams County 9-1-1 Communications System shall be the entire Adams County area.

4-1-3 GOVERNING BOARD.

(A) **General.** The powers of the Quincy and Adams County 9-1-1 Communications System shall repose in and be exercised by a Governing Board of **eleven members (11)**, each a member having, **one (1)** vote on all issues.

(B) **Method of Selection.** **Three (3)** members; shall be appointed by the Adams County Board from its members by the chairman of the County Board. **Three (3)** members shall be appointed from the City Council by the Mayor. The chairman of the Adams County Board shall appoint a person, not a member of a member of the Adams County Board, as a representative of the Adams County Ambulance Service. The Adams County Sheriff, the Quincy Police Chief, and the Quincy Fire Chief shall be members of the Governing Board by virtue of their respective offices. The eleventh member shall be elected by all of the other members at their first meeting. This member shall be the secretary of the Rural Fire Department Association.

(C) **Terms of Office.** The initial term of all appointed members shall be **three years (3)** except for the members of the County Board and City Council. These members so appointed shall hold office of 1 year, 2 years, and 3 years. The County Board members and the City Council members shall decide by lot the length of their initial terms. Reappointments shall be made in the manner of the original appointments except no appointed member shall serve more than **two (2)** consecutive terms. Vacancies for unexpired terms shall be filled in the same manner as the original appointments. All terms after the initial terms shall be for three years.

(D) Governing Board members shall receive no compensation for their service, but shall be entitled to the necessary expenses including traveling expenses incurred in the discharge of their duties.

(E) **Operating Procedure.** A majority of board members holding office shall constitute a quorum of the board for purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the board upon a vote of the

majority of the members present, unless in any case the by-laws of the board shall require a larger number. The board shall elect a chairman and a vice-chairman among its members.

(F) **Removal.** An appointed board member may be removed by the body which appointed him, but a member may be removed only for cause after being given a copy of the charges against him or her at least **ten (10)** days prior to a hearing thereon conducted by that body and being given an opportunity to be heard in person or by counsel. For purposes of this subsection, "cause" shall mean some substantial shortcoming which renders a member's continuance in office in some way detrimental to the board and which law and sound public opinion recognize as good cause for the member to no longer hold office. In the event of the removal of any member, record of the proceedings, together with the charges and finding thereon, shall be filed in the office of the clerk of the body which appointed said member.

(G) **Officers and Employees.** The board may employ a managing director of the system and may employ dispatchers and such other officers, agents and employees, permanent and temporary, as it may require, and shall fix and determine their qualifications, duties and compensation. For such legal services as it may require, the board may secure the services of any attorney licensed by the State of Illinois. The board may delegate to one or more of its agents or employees such powers and duties as it may deem proper.

4-1-4 POWERS OF BOARD.

(A) **General.** The board members may establish or acquire any or all manner of facilities necessary to answer emergency calls under a 9-1-1 system.

(B) The board members of the system shall have the following powers in addition to and not in derogation of any others granted in this ordinance:

- (1) To sue and be sued;
- (2) To make and execute any and all contracts and other instruments necessary or convenient in the exercise of its powers;
- (3) To make, amend, and repeal by laws, rules and regulations not inconsistent with this ordinance;
- (4) To sell, transfer, dispose of, or purchase any property or interest therein at any time upon such terms and conditions as it may determine with public bidding where required by law;
- (5) To invest funds, not required for immediate disbursement in property or securities legal for investment of funds controlled by savings banks;
- (6) To apply for, accept and use grants, gifts, or other financial assistance from any source with the consent of the corporate authorities of the City of Quincy and Adams County, to borrow money from the United States Government or any agency thereof or from any other source for the purposes of the system;

- (7) Such other powers as may be subsequently given by the City of Quincy and County of Adams.

4-1-5 FUNDING OF SYSTEM. All funding for all set up costs and all operations shall be paid by the City of Quincy and County of Adams with City paying 60% of all costs and the County paying 40% of all costs.

4-1-6 EXEMPTION FROM TAXATION. The system shall be exempt from all county and municipal taxes and registration and license fees; the system shall be exempt from all State taxes and registration and license fees to the extent allowable by law. All property of the system is declared to be public property devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of the State or by any subdivision thereof to the extent allowable by law.

4-1-7 ANNUAL BUDGET. The members of the governing board shall pass and approve an annual budget and shall submit said budget to the County Board and City Council in sufficient time before said authorities adopt their respective budget, so that necessary amounts may be included in the budgets of the corporate authorities.

