

Chapter 8
VILLAGE ADMINISTRATION

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1-8-1 GOVERNMENT OF VILLAGE

The Village shall be governed by a Board of Trustees which shall be elected at large and consist of a President and six Trustees. The members of the Board shall be elected to serve a four year term, and until their successors are elected and qualified, as provided by law. The Board of Trustees shall be the legislative department of the Village and shall perform such duties and have such powers as provided by law and by ordinance.

1-8-2 PRESIDENT

- A. Powers: The President of the Village Board shall perform the duties and exercise the powers conferred upon the President of the Village, and shall perform all duties provided, prescribed and permitted by the laws of the State of Illinois and the ordinances of the Village.

- B. Presides at Board Meetings: The President shall preside at all regular and special meetings of the Village Board, unless unavoidably prevented, but he shall not vote upon questions considered by the Village Board except in case of a tie, when he shall cast the deciding vote, or when the following circumstances arise:
 - 1. Where one half of the Trustees elected have voted in favor of an ordinance, resolution or motion even though there is no tie vote; or

 - 2. Where a vote greater than a majority of the corporate authorities is required by the Illinois Municipal Code to adopt an ordinance, resolution or motion.

- C. Appointments: The President shall have the power and authority to appoint, by and with the advice and consent of the Board of Trustees, all officers of the Village whose election or appointment is not otherwise provided for. Any vacancies occurring in an appointive office shall be filled in like manner.
- D. Investigations: The President shall have full power and authority to investigate all matters pertaining to the interest of the Village and the public welfare of its residents; and to make written or oral report and recommendation thereon to the Village Board.
- E. Village Property: The President shall exercise general supervision over all Village property and over the various administrative departments of the Village.
- F. Supervision of Officers: The President shall supervise the conduct of all officers of the Village and shall examine the grounds of all reasonable complaints made against any of them and cause their violation of duty and other offenses, if any, to be promptly punished.
- G. Bond: The President, before entering upon the duties of his office, shall execute a bond to the Village, in such amount and with such sureties as may be required by law and by ordinance, conditioned for the faithful performance of the duties of his office. The cost of the bond shall be borne by the Village.
- H. Salary of the Village President: The Village President shall receive an annual salary as found in Section 1-8-9 of the Hebron Municipal Code as remuneration for performance of the duties of Village President.
- I. Acting President: In the event the office of Village President is vacated prior to the end of a term said office shall be filled according to the Illinois Municipal Code. The salary of the acting president shall be the current salary of the president less any compensation received on a per diem basis as a trustee.

1-8-3 OFFICE OF TRUSTEE

- A. Meetings: It shall be the duty of each Trustee to attend all regular and special meetings of the Board and all committee meetings of which he is a member. When he is unable to attend any meeting he shall notify the Village President or Village Clerk.
- B. Salary: A trustee shall receive a salary as found in Section 1-8-9 of the Hebron Municipal Code as remuneration for performance of the duties of Village Trustee.
- C. Temporary President: In the absence of the Village President at a meeting, those trustees present shall elect one of their members to preside over the meeting. The presiding officer shall not lose his right to vote as temporary president.

- D. Vacancies: A vacancy in the Office of Trustee may be filled by the appointment of a Trustee by the President with the advice and consent of the remaining Trustees.

1-8-4 VILLAGE CLERK *Amended, 2004-05-739*

- A. Appointment: The Clerk shall be filled by appointment by the President, with the advice and consent of the Village Board. Because the position of Clerk requires special expertise, the appointment need not be a resident. However, every effort should be made to appoint a resident who is qualified to carry out the duties of the Clerk. The Clerk shall be an at will employee of the Village.
- B. Salary: The salary of the Clerk shall be determined from time to time by the Village Board.
- C. Duties: The Clerk shall perform the duties as required by the Illinois Compiled Statutes and those duties assigned by the Village Board.
- D. Bond: Before entering upon the duties of Clerk, the Clerk shall execute a bond in such amount and with such sureties as may be required by law or by ordinance, conditioned upon the faithful performance of the duties of the Clerk. The Village shall pay the premium on such bond.

1-8-5 MEETINGS *Amended, 2006-07-791*

- A. Regular Meetings: All regular meetings of the Village Board shall be held on the first and third Monday of each and every month at the hour of 7 p.m. Any regular meeting may be adjourned to such time as the Village Board may direct.
- B. Special Meetings: Special meetings of the Village Board may be called by the President or any three members of the Village Board upon his or their filing in the Office of the Clerk, a statement in writing setting forth the purpose of such special meeting, and directing the Clerk to give notice of the same. Upon the filing of such statement the Clerk shall prepare a public notice of said special meeting and shall give public notice at least 24 hours before said meeting.

Public notice shall be given by posting a copy of the notice at the principal office of the Village Board, at the location where the meeting will take place and the Hebron Post Office. The Clerk shall also supply copies of the notice of any special meeting to registered news media. In addition, the Clerk shall make copies of said public notice and deliver the same to the President and each member of the Village Board, except the person or persons calling the special meeting; or such copy may be left at their place of residence at least 24 hours before the time for which the meeting is called.

