



# **Rules of Order and Operational Procedures For the Fox Valley Park District Board of Trustees**

## **I. FORMATION OF THE FOX VALLEY PARK DISTRICT**

### **A. Creation of the District**

On Election Day, April 1, 1947, voters approved the proposal for the formation of a park system and the Fox River Valley Pleasure Driveway and Park District was born. The goal stated in the words of the first official Board of Trustees President W.L. McCullough: "Aurora is interested in developing this area for better play and recreation and to restore and preserve the natural beauty of the river for use and enjoyment now and for the future."

### **B. Governing Body**

The Fox Valley Park District is governed by a seven-member Board of Trustees. The County Board Chairs appoint the Board in the counties which have a proportionate share of the population in the District. Currently, the Kane County Board Chair appoints six members and the DuPage County Board Chair appoints one member. The Board of Trustees appoints the Executive Director and the Attorney of the Park District. The Board approves all policy decisions.

Separate boards govern specific aspects of the District. The District participates with six other park districts in the Fox Valley Special Recreation Association. A board represented by the six districts governs the Fox Valley Special Recreation Association. The Fox Valley Park Foundation is an IRS 501 (c) (3) organization developed to aid the Park District in land acquisition, development, conservation, and preservation and to raise funds to use for program fee subsidies. A Foundation Board of Trustees is made up of representation from the Park District board and the community. The two outdoor aquatic centers are jointly owned with the City of Aurora, and are governed by a board with representatives from City Council and the Park District Board of Trustees.

## II. THE BOARD OF TRUSTEES AS A TEAM

- A. The Board of Trustees is a team with seven (7) members, each equally responsible for seeing that the parks are properly managed in terms of planning, policy, and decisions on which the Board has reached agreement in a regular or special meeting.
- B. The members of the Board of Trustees are lay persons appointed to sit as members of the Board of Trustees and act in behalf of the welfare and to the benefit of the people in the District.
- C. Members of the Board of Trustees should be free from commitment to any special group, interest, or pressure.
- D. The Board of Trustees is in charge of an ongoing system of parks whose operation and management require technical experience and skill.
- E. The Board of Trustees can transact business, which is legally binding on the District only when it is in regular or special session with a quorum present and its proceedings recorded in the minutes of the meeting.
- F. The direct administration of the park system is delegated to the Executive Director whom the Board of Trustees appoints as its chief executive officer.
- G. It is the function of the Executive Director to serve the Board of Trustees as technical adviser in planning and policy-making; as an executive in seeing that legislation enacted is put into operation, and as a consultant in the process of evaluating the results of such legislation.
- H. The Board of Trustees should avoid taking a direct hand in the administration of the parks; thereby keeping the role and function of its executive officer clear to members of the community and the professional staff. This procedure is in keeping with the practice of the Board of Directors of successful business enterprises.
- I. The Board of Trustees retains full legislative and judicial authority over the parks in accordance with park laws and the expressed will of the citizens, but delegates all executive, supervisory authority and operation to its professional staff under the direction of its Executive Director.
- J. While it is true that the individual board member exercises the authority and responsibility of his/her position only when the Board is

in session, the public thinks of him/her as a member of the Board twenty-four hours a day, and his/her own interest and desire to serve his/her community through his/her membership on the Board of Trustees continues when the Board is not in session. A single board member has no authority and cannot speak for the Board, but the public has a right to expect him/her to be able to discuss park matters with understanding and he/she has a right to expect to have access to the information which makes it possible for him/her to be informed about park affairs.

Much of his/her information may come to him/her in casual conversations with members of the public, parents, or employees of the Park District. Much more of this information will come from bulletins and publications from the offices of the Executive Director and members of his/her staff. But when a board member is seeking information about a specific problem, he/she should ask the Executive Director to prepare a report on the matter with the help of his/her staff.

At times a person or group of persons may confront a single board member with a problem or complaint which should be handled by the Executive Director or a member of the staff. Each board member must decide how much time he/she can spend at this sort of thing and what the demands of courtesy may be in each case, but the policy of the Board in such cases should be clear to all. No member, or the Board itself, will officially consider such problems or complaints until they have been submitted to the proper authority, the Executive Director, and a report has been made by the Director to the Board in session. If satisfactory adjustment cannot be accomplished by this procedure, the Board may, if it deems it advisable, grant a hearing to the person interested. Such hearing will be held during a regular or special session of the Board.

When a member is confronted with a situation which, in his/her judgment, justifies a departure from this procedure, it is suggested that the Board member withhold commitment and/or opinion until the matter has been presented to the whole Board during a regular or special session. It is often wise for a board member to postpone the formulation of his own opinion until he/she has had the benefit of hearing the issue discussed by the Board where all aspects of the problem are aired.

- K.** The meetings of the Board of Trustees, both regular and special are critically important to the District. It is here that parks and recreational oriented laymen, proficient in thinking and judging, give consideration to the recommendations and reports of its executive officer.

