

No. 127997

IN THE SUPREME COURT OF ILLINOIS

DARLENE KLOEPPPEL,)	Petition for Leave to Appeal from the Appellate
)	Court – Fourth District No. 4-21-0091
Plaintiff-Appellant,)	
v.)	Appeal from Circuit Court of Champaign County
)	
CHAMPAIGN COUNTY BOARD,)	Circuit Number 20 MR 460
)	
Defendant-Appellee.)	Trial Judge: Jason M. Bohm
)	

Brief and Argument of Defendant-Appellee

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Oral Argument Requested

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NATURE OF THE CASE

This case involves a dispute between the Plaintiff-Appellant, Champaign County Executive, and the Defendant-Appellee, Champaign County Board, over who fills vacancies in elective County offices. The County Executive filed the underlying action for declaratory judgment against the Champaign County Board, seeking a declaratory judgment to change the County's long-standing practice of following the Illinois Election Code's requirement that the County Board Chair make the appointments, subject to confirmation by the County Board, to fill vacancies in County elective offices so that the County Executive would make the appointment herself, even though the County Executive Act does not provide that the County Executive fill vacancies of elected County officials.

The trial court ruled in favor of the County Executive. The Fourth District Appellate Court reversed. The County Executive filed a Petition for Leave to Appeal.

STATEMENT OF FACTS

The facts of this case are undisputed. C372. Champaign County historically operated without a county executive and had been governed by a county board, which is comprised of 22 elected county board members, with two being elected from each of the County's eleven districts. C370-371. The County Board selects one of its members to serve as the chair of the County Board. C371. When there is a vacancy in elective office, the chair of the County Board has appointed a person, with advice and consent of the County Board, to fill the vacancy until the next election pursuant to 10 ILCS 5/25-11. C371.

In 2016, Champaign County voters adopted the county executive form of government by referendum. C371. In 2018, the Plaintiff-Petitioner, Darlene Kloeppel, was elected to serve as County Executive. C371. Since her election, there have been several vacancies on the County Board and one vacancy in the office of County Treasurer, which is a county-wide officer. C371. For these vacancies, the County Board followed the procedures of the Election Code and filled them by appointment of the County Board Chair and confirmation of the County Board. C371. While the County Board has been making appointments to vacancies in elective office, after the adoption of the county executive form of government, the County Executive has made all appointments to appointed county offices, boards and commissions. C372. The parties have no dispute over the County Executive's power to appoint people to appointive office; this dispute is limited to the County Executive's power to appoint to fill vacancies in elected offices. C372.

The County Executive filed a declaratory action asking the trial court to disregard the appointment language in the Election Code that has been historically applied by the County and to find that, contrary to what the Election Code requires, the County Executive

should be permitted to fill vacancies in elected county offices, subject to the advice and consent of the County Board. C 7-11.

The circuit court granted summary judgment in favor of the County Executive, holding she has authority to nominate persons to fill vacancies in elected county offices. The County Executive had also asked the trial court to enjoin the County Board from using the title of “chairman” or “chair,” but the trial court declined to enjoin the County Board from using the title chairman because the County Executive Law “does not prohibit use of that title.” A25-A38.

The County Board appealed the decision to the Fourth District Appellate Court.¹ Will County, the other Illinois county with a county executive form of government, petitioned for leave to intervene on appeal, but its request was denied. However, the appellate court did permit Will County to file a brief *amicus curiae*. The appellate court reversed the circuit court, finding that the statutes governing the appointment powers of the county executive and the appointment powers of the County Board could be construed harmoniously only if construed to mean that the County Board chair appoints vacancies to elective offices, with the County Executive appointing to fill vacancies in non-elective offices.

The County Executive filed a Petition for Leave to Appeal. On March 30, 2022, this Honorable Court allowed the Petition for Leave to Appeal. The County Executive elected to allow her Petition for Leave to Appeal to stand as her brief.

¹ Champaign County was located within the Fourth Judicial District until the lift of the stay of the effective date of the Judicial Districts Act of 2021, 705 ILCS 23/1, *et seq.* Pursuant to that Act, it is now located in the Fifth Judicial District.

