



DUPAGECOUNTY

Final Report of the Working Group on the Size of the County Board



July 21, 2020



WORKING GROUP ON THE SIZE OF THE COUNTY BOARD

DuPage County is the governing body for the second-largest County in the State of Illinois, with a population of roughly 922,921 residents. The County Board and County Board Chairman oversee 14 Departments, set the budgets for 10 separately elected Countywide Officials, appoint to more than 30 outside agencies, and hold all powers of the County not assigned to elected County officers or other boards. The County operates the DuPage Care Center, the County Jail, the 18th Judicial Circuit Court, and the DuPage Animal Shelter; provides water and sewer services to more than 200,000 DuPage residents; and maintains a large portion of our local infrastructure, including the operation of 17 countywide flood control facilities, 220 miles of highways, and 92 miles of multi-use trails.

Previously, DuPage County Board members discussed the possibility of reducing the size of the County Board from 18 members to 12 members. Members requested more information on the topic during a recent County Board meeting. The County Board Chairman created a working group to provide the County Board with relevant research and information regarding the ideal size of the DuPage County Board in order to provide the highest level of service to our residents. The Chairman appointed County Board members Selmon, Noonan, Hart, Ozog, Healy, and Rutledge to this working group. The Chairman asked the working group to submit a report to the County Board no later than July 31.

This final report details issues discussed by the working group, as well as findings compiled by staff. This includes an analysis of state law, required deadlines, other Illinois counties and their county boards, comparable suburban counties in other states, information on the Board's authority to issue an advisory referendum, and other items discussed by the working group.

Table of Contents

Establishing the Size of the County Board.....	4
Chairman’s Ability to Present a Plan.....	4
Method of Election.....	4
Advisory Referendum.....	5
Timeline.....	5
Open Meetings Act.....	5
County Board Committees.....	6
Terms of Office for County Board Members.....	6
Cost Impacts.....	6
Official Duties for County Board Members.....	7
Size of Comparable County Boards.....	7
Concerns on Reducing the Size of the DuPage County Board.....	8
Current Authority.....	9
Recommendations of the Working Group.....	9
Appendix A – Comparable Illinois Counties.....	10
Appendix B – Comparable County Boards Outside Illinois.....	11
Appendix C – Organizational Charts for Comparable Counties.....	14
Appendix D – Meeting Minutes and Agendas of Working Group.....	23
Appendix E – Regional Institute at University of Buffalo Publication, “Sizing Up Local Legislatures”	29

Establishing the Size of the County Board. The Illinois Constitution mandates a county board be elected in each county. The Counties Code requires counties under township form of government with less than 3 million people to reapportion its county board districts every 10 years, so each member of the county board represents the same number of residents. In doing so, the county board must first determine the size of the board and shall specify the number of districts and the number of county board members representing those districts. The county board must specify in its apportionment plan the following under current law:

- The county board have a membership between five and 29 members;
- Each district shall be substantially equal in population to each other district;
- Districts shall be comprised of contiguous territory (as nearly compact as practicable);
- Districts may divide townships and municipalities only when necessary to conform to the population requirement; and
- Shall be created in such a manner so that no precinct shall be divided between two or more districts (insofar as is practicable).

The Illinois General Assembly amended the Counties Code prior to the 2000 Census by passing Public Act 89-577 and Public Act 91-933, which had the effect of capping the size of the DuPage County Board to no more than 18 members and required a separately elected governing board for the DuPage Forest Preserve District. Prior to the 2002 General Election, the size of the DuPage County Board was fixed at 24 members, with four members elected in each of the County's six districts. Beginning with the 2002 General Election, constituents elected three members in each of the County's six districts to the DuPage County Board, and one member in each of the County's six districts to the Forest Preserve District of DuPage County.

The last time the DuPage County Board reapportioned districts was on June 28, 2011. A County Board resolution – CB-31-11, titled “Determination of the Size of the County Board” – kept the size of the County Board at 18 members, with three County Board members elected in each of the six districts. The next deadline to reapportion and determine the size of the County Board is July 1, 2021.

Chairman's Ability to Present a Plan. State Statute allows the chairman of a county board to develop and present an apportionment plan to the board by the third Wednesday in May during the reapportionment year, which would be May 19, 2021. If the chairman presents an apportionment plan, the county must hold at least one public hearing on the plan. The hearing must be held between six and 21 days after the chairman presents his or her plan. Once the chairman presents a plan, the county board is prohibited from enacting an apportionment plan until after the public hearing on the plan.

Method of Election. Article VII, Section 3(b) of the Illinois Constitution provides that “No county, other than Cook County, may change its method of electing board members except as approved by county-wide referendum.” Under this provision, once a county board has adopted a method of election, it may not change to another method of election without binding referendum approval. Some counties have chosen to elect county board members at-large, in single-member districts, or multi-member districts. DuPage County Board members are currently elected in multi-member districts.

Advisory Referendum. As discussed by the Assistant State’s Attorney for the working group, the DuPage County Board can place an advisory question on the November ballot relating to the size of the County Board. If the County Board chooses to place a referendum on the ballot for the November 2020 General Election, the Board would need to do so “not less than 79 days before a regularly scheduled election,” according to statute. To meet this deadline, the County Board would need to act by its first meeting in August. The recommended language for an advisory question, should the Board consider this course of action, would be: “Shall the DuPage County Board reduce the size of its current Board from six districts with three members per district to six districts with two members per district?”

McHenry County explored this option and put an advisory question on the ballot to voters during the 2016 General Election. McHenry County asked voters whether its Board size should be reduced, and 77.10% of respondents voted in favor, while 22.9% voted in opposition. The question asked: “Shall the number of County Board members be reduced from the current 24 members following the 2020 Decennial Census?” The question did not cite a specific number of board members, simply asking whether the size of the board should be reduced.

Timeline. Determining the size of the County Board is the first step to address the 2021 Reapportionment plan. The deadline to enact a reapportionment plan is July 1, 2021. To place the referendum on the ballot for the November 2020 General Election, the Board would need to do so by the first County Board meeting in August. The first election that would reflect the new reapportionment plan would be the Primary Election held in March 2022 followed by the General Election held in November 2022.

Open Meetings Act. Another point to consider is the ability of the County Board or County Board committees to hold a meeting under the Open Meetings Act (OMA) with a reduced Board size. According to OMA, a meeting occurs under the current Board structure when six or more members are present. County Board or committee action requires a quorum of the members participating.

Currently, a quorum exists for the County Board when 10 members are present. If the size of the County Board were set at 12 members, then a meeting of four Board members would constitute a meeting, and a quorum would require seven members. Under OMA, the meeting must be open to the public, public comment must be allowed, and the agenda would need to be posted at least 48 hours in advance of the meeting (DuPage County Board rules currently require a 72-hour posting of all agendas).

For County Board committees, the constitution of a quorum and a meeting would depend on the size of those committees. Under current County Board rules, one member from each district is assigned to a committee, with the exception of the Judicial and Public Safety Committee, which consists of two members from each district, and the Finance Committee, which is a committee of the entire County Board. Some other committees consist of six County Board members and municipal representatives or other elected officials.

County Board Committees. Most county boards in Illinois are organized into committees with members appointed by its chairman. This allows each member to develop greater expertise on a set of issues. Committee structure and rules for assigning members vary throughout Illinois depending upon the size of the board and its rules. Currently, County Board members are assigned to 16 committees, not including any ad hoc committees or other advisory bodies. These committees include: Animal Services, Community Development, Development, Economic Development, Environmental, Finance, Health and Human Services, Intergovernmental, Judicial and Public Safety, Legislative, Public Transit, Public Works, Strategic Planning, Stormwater Management, Technology, and Transportation committees.

The number of committees and committee membership changes every two years with the election of new Board members, and the committee assignments come before the full County Board for a vote. Members of the working group felt the County Board would need to assess the number of committees whether or not the size of the County Board were reduced.

Terms of Office for County Board Members. Terms of office for county board members are addressed by state law. Currently, under the 18-member Board, the members of the County Board divide the county board districts publicly by lot as equally as possible into three groups. Board members or their successors from one group shall be elected for successive terms of two years, four years, and four years; members or their successors from the second group shall be elected for successive terms of four years, two years, and four years; and members or their successors from the third group shall be elected for successive terms of four years, four years, and two years. Under a 12-member Board with two members serving in each district, the Counties Code requires one member or their successor in each district to be elected for terms of two years, four years, and four years, and the other member or their successor for terms of four years, four years, and two years. This also means that every General Election will have a member of the County Board up for election in each district. A breakdown of those terms of office and elections for both a 12-member Board and an 18-member Board can be seen below.

12 Members	2022	2024	2026	2028	2030
Member A (2-4-4)	x	x		x	
Member B (4-4-2)	x		X		x

18 Members	2022	2024	2026	2028	2030
Member A (2-4-4)	x	x		x	
Member B (4-2-4)	x		x	x	
Member C (4-4-2)	x		x		x

Cost Impacts. If a reduction in the Board’s composition occurs, there would be an initial savings in the annual salaries and other compensation (benefits) for the County Board. Currently, DuPage County Board members are paid a salary of \$52,102 plus benefits. If six positions are eliminated, a savings of \$312,612 (plus any benefit savings) could be realized. There are also costs which could increase – staff headcounts to support Board members and possible salary increases – which could result from a reduced Board size, as demonstrated by the salaries and organization chart differences between DuPage County and its NACo peers.

Official Duties for County Board Members. The working group discussed how much time is spent by Board members in their official capacity. Some members stated the workload might increase if the County Board is reduced to 12 members. The working group requested data to understand the time commitment of members of the County Board to better understand how a reduction in the Board's size might impact individual workloads. In response, the working group reached out to the County Board asking for this information along with a template time sheet. The working group found County Board members engage in the following activities during their duties as a County Board member:

- Attendance at County Board and committee meetings, and other official County functions.
- Preparation for meetings;
- Meetings and communication with County staff, constituents, or other elected officials;
- Attendance at meetings of other local governmental boards related to County business;
- Attendance at meetings of civic and commercial organizations related to County business;
- Other activities related to County business include office hours spent at the Administration building.

The average number of hours spent by Board members in their official capacity averages around 15 hours per week. Some members, however, had recorded almost 85 hours per month in their official capacity.

Size of Comparable County Boards. Staff located a study from the Regional Institute at the University of Buffalo titled "Sizing Up Local Legislatures." This study looked at communities in western New York, as the group previously deliberated on initiatives to decrease the size of city, town, and village boards in New York. The Regional Institute found the size of a local legislature depends on several factors. If the number and breadth of local government functions are broad, the difficulty of issues is high, and the workload is heavy, then a larger legislature provides more heads and hands than a small legislature, and thus is more capable of completing the work. However, if the proportional cost per legislator is high, the scope of local government narrow, and the stakes of legislative decision-making relatively low, then a smaller legislature may be just as effective as a large one. The policy brief did not weigh in as to an "ideal" size of a local legislature, saying "Size choices have tradeoffs, however, and there is no optimal legislative size to maximize performance on all municipal goals."