4-1-8 AMENDMENTS. This ordinance may be amended from time to time only by an ordinance passed by both the County Board and City Council with the same number of votes being necessary for passage as in other ordinances passed by the respective corporate body.

4-1-9 INTERGOVERNMENTAL AGREEMENT WITH QUINCY. The 9-1-1 agreement with the City of Quincy is included as part of this article and is found in **Exhibit "A"**. (ord. #2006-04-001-002)

ARTICLE II – Mental Health Board (708)

4-2-1 **ESTABLISHED.** There is hereby established by the County Board, a Community Mental Health Funding Board in accordance with **Chapter 405 Sec. 20 et seq.** of the **Illinois Compiled Statutes** and shall be hereinafter referred to as the 708 Board.

4-2-2 **COMPOSITION.** The membership of this Board shall consist of **seven (7) members** appointed by the Chairman of the County Board, subject to the approval of the County Board.

Ordinarily, there shall be one Board member from each of the following groups: County Board of Commissioners, Adams Council for the Handicapped, Medical Society, and the Public Health Department. When appointments to the Board are made, every effort should be made to make the Board representative of the County looking to all criteria such as geography and occupation. **(405 ILCS 20/3a)**

4-2-3 **TERM OF OFFICE.** The members shall serve for a period of **four (4) years.** Appointments shall be effective **June 1st** of each year. **(405 ILCS Sec. 20/3b)**

4-2-4 **ABSENTEEISM.** Any member of the 708 Board deemed guilty of absenteeism, neglect of duty, misconduct or malfeasance in office, by a vote of the majority of the 708 Board and after being given a written statement of charges and an opportunity to be heard thereon within **thirty (30) days** of notification, may be removed by the appointing officer. The Chairman of the 708 Board, upon the recommendation of the Board, may then recommend that the Chairman of the County Board appoint a new member to serve the unexpired term of the recalled member. Absenteeism in this instance shall consist of non-attendance at **three (3)** consecutive Board meetings without legitimate excuse (illness, vacation, out of community). **(405 ILCS Sec. 20/3c)**

4-2-5 **EXPENSES.** The expenses incurred by the 708 Board in the performance of duties imposed upon it or its members may be a charge on the governmental unit and shall be paid out of the "708 Community Mental Health Fund". No member shall receive payment, except expenses for service on the Board. **(405 ILCS Sec. 20/3d)**

4-2-6 **OFFICERS ELECTED.** The officers of the 708 Board shall be a Chairman, Vice-chairman, Secretary and Treasurer elected by the membership of the Board.

Officers shall be elected for a full term of **one (1) year**, and shall be elected at the June meeting.

4-2-7 DUTIES OF OFFICERS.

(A) **Chairman.** The Chairman shall preside at all meetings of the Board. The Chairman shall be an ex-officio member of all committees and cosigns checks with Treasurer.

(B) **Vice-Chairman.** The Vice-Chairman shall in the absence or incapacity of the Chairman exercise the powers and perform the duties of the Chairman.

(C) **Secretary.** The Secretary or a designated representative shall record the Minutes of all meetings of the 708 Board and shall forward to each member of the Board a copy of the Minutes of the meeting, together with a notification of the next meeting. The Secretary shall put a notice on the bulletin board in the courthouse to notify the public of Board meetings. No release shall be given in the name of the Board to news media without prior approval of the Chairman. The Secretary will keep a compilation of all official minutes of the Board and Board committees which will be considered a public record.

(D) **Treasurer.** The Treasurer shall oversee the finances of the 708 Board. The Treasurer will be an ex-officio member of all financial committees. The Treasurer will keep books, make financial reports at Board meetings, draw up the Board proposed "Statement of Community Mental Health Fund Tax Levy" and "Appropriation Resolution", and cosign checks with the Chairman. The Treasurer will see to it that there is an annual budget submitted at least **thirty (30) days** prior to the start of the fiscal year and see to it that the annual budget is published in the County by newspaper prior to the annual meeting. The Treasurer will make available within **sixty (60) days** after the end of the fiscal year for free distribution an annual report showing the condition of the trust, such as income and expense reports. The Treasurer will develop a plan of investment of unexpended funds so that there will be maximum accrual of interest and so that all banks and financial institutions in the County will have equal access to having these funds invested in their institution. The Treasurer will see to it that the Adams County Treasurer makes available to the 708 Board any and all funds collected by the Assessor as soon as they are collected.

4-2-8 MEETINGS.