ARGUMENT

The County Executive argues that she has the power to appoint all vacancies in elective county offices. Her argument directly contradicts the clear, unambiguous language of the Election Code, which gives that power to the county board chair. To support her contention, she raises a new argument for the first time in her Petition for Leave to Appeal before this Honorable Court, that there are three forms of county government and that a county is banned from having a county board chair when they have adopted the county executive form of government. Second, extrapolating on that argument, she argues that provisions of the Election Code should be construed to create an inconsistency with the Counties Code to find that a non-existent chair (under her theory) cannot make the appointment under the Election Code, so the courts should judicially supplant this void in the Election Code and amend the provisions to find that the General Assembly made a mistake which the Court must fix by awarding new powers of appointment to the County Executive. The fundamental flaws in these arguments are addressed below. For the following reasons, the appellate court's decision should be upheld.

A. The Appellate Court Correctly Held the Plain Language of the Election Code Gives the Appointment Power to the County Board Chair

The Illinois Election Code specifically provides the vacancies in any elective county office shall be filled by appointment of the Chair of the County Board, and provides an entire process for doing so. Specifically, Section 25-11 of the Election Code states, in pertinent part:

When a vacancy occurs in any elective county office, or in a county of less than 3,000,000 population in the office of clerk of the circuit court, in a county which is not a home rule unit, the County Board or board of county commissioners shall declare that such vacancy exists and notification

thereof shall be given to the county central committee or the appropriate County Board or board of county commissioners district committee of each established political party within 3 days of the occurrence of the vacancy. The vacancy shall be filled within 60 days by appointment of the chair of the County Board or board of county commissioners with the advice and consent of the County Board or board of county commissioners...

10 ILCS 5/25-11.

This plain language is clear and unambiguous. When a statute's plain language is clear and unambiguous, the plain language prevails. *Michigan Avenue National Bank v. County of Cook*, 191 Ill. 2d 493 at 504. By contrast, there is nothing in the County Executive Act that states anything whatsoever about the County Executive filling vacancies in elective county office. Instead, the Counties Code provides, in part, that, "Any county executive elected under this division shall (d) appoint, with the advice and consent of the board, persons to serve on the various boards and commissions to which appointments are provided by law to be made by the board. 55 ILCS 5/2-5009(d).

Section 25-11 does not say, as the County Executive would like, that county executives appoint persons to fill vacancies in elected county offices. To the contrary, the Election Code expressly addresses the manner in which vacancies are filled in elected offices. There are several principles of statutory construction that support the County Board's position that the County Board Chair fills vacancies in elected offices. First, the specific statute should control over the general statute. *Village of Chatham v. County of Sangamon*, 351 Ill.App.3d 889, 814 N.E.2d 216, 2004 Ill.App. LEXIS 952 (4th Dist. 2004). Because the Election Code specifically addresses how vacancies in county board offices are filled and the Counties Code does not, the more specific language of the Election Code

should control. The appellate court correctly held that the more specific language should control. App. Order ¶44.

Second, where possible, statutes should be read together to give meaning to both. Courts invoke the doctrine of *in pari materia* to construe statutory provisions consistently. *See Sulser v. Country Mutual Insurance Co.*, 147 Ill. 2d 548, 555, 591 N.E.2d 427 (1992). Under this doctrine of construction, two legislative acts that address the same subject are considered with reference to one another, so that they may be given harmonious effect. *See United Citizens of Chicago & Illinois v. Coalition to Let the People Decide*, 125 Ill. 2d 332, 339, 531 N.E.2d 802 (1988). Statutes should also be considered *in pari materia* with each section being construed with every other part or section of the statute to produce a harmonious whole. *Sulser v. Country Mutual Insurance Co.*, 147 Ill. 2d 548, 555, 591 N.E.2d 427 (1992). Words and phrases should not be construed in isolation, but interpreted in light of other relevant portions of the statute so that, if possible, no term is rendered superfluous or meaningless. *In re Marriage of Kates*, 198 Ill. 2d 156, 761 N.E.2d 153 (2001). Instead of construing the Election Code’s provisions to be inconsistent with the Counties Code, the appellate court agreed with the County Board’s position that the two statutory provisions could be construed harmoniously if interpreted to mean that the County Board Chair has the power to appoint people to fill vacancies in elected offices, while the County Executive has the power to appoint persons to the various nonelected county boards and commissions. App. Order ¶49. The Appellate Court correctly held that these two provisions can be read together.