In Illinois, county governments have mandatory functions. Some of these functions are enumerated in the Counties Code and the Rules of the County Board. These include administrative functions such as conducting meetings at prescribed times, with an agenda published at least 48 hours in advance of any meetings, and adopting an annual budget that appropriates funds to cover expenditures for various County offices and functions. County Board committees also advise and provide recommendations to the County Board on relevant policies. Other functions may include levying taxes and fees, inspections for liquor licenses, creating discretionary grants for community action agencies, administering federal funds, engaging in emergency services planning, regulating land use and zoning, establishing a Health Department, and providing for the construction of highways and roads.

As such, the working group discussed what the optimal size of the County Board would look like. Staff could not find any resources available to point to an optimal size of a governing board for a unit of government that oversees these and other operations. There is, however, a composition range between five members and 29 members set forth by statute in the Counties Code. Additionally, we have

information on counties with a township form of government in Illinois. There are 20 counties in Illinois with more than 100,000 in population, that are organized as a township form of county government. Of those county boards, nine feature multi-member districts and 11 consist of single-member districts. Moreover, 19 of the 20 county boards have between 17 and 29 county board members. Kendall County has a board of 10 members. The average board composition in these 20 counties is 22.75 members. This is more than the current 18 member DuPage County Board.

At the direction of the working group, staff conducted research on nine other primarily suburban counties throughout the nation with a population similar to DuPage County's, including Fairfax County, Virginia; Bergen County, New Jersey; Shelby County, Tennessee; Gwinnett County, Georgia; Erie County, New York; Collin County, Texas; Pierce County, Washington; Macomb County, Michigan; and Allegheny County, Pennsylvania. Staff obtained organizational charts, annual operating budgets, board structure, method of elections, and population statistics. A breakdown of this information can be found in this packet.

For example, Fairfax County, Virginia, has roughly 1.1 million residents situated in the suburbs of the Washington, D.C., area. Its Board of Supervisors is comprised of nine members elected in nine single-member districts. They are compensated \$95,000 annually. There are 31 departments and offices under the supervision of the county executive, and the Fairfax County Board oversees services that are not provided by counties in Illinois, such as parks, vehicle services, public libraries, retirement administration, police, and fire rescue. In Illinois, police and fire suppression services are provided by municipalities or separately elected or appointed agencies, such as fire protection districts. County sheriffs in Illinois are charged with policing authority in unincorporated areas of the county.

These nine suburban counties had a total number of members ranging between four and 15, which is fewer than county boards in Illinois. Looking at the organizational charts, these counties have duties that DuPage County and other Illinois counties are responsible for, such as community services, zoning and land use, and public works. However, these nine suburban counties are charged with other duties, such as parks and recreation. As such, the comparable counties tend to have higher operating budgets than DuPage County. The chart in Appendix B gives an overview of the size of these nine county boards, their most recent annual operating budget, and specific responsibilities of the county boards.

Concerns on Reducing the Size of the DuPage County Board. The working group brought up a concern that if the DuPage County Board is to be decreased by one-third, there might be more time needed by the remaining Board members to conduct constituent outreach and response. Additionally, time is needed by Board members in order to prepare for and attend County Board and County Board committee meetings; meet with County staff, constituents, and other elected officials regarding County business; and prepare for and attend other meetings of civic and commercial organizations, state and federal legislators, and other local governmental boards related to County business.

Additional concerns expressed by the working group included the potential loss of institutional knowledge, a possible lack of diverse viewpoints, and fewer opportunities for residents to serve. The last two points could result in areas of the County becoming under-represented on the County Board. More positions on the governing Board would allow for more opportunities for geographical representation on the County Board.

Current Authority. The two options presented to the working group from Board members are: (1) to keep the current size of the Board with three members elected in six districts, or (2) to reduce the size of the Board by moving to two members elected in six districts. It should be noted that the DuPage County Board has the authority to reduce the size of the County Board by County Ordinance, provided that multi-member districts are maintained. The County Board, however, cannot increase the size of the Board, due to restrictions in the Counties Code.

Recommendations of the Working Group. The working group is forwarding to the County Board two primary recommendations:

1. **Advisory Question:** The working group does not recommend placing an advisory referendum question on the November General Election ballot asking voters if DuPage County should reduce the size of the County Board from 18 members to 12. The only evidence provided was there would be a savings regarding a reduction in Board member salaries. With 18 members, the DuPage County Board is already smaller in size than all the other collar county boards (Lake, Will, Kane, and McHenry). As noted above, fewer members may lead to a lack of diversity on the Board and diminished opportunities for residents to serve, increased constituent workloads for members, less representation at community and civic events, and the potential for increased staff costs due to a smaller board size (and resulting loss of institutional memory).
2. **Committee Structure:** The County Board should examine the current number of committees and consider reducing the number to provide more time for discussion and consideration of public policy issues. With 16 standing committees, most scheduled back-to-back in a very short period of time, members are often unable to attend other committees that may be of interest, in addition to lacking the time required to resolve complex policy issues. This remains an issue for some members whether or not the size of the County Board is reduced.

Appendix A – Comparable Illinois Counties

Total County Board members, districts, and salaries for Illinois counties with greater than 100,000 population

County Name	Population ¹	County Board members	County Board districts	Population per district	Annual salary
Champaign	201,081	22	11	18,280	\$3,000 ²
Cook ³	5,194,675	17	17	305,569	\$85,000
DeKalb	105,160	24	12	8,763	\$0 ⁴
DuPage	916,924	18	6	152,821	\$52,102
Kane	515,269	24	24	21,470	\$25,000
Kankakee	113,449	28	28	4,052	\$0 ⁴
Kendall	114,736	10	2	57,368	\$17,500
Lake	703,462	21	21	33,498	\$43,018
La Salle	113,924	29	29	3,928	\$60 ⁵
McHenry	308,760	24	6	51,460	\$21,000 ⁶
McLean	169,572	20	10	16,957	\$0 ⁴
Macon	110,768	21	7	15,824	\$2,000
Madison	269,282	29	29	9,286	\$15,000
Peoria	186,494	18	18	10,361	\$9,200 ⁶
Rock Island	147,546	25	25	5,902	\$2,400
Sangamon	197,465	29	29	6,809	\$8,984
St. Clair	270,056	29	29	9,312	\$19,419 ⁷
Tazewell	135,394	21	3	45,131	\$2,400 ⁸
Will	677,560	26	13	52,120	\$23,000
Winnebago	295,266	20	20	14,763	\$8,500

1 Illinois Department of Public Health 2010 Census information

2 In addition to an annual salary, Champaign County Board members also receive a per diem based on the number of meetings they attend, and committee chairmen receive an additional stipend

3 Cook County Commissioners receive an annual budget for administration of their district offices

4 County Board members are paid a per diem based on the number of meetings they attend

5 LaSalle County Board members receive a per diem based on the number of meetings they attend, and committee chairman receive an additional stipend

6 County Board members who serve as a committee chairman receive an additional stipend

7 St. Clair County Board members who receive a pension get a \$2,000 annual salary

8 In addition to an annual salary, Tazewell County Board members also receive a per diem based on the number of meetings they attend

Appendix B – Comparable County Boards Outside Illinois

Comparison of Suburban Counties with around 1,000,000 in population

County, State	Population (2019)	Annual Operating Budget	Number of Board Members	Number of Districts	Method of Election	Population per Member	Board Member Compensation	Duties and Responsibilities
Fairfax County, Virginia	1,147,532	\$8.86 billion	9	9	Single-Member Districts	127,504	\$95,000	Animal Shelter, Code Compliance, Community Services, Elections, Emergency Management, Family Services, Fire and Rescue, Courts, Health, Housing and Community Development, Police, Schools, Planning and Development, Parks, Library
Bergen County, New Jersey	932,202	\$550.2 million	7	1	At-large	133,172	\$28,312	Administrative & Finance, Health, Human Services, Law, Public Safety, Parks, Planning and Transportation, and Public Works
Shelby County, Tennessee	937,166	\$1.35 billion	13	13	Single-Member Districts	72,090	\$33,000	Administrative & Finance, Community Services, Corrections, Health Department, Planning & Development, Public Works.
Gwinnett County, Georgia	936,250	\$1.39 billion	4	4	Single-Member Districts	234,063	\$45,000	Community Services, Elections, Library, Water, Police, Fire, Courts, Corrections, Transit, Animal Shelter, Economic Development, Zoning, Parks and Recreation.