(A) **Regular Meetings.** The 708 Board shall hold regular meetings at a time and place to be determined by the Chairman of the Board. Meetings must be held at least quarterly. The annual meeting of the Board shall be held in July of each year. All official meetings of the Board shall be open to the public. Members shall not act in the name of the Board without the approval of the Board through the Chairman.

(B) **Special Meetings.** Special meetings may be called upon written request signed by **two (2) members** and filed with the Secretary.

(C) **Quorum.** A quorum shall consist of **four (4)** voting members. The Chairman shall be a voting member.

(D) **Passage or Approval.** Any proposition, in order to be approved, must receive a majority vote of those present.

(E) **Robert's Rules of Order.** The meetings of the Board shall be conducted according to Robert's Rules of Order.

4-2-9 FISCAL YEAR. The fiscal year shall be considered to be from **July 1 to June 30** of the following year.

4-2-10 POWERS AND DUTIES. The Board in consultation with and being advised by the Department of Mental Health, shall have the power to construct, repair, operate, maintain, and regulate community mental health facilities to provide mental health services, including services for the mentally retarded, for residents of Adams County and/or to contract therefor with any private or public entity which provided such facilities and services.

The Board shall have the power to:

- (A) Review and evaluate community mental health services and facilities.
- (B) Provide Comprehensive Mental Health planning which would ordinarily develop **twelve (12) month** or **five (5) year** plans.
- (C) Review and make recommendations on all grant applications to State Department of Mental Health and Developmental Disabilities.
- (D) Enter into contracts for rendition or operation of services and facilities.
- (E) Make rules and regulations concerning the rendition and/or operations of services and facilities funded by the 708 Board.
- (F) Employ such personnel as may be necessary to carry out the purposes and to prescribe the duties of such personnel.
- (G) To educate the public on mental health.
- (H) To perform such other acts as may be necessary or proper to carry out the purposes of the Board consistent with the regulations of the Community Health Act.
- (I) Own, sell, rent, lease or purchase real property for purposes consistent with this Act.

4-2-11 COMMITTEES. The Chairman of the 708 Board may create and dissolve committees as required and prescribe their powers and responsibilities. The Chairman shall appoint committee members provided, however, that no appointment goes into effect if the 708 Board by majority vote opposes the appointment. Non-Board members may serve on any and all Board committees. Ordinarily Board committees will be appointed to time-limited tasks and will disband when the task is complete.

4-2-12 AMENDMENTS. These By-Laws may be amended at any regular meeting by a **two-thirds (2/3) vote**, provided at least **four (4) members** of the Board approve the recommended changes, proposed changes shall have been read at least at one prior meeting.

4-2-13 ANNUAL BUDGET AND REPORT. The Board shall annually prepare and submit to the appointing officer and governing board:

(A) An annual budget showing the estimated receipts and intended disbursements pursuant to this Article, for the fiscal year immediately following the date the budget is submitted, which date must be at least **thirty (30) days** prior to the fiscal year.

(B) An annual report detailing the income received and disbursements made pursuant to this Article during the fiscal year, just preceding the date the annual report is submitted, which date must be within **sixty (60) days** of the close of the fiscal year. **(405 ILCS Sec. 20/3f)**

4-2-14 TAX LEVY - COMMUNITY MENTAL HEALTH FUND. In order to supply the necessary funds or to supplement existing funds for such community mental health facilities and services, including facilities and services for the mentally retarded, the County Board may levy an annual tax of not to exceed **.10%** percent upon all taxable property in the County. Such tax, when collected, shall be paid into a special fund to be designated as the "Community Mental Health Fund". The funds shall be used only for purposes specified in this Article and pursuant to the provisions of the Community Mental Health Act. **(405 ILCS Sec. 20)**

ARTICLE III – Public Health Board

4-3-1 BOARD ESTABLISHED. There is hereby established a Public Health Board for the County of Adams in accordance with State Statute and shall be known as the **Adams County Board of Health**, hereinafter referred to as the **Board**.

4-3-2 SERVICE AREA. Public health services shall be provided for all areas in Adams County.

4-3-3 BOARD MEMBERSHIP; TERM. The Chairman of the County Board shall, with the advice and consent of the County Board, appoint a Board of Health consisting of **eight (8) members** as follows: **two (2) physicians, one (1) dentist, one (1) nurse, three (3) at large** and **one (1) County Board member**. The term of office of each member of the Board shall be for **three (3) years**. The term of office of original appointees shall begin on **July 1** following their appointment, and the term of all members shall continue until their successors are appointed. Vacancies shall be filled for the unexpired time in a similar manner as original appointments. **(55 ILCS 5/5-25012)**

4-3-4 POWERS AND DUTIES. The Board in consultation with and being advised by the Department of Public Health, shall have the power to construct, repair, operate, maintain, and regulate health facilities to provide health services for residents of Adams County and/or to contract therefore with any private or public entity which provided such facilities and services.