- C. Duty of Members to Attend: It shall be the duty of each member to attend all regular and special meetings thereof. Four members of the Corporate Authorities (including the President) shall constitute a quorum to do business, but a smaller number may adjourn from

time to time and compel absentees to attend any regular or special meeting by a written citation to that effect, stating the day and hour of such meeting. Such citation shall be signed by the President or Trustee issuing the same and may be served by any Village officer authorized to serve processes in the Village by reading the same to such absentees.

D. Rules for Meeting Attendance: In addition to holding meetings pursuant to the Open Meetings Act, 5 ILCS 120/1 *et seq.*, Village Board meetings shall be subject to the following rules:

1. A quorum of the Village Board shall be physically present at the location of an open or closed meeting.
2. Provided a quorum is physically present, a member may be allowed to attend the meeting by audio or video conferencing.
3. Any member who wishes to be considered present at a meeting via audio or video conference may make such a request to the Village Board by notifying the Clerk prior to the meeting, unless advance notice is impractical, that the member cannot physically attend the meeting for one of the following reasons:
 - a. Personal illness or disability;
 - b. Employment purposes or Village business; or
 - c. A family or other emergency.
4. An affirmative vote by a majority of the Village Board physically present may allow the member to attend a meeting as provided herein.
5. The Clerk shall record in the minutes of every meeting the members physically present, absent and present by audio or video conference.

1-8-6 RULES OF ORDER

The President shall decide all questions of order and in all cases where the rules adopted by the Village Board are not applicable, the Village Board shall be governed by Roberts' Rules of Order.

1-8-7 TERM OF OFFICE *Amended, 06-07-793, 04-05-730, 564*

The terms of the President and Trustees, elected at the April election, shall begin at the first regular meeting in May. When official election results are not available by that meeting, the terms shall begin at the first regular or special meeting following receipt of the election results.

1-8-8 VILLAGE TREASURER Amended, 18-19-947, 553

- A. Creation of Office and Appointment: There is hereby created the office of Village Treasurer, an executive office of the Village. The Village Treasurer shall be appointed by the President, by and with the advice and consent of the Board of Trustees, and shall serve at the pleasure of the President and the Board of Trustees.
- B. Duties: The Village Treasurer shall perform those duties assigned by the President and Board of Trustees from time to time and those duties required by Illinois State Statutes. In order to be valid, each check authorized by the Village requires two of the three signatures of the Village President, the Village Treasurer, or Village Clerk.
- C. Salary: The salary for the Village Treasurer shall be determined from time to time by the Corporate Authorities.
- D. Bond: Before entering upon the duties of office, the Village Treasurer shall execute a bond in such amount and with such sureties as may be required by law and by ordinance, conditioned upon the faithful performance of the duties of the office, and to indemnify the Village against any loss due to any neglect of duty or wrongful act on the part of the Village Treasurer. The Village shall pay the premium on such bond.

1-8-9 SALARIES OF OFFICERS Amended, 06-07-794, 04-05-729, 04-05-720, 00-01-679, 00-01-672, 98-99-629, 97-98-605, 559

Compensation paid to certain elected and appointed officials of the Village shall be as follows:

- 1. The President of the Board of Trustees shall receive a salary of \$9,000 per year, payable in equal monthly installments.
- 2. Trustees shall receive a salary of \$50 for each regular, special and committee meeting of the Board of Trustees attended; and, effective with the April 2007 election, the salary shall be increased to \$75.
- 3. Planning and Zoning Commission: Commissioners shall receive a salary of \$20 for each regular meeting and each public hearing attended; the chairman shall receive a salary of \$25 for each regular meeting and each public hearing attended. For special meetings and public hearings concerning matters where the petitioner has submitted a reimbursement of fees agreement pursuant to Chapter 2, Title 5C, of this Code, commissioners shall receive a salary of \$50 for each special meeting and public hearing attended; the chairman shall receive a salary of \$75 for each special meeting and public hearing attended.

1-8-10 FISCAL YEAR Ord. 546

The fiscal year of the Village shall begin on the first day of May of each year and end on the last day of April of the following year.

1-8-11 ORDER OF BUSINESS 95-96-575, Amended, 19-20-974, 2017-18-933

The order of business at all regular meetings of the Board of Trustees shall be as follows:

1. Call to Order:
2. Pledge of Allegiance:
3. Roll Call:
4. Accept and Approve Meeting Minutes:
5. Approval of Accounts Payable:
6. President's Report:
7. Public Comments:
8. Committee Reports:
9. Ordinances, Communications and Resolutions:
10. Department Head Reports:
11. Attorney's Report:
12. Executive Session (if called):
13. Board Comments:
14. Adjournment:

1-8-12 PUBLIC COMMENT Ord. 2017-18-933, 17-18-937, 19-20-974

At each meeting of the Village Board of Trustees, as well as any meeting of any other committee, commission or public body of the Village, members of the public shall have an opportunity to comment to the Board, committee, commission or public body of the Village, as the case may be, at such meeting in accordance with this section.

Members of the public are invited to present comments at each meeting of the Village Board, as well as each committee, commission or public body thereof. The Village requests that any member of the public wishing to comment at such meeting provide one's name, address and phone number at the beginning of the meeting on a list for public comment. A maximum of thirty minutes will be provided for all public comment at each meeting. Each member of the public wishing to convey comment will be limited to three minutes so that other members of the public will have an opportunity to comment. Reading a letter that has already been provided to the Board, committee, commission or other public body of the Village, as the case may be, is not allowed. Comments from a member of the public during special meetings must be germane to the topics for such meeting.