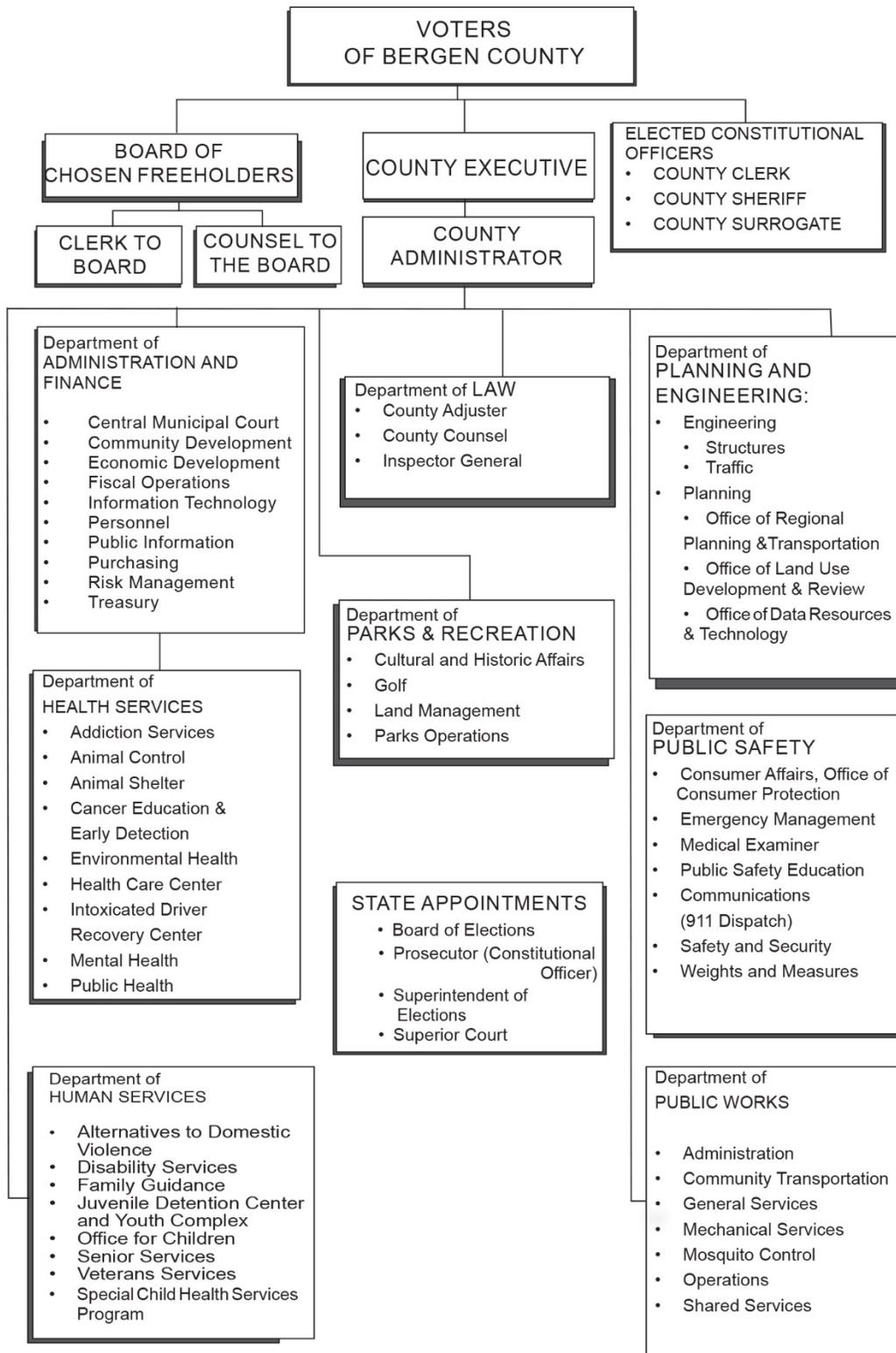
County, State	Population (2019)	Annual Operating Budget	Number of Board Members	Number of Districts	Method of Election	Population per Member	Board Member Compensation	Duties and Responsibilities
Collin County, Texas	1,034,730	\$381.9 million	4	4	Single-Member Districts	258,683	\$115,521.11	Medical Examiner, Public Services & Operations (Transportation), Facilities Management, Building Projects, Budget, Engineering, Homeland Security (including Courthouse Security and Fire Marshall), Healthcare Manager (Health Department).
Pierce County, Washington	904,980	\$2.4 billion (biennial)	7	7	Single-Member Districts	129,283	N/A	Economic Development, Emergency Management, Parks & Recreation, Finance, Facilities, Planning & Public Works, Clerk of Superior Court, Human Services, Medical Examiner.
Erie County, New York	918,702	\$1.72 billion	11	11	Single-Member Districts	85,518	\$42,588	Elections, Public Library, Central Police Services, Labor Relations, Homeland Security and Emergency Services, Environment and Planning, Health Department, Sheriff Office, Public Works, Probation, Parks and Recreation.

County, State	Population (2019)	Annual Operating Budget	Number of Board Members	Number of Districts	Method of Election	Population per Member	Board Member Compensation	Duties and Responsibilities
Macomb County, Michigan	873,972	\$277.9 million	13	13	Single-Member Districts	67,229	N/A	Emergency Management, Juvenile Center, Community Corrections, Roads, Planning & Economic Development, Animal Control, Health and Community Services.
Allegheny County, Pennsylvania	1,216,045	\$960 million	15	13	2 At-large members; 13 Single-District members	81,070	\$10,939	Court Records, Economic Development, Health Department, Jail, Public Defender, Real Estate, Detention Center, Administrative Services, Emergency Services, Human Services, Kane Regional Centers, Medical Examiner, Parks, Police, Public Works.

Appendix C – Organizational Charts for Comparable Counties

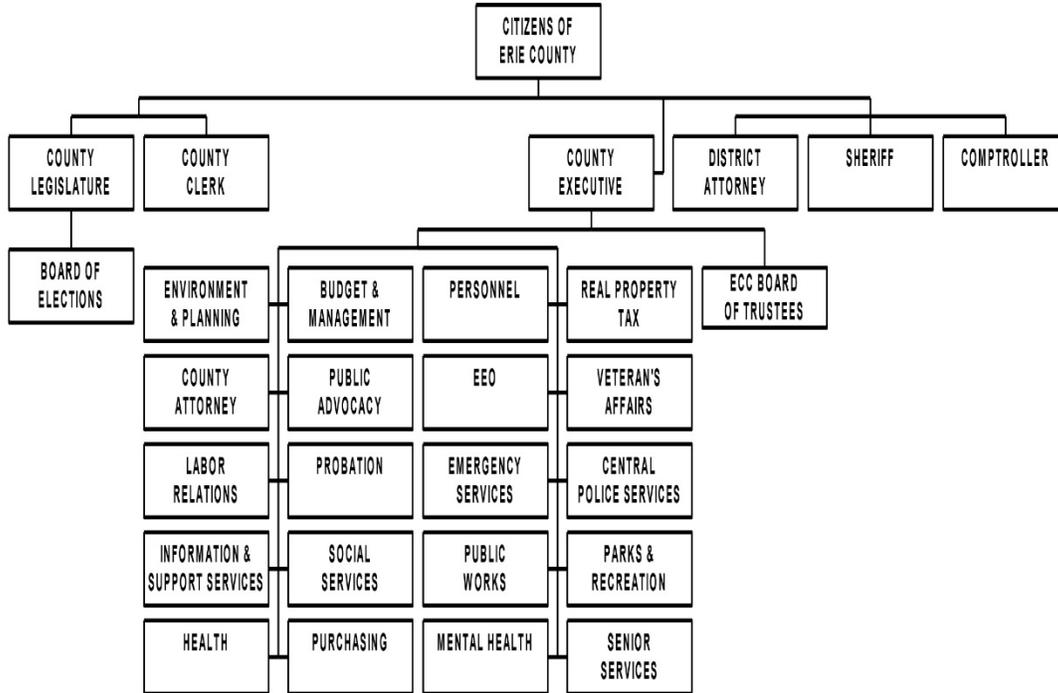
Bergen County, New Jersey

14



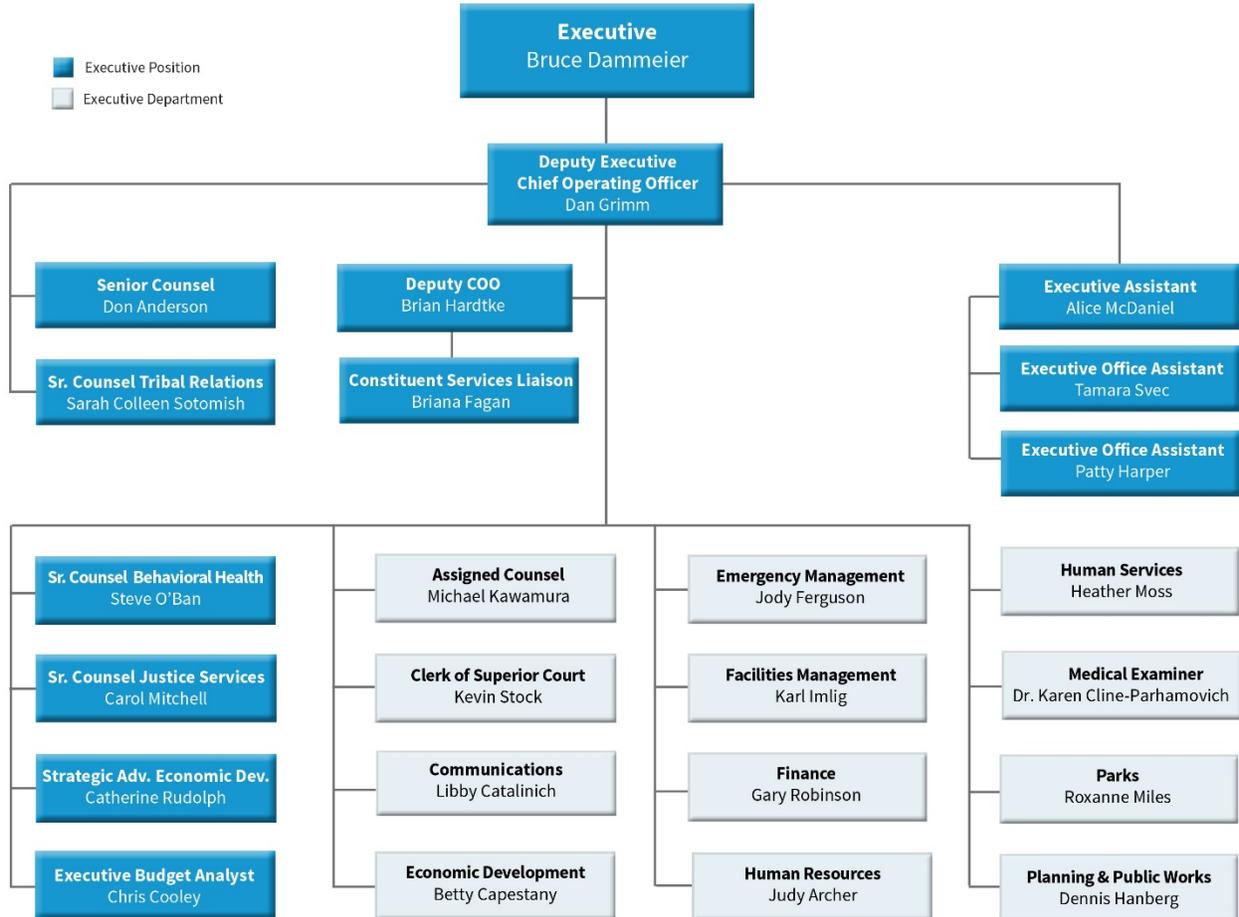
COUNTY OF ERIE, NEW YORK ORGANIZATIONAL CHART

