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# PROPOSED CONSOLIDATION OF WINNEBAGO COUNTY CLERK AND RECORDER

A DUE DILIGENCE AND FEASIBILITY STUDY



COLLABORATIVE PLANNING FOR NORTHERN ILLINOIS



Thomas Bona, Research and Information Director  
Ivy Hood, Research Associate  
**Region 1 Planning Council**

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## Executive Summary

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Winnebago County is considering a proposal to eliminate its county recorder's office and consolidate into county clerk's office. The idea comes at a time when Winnebago County, like many other Illinois counties, faces ongoing budget deficits in the wake of the Great Recession. But it also is an opportunity to consider more broadly the reorganization of county government into modern arrangements that would allow for innovation while respecting statutory requirements.

While most Illinois counties have combined clerk and recorder offices because they are too small to warrant separate ones under state law, only a fraction of those that have separate offices have taken formal steps to consolidate. County boards have the authority to place a referendum on an election ballot asking voters to approve the consolidation. Winnebago County would be one of the larger counties to take such steps, and because of that, county officials commissioned this study. The resulting report represents one of the most thorough considerations of clerk/recorder consolidations done to date.

The study determined that it is feasible to consolidate the Winnebago County recorder position into the Winnebago County clerk position, provided there is proper planning, retention of key technical staff, and sufficient buy-in from the elected officials. The recommended form of consolidation is the simple elimination of the elected recorder position and assignment of its duties to the clerk. The recorder's office would otherwise operate as it is now, in a separate office from the clerk's, with appointed technical staff managing the day to day operations. This is so far the standard setup for counties that consolidate the positions. Effectively the elected clerk serves as CEO of several divisions. Our analysis identified approximately \$100,000 in net annual savings with little risk for long-term problems. The report outlines a number of pros and cons of consolidation, paying special attention to the opinions of the current county clerk, who is neutral, and county recorder, who is opposed to consolidation. The recorder's objections were reviewed with particular detail; if consolidation is approved, her buy-in and the buy-in of her staff would be key.

Because observers agree a referendum is likely to pass in the current political and fiscal environment, this report focuses on the importance of further research and planning. It outlines five key recommendations that are necessary before the Winnebago County Board puts the question of consolidation to referendum. It also identifies recommendations to ensure a smooth consolidation and/or take steps to improve county government independent of consolidation. Perhaps the most important finding, beyond the basic feasibility of simple consolidation, is that planning, communication, and coordination are keys to success. Recommendations outline organizational steps the two elected officials, their staffs, and other county officials should take beginning as early as when the county board approves a referendum. Recommendations also identify ways Winnebago County can be a trailblazer in Illinois by tracking the performance of a consolidated office and adjusting its plan accordingly. Finally, recommendations for other efficiencies to explore outline improvements that could be made in the clerk and recorder offices, as well as in other county offices related or independent of these functions.

County officials, should they decide to seek consolidation and receive approval from voters, should not rest on the "quick win." This process may yield both political and practical momentum to seek other changes to county government that would result in higher-value services, more efficient and effective operations, and steps forward toward a truly 21<sup>st</sup> Century model.

# Introduction

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With the effects of the Great Recession slashing revenue while costs rise, lingering budget crunches for Illinois units of government have officials looking for any opportunity to cut non-required spending. This extends from the state level down to the local level. One measure that has been increasingly explored for county government is abolishing non-mandatory county offices and consolidating their duties into other elected or appointed positions.

The only required elective offices for counties, according to the Illinois Constitution, are county board, sheriff, clerk, and treasurer. Counties “may elect or appoint a coroner, recorder, assessor, auditor and such other officers as provided by law or by county ordinance.” Those offices “may be created or eliminated and the terms of office and manner of selection changed by county-wide referendum.”

Some Illinois counties have specifically looked at recorder offices because the Illinois Counties Code only allows counties of 60,000 residents or more to have a separately elected recorder. The majority of Illinois counties are under that threshold and have their clerk serve as recorder. Counties that have approved elimination of the separate recorder have consolidated the office with their clerk’s office. Additionally, clerk and recorder duties both include the collection, maintenance, and retrieval of important records, giving them more in common than other county offices.

Winnebago County contracted with Region 1 Planning Council (R1PC) to conduct a preliminary due diligence and feasibility study on the proposed consolidation of the county recorder’s and county clerk’s offices. R1PC reviewed the existing conditions in similar counties, including reasons counties chose to consolidate the offices or keep them separate, and steps taken to ensure their decisions led to successful outcomes. This included phone and email interviews with numerous officials throughout the state, review of newspaper articles, and other research. R1PC also reviewed existing conditions in the Winnebago County recorder’s and clerk’s offices, including opportunities for and barriers to consolidation. This included in-person interviews with Recorder Nancy McPherson (and her chief deputy) and with Clerk Margie Mullins, as well as tours of the offices.