Threatening or disruptive behavior by members of the public providing comment at such meeting of the Village Board, committee, commission or other public body of the Village is not permitted. The Village reserves the right to remove individuals when necessary to permit the Board, committee, commission or other public body of the Village, as the case may be, to effectively conduct its respective business at such meeting. Any photograph and video taken of the Village Board, committee, commission or other public body of the Village or member thereof shall be done from a distance of at least twelve feet from each of the members of the Board, committee, commission or other public body of the Village as the case may be.

- A. Declaration of Policy: The proper operation of democratic government requires that Officers and Employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a Code of Ethics for all Village Officers and Employees is adopted. The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for all Village Officers and Employees by setting forth those acts or actions that are incompatible with the best interest of the Village and by directing disclosure by such Officers and Employees of private financial or other interests in matters affecting Village life.
- B. Code of Ethics: The requirements set forth herein shall constitute a Code of Ethics establishing reasonable standards and guidelines for the ethical conduct of Officers and Employees of the Village.
- C. Definitions: For purposes of this Section 1-8-12, the following terms shall be given these definitions:

“Campaign for elective office” means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a Political Organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities: (i) relating to the support or opposition of any executive, legislative or administrative action; (ii) relating to collective bargaining; or (iii) that are otherwise in furtherance of the person’s official duties.

“Candidate” means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in Section 1-3 of the Election Code (10 ILCS 5/1-3).

“Collective Bargaining” has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

“Compensated Time” means, with respect to an Employee, any time worked by or credited to the Employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Section 1-8-12, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the Employee is on a Leave of Absence. With respect to Officers or Employees whose hours are not fixed, “compensated time” includes any period of time when the Officer or Employee is on premises under the control of the Employer and any other time when the Officer or Employee is executing his or her official duties, regardless of location.

“Compensatory Time Off” means authorized time off earned by or awarded to an Employee to compensate in whole or in part for time worked in excess of the minimum work time required of that Employee as a condition of his or her employment.

“Contribution” has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

“Employee” means a person employed by the Village of Hebron, whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an Employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

“Employer” means the Village of Hebron.

“Gift” means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an Officer or Employee.

“Intra-Governmental Gift” means any gift given to an Officer or Employee of the Village from another Officer or Employee of the Village.

“Inter-Governmental Gift” means any gift given to an Officer or Employee of the Village from a member or employee of the legislative branch of the government of the State of Illinois, a judge or employee of the judicial branch of the government of the State of Illinois, an officer or employee of the executive branch of the government of the State of Illinois, an officer or employee of a unit of local government, home rule unit, or school district, or an officer or employee of any other governmental entity.

“Leave of Absence” means any period during which an Employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the Employer.

“Officer” means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

“Political Activity” means any activity in support of or in connection with any campaign for elective office or any Political Organization, but does not include activities (i) relating to the support or opposition of any executive, legislative or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person’s official duties.

“Political Organization” means a party, committee, association, fund or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10

ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

“Prohibited Political Activity” means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing or receiving payment for tickets for any political fund-raiser, political meeting or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a Political Organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective officer or on behalf of a Political Organization for political purposes or for or against any referendum question.
6. Assisting at the polls on election day on behalf of any Political Organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a Political Organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution or mailing campaign literature, campaign signs or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.

13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

“Prohibited Source” means any person or entity who:

1. is seeking official action (i) by an Officer or (ii) by an Employee or by the Officer or another Employee directing that Employee;
2. does business or seeks to do business (i) with the Officer or (ii) with an Employee, or with the Officer or another Employee directing that Employee;
3. conducts activities regulated (i) by the Officer or (ii) by an Employee, or by the Officer or another Employee directing that Employee; or
4. has interests that may be substantially affected by the performance or non-performance of the official duties of the Officer or Employee.

“Relative” means those people related to the Officer or Employee as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather or grandmother of the Officer’s or Employee’s spouse and the Officer’s or Employee’s fiancé or fiancée.

D. Prohibited Political Activities:

1. No Officer or Employee shall intentionally perform any prohibited Political Activity during any Compensated Time. No Officer or Employee shall intentionally use any property or resources of the Village in connection with any Prohibited Political Activity.
2. At no time shall any Officer or Employee intentionally require any other Officer or Employee to perform any Prohibited Political Activity (i) as part of that Officer or Employee’s duties, (ii) as a condition of employment, or (iii) during any Compensated Time off (such as holidays, vacation or personal time off).
3. No Officer or Employee shall be required at any time to participate in any Prohibited Political Activity in consideration for that Officer or Employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor

shall any Officer or Employee be awarded additional compensation or any benefit in consideration for his or her participation in any Prohibited Political Activity.

4. Nothing in this Section 1-8-12-D prohibits activities that are permissible for an Officer or Employee to engage in as part of his or her official duties, or activities that are undertaken by an Officer or Employee on a voluntary basis which are not prohibited by this Section 1-8-12.
5. No person either: (i) in a position that is subject to recognized merit principles of public employment; or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a Political Organization or club.