December 31, 2018



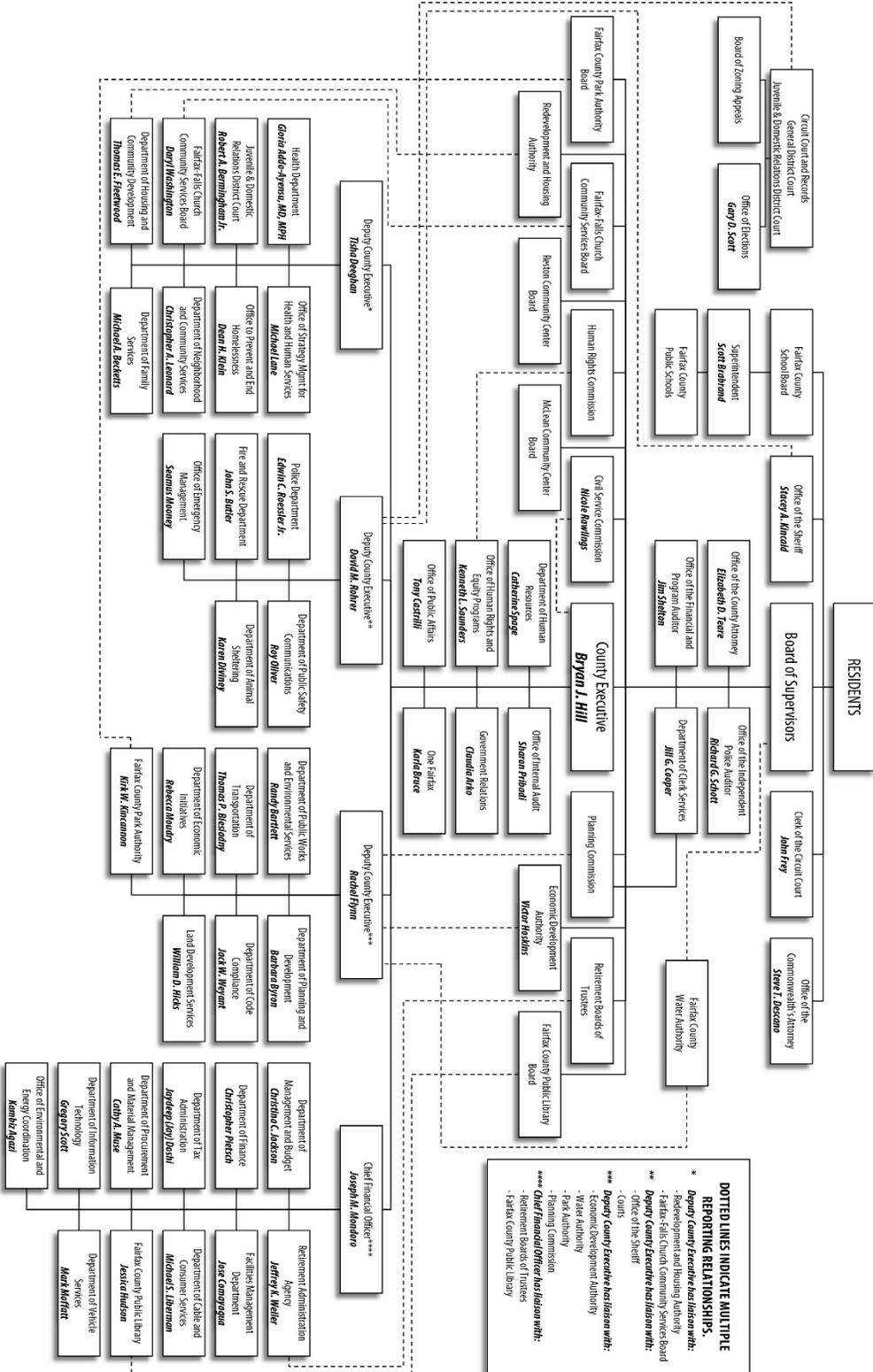
Pierce County, Washington

Pierce County Executive's Office ORGANIZATIONAL CHART





ORGANIZATION OF FAIRFAX COUNTY GOVERNMENT

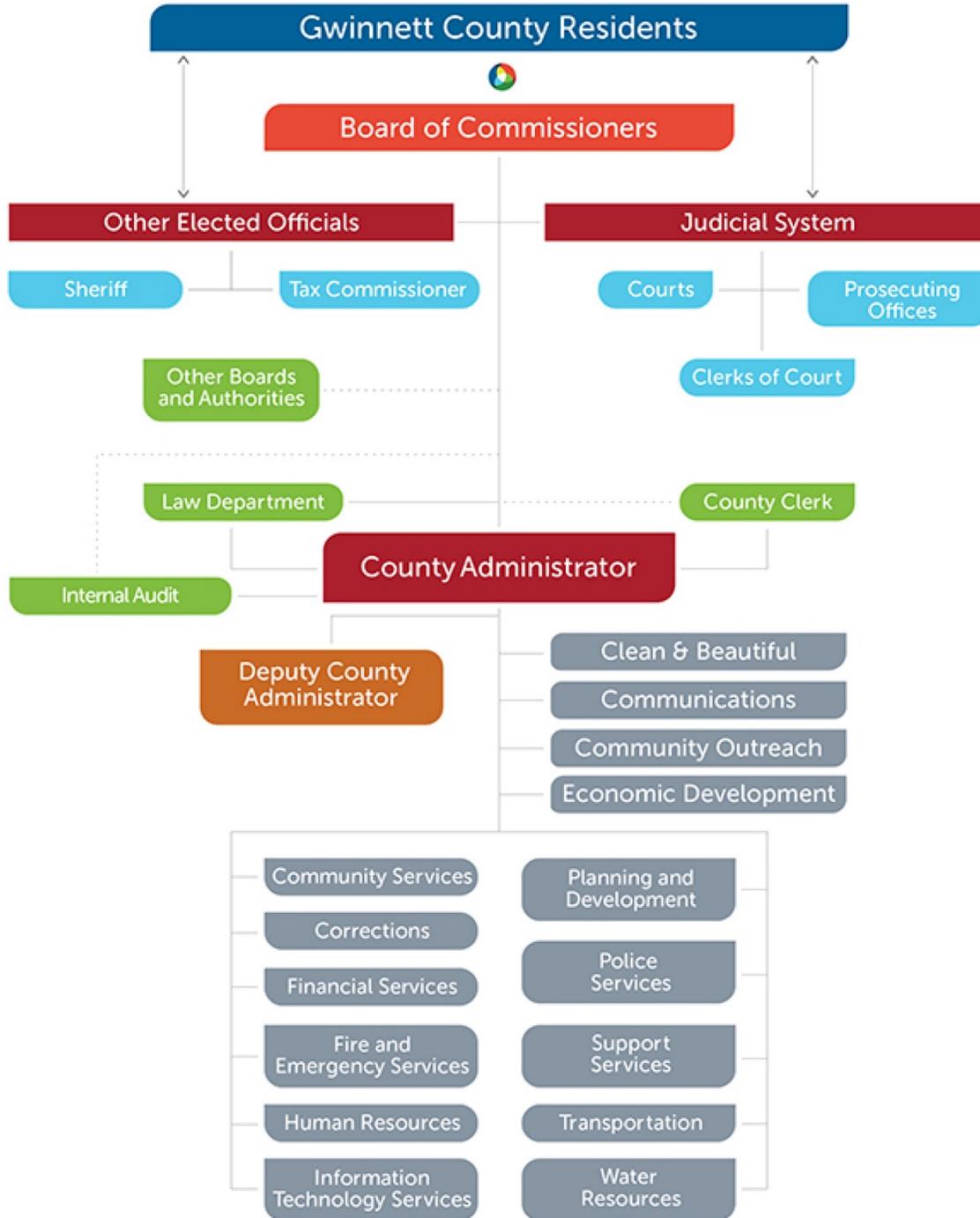


DOTTED LINES INDICATE MULTIPLE REPORTING RELATIONSHIPS.

- * **Deputy County Executive has liaison with:**
 - Redevelopment and Housing Authority
 - Fairfax Falls Church Community Services Board
- ** **Deputy County Executive has liaison with:**
 - Office of the Sheriff
 - Courts
- *** **Deputy County Executive has liaison with:**
 - Planning Commission
 - Economic Development Authority
 - Water Authority
 - Park Authority
- **** **Chief Financial Officer has liaison with:**
 - Retirement Boards of Trustees
 - Fairfax County Public Library