The Board shall have the power to:

- (A) Review and evaluate health services and facilities.
- (B) Submit to the appointing officer and governing body a program of health services and facilities.
- (C) Within amounts appropriated therefor, execute such program and maintain such services and facilities as may be authorized under such appropriations, including amounts appropriated under bond issues, if any.
- (D) Enter into contracts for rendition or operation of services and facilities on a per-capita basis or otherwise.
- (E) Arrange for the rendition of services and operation of facilities by other agencies of the governmental unit or county in which the governmental unit is located with the approval of the governing body.

(F) Make rules and regulations concerning the rendition or operation of services and facilities under its direction and supervision.

(G) Employ such personnel as may be necessary to carry out the purposes of an act relating to health facilities and services and prescribe the duties of such personnel.

(H) To perform such other acts as may be necessary or proper to carry out the purposes of the acts consistent with the regulations of the Director of the Department of Public Health. **(55 ILCS 5/5-25013)**

4-3-5 ANNUAL BUDGET AND REPORT. The Board shall annually prepare and submit to the appointing officer and governing board:

(A) An annual budget showing the estimated receipts and intended disbursements pursuant to this Article, for the fiscal year immediately following the date the budget is submitted, which date must be at least **thirty (30) days** prior to the fiscal year.

(B) An annual report detailing the income received and disbursements made pursuant to this Article during the fiscal year, just preceding the date the annual report is submitted, which date must be within **thirty (30) days** of the close of the fiscal year.

(C) The annual report must be published within **thirty (30) days** from the date it is submitted and approved and the budget and report shall be made available for public inspection.

4-3-6 TAX LEVY – COUNTY HEALTH FUND; USE OF FUNDS. In order to supply the necessary funds or to supplement existing funds for such health facilities and services, the Board may request to levy an annual tax of not to exceed **.10%** upon all taxable property in Adams County with the consent and approval of the County Board. Such tax, when collected, shall be paid into a special fund in the Adams County Treasury to be designated as the "Health Fund". Said funds shall be used only for the purposes specified in this Article and pursuant to the Public Health Act. **(55 ILCS 5/5-25010)**

4-3-7 MEETINGS. The Board shall prescribe the time and places of the regular scheduled Board meetings and the manner in which special Board meetings may be called. It shall sit upon open doors and shall keep a journal of its own proceedings which shall be made available for public inspection.

4-3-8 EXPENSES OF BOARD MEMBERS – PAYMENT. The expenses incurred by the Board in the performance of duties imposed upon it or its members shall be paid out of the Health Fund.

4-3-9 **REMOVAL.** Any member of the Board may be removed by the appointing officer for neglect of duty, misconduct or malfeasance in office after being given a written statement of the charges and an opportunity to be heard thereon. **(55 ILCS 5/5-25012)**

4-3-10 **COORDINATION.** In order to provide the broadest possible health program within the County, the Board shall work with all outside groups providing such services to help coordinate all programs and increase the services available to County residents and prevent duplication of programs, except where necessary. **(55 ILCS 5/5-25001)**

ARTICLE IV – Sheriff’s Merit Commission

DIVISION I – ESTABLISHMENT AND ADMINISTRATION

4-4-1 PURPOSE AND ESTABLISHMENT OF A MERIT COMMISSION. The County Board hereby provides for all deputies, other than special deputies, employed on a full-time basis in the office of the Sheriff to be appointed, promoted, disciplined and discharged pursuant to recognized merit principles of public employment and for such employees to be compensated according to a standard pay plan approved by the County Board.

A deputy under this Article defined as such Commissioned Deputy Sheriffs who are engaged in patrol, law enforcement and criminal investigation duties and responsibilities of the County Sheriff’s Office.

There is hereby established the Adams County Sheriff’s Department Merit Commission. **(See 55 ILCS 5/3-8002)**

4-4-2 TENURE, ELIGIBILITY AND ORGANIZATION. The Commission shall consist of **five (5) members** appointed for terms of **six (6) years** each, except as hereinafter provided and shall be appointed by the Sheriff with the approval of a majority of the members of the County Board.

No more than **three (3)** of the members appointed shall be from the same political party. No member shall hold a statutory partisan political office.

