



REPORT TO TOWN BOARD

FROM: Thomas Yu, Township Attorney

DATE: December 7, 2023

SUBJECT: Resignation and Appointment of Township Supervisor

This report summarizes the law governing the process for the resignation and appointment of the City of Champaign Township Supervisor.

Resignation

A township board may, for sufficient cause shown to them, accept the resignation of any officer of the township. Resignations become effective upon acceptance by the township board. 60 ILCS 1/60-20(a), (b). Along those lines, a township supervisor should tender their resignation letter to the township clerk, who will forward it to the board. The town board should then vote in open session to accept the officer's resignation.

In this instance, City of Champaign Township Supervisor, Andy Quarnstrom will tender his resignation letter to the Township Clerk on December 9, 2023, which will indicate his intent to resign effective March 1, 2024, or upon appointment of a replacement Township Supervisor, whichever is sooner. The Township Board should acknowledge receipt of the resignation letter at its next meeting. The Township Board should vote to accept the resignation at the same open meeting in which a replacement is appointed.

Filling the Vacancy

A vacancy in the township office is to be filled only as provided in the Township Code. 60 ILCS 1/60-5(a). Accordingly, a vacancy in the elected position of township supervisor shall be filled by township board appointment. And the person appointed shall hold the office for the remainder of the unexpired term. City of Champaign Township Supervisor Andy Quarnstrom was re-elected in the April 6, 2021, election and his term began May 17, 2021. 60 ILCS 1/50-15(b). Township supervisors serve for 4-year terms until their successors are elected and qualified. 60 ILCS 1/50-10(a).

Qualifications for Township Supervisor

(1) Any person appointed to fill a vacancy must be of the same political party as the person leaving office. (Note: This requirement does not apply to any temporary deputy supervisor serving in an interim period as described above.) 60 ILCS 1/60-5(d)

(2) A person is not eligible to hold office if they have been convicted of any "infamous crime, bribery, perjury, or other felony" at the time of taking the oath of office. 60 ILCS 1/55-6

Process for Selecting a Candidate for Appointment

There is no statutorily prescribed process by which a town board must evaluate candidates to be appointed to a vacant township supervisor position. When the office of township assessor became vacant recently, the township posted notice of the vacancy online and invited open applications from qualified applicants. A committee was formed to screen applications and perform candidate interviews, at which point the committee made a recommendation to the town board, which was approved. The town board may also elect to interview or otherwise evaluate candidates in open session. Regardless of the method used, the town board must vote in open session to approve the appointment.

Proposed Timeline

- December 9: Resignation letter to Township Clerk
- December 12: Special Township Board meeting to acknowledge receipt of resignation letter and discuss process to appoint Township Supervisor
- January 8: Deadline for applications for Township Supervisor to be submitted to Township Clerk
- January 16/23: Special Township Board meeting to interview qualified candidates
- January 23/30: Special Township Board meeting to accept resignation and appoint Township Supervisor
or February 6

Interim Period

If the township supervisor's resignation is accepted by the board at the same meeting the appointment to the vacancy is made, the below steps are unnecessary. However, if the board votes to accept the supervisor's resignation but does not immediately approve an appointment, this process must be followed.

If the vacancy being filled is for township supervisor, a town board trustee shall be appointed as deputy supervisor to perform the ministerial functions of the township supervisor office until the vacancy is filled by appointment. 60 ILCS 1/60-5(b-5). Should a town board trustee need to be appointed as a temporary deputy supervisor, the deputy may not vote on any matters before the board unless the deputy is a trustee of the board at the time of the vote. In addition, any compensation the trustee receives as trustee compensation shall be suspended until the temporary appointment is concluded and a permanent appointment is made to fill the vacancy. 60 ILCS 1/60-5(c)

60 Day Vacancy

If a vacancy is not filled by appointment within 60 days, then the electors at a special township meeting may select a qualified person to fill the vacancy and serve until the expiration of that term. At the meeting, the electors may select the replacement officer by voice vote, and the person receiving the greatest number of votes shall be declared to be elected as the officer. 60 ILCS 1/35-35 There are specific requirements to hold a special Township meeting. Among other things, the township board (or at least 15 voters of the township) must file a written request for a special meeting and the meeting must be held within 14 and 45 days of the request being made. 60 ILCS 1/35-5

Prepared by:

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