Gwinnett County, Georgia

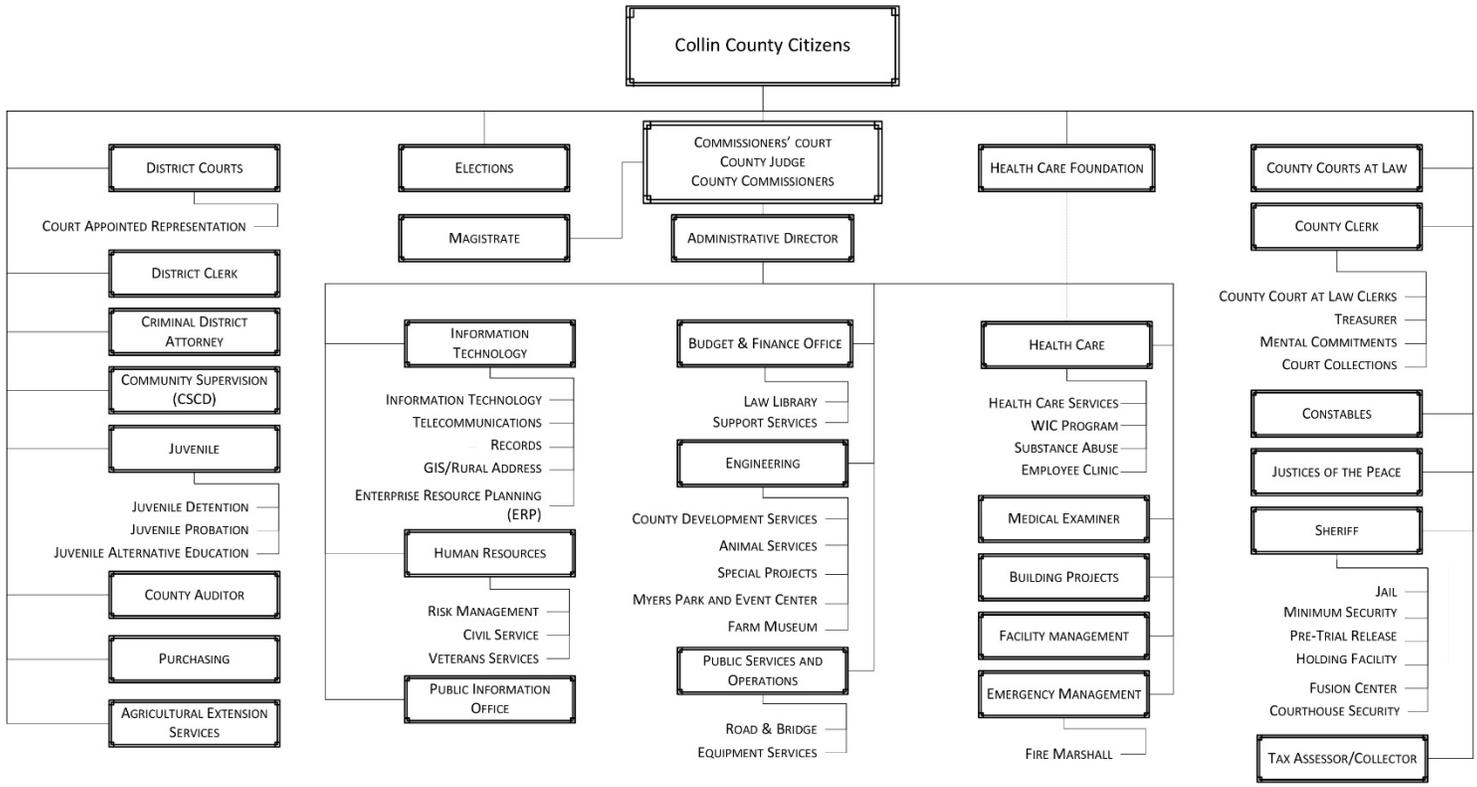
GWINNETT COUNTY
ORGANIZATIONAL CHART



Collin County, Texas

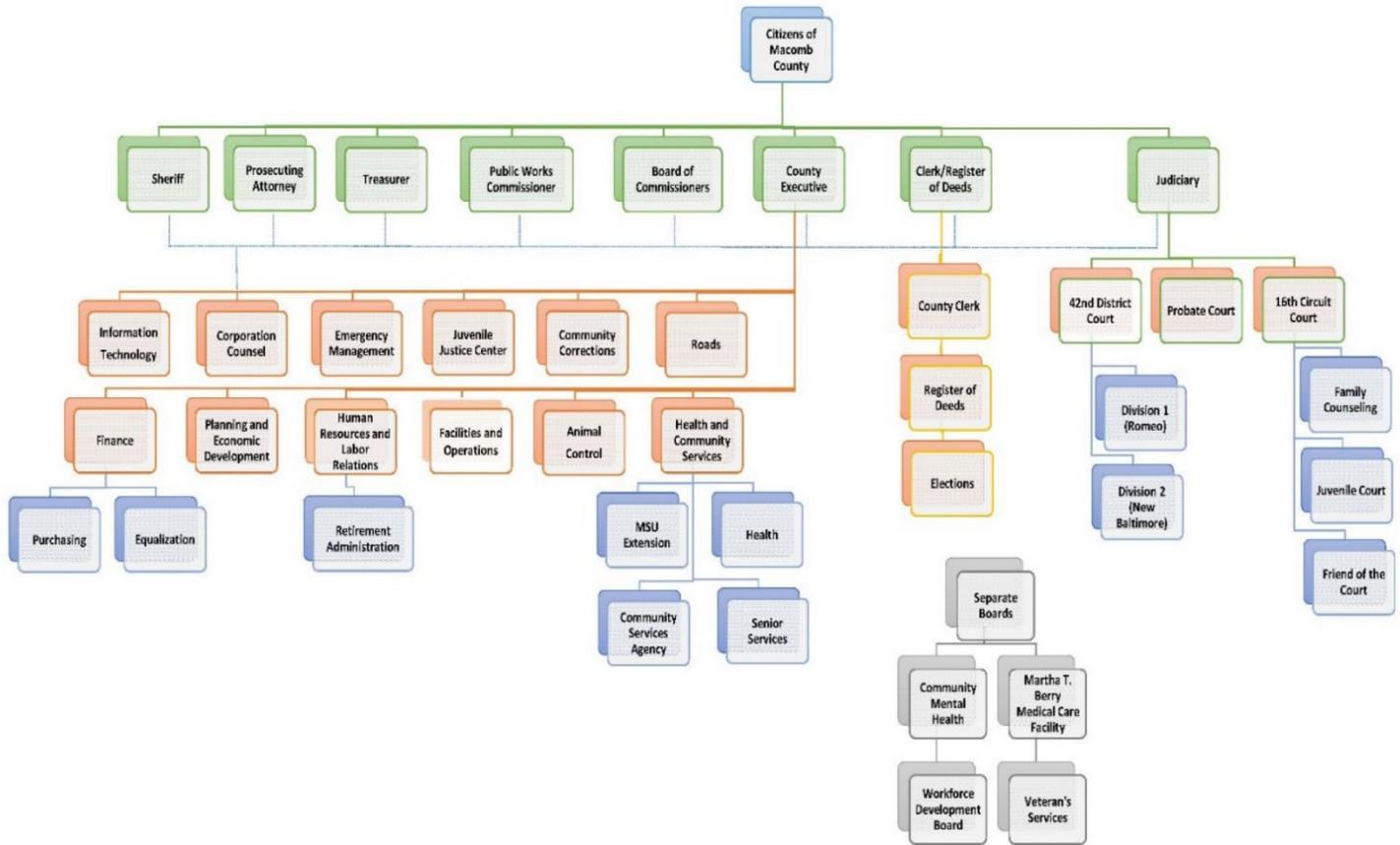


Collin County Organizational Chart



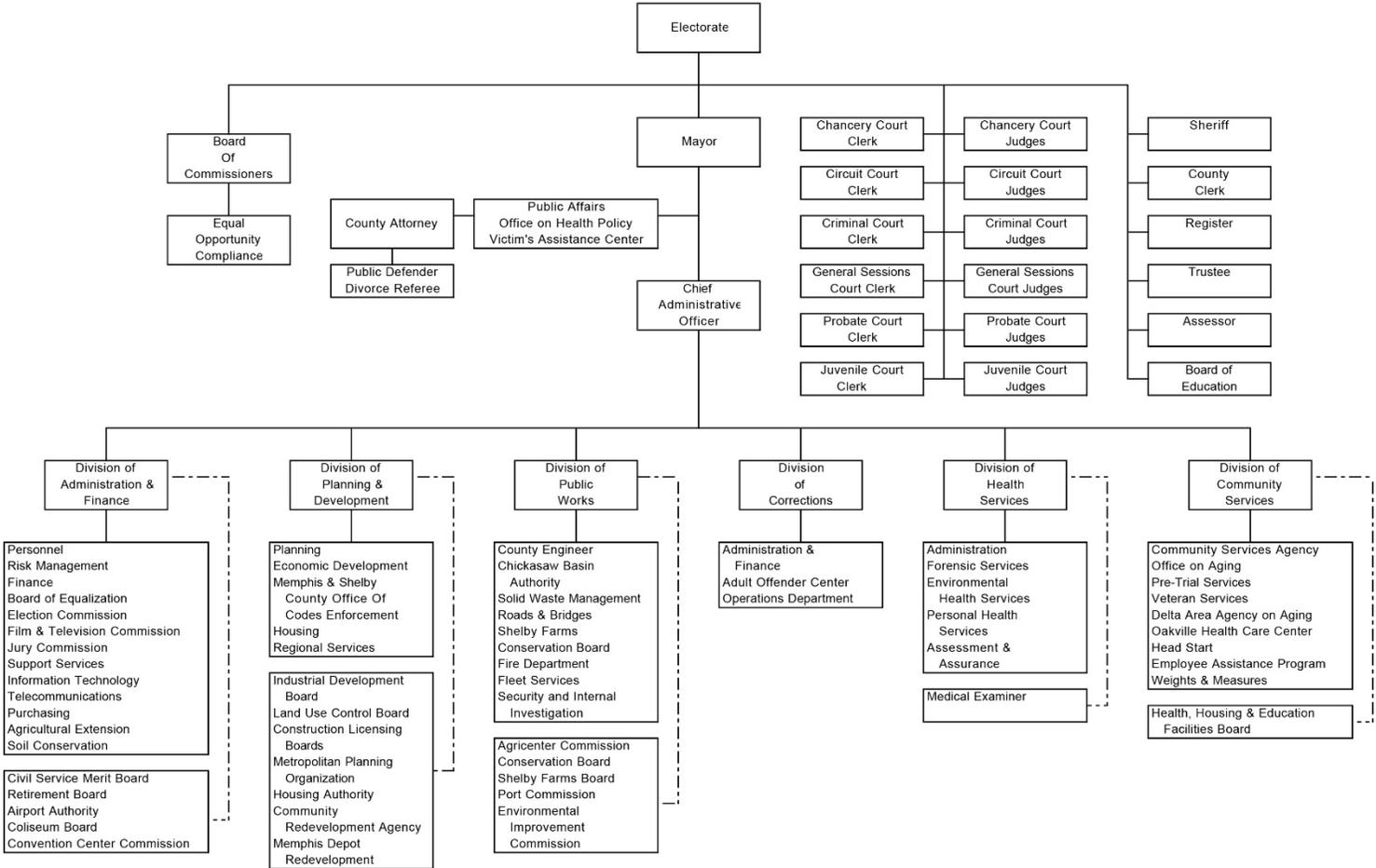
Macomb County, Michigan

MACOMB COUNTY, MICHIGAN Organizational Chart



Shelby County, Tennessee

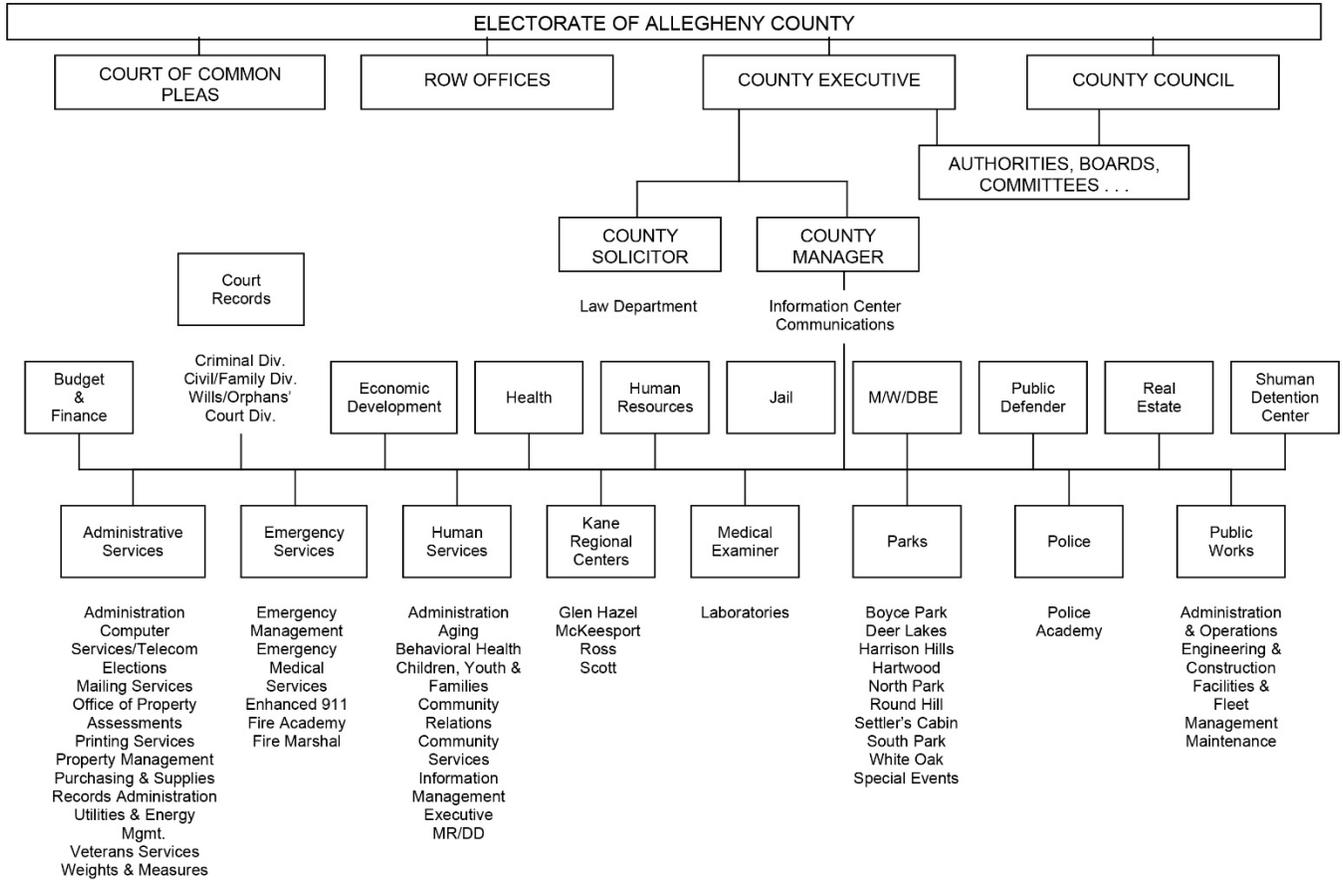
Shelby County Government Organizational Chart