The members of the Merit Commission shall meet and shall select a Chairman, Vice Chairman and a Secretary from its members who shall serve for a term of **two (2) years** or for the remainder of their term of office as a member of the Commission, whichever is shorter.

Three (3) members of the Merit Commission shall constitute a quorum for the transaction of business.

Meetings of the Merit Commission shall be held upon call of the Chairman or upon the call of any **two (2)** of the members.

The Merit Commission shall keep and maintain a record of its meetings and the business conducted therein. **(See 55 ILCS 5/3-8003)**

4-4-3 COMMISSION AUTHORITY AND RESPONSIBILITY. The Merit Commission shall have the authority and responsibility to promulgate rules, regulations and procedures for the operation of the Merit System and shall administer the Merit System.

All rules and regulations shall be submitted to and be approved by the County Board before becoming effective.

4-4-4 COMPENSATION AND EXPENSES. The members of the Merit Commission shall receive such compensation for their services and reimbursement for expenses incurred as provided.

The annual appropriation of the County of Adams, which is subject to the approval of the County Board, shall hereinafter determine and provide for such sum or sums of money to be expended for per diem compensation for members of the Commission and shall also provide for such sums of money necessary for reimbursement of reasonable and necessary expenses. **(See 55 ILCS Sec. 5/3-8006)**

4-4-5 STAFF ASSISTANTS. The Merit Commission is authorized to employ such technical, secretarial and clerical assistants as may be necessary to transact its business and to fix their compensation and reimbursement for expenses incurred, subject to approval of the County Board through the annual appropriation.

4-4-6 APPEAL. The provisions of **735 ILCS Sec. 5/3-101** and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of any order of the Merit Commission.

4-4-7 VACANCIES. Future vacancies on the Commission shall be filled in accordance with **55 ILCS Sec. 5/3-8003.**

4-4-8 - 4-4-11 RESERVED.

ARTICLE IV – Sheriff’s Merit Commission

DIVISION II – ADMINISTRATION

4-4-12 ADMINISTRATION.

(A) **Organization of the Commission.** The officers of the Merit Commission shall be: chairman, vice-chairman, and secretary. All officers shall be elected by a simple majority vote of the Merit Commission. The term of the office of said officers shall be **two (2) years** or until the term of officer as a member of the commission shall expire, whichever period is shorter. The chairman shall preside at all meetings and shall perform all duties required of him by these rules, regulations and procedures. The vice-chairman shall preside at meetings in the absence or disability of the chairman. The secretary shall keep the minutes and records of the commission.

(B) **Office and Staff.** The commission shall maintain an office in Quincy, Illinois, where its staff, assistants and clerks shall function and where its files and records shall be maintained.

(C) **Meetings.** Regular meetings of the commission shall be held quarterly at its office. Other meetings may be called as necessary by the chairman or upon the call of **two (2) members** of the commission. The chairman must notify each of the commission members specifying the time and place of such meetings at least **three (3) days** prior to the meeting. Commission meetings shall be conducted under **“Robert’s Rules of Order”**.

(D) **Quorum.** At meetings, **three (3) members** of the commission shall normally constitute a quorum and shall conduct the business of the commission.

(E) **Voting.** On all matters brought before the commission, the concurrence of at least **three (3) members** of the commission shall be necessary for a decision and the action of such a majority shall be the act of the commission.

(F) **Minutes and Records.** The commission shall:

- (1) Maintain such personnel records and files as are necessary to execute its responsibilities. These records and files shall be confidential, except that any members of the Sheriff’s Department shall be permitted on request to examine his/her graded written examinations and efficiency reports and except that where practical, an unsuccessful applicant shall be informed of the reason for his/her rejection upon written request for such information. All of the foregoing subject to **820 ILCS 40/0.01**, Personnel Records Review Act.
- (2) Keep and maintain the minutes of all meetings and report the decisions rendered to appropriate parties.
- (3) Carefully compile and maintain a transcript of all disciplinary proceedings.

(4) Keep and maintain all other records and files necessary for the proper administration and operation of the commission's business including any information required for compliance with the requests of the Adams County Board for reports of activity.

(G) **Changes in Rules, Regulations and Procedures.** Changes in rules, regulations and procedures may only be approved by the favorable vote of **three (3)** commission members.

(H) **Inspections.** At the request of the Sheriff or at its own discretion, the commission may inspect and investigate those phases of the Sheriff's Office's Personnel Management Program, which are within its purview. The commission may report on its findings to the County Board.

DIVISION III – RANKS

4-4-13 RANKS.