Notably, the County Executive believes the Court should expand her powers under the Counties Code to appoint to “various boards and commissions” to mean that she

appoints all vacancies in county offices, whether they are positions on “various boards and commissions” or not. Elected officers such as the county treasurer, sheriff, clerk, recorder, state’s attorney, etc., are elected independently and not as members of “various boards or commissions.” The County Executive Act does not give county executives the power to make such appointments to vacancies in those offices at all. *See* 55 ILCS 5/2-5001, et seq. To construe these statutes to mean that a county executive somehow assumes all power of appointment to elected offices ignores the plain language of the Election Code and adds language to the duties and powers of a county executive in a manner not otherwise clearly stated in Section 2-5009. This Honorable Court should decline the County Executive’s invitation to judicially supplant a clear statutory scheme by interpreting this law in a manner in which it is not written.

Further, with respect to the appointment powers to “various boards and commissions,” the appellate court noted that the legislature used the defined term “county board or board” throughout various sections of the county executive law when referring to the county board. *See* 55 ILCS 5/2-5003(c), 2-5004, 2-5005, 2-5008, 2-5009(a), (c), (e), (f), (g), (l), (l-5), (m), (n), (o), (p), (q), 2-5010, 2-5011, 2-5012, 2-5013, 2-5015. App. Order ¶24. However, when addressing the appointment power of the executive, the General Assembly did not use this defined term, and instead used a broader term of “various boards.’ Consequently, the appointment power must extend to other boards, not the county board. The best evidence of legislative intent is the specific words used. *Laborer’s International Union of North America, Local 1280 v. Illinois State Labor Relations Board*, 154 IL. App. 3d at 1058.

Because the clear language of the Election Code gives the power to the county board chair to make appointments to fill vacancies in elected offices, and because that provision can be construed harmoniously with the provisions of the Counties Code addressing powers of county executives, the appellate court's reasoning was correct and its decision should be upheld.

B. County Boards are not Prohibited from Having County Board Chairs in the County Executive Form of Government

To bolster her argument, the County Executive contends that once a county has adopted the county executive form of government, the county is prohibited from having a county board chair. For the first time in her Petition for Leave filed with this Court, she argues that there are three types of county government, "township, commission and county executive forms of county government." PLA p. 6. Under the County Executive's novel theory, once a county has adopted the executive form of government, it cannot follow other divisions of the Counties Code. PLA pp. 2- 3, 6. She then argues that the appellate court inappropriately considered different provisions of the Counties Code that do not specifically mention the County Executive Act and, without support, states, "The statutory scheme of separating these divisions makes clear that the provisions within each division apply only to that form of county government." PLA pp. 6. The County Executive wants this Honorable Court to find that the County Executive Act operates on an island by itself in counties that have adopted the county executive form of government, and that courts cannot construe other parts of the Counties Code as applying to those counties. By disregarding other relevant laws, the County Executive argues that there cannot possibly be a county board chair for any functions at all in counties that have adopted the county

executive form of government, and therefore, it is impossible to follow the appointment provisions the Illinois General Assembly established in the Election Code. Following this flawed logic, if there is no county board chair, then it is impossible for anyone to follow the provisions of the Election Code, so then the Court should rewrite the statute to give the County Executive powers she does not otherwise have. From the onset, the County Executive's argument theory about three distinct forms of county government is flawed.

First, the Counties Code does not set up three forms of county government. It does include provisions that apply depending on whether the county has township government within the county or not (see 55 ILCS 5/2-1001, et seq and 55 ILCS 5/2-4, et seq.) , but it does not create unique forms of government predicated on them. However, the Counties Code does refer to a "commission form of government" and an "executive form of government" as a distinction forms of government, which are different than a standard county form of government. *See* 55 ILCS 5/2-4006 and 55 ILCS 5/2-5002(c). Regardless, there is no support whatsoever that the County Executive Act must be construed to the exclusion of other provisions of the Illinois Counties Code where no law provides that.

Contrary to the County Executive's position, Division 2-1 of the Counties Code, entitled "Counties under Township Organization," does not at all establish that there is a "County under Township Organization" form of government. Instead, it establishes various procedural operations for counties that are established under township organization. For example, it governs issues about regular meetings (55 ILCS 5/2-1001), special meetings (55 ILCS 5/2-1002), a quorum (55 ILCS 5/2-1005), *etc.* There is no language in Division 2-1 at all establishing a form of government entitled "Counties under Township Organization," or saying that the procedural rules established in Division 2-1 do

not apply when a county has adopted a county executive form of government. *See* 55 ILCS 5/2-1001.