Allegheny County, Pennsylvania

ALLEGHENY COUNTY

ORGANIZATIONAL CHART



Appendix D – Meeting Minutes and Agendas of Working Group

DU PAGE COUNTY
COUNTY BOARD SIZE WORKING GROUP
FINAL AGENDA

June 30, 2020	Regular	10:30 AM
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VIRTUAL MEETING/3-500B

COUNTY WEBSITE
421 N. COUNTY FARM ROAD
WHEATON, IL 60187

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CHAIRMAN'S REMARKS - CHAIR SELMON**
- 4. PUBLIC COMMENT**
- 5. STAFF PRESENTATION AND DISCUSSION**
 - A. Discussion -- Reducing the Size of the DuPage County Board
- 6. ADJOURNMENT**



DU PAGE COUNTY
COUNTY BOARD SIZE WORKING GROUP
FINAL SUMMARY

June 30, 2020

Regular

10:30 AM

VIRTUAL MEETING/3-500B
 COUNTY WEBSITE
 421 N. COUNTY FARM ROAD
 WHEATON, IL 60187

1. CALL TO ORDER

10:30 AM meeting was called to order by District 1 Ashley Selmon at 10:31 AM.

2. ROLL CALL

Present: Selmon, Hart, Healy, Noonan, Ozog, Rutledge

3. CHAIRMAN'S REMARKS - CHAIR SELMON

Chair Selmon began by welcoming the members of the Group. She summarized her goals for the Group and reminded them of the July 31, 2020 deadline for their findings.

4. PUBLIC COMMENT

Assistant State's Attorney, Conor McCarthy, read the public comments submitted electronically for this meeting.

Kate Treadway voiced her concern over Member DiCianni's behavior.

Mike Johnson went on record as opposing the reduction of the County Board seats.

Edgar Pal expressed his approval of the formation of the working group and offered suggestions.

5. STAFF PRESENTATION AND DISCUSSION**A. Discussion -- Reducing the Size of the DuPage County Board**

Jon Nelson, Policy and Program Manager, began with a Power Point presentation. The Group was given an overview of what it would look like moving from 3 district representatives to 2, the redistricting process and how DuPage compares to other districts throughout the State. The Group is moving toward having each County Board Member record a snapshot of their time spent on County duties. Including Committee work, constituent response and community outreach, as well as their efforts to be pro active within their communities. Ideally, this snapshot would be pre COVID. The idea of committee consolidation/reorganization was discussed with pros and cons being brought forward. Night meetings were offered as a way to assist the Board members with time management with regards to committee attendance. The question was raised as to whether the remaining Board members would be compensated for the extra workload if the board size is reduced, as well as will the constituents have adequate representation. It was suggested that the Board size reduction be put to a referendum. Chair Selmon

Minutes Acceptance: Minutes of Jun 30, 2020 10:30 AM (Minutes Approval)

wrapped up the meeting by summarizing the goals of the Group. Draft an email to County Board Members requesting a snapshot of their time, detail job comparisons with surrounding Boards, schedule a meeting for July 7, 2020 advancing the Group toward the end date of July 31, 2020.



6. ADJOURNMENT

There being no further business the meeting was adjourned. The next meeting to convene July 7, 11:30 AM 3-500A, a Zoom link will be sent out at a later date.

Minutes Acceptance: Minutes of Jun 30, 2020 10:30 AM (Minutes Approval)

DU PAGE COUNTY
COUNTY BOARD SIZE WORKING GROUP
FINAL AGENDA

July 7, 2020

Regular

11:30 AM

VIRTUAL MEETING/3-500A

COUNTY WEBSITE
421 N. COUNTY FARM ROAD
WHEATON, IL 60187

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CHAIRMAN'S REMARKS - CHAIR SELMON**
- 4. MINUTES APPROVAL**
 - A. County Board Size Working Group - Regular - Tuesday June 30th, 2020
- 5. STAFF PRESENTATION AND DISCUSSION**
- 6. PUBLIC COMMENT**
- 7. ADJOURNMENT**



**DU PAGE COUNTY
COUNTY BOARD SIZE WORKING GROUP
DRAFT MINUTES**

July 7, 2020

Regular

11:30 AM

**VIRTUAL MEETING/3-500A
COUNTY WEBSITE
421 N. COUNTY FARM ROAD
WHEATON, IL 60187**

1. CALL TO ORDER

11:30 AM meeting was called to order by District 1 Ashley Selmon at 11:32 AM.

2. ROLL CALL

PRESENT: Hart, Healy, Noonan, Ozog, Rutledge, Selmon
ABSENT:

Also in attendance, Members Chaplin and DeSart.

3. CHAIRMAN'S REMARKS - CHAIR SELMON

Chair Selmon welcomed the Group members back and reminded all what the goals of the Group are moving forward. First to review the data collected since the first meeting and the survey responses gathered from Board members.

4. MINUTES APPROVAL

A. County Board Size Working Group - Regular - Jun 30, 2020 10:30 AM

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	Greg Hart, District 3
SECONDER:	Sheila Rutledge, District 6
AYES:	Hart, Healy, Noonan, Ozog, Rutledge, Selmon



5. STAFF PRESENTATION AND DISCUSSION

Jon Nelson, Policy and Program director, began with a presentation detailing comparable counties duties and responsibilities. Of the 9 comparable Counties outside Illinois, the duties and responsibilities vary widely as do the number of Board Members, services provided and annual budgets. Within the State, DuPage County has the third lowest amount of County Board members with populations over 100,000. Member Hart inquired as to what type of Staff the Chairman's counterparts have. Mr. Nelson detailed his findings, specifically from Pierce County, Washington. A more detailed response was difficult to attain from other Counties due to COVID and a reduced

workforce. Number of Board Members and their salaries were discussed as well as stipends for serving as a committee chair.

Survey results were brought forward by Chair Selmon. Board Members responding, the hours worked average out to 20 hours per week per member, depending of course on the committee Chaired. A further breakdown of the survey results were requested as well as a request for the results to be shared, with the permission of the responder.

A report must be gathered to be voted on at the final meeting on July 21, 2020. Chair Selmon asked for a show of hands in favor of keeping 18 board members. In favor: Selmon, Hart, Rutledge, Noonan Oppose: Healy, Ozog. The report will be written to keep 18 Board Members. A minority report can be submitted if Members Healy and Ozog would like to write one. The findings will be presented to the Board.

Committee consolidation and restructuring was raised as a concern with all members of the Group in agreement.

State statute for district representation by a Board member was discussed. Single member, multi member or at large representation, as well as redistricting, was clarified by ASA McCarthy

Next meeting to be held July 21, 2020 at 11:30 AM.

A. Presentation

a. Meeting Handout

1. County Board Size Working Group Presentation



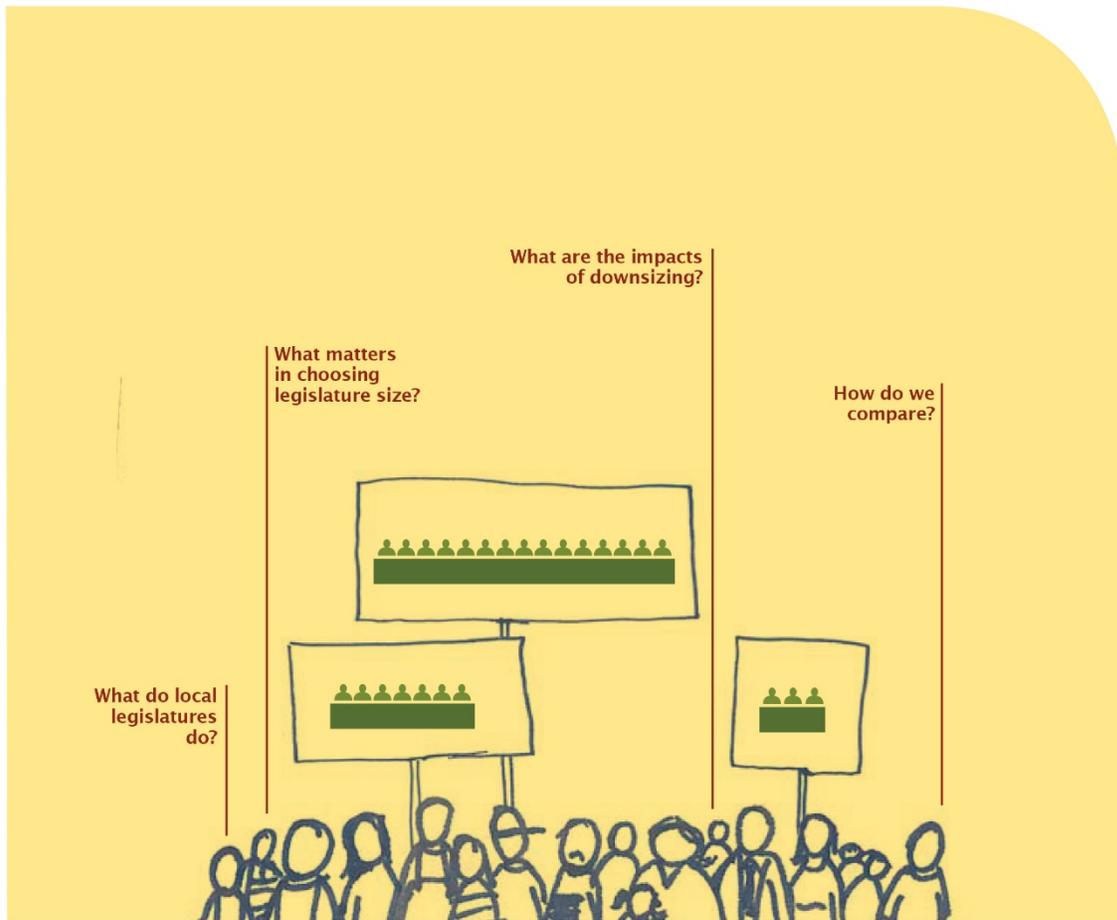
6. PUBLIC COMMENT

Assistant State's Attorney, Conor McCarthy, read the public comments submitted electronically for this meeting. Mr. Nick Mastro submitted a comment in support of reducing the size of the Board to 12 and redraw the districts. Mr. Edgar Pal submitted a comment in support of surveying current Board Members to better understand their workload. Mr. Pal went on to say that he supports a plan to reduce the number of members per district and to divide the County into 9 districts.