(A) **Ranks.** For the purposes of the administration and operation of the Adams County Sheriff's Department, the ranks in the Sheriff's Office in descending order of command are as follows: Sheriff, Chief Deputy, Captain and Sergeant.

(B) **Positions and Assignments.** The rank of Chief Deputy is considered a position, rather than an assignment and persons meeting the requirements of the qualification and appointment procedures stated elsewhere in these rules, regulations and procedures can attain tenure in this position. The Sheriff, if elected from the ranks of tenured personnel, is considered to be on assignment. When an individual is removed from this assignment, he reverts back to his tenured position and rank.

DIVISION IV– CERTIFICATION AND PROMOTIONS

4-4-14 COMMISSION RESPONSIBILITIES. The commission shall make certifications for promotion on the basis of seniority, written and oral examination. Examinations for promotion will be given at the request of the Sheriff.

4-4-15 ELIGIBILITY. Candidates will be eligible to take the promotional examination only after the rank immediately above the candidate's permanent rank. In addition:

(A) They shall have served in the department for at least **one (1) year** from the date of their employment including the probationary period.

(B) They shall be considered for promotion only after serving the required minimum on **one (1) year** in their permanent rank.

(C) Deputies on leave of absence at the time the promotional screening process is initiated are not eligible. The process is initiated when the deadline for responding to the examination announcement has passed.

(D) Persons who have served with another sheriff’s office, a police department, or any other law enforcement agency may receive an initial appointment to a rank above the lowest.

4-4-16 PROCEDURES.

(A) The Commission will provide each eligible officer with official notification announcing the examination and requesting a response, respecting the officer’s intention to participate.

(B) Candidates for promotion must complete examinations for promotion at the time designated by the Commission. No exceptions will be allowed.

(C) Such candidates must have taken the most recent examination offered by the Commission to be eligible for certification for promotion. All candidates taking the examination for each rank will be advised of their total promotional score and standing.

FACTORS	SGT.	CAPT.
Written Examination	50	50
Oral Examination	45	45
Seniority in Rank	05	05

(D) The Commission will certify to the Sheriff the top three or fifty percent (50%), whichever is greater, of those deputies and/or sergeants participating in the total promotional process.

(E) The top three candidates or fifty percent (50%), whichever is greater, on the certification lists for the ranks of Sergeant or Captain are equally eligible for promotion by the Sheriff; however, in the event of a tie, all candidates obtaining such score shall be equally eligible for promotional consideration. The Sheriff may promote accordingly any one of the eligible candidates in accordance with recognized guidelines for promotion at any time the lists are in effect.

(1) As promotions are accepted or waived, that candidate with the next highest total promotional score on the list becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration.

(2) Eligible candidates on the certification list may decline an offer of promotion without losing position on the certification list. In the event of

declination, that candidate with the next highest total promotional score becomes equally eligible for promotion; however, in the event of a tie, all candidates obtaining such score shall be equally eligible for promotional consideration.

(F) Upon written notification from the department to the Commission that a candidate on the certification list has been suspended or is on leave of absence, the Commission will remove the candidate's name from the certification list.

(G) The certification list shall remain in force until the new certification list has been established; however, in the event that a certification list becomes exhausted, the Sheriff may file a written request with the Commission asking for the certification of additional names on any one list.

4-4-17 PROMOTIONAL PROBATIONARY PERIOD. All promotions shall be for a probationary period of **one (1) year** during which time the Sheriff may return the deputy to the deputy's prior rank. The Sheriff shall give all rejections of eligible candidates to the Merit Commission in writing.

DIVISION V – APPOINTMENT TO DEPARTMENT

4-4-18 APPOINTMENT TO THE DEPARTMENT. Deputy Sheriff or Correctional Officer to the Sheriff's Department, in addition to meeting the standards prescribed by the Illinois Compiled Statutes concerning Deputy Sheriffs or Correctional Officers must:

(A) Be a citizen of the United States and be a physical resident of the County of Adams **thirty (30) days** within date of hire.

(B) Be no younger than 21 years of age.

(C) Be a high school graduate or have a certification of equivalency.

(D) Possess a valid driver's license.

(E) Must pass a physical examination by a doctor acceptable to the Adams County Medical Association, if required.

(F) Meet such other mental, medical and physical standards as may be prescribed by the Merit Commission (**820 ILCS 235/0.01**). Physical agility tests may or may not be required for Correction Officers.

(G) Be acceptable to the commission following a review of background, reputation and character.

