

Search Advisory Committee  
Rock Island County  
May 3, 2011

The Search Advisory Committee met in the conference room of the County Board Office. Chairperson Tom Rockwell called the meeting to order at 3:30 PM.

Committee Members Present: Tom Rockwell, Phil Banaszek, Mark Beckwith, Jeff Boyd and Mary Fuhr

Others Present: James E. Bohnsack and Heidi Weller

Introductions

Chairperson Rockwell began with the introductions. He represents County Board District 22 and has been with the County since 1996. He is the current chairperson of the Litigation Committee and Budget Committee for our current fiscal year. He previously served as the Finance Chairperson. Sheriff Jeff Boyd introduced himself next. He has over 21 years on the Rock Island County Sheriff's Department. He felt it was an honor to be asked to serve on this advisory committee. Police Chief Mark Beckwith advised that he has been a sworn officer for 27 years. He too, felt it was an honor. Mary Fuhr advised that she is an attorney in the community, focusing mostly in employment and criminal matters. Last, Phil Banaszek represents County Board District 9 and has been with the County since 1994. He is the current chairperson of the Finance Committee and will assume the Budget Committee duties for the upcoming fiscal year preparations. Chairman James Bohnsack thanked all for participating in this process.

Define the role and purpose

Chairperson Rockwell stated that he had asked Chairman Bohnsack to come in for the first part of the meeting to help define the role of the committee. He expressed his appreciation for everyone taking their time to serve on the Search Committee. Currently, we do not have any applications. The Committee may want to search out applicants they feel are qualified. He asks that when the Committee has completed their interviews that they bring something back to him with some flexibility on the appointment. Any individuals that apply to him will be referred to this committee. This is one of the most important positions and he feels that we must find our new State's Attorney to continue with the progress made in that office.

Applications were set as due by May 6<sup>th</sup>. This date was picked to try to move the process along. If the committee desires, it can be moved. All applications are to be turned in to the County Board Office. Applicants must live in Rock

Island County and be Democrats. There being nothing further for Chairman Bohnsack, he left the meeting at 3:34 PM.

### Relevant Statutes

Ms. Weller advised that there have been a number of reports in the press about a special election or if action was necessary by the Chief Judge of the 14<sup>th</sup> Judicial Circuit. Ms. Weller stated that the Civil Division has done a great deal of work on this issue and has been in contact with the Attorney General's Office as well as the State Board of Elections.

The State's Attorney Statute (55 ILCS 5/3-9001) does address vacancies in that office. Vacancies are thrown back to the election code which mandates that the County Board Chairman, with full advice and consent of the County Board, make an appointment to the position of State's Attorney within 60 days. This is an advisory body that has been created to make a recommendation to the Chairman. It is fully allowed under the statutes. The official date of the resignation of Mr. Terronez was April 26, 2011. A vacancy will be declared this month with the appointment to occur at the June 21<sup>st</sup> meeting. Chairperson Rockwell would like to have the report to the Chairman prepared no later than June 14<sup>th</sup>. The term of office will be to complete Mr. Terronez' vacant term which expires November 30, 2012. The appointment must go to a Democrat as that is the position that is vacant. It is allowable to check voter's records.

### Open Meetings Act

Ms. Weller stated that the Open Meetings Act does apply to this Advisory Committee. Subject to the terms of the Open Meetings Act, meetings can be closed. The selection of someone to fill the position is covered under 5 ILCS 120/2(c) (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. If the committee wants to close the meeting to discuss the candidates, they can do that. She is not entirely confident that the names of applicants would be protected under the law. Releasing the names of applicants could fall under an unwanted invasion of privacy. However, when someone applies for a position that is a public official, names would most likely be releasable.

Ms. Weller was hesitant to say whether the final report and criteria for reviewing the candidates would be excused under Freedom of Information Act inquiries without seeing those documents. We certainly would not want the applicants to know the questions that the committee will be asking them in advance. She would be more confident in that being excludable – questions – than the criteria. Criteria such as democrat, Rock Island County resident, licensed

attorney are known facts. Ms. Weller will serve as the point person to check all attorney's in the ARDC database.

Chairperson Rockwell provided a brief overview of the procedures required to go into closed session. The citation will be included on the agenda, and a motion, second and vote are needed which states the statutory exemption. We will have roll call vote into closed session. When in open session, recommendations will be made. Ms. Weller stated that the interviews could always be open if the committee chooses, but she recommended that the other candidates not be allowed to attend.

### Election Process

Since the vacancy is for the remainder of the term, there will not be a special election. All interested individuals will need to file the appropriate paperwork with the County Clerk when the time comes about.

### Screening Process

Ms. Weller assumed that the letters of interest and resume's will be received later in the week. Once the deadline has passed, Ms. Chapman will scan and email the committee the applications for review. Someone offered up the federal judiciary questionnaire for use in this process. While some questions will be of value, many others cannot be asked of applicants such as marital status, health issues, etc. The committee will be interested to know each applicants legal experience, both criminal and civil. A list of questions will be prepared that each interviewee will be asked. Voting records will be researched and provided in the report to the County Board Chairman as one of the credentials for his review. The completed questionnaire will be provided to each applicant for their completion prior to the interview. Chairperson Rockwell stated that his questions will focus on the applicant's ability to manage the office and stay within their budget. He is also interested in how much commitment they will give to the Civil Division. Ms. Fuhr will review the judicial questionnaire and create an acceptable format for this position.

Whether the candidate is interested in running for the position at the Primary Election will be relevant information for the Chairman to consider. There will be three categories to consider: 1) Mark Senko is willing to complete the term and is not interested in being elected to the post; 2) those candidates who are interested in the unexpired term and will run; or 3) people who are retired and only interested in completing the term. Chairperson Rockwell stated that it is an important office and he feels it needs someone fully committed to running that office for the next 18 months. It will be a fair question for the committee to ask each candidate and a piece of the final report.

### Format of the Report

Chairperson Rockwell felt that we should not box the Chairman into a corner and that the final report needs to give him flexibility in the decision. He felt that a listing of pro's/con's for each applicant would be beneficial.

#### Other

Committee Members who are approached by potential applicants are aware of the appearance of how that may look. They will attempt to keep all conversation in a general nature and specifics will be discussed only by the group. If there are certain types of applicants, such as family members, to members of the committee, it should be made known to the group. This is a political process but we will try to keep it as non-political as we can. All professional, working relationships with candidates will continue.

Interviews will be established after the applicants have been selected to interview. Questionnaires will be provided to those applicants that will be interviewed. The number to be interviewed is dependent on the number of applications received.

The committee agreed to meet again on May 10<sup>th</sup> at 4:00 PM here in the County Board Committee Room to discuss how many applicants will be interviewed, determine questions to be asked, and review the questionnaire that Ms. Fuhr will develop. Possible dates for interviews are May 18<sup>th</sup> and 19<sup>th</sup>. Interview slots will be capped at 1 hour each.

There being nothing further to discuss, the meeting was adjourned at 4:14 PM.

Shelly Chapman

*Minutes completed 05-04-11 at 4:04 PM*