E. Gift Ban:

1. Except as permitted by this Section 1-8-12-E, no Officer or Employee, and no spouse of or immediate family member living with any Officer or Employee (collectively referred to herein as “recipients”), shall intentionally solicit or accept any gift from any Prohibited Source, as defined herein, or which is otherwise prohibited by law or ordinance. No Prohibited Source shall intentionally offer or make a gift that violates this Section 1-8-12-E.
2. Exceptions: Section 1-8-12-E1 is not applicable to the following:
 - a. Opportunities, benefits, and services that are available on the same conditions as for the general public.
 - b. Anything for which the Officer or Employee, or his or her spouse or immediate family member, pays the fair market value.
 - c. Any (i) contribution that is lawfully made under the Election Code; or (ii) activities associated with a fund-raising event in support of a Political Organization or candidate.
 - d. Educational materials and missions.
 - e. Travel expenses for a meeting to discuss business.
 - f. A gift from a Relative.
 - g. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the re-

recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Officers or Employees, or their spouses or immediate family members.

- h. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section 1-8-12-E2h, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
- i. Food, refreshments, lodging, transportation and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an Officer or Employee), if the benefits have not been offered or enhanced because of the official position or employment of the Officer or Employee, and are customarily provided to others in similar circumstances.
- j. Intra-Governmental and Inter-Governmental gifts.
- k. Bequests, inheritances and other transfers at death.
- l. Any item or items from any one Prohibited Source during any calendar year having a cumulative total value of less than \$100.

Each of the exceptions listed in this Section 1-8-12-E is mutually exclusive and independent of every other.

- 3. Disposition of Gifts: An Officer or Employee, his or her spouse or an immediate family member living with the Officer or Employee, does not violate this Section 1-8-12-E if the recipient promptly takes reasonable action to return a gift from a Prohibited Source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, re-numbered or succeeded.

F. Ethics Advisor:

1. The Village President, with the advice and consent of the Village Board shall designate an Ethics Advisor for the Village.
2. The Ethics Advisor shall provide guidance to the Officers and Employees of the Village concerning the interpretation of and compliance with the provisions of this Section 1-8-12 and State ethics laws. The Ethics Advisor shall perform such other duties as may be delegated by the Village Board.

G. Ethics Commission:

1. There is hereby created a commission to be known as the Ethics Commission of the Village of Hebron (for this Section 1-8-12, "Commission"). The Commission shall be comprised of three members appointed by the Village President with the advice and consent of the Village Board. No person shall be appointed as a member of the Commission who is related, either by blood or marriage up to the degree of first cousin, to any elected Officer of the Village.
2. At the first meeting of the Commission the initial appointees shall draw lots to determine their initial terms. Two commissioners shall serve two-year terms, and the third commissioner shall serve a one-year term. Thereafter, all commissioners shall be appointed to two-year terms. Commissioners may be re-appointed to serve subsequent terms.
3. At the first meeting of the Commission, the commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any two commissioners. A quorum shall consist of two commissioners, and official action by the Commission shall require the affirmative vote of two members.
4. The Village President, with the advice and consent of the Village Board, may remove a commissioner in case of incompetency, neglect of duty or malfeasance in office after service on the commissioner by certified mail, return receipt requested, of a copy of the written charges against the commissioner and after providing an opportunity to be heard in person or by counsel upon not less than 10 days' notice. Vacancies shall be filled in the same manner as original appointments.
5. The Commission shall have the following powers and duties:
 - a. To promulgate procedures and rules governing the performance of its duties and the exercise of its powers.
 - b. Upon receipt of a signed, notarized, written complaint, to investigate, conduct hearings and deliberations, issue recommendations for disciplinary actions, impose fines in accordance with this Section 1-8-12 and refer violations of Sections 1-8-12-D and 1-8-12-E to the Village Attorney for prosecution. The Commission shall, however, act only upon the receipt of

a written complaint alleging a violation of this Section 1-8-12 and not upon its own prerogative.

- c. To receive information from the public pertaining to its investigations and to require additional information and documents from persons who may have violated the provisions of this Section 1-8-12.
- d. To compel the attendance of witnesses and to compel the production of books and papers pertinent to an investigation. It is the obligation of all Officers and Employees of the Village to cooperate with the Commission during the course of its investigations. Failure or refusal to cooperate with requests by the Commission shall constitute grounds for discipline or discharge.
- e. To prepare and publish such manuals and guides as the Commission deems appropriate to facilitate compliance with the terms of this Section 1-8-12-G.
- f. The powers and duties of the Commission are limited to matters clearly within the purview of this Section 1-8-12-G.

6. Complaints:

- a. Complaints alleging a violation of this Section 1-8-12 shall be filed with the Ethics Commission.
- b. Within three business days after the receipt of a complaint, the Commission shall send by certified mail, return receipt requested, a notice to the respondent that a complaint has been filed against him or her and a copy of the complaint. The Commission shall send by certified mail, return receipt requested, a confirmation of the receipt of the complaint to the complainant within three business days after receipt by the Commission. The notices to the respondent and the complainant shall also advise them of the date, time, and place of the meeting to determine the sufficiency of the complaint and to establish whether probable cause exists to proceed.
- c. Upon not less than 48 hours' public notice, the Commission shall meet to review the sufficiency of the complaint and, if the complaint is deemed sufficient to allege a violation of this Section 1-8-12, to determine whether there is probable cause, based on the evidence presented by the complainant, to proceed. The meeting may be closed to the public to the extent authorized by the Open Meetings Act. Within seven business days after receiving the complaint, the Commission shall issue notice to the complainant and the respondent of the Commission's ruling on the sufficiency of the complaint and, if necessary, on probable cause to proceed. If the complaint is deemed not sufficient to allege a violation or if there is no deter-

mination of probable cause, then the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint, and that notice shall be made public.