This report presents a summary of the findings of this research, including proposed next steps, further research, and considerations for the Winnebago County Board as it decides whether to pursue a referendum to consolidate the offices.

Tazewell County Board Chairman David Zimmerman, who oversaw a recorder/clerk consolidation, said in an interview that a referendum here would likely pass. “It’s not a hill to die on, I don’t know that there are many people out there that want to make it their signature issue. It’s hard to gain some traction negatively,” he said. This is why it is important for Winnebago County to examine the issue and plan for success before deciding to put a consolidation referendum before the voters.

## Section 1: Due Diligence

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Only 25 of Illinois' 102 counties have qualified to have separate recorder and clerk offices; the rest have always been below the 60,000 population threshold, so their clerk automatically serves as recorder. Of the 25 counties with the option:

- 16 retain separate clerk and recorder offices (including Winnebago County),
- Three have always had a combined office and never opted to separately elect the recorder,
- Four have consolidated the two offices,
- One (Cook County) is in the process of consolidating the two offices, and
- One (McHenry County) has a pending referendum next spring on consolidation.

Of the 16 with separate offices, we have found public record of five having considered consolidation but deciding not to hold a referendum. Additionally, one (Lake County), held an unsuccessful referendum to replace the elected recorder with an appointed one. (For further detail on these counties, see chart below).

<b>Counties that have Approved Consolidation</b>			
<b>County</b>	<b>Population</b>	<b>Year of Referendum</b>	<b>Year of Consolidation</b>
Adams County	67,081	2002	2004
Tazewell County	135,697	2011	2012
McLean County	173,114	2012	2013
Peoria County	187,112	2014	2016
Cook County	5,236,393	2016	2020
<b>Counties that have Approved Consolidation</b>			
<b>County</b>	<b>Population</b>	<b>Year of Referendum</b>	<b>Year of Consolidation, If Approved</b>
McHenry County	307,357	2018	2020
<b>Counties that have Publicly Considered Consolidation</b>			
<b>County</b>	<b>Population</b>	<b>Additional Information</b>	
Macon County	109,193	Officials considered consolidation as early as 2001, but never a serious discussion. An outside firm gave an oral recommendation that there would not be a long-term cost savings.	
Kankakee County	112,221	While consolidation has been brought up, there is no current discussion.	
LaSalle County	112,579	In 2016, ad hoc committee found "no monetary or professional benefits," multiple officials opposed it. County council overwhelmingly voted against referendum.	
Champaign County	205,766	Considered in 2014 and 2015, but never placed on the ballot. pponents say there are not enough savings to justify losing the work of the recorder.	
Winnebago County	290,439	Winnebago County is considering consolidation and other efficiency measures as part of a county-wide budget savings initiative.	
Kane County	524,886	The Daily Herald reported in 2016 that "Kane County officials briefly flirted with the idea this spring but failed to put it on the ballot."	
Lake County	702,898	In 1990, voters rejected a measure to change the recorder from elected to appointed position. Current recorder believes Lake County is too big with too high a volume of documents to make consolidation worthwhile.	
<b>Other Counties that have <i>Separate Clerk and Recorder Offices</i></b>			
<b>County</b>	<b>Population</b>	<b>Additional Information</b>	
Vermilion County	80,368	Vermilion County population surpassed the 60,000 threshold sometime between 1890 and 1900. No evidence of consideration for merger.	
Rock Island County	147,161	Rock Island County population surpassed the 60,000 threshold sometime between 1900 and 1910. No evidence of consideration for merger.	
Sangamon County	199,016	Sangamon County population surpassed the 60,000 threshold sometime between 1880 and 1890. No evidence of consideration for merger.	
St. Clair County	267,029	St. Clair County population surpassed the 60,000 threshold sometime between 1870 and 1880. No evidence of consideration for merger.	
Madison County	267,356	Madison County population surpassed the 60,000 threshold sometime between 1890 and 1900. No evidence of consideration for merger.	
Will County	683,995	Will County population surpassed the 60,000 threshold sometime between 1880 and 1890. No evidence of consideration for merger.	
DuPage County	930,412	DuPage County population surpassed the 60,000 threshold sometime between 1920 and 1930.	
<b>Counties which are <i>Unique Circumstances</i></b>			
<b>County</b>	<b>Population</b>	<b>Additional Information</b>	
Knox County	52,112	Population exceeded the 60,000 threshold in the 1980s, has since dropped, and the county maintains two separately elected offices.	
Whiteside County	57,525	Fell below the 60,000 threshold in 2003 and maintains two separately elected offices.	
Williamson County	67,121	Has had a population of 60,000 at least since 2000; in 2002 the county rejected the separation of clerk and recorder duties via referendum.	
DeKalb County	104,345	Voters rejected separating the clerk and recorder duties in 1976 after population exceeded 60,000.	
Kendall County	120,036	Held a referendum to reject the creation of a separate Recorder of Deeds in 2012, 10 years after its population passed the 60,000 threshold. Changed Clerk title to Clerk/Recorder	