Further, there is nothing in the County Executive Act that provides that, when the county executive form of government is adopted, the provisions of Division 2-1 of the Counties Code can just be disregarded if the county executive form of government is adopted in a county under township organization. *See* 55 ILCS 5/2-5001, *et seq.* Division 2-1 is distinguishable from Division 2-4, which actually does refer to a specific form of government and is entitled “Counties not under Township Organization and Organized as a Commission Form of Government.” *See* 55 ILCS 5/2-4006. While Division 2-4 specifies that a county may operate under a commission form of government, and Division 2-5, entitled, “County Executive Form of Government,” permits counties to operate under a county executive form of government, Division 2-1 does not refer to or create a type of government other than a general county government which must follow certain laws if the county is under township organization. Accordingly, there is no reason that Division 2-1 cannot be construed harmoniously with Division 2-5 when there is no conflict. A county can be a county under township organization with a county executive form of government. There is no law prohibiting that. The appellate court correctly analyzed this statutory scheme of county government.

The apparent point of the County Executive in raising this argument about county “forms of government” is that the appellate court referred to sections 55 ILCS 5/2-1003 and 55 ILCS 5/2-4003 to demonstrate that the County Executive’s argument was flawed. App. Order p. 15 and p. 17. However, even if she is correct that there are three types of county government, the County Executive Act does not say that it replaces all other

provisions of the Counties Code. See 55 ILCS 5/2-5001, *et seq.* For example, Section 2-1006 specifies: “The county board shall sit with open doors, and all persons may attend their meetings. The vote on all propositions to appropriate money from the county treasury shall be taken by “ayes” and “nays” and entered on the record of the meeting.” 55 ILCS 5/2-1007. If the County Executive’s argument is correct, because this language is in Division 2-1 of the Counties Code, this provision only applies to counties with the “township form” of government, so it would not apply to counties that have adopted the county executive form of government. There is nothing in the Counties Code that creates three forms of county government, nor that supports the County Executive’s new argument that she raises for the first time before this Court. The appellate court properly considered the entire legislative scheme created by the Illinois General Assembly related to counties in the Counties Code when it analyzed the merits of the parties’ positions below.

As the appellate court found, counties are not barred from having a county board chair if they have adopted the county executive form of government. In fact, the County Executive Act directly addresses the elimination of the board chair only in one situation – and that is when a county board chair is elected by voters. Section 2-5015 states, “The adoption of the county executive form of government by any county pursuant to this division, shall supersede any plan adopted by the county board of that county, pursuant to Section 2-3007, as now or hereafter amended, for the election of the chairman of the county board by the voters of the county.” 55 ILCS 5/2-5015. However, the General Assembly did not adopt language stating that the adoption of the county executive form of government prohibits a county board from continuing to have a county board chair where the chair was appointed by the county board instead of by voters.

The County Executive asked the trial court to hold that the County Board had no authority to appoint or elect a county board chair from its membership, even if the chair does not encroach on the County Executive's statutory powers. The trial judge declined to so hold, saying the county executive law "does not prohibit use of that title." The appellate court also correctly found that a county board organized under the county executive form may have a chair elected by its own members. App. Order ¶¶33-38. The County Board is not contending that it can have a chair who encroaches on the statutory powers of the County Executive, but merely that it not prohibited from electing a chair for other purposes, such as filling vacancies in elected offices under the Election Code.

The Illinois General Assembly could have adopted legislation providing that the adoption of the county executive form of government prohibits a county board from appointing a chair for all purposes. It did not. In fact, eliminating the chair elected by voters implies that it did not intend to eliminate a chair appointed by a county board. As the appellate court reasoned, the elimination of only one of three different statutory schemes which have a county board chair does not mandate elimination of a county board chair chosen by county board members. App. Order ¶35. This Court should not rewrite the statute by creating a new law prohibiting county boards from appointing chairs. This was not an oversight by the General Assembly, but even if it was, the Legislature alone has the duty to correct any oversight or mistake. People v. Pullen, 192 Ill 2d 36, 42, 733 NE 2d 1235, 1238 (2000).

The County Board's interpretation also can be construed harmoniously with Division 2-1 of the Counties Code, entitled "Counties Under Township Organization." 55 ILCS 5/2-1001, *et seq.* Section 2-1005 provides that, when elected at large, a county

chairman has power to approve or veto enactments of the county board. 55 ILCS 5/2-1005. However, by eliminating the county chairman elected at large in Section 2-5015 and giving veto power to the county executive where the county executive form is adopted, the General Assembly demonstrates that it knew how to carve out conflicting provisions in Division 2-1. *See* Section 2-5009(k) and Section 2-5010). Had it intended to amend the Election Code it could have done so. It did not.