- d. If the complaint is deemed sufficient to allege a violation of Section 1-8-12-E and there is a determination of probable cause, then the Commission's notice to the parties shall include a hearing date scheduled within four weeks after the complaint's receipt. Alternatively, the Commission may elect to notify in writing the Village Attorney to prosecute such actions and request that the complaint be adjudicated judicially and the Commission's notice to the parties shall indicate this fact.
- e. If the complaint is deemed sufficient to allege a violation of Section 1-8-12-D, then the Commission shall notify in writing the Village Attorney to prosecute such actions and shall transmit to the Village Attorney the complaint and all additional documents in the custody of the Commission concerning the alleged violation. The Commission's notice to the parties shall indicate these facts.
- f. If the Commission elects to hear a case brought under Section 1-8-12-E, on the scheduled date and upon at least 48 hours' public notice of the meeting, the Commission shall conduct a hearing on the complaint and shall allow both parties the opportunity to present testimony and evidence. The hearing may be closed to the public only if authorized by the Open Meetings Act.
- g. Within 30 days after the date the hearing or any recessed hearing of a case brought under Section 1-8-12-E is concluded, the Commission shall either: (i) dismiss the complaint; or (ii) issue a recommendation for discipline to the alleged violator and to the Village President or other Officer having authority to discipline the Officer or Employee, or impose a fine upon the violator, or both. The particular findings in the case, any recommendation for discipline and any fine imposed shall be a matter of public information.
- h. If the hearing on a case brought under Section 1-8-12-E was closed to the public, the respondent may file a written demand for a public hearing on the complaint within seven business days after the issuance of the recommendation for discipline or imposition of a fine, or both. The filing of the demand shall stay the enforcement of the recommendation or fine. Within 14 days after receiving the demand, the Commission shall conduct a public hearing on the complaint upon at least 48 hours' public notice of the hearing and allow both parties the opportunity to present testimony and evidence. Within seven days thereafter, the Commission shall publicly issue a final recommendation to the alleged violator and to the Village Pres-

ident or other Officer having authority to discipline the Officer or Employee or impose a fine upon the violator, or both.

- i. If a complaint is filed during the sixty days preceding the date of any election at which the respondent is a Candidate, the Commission shall render its decision as required under Section 1-8-12-G6g within seven days after the complaint is filed, and during the seven days preceding that election, the Commission shall render such decision before the date of that election, if possible.
- j. A complaint alleging the violation of this Section 1-8-12 must be filed within one year after the alleged violation.
- k. In the event a member of the Commission is the subject of an alleged violation of this Section 1-8-12, such commissioner shall immediately recuse himself or herself from the investigation of such alleged violation, and shall take no part in the final action of the Commission regarding such alleged violation. A substitute Commissioner shall be appointed pursuant to the terms of Section 1-8-12-G1 herein for purposes relating to this matter only.

H. Penalties:

- 1. A person who intentionally violates any provision of Section 1-8-12-D may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- 2. A person who intentionally violates any provision of Section 1-8-12-E is subject to a fine in an amount on not less than \$1,001 and not more than \$5,000.
- 3. The Commission may levy an administrative fine of up to \$5,000 against any person who violates this Code of Ethics or who intentionally makes a false, frivolous, or bad faith allegation.
- 4. In addition to any administrative fines imposed pursuant to Section 1-8-12-H.3 above, any person who intentionally makes a false report alleging a violation of any provision of Section 1-8-12 to the Ethics Commission, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.
- 5. A violation of Section 1-8-12-D shall be prosecuted as a criminal offense by the Village Attorney by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of

criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt.

6. A violation of Section 1-8-12-E may be prosecuted as a quasi-criminal offense by an attorney for the Village, or the Ethics Commission, through the designated administrative procedure.
 7. In addition to any other penalty that may be applicable, whether criminal or civil, an Officer or Employee who intentionally violates any provision of this Section 1-8-12 is subject to discipline or discharge.
- I. Distribution of Code of Ethics: The Village Clerk shall cause a copy of this Code of Ethics to be distributed to every Officer and Employee of the Village within 30 days after enactment of this Code of Ethics. Each Officer and Employee elected, appointed or engaged hereafter shall be furnished a copy before entering upon the duties of his or her office or employment.

1-8-14 RULES FOR MEETING ATTENDANCE 2006-07-791

In addition to holding meetings pursuant to the Open Meetings Act, 5 ILCS 120/1 *et seq.*, meetings held by a board or commission of the Village shall be subject to the following rules:

1. A quorum of the board/commission shall be physically present at the location of an open or closed meeting.
2. Provided a quorum is present, a member may be allowed to attend the meeting by audio or video conferencing.
3. Any member who wishes to be considered present at a meeting by audio or video conference may make such a request to the board/commission by notifying the Clerk prior to the meeting, unless advance notice is impractical, that the member cannot physically attend the meeting for one of the following reasons:
 - a. Personal illness or disability;
 - b. Employment purposes or Village business; or
 - c. A family or other emergency.
4. An affirmative vote by a majority of the board/commission may allow the member to attend a meeting as provided in paragraph 2 above.
5. The secretary shall record in the minutes of every meeting the members physically present, absent and present by audio or video conference.