While it is true that most Illinois counties have combined clerk and recorder offices, few have actually completed the act of consolidating two formerly separate offices, which is where both potential risks and rewards lie. Those that have consolidated have at least 100,000 fewer residents than Winnebago County – some much smaller – with less real estate activity and other records requests. They also sometimes differ in the duties and services of their respective offices, and have individual political contexts that colored their choices. The closest comparable county to Winnebago is McHenry, which has a binding referendum on consolidation in March of 2018 and will be worth monitoring.

Moreover, of the seven larger counties with combined offices, only one is actually merging operations into one office. The rest simply eliminated the elected recorder and retained physically separate divisions, sometimes on different floors, with their own day-to-day leadership and little intra-division cross-training. Peoria County is merging operations but has also moved its county elections division out of the clerk's office, freeing up significant space and reducing activity levels, making it hard to compare to Winnebago County's clerk's office.

In conducting this study, R1PC researched each county that considered consolidation and interviewed most via phone and/or email. Other than Cook County, which used an extensive 2010 report by the Civic Federation as its roadmap for consolidation and related measures,<sup>1</sup> and a League of Women Voters of Cook County study for further analysis,<sup>2</sup> no county had done significant research before pursuing consolidation beyond calculating the cost savings of eliminating an elected recorder. At most, other counties talked to or visited officials from other counties that consolidated. The only cost-benefit analyses conducted by these counties were solely focused on the savings of reducing personnel. It is likely at this time that Winnebago County has studied the issue more than any county other than Cook County. McHenry County officials are in the process of conducting some further study alongside the referendum process.

Additionally, few counties have tracked the results of consolidation to confirm how much savings were realized (especially whether the cost savings of eliminating one position lead to cost increases or tangible reduction in services elsewhere). The exception so far is McLean County, which has conducted a customer survey of its recorder division. Given the relative lack of success tracking, and the generally smaller size of counties that have consolidated, Winnebago County should monitor performance of those offices for any long-term effects of consolidation.

In talking to counties that have consolidated, it should be noted that “history is written by the winners,” meaning officials are more likely to focus on sharing their successes than detailing downsides. That said, in our research we found no signs of significant problems in local media reports or other sources. Any bumps in the road appear to have had short-term impacts at most. If needed, follow up research could include identifying and talking to past opponents of consolidation and/or customers to further verify whether the measures have been successful.

## *Support for consolidation*

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Counties that pursued consolidation agreed the primary driver was reducing costs at a time of both diminished budgets and declining real estate activity in the wake of the Great Recession. In some cases, there were additional political motives (such as eliminating individual officeholders), but those were almost always secondary motives. Additionally, when a county approved consolidation and showed no significant pitfalls, other counties saw further justification to consolidate. When reviewing the cost-saving argument in favor of

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<sup>1</sup> (The Civic Federation, 2010)

<sup>2</sup> (League of Women Voters of Cook County, 2016)



consolidation, though, it is important to understand that there has been limited tracking of what the real savings were, especially when accounting for concurrent improvements in cost-cutting and efficiency that could have been done independent of consolidation.

Adams County was the first in Illinois to consolidate the offices, with a referendum in 2002 approved by a nearly 3-1 margin. Its then-Recorder, Larry Ehmen, was elected in 2000 on a platform of eliminating the separate office.<sup>3</sup> Ehmen believed the recorder's office could operate without him, saving his salary and benefits, an estimated \$50,000 or more, at a time when the county struggled with financial problems.

Tazewell County was the second to consolidate the offices with a 2011 vote. Officials there talked to Adams County but did not do much other research, according to County Board Chairman David Zimmerman.<sup>4</sup> The primary driver was reducing costs in a countywide effort to keep its tax rate at or near the bottom of counties in the state. "We knew we could eliminate the elected salary, so even if that was the only thing we'd save, it was \$65,000-\$80,000 that would go on forever," Zimmerman said. "Maybe we should have thought more about it, it seemed like a no-brainer to us."

The then-Recorder was retiring, and also had some documented disagreements with the county board. Zimmerman said there wasn't a partisan element – while the recorder was a Democrat (unlike Zimmerman and most of the county board), Republicans expected to have a good shot at the office the following election. The Democratic clerk was viewed as more than competent to take on what county officials considered "purely an administrative function."