- (H) Be acceptable to the commission after oral interview.
- (I) Be adjudged as qualified by the commission and placed on a list of qualified applicants.
- (J) Be appointed from the qualified list by the Sheriff when a vacancy or vacancies exists.
- (K) Serve successfully a **one (1) year probationary period**, during which time he/she is subject to removal by the Sheriff. The commission shall be notified by the Sheriff in writing of the appointee's removal.
- (L) Any applicant have served a minimum of two years of active military service, having received an honorable discharge, as evidenced by a DD214, shall receive an additional **(5) five points** to his/her written test score.

4-4-19 **CERTIFICATE OF TENURE.** After successfully completing the entire process, the commission shall certify the Deputy Sheriff or Correctional Office as possessing tenure.

4-4-20 **APPOINTMENT PROCEDURE.** The responsibilities of the Merit Commission include:

- (A) Preparing a list of all qualified candidates at the completing of each entry screening process. These lists will be maintained for **one (1) year** or until the list is exhausted, whichever is shorter. Tests will be held each year or as often as necessary.
- (B) Notifying all qualified candidates of their acceptability and that they are being placed on the qualified list.
- (C) Within **fifteen (15) days**, any qualified candidate who declines to accept an appointment will be replaced for said for said appointment by another qualified candidate. A refusal to accept an appointment constitutes grounds for removal from the qualified list.
- (D) Each candidate must attend and successfully complete the Police Training Institute course and State certification test if required.
- (E) The Merit Commission may exempt from one or more of the minimum requirements for appointment to the certified eligibility list, an applicant who is currently serving as a certified full time officer at another sheriff's office, police department, or any other law enforcement agency.

DIVISION VI – OTHER PERSONAL TRANSACTIONS

4-4-21 **LEAVE OF ABSENCE.** Leaves of absence without pay may be granted to any member of the Sheriff's Department covered by the merit system irrespective of rank. The leave shall be from the position and rank that he holds at the time the leave is granted. Such leave may be granted whether the officer has or has not completed his probationary period. All leaves of absence, except for requested military and government service, shall be for **one (1) year** or less, with the privilege of requesting a new leave at the expiration of the first. The Sheriff, with the approval of the commission, shall grant leaves of absence. An officer on leave of absence who accepts a position other than that for which the leave is granted, without written approval of the Sheriff, and the commission, shall be deemed to have resigned. An officer who fails to return to his position following the granted leave, or to request and be granted a new leave of absence on or before the expiration date of his first leave, shall also be deemed to have resigned. The Sheriff and the commission are the sole judge of the appropriateness of the reasons and purposes for which the leave is requested and they alone shall establish the conditions for approval of such a request.

4-4-22 **RESIGNATIONS.** Any member covered by the Merit System who resigns from the Sheriff's Department for any reason may not be reinstated.

4-4-23 **REINSTATEMENT.** Should a former member desire to again affiliate himself under the Merit System with the Sheriff's Department, he must once again meet the requirements for appointment to the Sheriff's Department and successfully complete the screening process in competition with all other applicants. Any tenured personnel running for Sheriff, if elected or appointed, will retain his tenured position on completion of his elective office.

ORD. # 2011-09-001-03
Corrected in 2013 Contract Negotians

ARTICLE V – CARE & TREATMENT DISABILITIES BOARD (377)

4-5-1 BOARD ESTABLISHED. There is hereby created a Care & Treatment Disabilities Board (377) which shall hereafter be referred to as the "Board". **(55 ILCS 105/0.01)**

4-5-2 MEMBERSHIP; TERM. The County Board Chairman shall appoint a board of **five (5) directors**. Each director shall serve a **three (3) year** term expiring on **June 30th** of each year. The terms shall be staggered with no more than **two (2)** director's terms expiring in any **one (1) year**. Vacancies shall be filled in like manner for the balance of the unexpired term. Each director shall serve until his successor is appointed. Directors shall serve without compensation but shall be reimbursed for expenses reasonably incurred in the performance of their duties. **(55 ILCS 105/3)**

4-5-3 MEETINGS AND RESPONSIBILITIES. The Directors shall meet in July, annually, and elect one of their number as president and one as secretary, and shall elect such other officers as they deem necessary. They shall adopt such rules for the administration of this Act as may be proper and expedient. They shall report to the court, from time to time, a detailed statement of their administration.

The Board shall have exclusive control of all money paid into the Fund for persons with a Developmental Disability and shall draw upon the County Treasurer for all or any part of that fund required by the Board in the performance of its duties and exercise of its powers under this Act.