- A. Policy: It is the Policy of the Village to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the Village and conforming to all state statutes and Village ordinances governing the investment of public funds.
- B. Scope of Policy: This Policy includes, and is applicable, to all funds of the Village. All financial assets of Village funds, including, but not limited to the general fund, special revenue funds, capital project funds, debt service funds, enterprise funds, trust and agency funds and any other funds that may be created shall be administered in accordance with the provisions of this Section 1-8-14.
- C. Responsibility for the Policy: The establishment of this Policy is the responsibility of the President and Village Board. Management and administrative responsibility for this Policy is delegated to the Treasurer. The Treasurer shall prepare and follow written procedures for the operation of this Policy, be responsible for all transactions that are undertaken and shall establish a system of accounting controls to safeguard Village assets. Such procedures may be amended from time to time in a manner consistent with this Policy and state law.
- D. Prudence: The standard of prudence to be used by the Treasurer shall be the “prudent person” standard, when applicable and when not prevented by law, and shall be applied in the context of all investment.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs. Such standards, therefore, avoid unwarranted speculation; emphasis is placed on the probable safety of capital rather than the probable income to be derived.

- E. Ethics and Conflict of Interest: The Village officers and employees involved in the investment process shall refrain from personal business activity that may conflict with the proper execution and management of this Policy, or that could impair their ability to make impartial decisions. Such officers and employees shall disclose any interests in financial institutions with which they conduct business. They shall further disclose any personal financial or investment positions that could be related to the performance of the Village’s investment portfolio. The officers and employees having influence on the Village’s investment decisions shall not:
 - 1. Have any interest, directly or indirectly, in any investments in which the Village is authorized to invest.
 - 2. Have any interest, directly or indirectly, in the sellers, sponsors or managers of those investments.

3. Receive, in any manner, compensation of any kind from any investments in which the Village is authorized to invest.
- F. Policy Objectives: The purpose of the Policy is to establish cash management and investment requirements for the stewardship of public funds. Specific requirements include:
1. Legality: Conformance with federal, state and other requirements.
 2. Safety: Protection of investment principal and preservation of capital. Each investment transaction should seek to first ensure that capital losses are avoided, whether from securities defaulting or erosion of market value. All investments should be limited to relatively low risk securities.
 3. Liquidity: The portfolio shall remain sufficiently liquid to meet all operating requirements, which may be reasonably anticipated. This is accomplished by structuring the portfolio so securities and financial instruments mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should also consist of securities with active secondary or resale markets (dynamic liquidity).
 4. Return on Investments: Maintain a policy of receiving the highest interest rate possible per investment on any given day. The investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow characteristics of the portfolio. With the following exceptions, securities shall not be sold prior to maturity:
 - a. A security with declining credit may be sold early to minimize loss of principal;
 - b. A security swap which would improve the quality, yield or target duration in the portfolio; and
 - c. Liquidity needs of the portfolio require that the security be sold.
 5. Diversification: Investments shall be diversified to avoid incurring unreasonable risks from practice of concentrating investments in specific security types and individual financial institutions.
 6. Periodic Review: The portfolio shall be reviewed annually by the Treasurer as to its effectiveness in meeting the Village's needs for safety, liquidity, rate of return, diversification and its general performance and a written report provided to the Village Board.

G. Authorized Financial Institutions:

1. Qualified and licensed financial institutions shall be selected which qualify as depositories/custodians under Illinois law. In making these selections, the Treasurer shall consider financial stability and strength of the institution and availability of financial data regarding the institution.
2. All financial institutions which desire to become qualified for investment transactions shall submit written confirmation of receipt of this Policy and certification of having read, understood and agreeing to comply with the Policy.
3. The Village shall select financial institutions on the following basis:
 - a. Security: The Village shall maintain funds in a financial institution only if the institution is federally insured or invests strictly in securities which have the full faith and credit of the United States government.
 - b. Location: Every attempt will be made to invest Village funds in locally provided institutions with prices competitive with respect to rates of return on comparable investment products.
 - c. Size: The Village shall not maintain deposits in any financial institution in which the Village funds on deposit will exceed 50 percent of the institution's capital stock and surplus.
 - d. Diversification: In order to reduce the risk of default, no financial institution shall hold more than 50 percent of the Village's investment portfolio at the current time of investment placement, exclusive of United States treasury securities or governmental national mortgage securities held in safekeeping and all funds on deposit which are fully collateralized.
 - e. Collateral: All funds on deposit (checking accounts, certificates of deposit, etc.) in excess of Federal Deposit Insurance Corporation ("FDIC") limits shall be secured by collateral. Direct investments guaranteed by the United States or an agency of the United States do not require collateral.

Pledged collateral shall be held by an independent third party custodian designated by the Village and evidenced by receipts and a written agreement. The collateral agreement shall preclude the release of the pledged assets without the authorized signature of the Treasurer, but the agreement may allow for an exchange of collateral of like value.