7. ADJOURNMENT

Appendix E – Regional Institute at University of Buffalo Publication, “Sizing Up Local Legislatures”

University at Buffalo Regional Institute POLICY BRIEF | September 2009



Sizing Up Local Legislatures

Communities in Western New York are deliberating reforms aimed at decreasing the size of city, town and village boards to save money and streamline municipal action. Size choices have tradeoffs, however, and there is no optimal legislative size to maximize performance on all municipal goals. An examination of Erie County conditions, conducted jointly by the University at Buffalo Regional Institute and University at Buffalo Law School, finds that any cost savings from downsizing are negligible and must be weighed against disadvantages in representation and responsiveness. The dilemma, as James Madison remarked over two hundred years ago, is to size a legislature large enough “to guard against the cabals of a few” and small enough “to guard against the confusion of a multitude.”

What do local legislatures do?

Local legislatures – city councils and town and village boards – perform and oversee many functions. First, local legislatures decide on the specific mix of services the locality will offer – and how to pay for them. Local legislatures thus decide whether the locality will offer police, fire, sanitation, water, sewerage, road maintenance and other services, and the extent and quality of these services. Local legislatures also decide how to finance and provide those services. They set wages, hours and duties of public employees, create a budget, establish tax revenue targets, and decide whether to borrow to finance capital improvements.

Local legislatures also have primary responsibility for making policies to promote the health, safety and welfare of local residents, and to maintain the quality of life that residents desire. Local legislatures thus regulate land use through zoning laws, regulate business activity by law and through licensing decisions, and when necessary exercise the power of eminent domain.

Last but not least, local legislators serve their constituents directly. They hear and respond to residents' concerns and complaints. They help residents navigate government bureaucracies. They communicate local policies and programs to community residents. And they represent the local community to important external constituencies such as county, state and federal officials, regional interest groups, the business community and the media.

Most local legislatures perform these tasks through one or two public meetings per month, requisite committee assignments and additional meetings with municipal employees, prospective investors and constituents. Although "on-call" 24/7 for municipal business, legislators typically receive part-time compensation for their work.

Local legislatures perform and oversee many functions.

- MANAGE PROVISION OF SERVICES**
 - police
 - fire
 - sanitation
 - roads & sidewalks
 - street lighting
 - signage
 - parks & recreation
 - animal control
 - justice system (courts, jails)
 - drainage
 - economic development
- MANAGE MUNICIPAL FINANCES**
 - oversee property assessment
 - set tax rates
 - incur debt
 - approve municipal budget
- MANAGE DEVELOPMENT**
 - regulate land use
 - exercise power of eminent domain
 - make final development decisions
 - monitor environmental impacts

What matters in choosing legislature size?

IF Stakes of Legislative Decisionmaking

(Impact, risk and controversy of decisions)

- REGULATE AND LICENSE BUSINESSES**
- MANAGE MUNICIPAL ADMINISTRATION**
 - set wages, hours and duties of public employees
 - apportion legislative districts
 - adopt and revise municipal charter
- SERVE CONSTITUENTS**
 - address citizen concerns and complaints
 - participate in community events
 - communicate and explain government activities
 - represent local interests to external entities

IF Scope of Local Government

(number and breadth of municipal functions)

IS RELATIVELY...

IF Diversity of Opinion

(range of public opinion, legislator opinion)

IS RELATIVELY...

IF Legislator Workload

(number of committee assignments, desired level & timeliness of constituent service)

IS RELATIVELY...

IF Risk of Legislator Corruption

(susceptibility to special interest influence, favors)

IS RELATIVELY...

IF Proportional Cost per Legislator

(salaries, benefits, facilities, equipment)

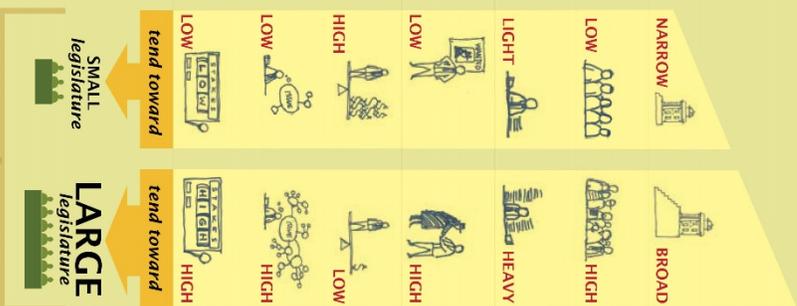
IS RELATIVELY...

IF Difficulty of Issues

(complexity and controversy of issues, need for deliberation)

IS RELATIVELY...

IS RELATIVELY...



Which is better – a large local legislature, a small one or something in between? The answer is: it all depends. First, the size of an organization can affect its ability to do certain tasks. Some tasks are more easily performed by a large organization, others by a small one. For example, how heavy is the legislative workload? If the workload is heavy, then a larger legislature will provide more heads and hands than a small one to do the required work, presumably enhancing its quality. Similarly, if the kinds of decisions the legislature is asked to make are complex, or if it is important that decisions be well-considered and taken after careful deliberation, then more heads may be better than fewer. If matters for legislative decisions tend to be simple, or the stakes of legislative decision making are so low that a mediocre decision isn't much worse than a good one, then a small legislature may be just as effective as a large one.

Second, local conditions may affect the ability of a legislature to do its job effectively depending on its size. For example, if public opinion in a community is relatively homogeneous, then a small legislature can do as good a job as a large one of representing community opinion accurately. But if public opinion is diverse, a larger legislature may be necessary to reflect the true diversity of opinion. If legislators face unusual temptations toward corruption or capture by special interests, then a large legislature may be less corruptible than a small one. If the cost of legislators and their staff is proportionately high relative to the municipal budget, then a smaller legislature might be more desirable than a larger one.

In sum, to think productively about how big a legislature ought to be, we must first know what tasks the community asks its legislature to perform, and under what local circumstances.

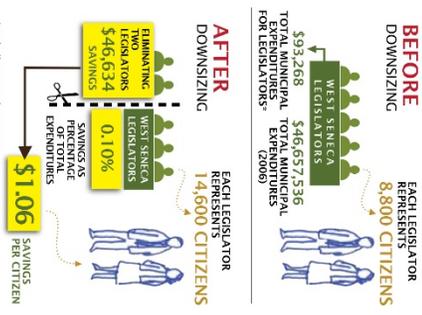
What are the impacts of downsizing?

Contemporary discussions in Erie County over downsizing—defined in current proposals as a reduction by two in the size of city, town and village legislative bodies—focus on the impacts of downsizing on cost, representation and local politics. While understanding local political dynamics requires detailed case studies, we can examine municipal data to reveal downsizing's effect on representation and cost.

How to read this chart:

The Town of West Seneca with a population of 43,998, currently has 5 legislators, each representing 8,800 citizens. The municipality's total expenditures amount to \$46,657,536 annually.

The impacts of downsizing by eliminating two legislators:
 Representation for each legislator increases to 14,666 citizens, an additional 5,866 citizens per legislator.
 The Town of West Seneca would annually save \$46,634... 1/10 of 1 percent, or 1/1000th of the total municipal budget... by eliminating two board members, a per citizen annual savings of \$1.06, less than 9 cents a month.