The Board may establish, maintain and equip facilities within the County, for the care and treatment of persons with a developmental disability together with such auxiliary facilities connected therewith as the Board finds necessary. For those purposes, the Board may acquire, to be held in its name, real and personal property within the County by gift, grant, legacy, purchase or lease and may occupy, purchase, lease or erect an appropriate building or buildings for the use of such facilities and all related facilities and activities.

The Board may provide for the care and treatment of persons with a developmental disability who are not residents of the County and may establish and collect reasonable charges for such services. **(55 ILCS 105/4)**

4-5-4 PURCHASES. Purchases made pursuant to this Act shall be made in compliance with the "Local Government Prompt Payment Act". **(55 ILCS 105/4.1)**

4-5-5 **DONATIONS ACCEPTED.** The Board of Directors may accept any donation of property for the purpose specified and shall pay over to the County Treasurer any money so received, within **thirty (30) days** of the receipt thereof. **(55 ILCS 105/5)**

4-5-6 **MAINTENANCE CHARGE IMPOSED.** The Board of Directors may impose a maintenance charge upon the estate of any person with a developmental disability receiving the benefits of the facilities or services prescribed in **55 ILCS 105/1** of the statutes. If the estate of such person is insufficient, the parent or parents of such person are liable for the payment of the amount due. **(55 ILCS 105/6)**

4-5-7 **CALCULATION OF RATE.** The rate at which the sums to be so charged as provided in **Section 4-5-6** of this Article shall be calculated by the Board of Directors is the average per capita operating cost for all persons receiving the benefit of such facilities or services computed for each fiscal year; provided, that the Board may, in its discretion, set the rate at a lesser amount than such average per capita cost. Less amounts may be accepted by the Board when conditions warrant such action or when money is offered by persons not liable under **Section 4-5-6**. Any money received pursuant to this Section shall be paid into the County Fund for Persons with a Developmental Disability. **(55 ILCS 105/7)**

4-5-8 **FINANCIAL INQUIRIES OF CLIENT.** The Board of Directors is authorized to investigate the financial condition of each person liable under **Section 4-5-6** and is further authorized to make determinations of the ability of each such person to pay the sums representing maintenance charges, and for such purposes to set a standard as a basis of judgment of ability to pay, which standard shall be recomputed periodically to reflect changes in the cost of living and other pertinent factors, and to make provisions for unusual and exceptional circumstances in the application of such standard. The Board may issue to any person liable therefor statements of amounts due as maintenance charges, requiring payment in such manner as may be arranged, in an amount not exceeding the average per capita operating cost as determined under **Section 4-5-7**. **(55 ILCS 105/8)**

4-5-9 **USE OF FACILITIES.** The use of the facilities or services specified in **55 ILCS 105/1** of the statutes shall not be limited or conditioned in any manner by the financial status or ability to pay of any recipient or person responsible. Records pertaining to the payment of maintenance charges shall not be made available for inspection, but all such records shall be deemed confidential and used only when required for the purpose of **Section 4-5-8** of this Article. **(55 ILCS 105/9)**

4-5-10 **APPEAL OF CHARGES.** Any person who has been issued a statement of any sum due for maintenance charges for a person with a developmental disability may petition the Board of Directors for a modification thereof, and the Board shall provide for a hearing thereon. The Board may, after such hearing, grant such relief as seems proper. **(55 ILCS 105/10)**

4-5-11 **SUIT BY STATE'S ATTORNEY.** Upon request of the Board of Directors, the State's Attorney of the County in which a person who is liable for payment of maintenance charges resides shall file suit in the Circuit Court to collect the amount due. The court may order the payment of sums due for maintenance for such period or periods as the circumstances require. Such order may be entered against any or all such defendants and may be based upon the proportionate ability of each defendant to contribute to the payment of sums due. Orders for the payment of money may be enforced by attachment as for contempt against the persons of the defendants, and in addition as other judgments at law, and costs may be adjudged against the defendants and apportioned among them, but if the complaint is dismissed the costs shall be borne by the County.

The provisions of the Civil Practice Law, and all amendments thereto, shall apply to and govern all actions instituted under the provisions of this Act. **(55 ILCS 105/11)**

4-5-12 **ESTATE CLAIMS.** Upon the death of a person who is liable for maintenance charges imposed by **Section 4-5-6** of this Article and who is possessed of property, the executor or administrator of his estate shall ascertain from the Board of Directors the extent of such charges. Such claim shall be allowed and paid as other lawful claims against the estate. **(55 ILCS 105/12)**

(55 ILCS 105/1 et seq.)