- L. An effective meeting of the Board of Trustees should have a well-planned agenda. The agenda should be planned by:
  - 1. The Executive Director, whose direct responsibility for the operation of the parks gives him/her direct knowledge of the policy, appraisal, and legislative needs of the District.
  - 2. The President of the Board who must chair the meeting, as the Board of Trustees gives consideration to recommendations and reports.

### III. FUNCTIONS OF THE BOARD OF TRUSTEES

It is the policy of the Board of Trustees to recognize and maintain the distinction between those activities which are appropriate to the Board of Trustees as the legislative, governing body of the park system, and those administrative activities which are to be performed by the Executive Director and his/her staff in the exercise of a delegated administrative authority. The functions of the Board of Trustees can be described as: (1) policy-making, (2) planning, and (3) evaluation.

The spirit and intent of the items comprising the description of “The Board of Trustees as a Team”, as stated above, shall be embraced in full by this set of Park District policies.

#### A. The President

The President shall:

- 1. Preside at all meetings of the Board of Trustees.
- 2. Issue the call for the Board of Trustees to meet as prescribed.
- 3. Appoint committees, sub-committees, advisory committees or task forces of the Board of Trustees as may be needed and desired by the Board of Trustees.
- 4. Help plan the meeting agenda.
- 5. Be elected for a term of one year as prescribed by law.

#### B. The Vice President

The Vice President shall:

- 1. In the absence of the President, shall perform all duties as prescribed by law for that office.
- 2. Be elected for a term of one year as prescribed by law.

#### C. The Secretary and/or Assistant Secretary

The Secretary and/or Assistant Secretary shall:

- 1. Keep an accurate record of the proceedings of the Board and shall present a copy of the proceedings to each Board member four (4) days prior to the next regular business meeting.

2. Issue calls to meeting as directed by the President or three members of the Board.
3. May or may not be a Board member.
4. Shall be elected by the Board.

**D. The Treasurer shall:**

1. Have custody of the park funds. Shall present a statement of revenues and expenditures by fund type at least monthly and shall reconcile such statements with the finance department of the District.
2. The Treasurer shall have prepared and submitted to each member of the Board a detailed tabulated list of outstanding bills of the Park District four (4) days prior to the regular meeting of the Board to insure action of the Board thereon at the meeting. All unpaid vouchers shall be available for inspection by the Board at each meeting.
3. Shall be elected by the Board.
4. An Assistant Treasurer shall be appointed by the Board.

**IV. MEETINGS OF THE BOARD**

- A. Regular meetings of the Board of Trustees are normally held on the second Monday of each month.
- B. Special meetings may be held at any time upon the call of the President or any three (3) members of the Board by giving notice thereof in writing, stating the time, place, and purpose of the meeting. Such notice may be served by mail 48 hours before such meeting or by personal service 24 hours before such meeting.
- C. The Board of Trustees shall have submitted by the Executive Director for its consideration four (4) days before a regular meeting an agenda, which shall set forth the order of business for that meeting. The agenda shall contain supporting data for the suggested items of business with recommendations of the Director, or people designated by him/her where he/she deems it advisable.
- D. Executive sessions are typically held to discuss land acquisition, litigation and personnel matters. All matters discussed in executive session of the Board of Trustees shall be kept confidential by all Trustees. No final action can be taken in executive session. The Open Meetings Act of the State of Illinois requires that Executive sessions must be tape recorded and kept on record for a minimum of 18 months. What is discussed in executive session must remain confidential. It is important to remember that brief minutes must be taken of executive sessions and may be released at the discretion of the board

**E. Quorum**

(1) Four members shall constitute a quorum.

(2) Four affirmative or “aye” vote shall be required to elect any officer of the Board of Trustees, or to adopt any motion involving the expenditure of money; or the letting of any contract; or any motion upon which the “ayes” and “nays” are demanded by any member of the Board of Trustees. A majority of quorum shall decide all other questions.

(3) A Board Member may participate in a meeting by teleconference. Those participating in the meeting by teleconference shall be considered present for voting purposes and their votes shall be recorded in the usual manner. The President or other individual chairing the meeting shall elicit an express response from any participant utilizing teleconferencing participation to confirm the vote of such person on each matter coming before the Board at such meeting for a vote.

**F. Absence from a Meeting**

Board members are expected to notify the administration office if unable to attend a meeting. If advance notice is provided to the administration office of a Board member’s inability to attend a meeting, such Board member shall be listed as an “excused absence” on the records of the District for such meeting.

**G. Vacancies**

In the event a vacancy in the membership of the Board occurs, a successor will be appointed by the respective county from which the Board member was originally appointed.