Municipality	Population (2006)	Number of Legislators	REPRESENTATION IMPACT		COST IMPACT		SAVINGS			
			Citizens per Legislator BEFORE Downsizing	Citizens per Legislator AFTER Downsizing	Total Municipal Expenditures, 2006	Total Municipal Expenditures for Legislators*	Savings Eliminating Two Legislators	Savings as Percentage of Total Expenditures	Savings per citizen AFTER downsizing	
TOWNS										
Alden	10,330	5	2,066	3,443	\$ 3,693,219	\$ 40,788	\$ 20,394	0.55%	\$ 1.97	
Aurora	116,114	5	16,588	23,223	\$ 152,042,905	\$ 218,442	\$ 72,814	0.05%	\$ 0.63	
Boston	7,813	5	1,563	4,530	\$ 11,580,145	\$ 45,216	\$ 22,608	0.20%	\$ 1.66	
Brant	1,848	5	370	616	\$ 3,944,652	\$ 31,700	\$ 15,850	0.40%	\$ 2.03	
Cheektowaga	88,976	7	12,711	17,795	\$ 1,340,827	\$ 16,560	\$ 8,280	0.62%	\$ 4.48	
Clarence	27,908	5	5,582	9,303	\$ 72,093,016	\$ 198,681	\$ 66,227	0.09%	\$ 0.74	
Colden	3,306	5	661	1,102	\$ 17,806,309	\$ 135,892	\$ 67,946	0.38%	\$ 2.43	
Collins	7,118	5	1,424	2,373	\$ 3,425,394	\$ 17,088	\$ 8,544	0.25%	\$ 2.58	
Concord	8,437	5	1,691	2,819	\$ 2,371,188	\$ 42,113	\$ 12,037	0.65%	\$ 1.69	
Eden	7,788	5	1,558	2,596	\$ 4,637,556	\$ 37,464	\$ 21,057	0.89%	\$ 2.49	
Elma	11,190	5	2,238	3,730	\$ 6,777,292	\$ 65,280	\$ 32,640	0.48%	\$ 2.92	
Evans	16,997	5	3,399	5,666	\$ 12,839,627	\$ 86,480	\$ 43,240	0.34%	\$ 2.54	
Grand Island	18,879	5	3,776	6,293	\$ 16,999,610	\$ 114,728	\$ 57,364	0.34%	\$ 3.04	
Hamburg	55,929	5	11,186	18,643	\$ 37,594,331	\$ 75,600	\$ 37,800	0.10%	\$ 0.68	
Holland	3,505	5	701	1,168	\$ 1,843,818	\$ 22,144	\$ 11,072	0.60%	\$ 3.16	
Lancaster	40,287	5	8,053	13,422	\$ 25,264,365	\$ 90,680	\$ 45,340	0.18%	\$ 1.13	
Marilla	5,594	5	1,119	1,865	\$ 6,011,519	\$ 33,339	\$ 16,670	0.28%	\$ 1.99	
Newstead	8,362	5	1,672	2,787	\$ 1,626,622	\$ 20,000	\$ 10,000	0.61%	\$ 3.03	
North Collins	3,295	5	659	1,098	\$ 18,328,025	\$ 92,689	\$ 46,345	0.25%	\$ 1.66	
Orchard Park	27,983	5	5,597	9,328	\$ 1,227,322	\$ 18,764	\$ 9,382	0.76%	\$ 3.51	
Sardinia	2,670	5	534	890	\$ 87,407,238	\$ 128,250	\$ 42,750	0.05%	\$ 0.59	
Tonaawanda	72,820	7	10,403	14,564	\$ 1,131,812	\$ 19,331	\$ 9,666	0.85%	\$ 3.37	
West Seneca	43,998	5	8,800	14,666	\$ 46,657,536	\$ 93,268	\$ 46,634	0.10%	\$ 1.06	
VILLAGES										
Akron	3,011	5	602	1,004	\$ 5,015,349	\$ 20,868	\$ 10,434	0.21%	\$ 3.47	
Alden	2,570	5	514	857	\$ 2,583,082	\$ 19,419	\$ 9,710	0.38%	\$ 3.78	
Angola	2,160	5	432	720	\$ 2,109,846	\$ 11,124	\$ 5,562	0.26%	\$ 2.58	
Blasdell	2,530	5	506	843	\$ 2,449,513	\$ 21,116	\$ 10,558	0.43%	\$ 4.17	
Depew	15,530	5	2,219	3,106	\$ 10,735,801	\$ 48,780	\$ 16,260	0.15%	\$ 1.05	
East Aurora	6,306	7	901	1,261	\$ 8,702,365	\$ 18,882	\$ 6,294	0.07%	\$ 1.00	
Farmham	317	5	63	106	\$ 591,817	\$ 7,416	\$ 3,708	0.63%	\$ 11.70	
Gowanda	2,653	5	531	884	\$ 2,635,338	\$ 16,500	\$ 8,250	0.31%	\$ 3.11	
Hamburg	9,450	5	1,890	3,150	\$ 8,494,507	\$ 21,012	\$ 10,506	0.12%	\$ 1.11	
Kenmore	15,253	5	3,051	5,054	\$ 12,830,931	\$ 45,494	\$ 22,747	0.18%	\$ 1.49	
Lancaster	11,280	7	1,611	2,256	\$ 7,049,510	\$ 55,200	\$ 18,400	0.26%	\$ 1.63	
North Collins	1,015	7	203	338	\$ 806,424	\$ 15,860	\$ 7,930	0.98%	\$ 7.81	
Orchard Park	3,092	5	618	1,031	\$ 1,597,921	\$ 19,104	\$ 9,552	0.60%	\$ 3.09	
Sloan	3,507	5	701	1,169	\$ 2,062,673	\$ 20,300	\$ 10,150	0.49%	\$ 2.89	
Sprindville	4,231	5	846	1,410	\$ 9,285,076	\$ 19,800	\$ 9,900	0.11%	\$ 2.34	
Williamsville	5,207	5	1,041	1,736	\$ 4,413,981	\$ 23,368	\$ 11,684	0.26%	\$ 2.24	
CITIES										
Lackawanna	17,851	5	3,570	5,950	\$ 22,475,867	\$ 72,615	\$ 29,046	0.13%	\$ 1.63	
Tonaawanda	15,042	5	3,008	5,014	\$ 18,652,774	\$ 36,500	\$ 14,600	0.08%	\$ 0.97	
Buffalo	274,807	9	30,534	39,258	\$ 450,376,958	\$ 598,045	\$ 132,899	0.03%	\$ 0.48	

*Excluding legislator or mayor's salary.
 Sources: Erie County Board of Elections (number of legislators), New York State Comptroller (municipal expenditures) and "The Cost of" (legislator expenditures)

How do we compare?

A national survey of municipalities by the International City Management Association in 2006-07 reported an average municipal council size of six members, slightly higher than the 5.4 member average for Erie County municipalities.

For cities, legislative sizes and population per legislator range widely, a reflection of varied histories, city size and political cultures. As the national map indicates, council size in a selection of cities in New York State and the nation range from five (Portland, Oregon) to fifty-one (New York City), with number of constituents per legislator ranging from 6,278 (Albany) to over 250,000 (Los Angeles).



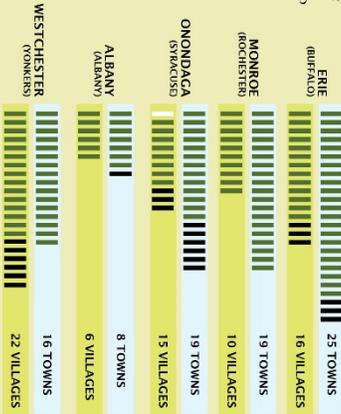
For over 100 years, the National Municipal League's "Model City Charter" has made recommendations for council size.

While city council sizes vary, town and village boards show considerable consistency around a norm of 5-7 members. This norm reflects not only avoidance of size extremes—not so large as to be unwieldy and not so small as to concentrate power—but also the nationwide influence of the National Municipal League's (now National Civic League) "Model City Charter," which for nearly a century has recommended a council size of four to six members or, since its seventh edition in 1989, five to seven members.

A survey of towns and villages in five New York counties, with large central cities—Erie, Albany, Monroe, Onondaga and Westchester—revealed all but one of the 87 towns and 60 villages with boards of either five or seven members. In this sample, board size was the same for communities with population below 2,000 (Towns of Brant, Spaulding, Rensselaerville, for example) and over 90,000 (Towns of Greenburgh and Amherst). Only the Village of Mahanada in Onondaga County differed from this norm with a three-member village board of trustees.

Residents of West Seneca and Evans voted in 2009 to become the first towns in this group to use the three-member structure, effective 2010.

TOWNS AND VILLAGES COUNCIL SIZE



The appropriate size of a legislature is a question of institutional design. It thus resembles many other kinds of questions that designers of government institutions routinely face. How many branches of government should be created? What powers should they exercise? Should offices be elective or appointive? How long should officials serve?

To design means to plan and build for the future. To design a government means to do so for many people and for future generations. Designers in every field routinely ask themselves similar kinds of questions. What long-term goals am I trying to achieve? What are the various means by which those goals may be achieved and sustained? What are the pros and cons of alternative approaches?

Virtually all design decisions entail tradeoffs to balance multiple competing goals and values. In the case of legislative size, both the goals and the tradeoffs are relatively clear. A legislature should be representative of the community and responsive to its needs. It should make high-quality decisions. It should operate efficiently and cost-effectively. It should be incorruptible. Yet not all of these goals can be achieved equally well by legislatures of all sizes. Larger legislatures are generally better able to represent diverse public opinion, respond to demands for constituent service, deliberate reflectively, handle complex or controversial issues, and resist corruption or capture by special interests. Small legislatures are better able to operate cheaply, respond to community consensus and handle a light workload of routine and uncontroversial decisions.

Because designing a government requires hard choices among these values, not all communities will make the same choices. There are no right or wrong answers to the question of legislative size. There are only choices that reflect more or less accurately the goals, values and preferences of the community.

A council should be "large enough to be truly representative, and small enough to get capable men and women, to avoid confusion and expedite action, to avert excessive involvement by its members in administrative details, and to center responsibility for its action or inaction."

New York State Commission on Governmental Operations of the City of New York, *Background Research on the Top Structure of the Government of the City of New York, 1961*

Downsizing data for Erie County show clearly one element of this broader community choice. The main expenses of local governments lie not in their legislatures, but in the package of municipal services provided to community residents, businesses and visitors—roads, parks, street lights, water, community centers and so forth—and the infrastructure and staff financed to sustain these services. Eliminating services, reducing service levels or finding efficiencies to deliver services at the same level and quality for lower cost—through personnel reductions, service mergers or other cost-saving reforms—are the primary means by which a community will reduce its budget. If the primary community goal is to save money, legislative downsizing is insufficient, offering a cost-negligible—but, because of tradeoffs, not inconsequential—means to achieve it.

For More Information

International City Management Association, "Municipal Form of Government, 2006: Trends in Structure, Responsibility and Composition" (accessed online at <http://icma.org>).

National Civic League, 2003. *Model City Charter, 8th edition*. Denver, Colorado: National Civic League.

New York Department of State, 2008. *Local Government Handbook, 5th edition* (accessed online at <http://www.dos.state.ny.us/lgss/pdfs/Handbook.pdf>).

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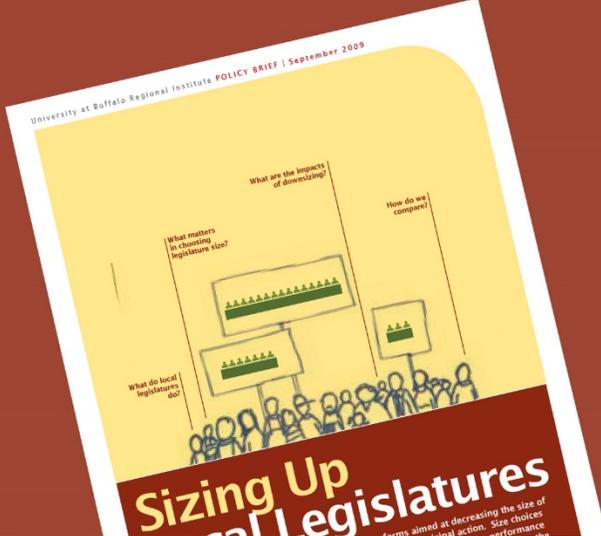
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POLICY BRIEF | SEPTEMBER 2009

How big should a local legislature be?

www.regional-institute.buffalo.edu



The image shows the cover of a policy brief titled "Sizing Up Local Legislatures" from the University at Buffalo Regional Institute, dated September 2009. The cover features a yellow background with a diagram of three legislative bodies of varying sizes (represented by green bars with human icons) and a crowd of people at the bottom. Text on the cover includes: "What do local legislatures do?", "What matters in choosing legislature size?", "What are the impacts of downsizing?", and "How do we compare?". The title "Sizing Up Local Legislatures" is prominently displayed in large, bold letters at the bottom of the cover. Below the title, there is a small line of text: "Forms aimed at decreasing the size of legislative bodies. Size choices impact legislative performance."