Under the interpretation urged by the County Board, there is no obvious and apparent conflict between powers and duties of the appointed board chair and a county executive. Consequently, the Legislature did not eliminate the position of appointed county board chairs, only elected county board chairs. More importantly, as found by the appellate court, the County Executive Act is not to be read in isolation. App. Order ¶¶37-38. It is not a stand-alone statute. *Id.* The County Executive Act has very little direction on how a County Board operates at all. *See* 55 ILCS 5/2-5001, generally. For instance, it does not provide qualifications for County Board office. Other provisions of the Counties Code must be considered for these qualifications. *See* 55 ILCS 5/2-3015. Likewise, it provides no guidance as to procedures, rules and offices of the county board. To determine those, Division 2-1 of the Counties Code (55 ILCS 5/2-1001 et seq.) must be consulted, particularly section 2-1003 governing the selection of a county chair. 55 ILCS 5/2-1103.

In fact, in the event that there is no county board chair, there is no county official designated to fill vacancies in county offices that are not members of “various boards or commissions,” because no statute confers that power on anyone else other than the county board chair. For these reasons, the County Executive’s argument is unsupported by law and the appellate court’s decision should be upheld.

C. Appointment Power is not always vested in the Executive.

While many governmental executives have appointment power in the federal government, other states, and even in Illinois, that does not mandate a holding by this Court that the County Executive fills vacancies in county elected offices where the General Assembly has legislated something different. General political theory is not a basis for rewriting Illinois law expressed by the plain statutory language. If the legislature wants to adopt the appointment procedures of most executive forms of government, it can amend the Election Code and it can also amend the County Executive Act to give county executives such power.

Illinois does not always follow general political theory concerning executive appointment power. For instance, the Governor does not appoint persons to fill vacancies on the Illinois Supreme Court. The Illinois Supreme Court fills its own vacancies. This is contrary to the federal process and the process used by many other states. Likewise, the legislature has reserved the County Board Chair appointment power to fill vacancies in elected County offices. Accordingly, the County Executive's argument that the executive must always have the appointment power fails.

D. Other Legislative Indications Support the County Board Chair's Appointment Authority

Three more arguments support the County Board's position. First, Section 2-5011 of the Counties Code deals with the death, resignation or inability of the County Executive. 55 ILCS 5/2-5011. In this case, Section 2-5011 specifically references the Election Code, Section 25-11, on how to fill the vacancy or how the vacancy in this elected office is filled. Obviously, if the County Executive's argument is adopted that she is to fill vacancies in

elected offices under the Election Code, it would be impossible for a dead county executive to fill the vacancy created by her own death. This evidences a legislative intent for a role to be served by a county board chair under the executive form of county government. The legislature was aware of both statutes (the County Executive Law and the Election Code) and intended for them to operate harmoniously. It is further telling that this section of the County Executive Law was amended in 2011, incorporating the vacancy language of Section 25-11 of the Election Code.

A further indication the Legislature intends the county board chair to nominate person to fill elected vacancies in county offices is that Section 25-11 of the Election Code was amended after adoption of the County Executive Act. Had the General Assembly intended to alter the appointment process, it could have done so at that time, but did not. (*See* Public Act 100-1027). The Legislature knows how and has distinguished between County Board Chair and Presiding Officer. The Illinois General Assembly could have used the generic term “presiding officer” in the Election Code if it did not intend for appointments to be made by the County Board Chair. A simple review of various statutes reveals that the Legislature can and does make a distinction between county board chairs and presiding officers when describing who is empowered to make appointments. Most telling is the Local Government Reduction and Efficiency Act which provides that a “unit of local government” or “unit” means “any unit of local government located entirely within one county, to which the county board chairman or county executive directly appoints a majority of its governing board with the advice and consent of the county board.” See 55 ILCS 5/5-44020. Therefore, the General Assembly recognizes that both offices may have

appointing authority under Illinois law. In the following statutes, the Legislature has used the term “presiding officer” or other terms to identify the appointing authority:

1. County Library Board. “This Board shall consist of five members, who shall be appointed by the presiding officer of the County Board with the advice and consent of the County Board.” 55 ILCS 5/5-38003.
2. Fire Protection District Trustees. “...the trustees for the district shall be appointed by the presiding officer of the County Board with the advice and consent of the County Board;” 70 ILCS 705/4
3. In 70 ILCS 605/3-9 Drainage District Commissioners, the term “chief county executive officer” is used.
4. Judicial Advisory Board. Counties over 500,000 population, appointed by the presiding officer of the County Board. 55 ILCS 5/5-18001.
5. Zoning Board of Appeals. The presiding officer of the County Board with the advice and consent of the County Board shall appoint a Board of Appeals. 55 ICLS 5/5-12010

In the following statutes the Legislature has used the term “chairman” to identify the office with appointing authority:

1. County Historical Museum District Trustees. “The Chairman of the County Board for the county of which the trustee is a resident shall, with the consent of the County Board, appoint the first trustees who shall hold office for terms expiring...” “A vacancy shall be filled ...by the County Board Chairman of the county ...” 55 ILCS 5/5-31005.
2. Board of Public Works. “Each county public works department shall be managed by a Board of Public Works, consisting of 5 members appointed by the President and Chairman of the County Board, with the approval of the County Board...” 55 ILCS 5/5-15003.
3. Storm Water Management Planning Committee. “The County Board members shall be appointed by the chairman of the County Board.” 55 ILCS 5/5-1062.

These examples demonstrate that the Legislature is able to make a distinction between presiding officer, county executive, and county board chairman regarding appointment authority.

Third, holding that the county executive has the power to fill vacancies in elected county offices creates an absurd result when the removal power of the executive is considered. Another general rule of statutory interpretation is that the legislature did not intend absurd, inconvenient, or unjust results. Landis v. Marc Realty, LLC, 235 Ill. 2nd at 15. If the County Executive has the authority to appoint persons to fill vacancies in elected offices, then she also has the authority to remove these appointments under Section 2-5009 of the Counties Code, which states that the executive may “remove or suspend in his discretion, after due notice and hearing, anyone whom he has the power to appoint.” 55 ILCS 5/2-5009 (h).

It makes no sense that the County Executive can remove an elected county board member. This cannot be the intent of the legislature with regard to elected officials. County board members are elected, and the county board is a legislative check on the county executive. Did the legislature intend that the executive could remove county board members? If the executive has power to appoint county board members, then the executive could remove these members. This is an absurd result of County Executive’s position. It makes more sense to follow the plain language of the Election Code and find that the County Board Chair, not the County Executive, appoints persons to fill vacancies in elective county offices. For all these reasons, the appellate court’s ruling should be upheld.

CONCLUSION

In conclusion, the law giving county board chairs the ability to appoint vacancies in elected county offices is clear. The Illinois General Assembly has not abolished the position of appointed county board chair in counties that have adopted the county executive form of government. County executives have the authority to appoint persons to fill

vacancies in non-elected County offices. This is the custom and historical practice of Champaign County, and a correct reading of the law. The appellate court's analysis and ruling were correct. For all of these reasons the Defendant-Appellee, the Champaign County Board, asks this Court to uphold the decision of the Fourth District Appellate Court in this matter and to deny the County Executive the relief she seeks.

Respectfully submitted,

Champaign County Board



By: _____
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CERTIFICATE OF COMPLIANCE

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages containing the Rule 341(d) cover, the Rule 341(h)(1) table of contents and statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is 18 pages.

Respectfully submitted,



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No. 127997

IN THE SUPREME COURT OF ILLINOIS

DARLENE KLOEPPPEL,)	Petition for Leave to Appeal from the Appellate
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v.)	Appeal from Circuit Court of Champaign County
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CHAMPAIGN COUNTY BOARD,)	Circuit Number 20 MR 460
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Defendant-Appellee.)	Trial Judge: Jason M. Bohm

NOTICE OF FILING

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PLEASE TAKE NOTICE that on **May 18, 2022**, we filed with the Clerk of the Supreme Court of Illinois, via Odyssey eFileIL, **Brief and Argument of Defendant-Appellee**, a copy of which is attached hereto and herewith served upon you.

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CERTIFICATE OF SERVICE

This **Notice of Filing** and **Brief and Argument of Defendant-Appellee** referenced therein were served upon the above-named parties of record via Odyssey EFileIL and E-Mail Transmission to the addresses listed on **May 18, 2022**. Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.



One of the Attorneys for Defendant-Respondent,
Champaign County Board

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