This agreement shall outline the types of assets that may be pledged as collateral, the amount of collateral required and the placement procedures. The Village shall accept any of the following securities as collateral:

- I. Negotiable obligations of the United States government; and
 - II. Negotiable obligations of any agency or instrumentality of the United States government.
4. The Village shall maintain for public and managerial inspection current statements of condition for each financial institution named as depository. If, for any reason, the information furnished is considered by the Village to be insufficient, the Village shall request additional information.
 5. An annual written review of the financial conditions of the utilized financial institutions shall be conducted by the Treasurer.
- H. Authorized Investment Advisors: With the approval of the Village Board, the Treasurer may appoint investment advisors. The investment advisor shall be a fiduciary with respect to the security decisions and shall be one of the following:
1. An investment advisor registered under the Investment Advisors Act of 1940 (15 U.S.C. 80b-1 *et seq.*) and the Illinois Securities Law of 1953 (815 ILCS 5/1 *et seq.*); or
 2. A bank or trust company authorized to conduct a trust business in Illinois; or
 3. A life insurance company authorized to transact business in Illinois; or
 4. An investment company defined and registered under the Investment Company Act of 1940 (15 U.S.C. 80A-1, *et seq.*) and registered under the Illinois Securities Law of 1953.

The investment advisor shall be a person who:

1. Has the power to manage, acquire or dispose of any security;
2. Has the knowledge, in writing, that he or she is a fiduciary with respect to the Village's securities; and
3. Is at least one of the following:
 - a. Registered as an investment advisor under the Investment Advisors Act of 1940 (15 U.S.C. 80b-1, *et seq.*); or
 - b. Registered as an investment advisor under the Illinois Securities Law of 1953; or
 - c. A bank, as defined in the Investment Advisors Act of 1940; or

- d. An insurance company authorized to transact business in Illinois.

All investment advice and service provided by an investment advisor so appointed shall be rendered pursuant to written contract between the investment advisor and the Village, and in accordance with the Village's Policy. The contract shall include the following:

1. Acknowledgement in writing by the investment advisor that he or she is a fiduciary with respect to the Village's securities;
 2. The Village's Policy;
 3. Full disclosure of direct and indirect fees, commission, penalties and any other compensation that may be received by the investment advisor, including reimbursement for expenses; and
 4. A requirement that the investment advisor shall submit periodic written reports, at least quarterly, for the Village Board's regularly scheduled meetings. All returns on investments shall be reported as net returns after payment of all fees, commissions and any other compensation.
- I. Cash Management: The Treasurer shall prepare written cash management procedures, which shall include, but not be limited to, the following:
1. Receipts: All monies due the Village shall be collected as promptly as possible. Monies that are received shall be deposited in Village designated financial institutions no later than the next business day after receipt by the Village. Amounts that remain uncollected after a reasonable length of time shall be subject to any available legal means of collection. One of the requirements of the Village's cash management procedures is to comply with the provisions of the Illinois Compiled Statutes, which mandates prompt investment of funds.
 2. Disbursements: Any disbursement to suppliers of goods and/or services or to employees for salaries and wages shall be contingent upon available budget appropriations.
 3. Financial Forecast: At least annually, a financial forecast shall be prepared using expected revenue sources and items of expenditure to project cash requirements for future years. An analysis will be prepared for both operating and non-operating revenues and expenditures. This analysis will provide a guide for determining the length and amount of investments.
 4. Pooling of Cash: Except where otherwise provided by the Village Board, the Treasurer is authorized to pool the cash of various funds to maximize investment earnings where, in his/her opinion, it is advantageous and prudent to do so. Investment income will be allocated to the various funds based upon their respective participation.

- J. Investment Selection: The Village may invest in any type of security allowed for in Illinois statutes regarding the investment of public funds. Approved investments are limited to:
1. Bonds, notes, certificates or indebtedness, treasury bills or securities, including obligations of the Governmental National Mortgage Association and Federal National Mortgage Association which are guaranteed as to principal by the full faith and credit of the United States government.
 2. Interest bearing savings accounts, interest bearing certificates of deposit, interest bearing time deposits or any other investment constituting direct obligations of any institution as defined by the Illinois Banking Act (205 ILCS 5/1 *et seq.*) and insured by the FDIC.
 3. Illinois Public Treasurer's Investment Pool.
- K. Selection Procedures on Certificates of Deposit: In obtaining competitive quotations for certificates of deposit, at least three qualified institutions shall be contacted each time an investment is placed. In no instance shall an investment be placed without the authority of the Treasurer. Investments shall be placed with the institution that best exhibits the ability to meet the Village's investment criteria and the objectives of this Policy.
- L. Accounting: The assets, liabilities, revenues and expenditures of each fund are maintained as separate entities on the full or modified accrual basis. All investment transactions shall be recorded in accordance with generally accepted accounting principles as promulgated by the Government Accounting Standards Board. Accounting principles shall include:
1. Investments will be carried at cost or amortized cost which approximates market value.
 2. Any premium or discount on investment will be amortized over the life of the investment.
 3. Gains or losses of investments in all funds will be recognized at the time of disposition of the security.
- M. Maximum Maturity: The Village shall match its investments with anticipated cash flow requirements.
- N. Internal Control: When deemed necessary, the Treasurer shall establish a system of internal controls, which shall be documented in writing. These internal controls and this Policy shall be reviewed by an independent, certified public accountant in conjunction with the annual examination of the Village's financial statements. The controls shall be designed to prevent losses of the Village funds arising from fraud, employee error and

misrepresentations by third parties, unanticipated changes in financial markets or imprudent actions by employees. The internal controls shall address the following points:

