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November 23, 2015

Mr. Michael McCreery
United Counties Council of Illinois
217 East Adams Street, Suite 101
Springfield, IL 62701

**Re: Authority of a County Board over Attendance Requirements for Non-County Board Members Who Serve on County Committees
Our File: UNITCC-0601**

Dear Mike:

Issue:

What authority does a county board have over the attendance requirements for non-county board members who serve on county committees?

Analysis:

A county board is granted the power to exercise certain powers on behalf of the county by statute.¹ A county board may decide to delegate the exercise of certain powers to committees of the county board.² In order to oversee the efficient exercise of powers delegated to these committees, the county board may establish reasonable regulations by ordinance to control its committees.³ In some circumstances, Illinois law provides specifically for the creation of certain committees by statute. Such statutes may provide for specific powers or limitations of power on a specific committee. Any committee regulations established by the county will be further controlled by the specific statutes establishing each statutory committee.

¹ 55 ILCS 5/5-1005.

² Consolidated Chemical Laboratories, Inc. v. County of Cass, 322 Ill. App. 53, 55 (3rd Dist. 1944).

³ Id.

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Conclusion:

Pursuant to the county board's authority to delegate power to committees, the county board may establish attendance requirements for the individuals serving on its committees by ordinance. These regulations may provide for circumstances where continued absence from committee meetings will create a vacancy in the committee and how such vacancy will be filled. Where a committee is created by statute, the county board should be aware of the additional rules contained in the statute creating the committee which may affect the operation of the committee. Such rules may be related to attendance and vacancies and will control over the general county board committee regulations.

Sincerely,

GIFFIN, WINNING, COHEN
& BODEWES, P.C.


Herman G. Bodewes


Steven A. Milburn

HGB:SAM/tem

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Disclaimer: This opinion was prepared by Giffin, Winning, Cohen & Bodewes, P.C. at the request of UCCI and is to be used solely by UCCI and its members. The State's Attorney is the attorney for the County. Legal advice, if requested, should be sought from the State's Attorney.