**H. Order of Business**

1. The order of business at regular meetings of the Board shall include:
  - 1.0 Call Meeting to Order
  - 2.0 Pledge of Allegiance and Moment of Silence
  - 3.0 Roll Call
  - 4.0 Addenda to Agenda
  - 5.0 Consent Agenda (Approval of minutes, financial reports, department reports, etc.)
  - 6.0 Presentations and Special Recognition
  - 7.0 Public Comment (matters not on the agenda limited to one-3 minute comment per person; maximum 15 minutes).
  - 8.0 Attorney Business
  - 9.0 Executive Director Business
  - 10.0 Old Business
  - 11.0 New Business

- 12.0 Correspondence and Announcements
- 13.0 Executive Session
- 14.0 Return to Regular Session
- 15.0 Adjournment

**I. Rules of Order**

Parliamentary procedures not provided for in these rules or by statute shall be determined by Robert's Rules of Order, Revised.

**J. Corporate Powers of the Board of Trustees**

The Board of Trustees derives its legal status from the constitution of the State of Illinois and the statutes enacted by the General Assembly. The Board of Trustees acts as an agent of the State in putting a park and recreation system into operation in accordance with the laws of the State.

**K. Voting**

All votes on motions in connection with contracts, ordinances, expenditure funds, or employment of personnel and all resolutions shall be by "Ayes" and "Nays". The vote shall be recorded.

**L. Amendment or Suspension of Policies**

1. Any policies of the Board may be suspended or revoked by a majority vote of the Board.
2. Policies of the Board shall be ratified at the first (organization) meeting, after election.
3. The Director may, in case of emergency, suspend any part of these rules and regulations as they pertain to the administration of the District provided, however, that the Director shall report the facts and reasons for such suspension at the next meeting of the Board, and provided further that the suspension shall expire at the time of said report unless continued in effect by the Board.

**M. Interest in Contracts**

No member of the Board or Staff shall have any financial interest in any contract nor shall be in any manner connected with the furnishing of supplies, equipment, or services.

**N. Authority of Members**

1. Board members have authority only when acting as a body regularly in session.
2. The Board shall not be bound in any way by any statement or action on the part of any individual board member or employee of the District except when such statement or action is in pursuance of special instructions by the Board.

**O. Special Committees**

The President may appoint special temporary committees or task forces of the Board for any purpose approved by the Board. The functions of such committees shall ordinarily be fact-finding, deliberative and advisory, and their reports shall be made to the Board of Trustees for discussion and action. The function of such committees or task forces may be legislative or administrative when so authorized by special action of the Board. The President of the Board and the Director shall be ex-official member of all committees. Special committees shall be discharged upon completion of their assignment.

**P. Place & Time of Meeting**

The Board meeting shall commence at 6:00 p.m. on the second Monday of each month at the location of the administration office of the Park District for all regular and special meetings, except where the Board has, by formal action, agreed to a change of date or place for a particular meeting. It is a goal of the Board to periodically conduct meetings throughout the community at the District's community centers to ensure community engagement and inclusion. In the event a Board member participates in a meeting by teleconference, such person shall be deemed to be present at the place of meeting and the minutes of the meeting shall denote such presence by teleconference. The President of the Board shall arrange for such necessary equipment to be available to facilitate a teleconference attendance at a meeting by a Board member.

Residents of the District are encouraged to visit regular and special meetings of the Board of Trustees.

**Q. Minutes of the Board**

Records of Board action shall be set forth in full in the official minutes of the Board. The minutes shall be kept on file as the permanent official records of the District. The Secretary shall act as custodian of the minutes and shall make them available to any citizen desiring to examine them during office hours of the District.

**R. Duplication of the Minutes**

Duplicated copies of the minutes shall be prepared promptly after each meeting and shall be distributed to members of the Board (4) days prior to the next regular meeting.

## V. ADMINISTRATION AND FINANCE

### A. Fiscal Year

The fiscal year of the Fox Valley Park District shall be from May 1 to the next April 30.

### B. Budget/Appropriation Levy

The Board of Trustees shall adopt an annual Budget and Appropriation Ordinance on or before June 30 of each fiscal year and a Levy Ordinance on or before the December Board meeting of each year.

### C. Annual Audit

There shall be an annual independent audit of all funds and accounts of the District by Certified Public Accountants licensed to practice public accounting in the State of Illinois.

### D. Evaluation

1. The Board of Trustees' policies shall be evaluated and reviewed each year by August 15.
2. The Board of Trustees shall conduct an evaluation of the Executive Director as specified in the employment agreement.

### E. District Attorney

The Attorney shall:

1. Serve in an advisory capacity to the Board of Trustees and the Executive Director.

### F. Adherence to Law

This Board expressly adopts as its policy, a determination to adhere strictly to and conform with all applicable laws of the Federal Government and of the State of Illinois as they may from time to time become enacted, pertaining to this and all other aspects of Board functions.

### G. Participation in Professional Meetings

Out of pocket expenses will be reimbursed by the District for all park-oriented meetings a Board member may attend. An approved budget for National & State meetings will be approved in advance of such meetings. Board members are encouraged to attend such meetings that will further the broad aims of park and recreation services for the community.

### H. All Board members and employees are expected to know and shall be responsible for observing all provisions of the law and all rules and regulations of the Board pertinent to their activities as Board members and employees of the District.