1. Control of collusion;
 2. Separation of transaction from accounting;
 3. Clear delegation of authority to subordinate staff members;
 4. Custodial safekeeping; and
 5. Written confirmation of telephone transactions for investments and wire transfers.
- O. **Financial Reporting:** The Treasurer shall submit a monthly cash flow report and a quarterly investment report to the Village Board for review. The quarterly report shall include a list of securities in the portfolio by class or type, income earned, market value, transactions and a management analysis of the status of the portfolio. The annual report shall include all investment information as promulgated by the Government Accounting Standards Board.
- P. **Performance Standard:** The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints, unless annually required, and cash flow needs.
- Q. **Policy Adoption:** This Policy shall be reviewed periodically by the Finance Committee.

1-8-16 IDENTITY PROTECTION POLICY 2011-2012-865

- A. **Title:** This policy may be referred to as the Identity Protection Policy of the Village of Hebron.
- B. **Purpose:** The purpose of this policy is to protect the identifying information of Village residents and other individuals dealing with the Village. This policy is adopted under the auspices of the Identity Protection Act, Public Act 96-874, 5 ILCS 179/1 *et seq.*, (the “Act”), and should be construed in accordance with the Act.
- C. **Incorporation of the Act:** It is the stated policy of the Village that the Village, its officers, employees and contractors shall abide by the letter and the spirit of the Act when working for, conducting business for or managing the affairs of the Village.
- D. **Training:** All Village employees having access to social security numbers (SSNs) in the course of performing their duties for the Village must be trained to protect the confidentiality of social security numbers. This training shall include instructions on the proper handling of information that contains SSNs from the time of collection through the destruction of the information. The scheduling and specifics of such training shall be in the discretion of and at the direction of the President and Board of Trustees.

- E. Access: Only employees who are required to use or handle information or documents that contain SSNs shall be permitted to have access to such information or documents.
- F. SSN Requests: If a SSN or SSNs are requested by the Village, the employee responsible for the collection or request of the SSN shall ensure that the SSN is provided in a manner that makes the SSN easily redacted if required to be released as part of a public records request. When collecting the SSN, or whenever first requested by an individual who has provided a SSN to the Village, the Village shall provide or make available to the individual a statement of the purpose or purposes for which the Village is collecting the SSN and for which the SSN is being used. This statement may be verbal, but if written, shall be on a standard form adopted by the Board of Trustees.

1-8-17 TRAVEL EXPENSE REIMBURSEMENT 2016-17-919

- A. Interpretation: This section shall be interpreted to be consistent with the Local Government Travel Expense Control Act, 50 ILCS 150.
- B. Definitions: As used in this section:
 - 1. “Entertainment” includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless ancillary to the purpose of the program or event.
 - 2. “Travel” means any expenditure directly incident to official travel by employees and officers of the Village or direct payment to private agencies providing transportation or related services.
- C. Official Business Requiring Expenses: Travel, meal, and lodging expenses will only be allowed for official business of the Village which is necessary to the functioning or improvement of the Village. If the business can be done remotely, no expenses will be allowed. All effort shall be taken to avoid expenses. This includes scheduling meetings within the Village as opposed to offsite.
- D. Entertainment Expenses: No entertainment expenses may be reimbursed.
- E. Maximum Reimbursement: The maximum reimbursements allowed for expenses shall be:
 - 1. Mileage: The current rate for mileage set by the Internal Revenue Service.
 - 2. Meals (Breakfast, Lunch, Dinner): \$50.00/day.
 - 3. Lodging: \$110.00/night.
 - 4. Other travel: \$500.00 per round trip.
- F. Emergencies: In emergencies, amounts in excess of the above maximum limits may be permitted by the corporate authorities.
- G. Expense Form: All anticipated and incurred expenses shall only be approved if submitted in the proper manner, including the information listed below.

- H. Approval by the President: The Village President is responsible for approving expenses incurred by employees and officers which are under the amounts in subsection E.
- I. Approval by Corporate Authorities: Any expenses incurred or to be incurred over the maximum levels in subsection E, and any expenses incurred or to be incurred by members of the corporate authorities, may only be approved if the following information is provided by the employee or Board Member in writing, signed and dated and approved by the President and Board of Trustees by a roll-call vote at an open meeting:
 - 1. Name and Position (employee, trustee, etc.);
 - 2. Date(s) for which reimbursement is requested;
 - 3. Nature of the official business requiring this expense;
 - 4. Detailed estimate of anticipated expenses OR explanation of expenses incurred; and
 - 5. Any receipts for expenses already incurred must be attached to the submission; if a longer explanation is required, please provide additional information.
- J. Public records: This policy and all forms submitted relative to this policy are public records.
- K. No Right to Reimbursement: Nothing in this policy shall be construed as a right for any employee or officer to be reimbursed for expenses. No reimbursement may be given without approval by the President or the corporate authorities. Employees and officers should, to the extent possible, obtain prior approval of their anticipated expenses before incurring any expenses.