

COUNTY OF PEORIA



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MEMORANDUM

TO: Thomas O'Neill - County Board Chairman
County Board Members
Patrick Urich - County Administrator

FROM: William W.P. Atkins - Chief Civil Assistant State's Attorney

RE: Board of Review appointments

DATE: May 12, 2009

The County Board has recently heard from some members of the public concerning the Board of Review. Citizens clearly have the right to express their opinions to the County Board, but that does not give the County Board any greater authority than what is granted by statute. The County Board has the power to approve, or reject, the County Board Chairman's appointments of the members of the Board of Review, but the County Board is not in charge of the Board of Review and has no power to affect the assessments upon which the Board of Review has acted. My advice to all of you is to confine your decision to those matters over which you have power, namely the appointment of Board of Review Members. You should not concern yourselves with individual assessments because the County Board has no authority over those matters.

The authority of the Peoria County Board is delineated in 35 ILCS 200/6-5 which applies to all counties under 3,000,000 population that do not elect the Board of Review. The appointments are made on a staggered basis with one Member appointed on year and two the next. These appointments are for 2 year terms beginning on June 1st of the year of appointment. If a successor is not timely appointed, then the Board of Review Member continues in office until the appointment occurs. Potential Board of Review Members must be citizens of Peoria County and they must be "qualified by experience and training in property appraisal and property tax administration".

In counties of 100,000 population or more, such as Peoria County, the training requirement mentioned above is satisfied only by passing a test administered by the

Department of Revenue as mandated by 35 ILCS 200/6-10. The Department of Revenue then provides a list to the County of those persons who have passed the test and are thus qualified to become Board of Review Members. Only people on the Department of Revenue's list may be appointed unless the County Board Chairman chooses to reappoint a sitting Member of the Board of Review.

In addition to passing the test, the Members of the Board of Review must also be affiliated with the proper political party. The party affiliation requirement is determined by the highest vote in the last contested general election prior to the appointment. Whichever party slated the candidate with the highest vote in the last general election is entitled to two members of the Board of Review while the party with the second highest total will have one member of the Board of Review. Party affiliation of a potential Member of the Board of Review is decided by the last primary in which that potential member voted. Currently, the Peoria County Board of Review must have two Republican Members and one Democratic Member.

In summary, the County Board will have the ability to approve or reject the County Board Chairman's appointment of two Members of the Board of Review this month. These appointments must be Peoria County residents who are either on the Department of Revenue eligibility list or are currently Members of the Board of Review who are being reappointed. One appointee must be a Republican and one must be a Democrat. If the proposed appointees are rejected, then the Chairman will need to present new appointments at a later County Board meeting and the current Board of Review Members will continue in office until their successors are appointed.

WWPA:llc