McLean County's consolidation vote in 2012 was sparked by its League of Women Voters, which recommended reducing the number of elected officials and consolidating government offices. County board members agreed that the recorder's responsibilities were largely "ministerial" – that is, they followed set rules and procedures – rather than one of policy-setting. Beyond that observation, county board members and administration staff did limited research other than determining recorder staff was already largely handling the day-to-day operations and that the elected clerk could handle executive duties. It should be noted that while McLean's measure passed easily, it was more publicly controversial than previous successful measures in other counties due to the then-recorder's opposition (which will be discussed in more detail below) and the opposition of the League of Women's Voters, which believed the recorder should be an appointed position rather than added to the power of an elected clerk.

A newspaper op-ed supporting the referendum<sup>5</sup> summed up arguments in favor: "(T)his is a question of whether the county can gain efficiencies and save money — anywhere from \$50,000 to \$100,000 per year is expected — by merging the duties of the two offices. That doesn't sound like a lot, but right now, every penny counts."

Peoria County's 2014 consolidation vote followed, and it was "largely political,"<sup>6</sup> with the Democrat-controlled county board taking the opportunity to eliminate what was historically a Republican office. Reducing the size and cost of government by eliminating two management positions was also a factor.

Peoria did a high-level look at what neighboring Tazewell and nearby McLean did, but did not conduct a formal study. But more importantly, Peoria made more extensive efforts than other counties before it – not only eliminating the recorder's office but also creating a county election commission that moved election

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<sup>3</sup> (Husar, 2004)

<sup>4</sup> (Staff, Telephone Interview, 2017)

<sup>5</sup> (Pantagraph Staff, 2012)

<sup>6</sup> (Bona, Email correspondence with Peoria County Administrator Scott A. Sorrel, 2017)

duties out of the clerk's office. Moving recorder duties to the clerk's office was seen as a complement to the otherwise shrunken office.

Cook County is the most recent to approve consolidation, with a successful 2016 referendum. The county is now planning for the 2020 consolidation. The measure was first recommended by then-County Commissioner Mike Quigley in a 2003 report.<sup>7</sup> It picked up momentum when The Civic Foundation recommended consolidation in its 2010 *Cook County Modernization Report* as a way to eliminate costly duplicative services and reduce citizen confusion about where to find the services they need. In September, 2016, League of Women Voters of Cook County issued a report supporting consolidation. "Any public policy decisions made by the elected Recorder of Deeds could be made by the elected Clerk if the recording duties were transferred to the Clerk," the League wrote. "We do not consider making sure that documents comply with existing law before recording to be a policy decision."

McHenry County's board approved a consolidation referendum this year. Because of its population, growth patterns, and geographic proximity, as well as a strengthening relationship with Winnebago County, McHenry County would be the most similar county to Winnebago County to consolidate. County Recorder Joe Tirio ran in 2016 specifically on a platform to eliminate the position and merge operations into the clerk's office. He promised to develop a business case for the move and present it to voters before the end of his first term. However, with concurrent support of new McHenry County Board Chairman Jack Franks and County Clerk Mary McClellan, the county board approved a referendum after only preliminary research. County Administrator Pete Austin relayed that the chairman and clerk both said "This is a no brainer, let's put it up there, this is going to make sense."

The measure will help the county board meet its pledge to reduce property taxes by 10 percent and modernize county government operations.<sup>8</sup> "We'll have more efficiencies," Franks said. "The technology has gone leaps and bounds in the last few years, and so we're able to do more with less. Hopefully have fewer employees. Do more online. Use less space."

Tirio said there is not an inherent value in having a separately elected recorder; the value is in having elected or appointed leadership that improves the office. "What are they doing in the 86 other counties (with combined offices), are they not getting their stuff done?" he asked, rhetorically.

## *Opposition to consolidation*

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Counties that opted against consolidation generally decided any expected savings were too small to be worth the effort or the risk of consolidation. Some simply didn't follow through with the idea after brief consideration.

Where there has been significant debate, both within counties that opted against consolidation and those that approved it, there were two primary sets of concerns. First, and most relevant to Winnebago County, were warnings by some recorders of unintended consequences of consolidation, such as reduced quality of customer service and recordkeeping, as well as unexpected costs that would eat any savings and make the process a waste of time. This is a concern echoed in more detail later in this report by Winnebago County Recorder Nancy McPherson. Secondly, there were political concerns in some counties that the consolidation would negatively affect one of the local political parties or groups of people who could run for the office. At this time, that has not been an expressed concern in Winnebago County.

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<sup>7</sup> (Quigley, 2003)

<sup>8</sup> (Stephens, 2017)

Opponents to consolidation have also cited problems in counties with combined clerk and recorder offices. These problems have been difficult to analyze as they involve secondhand stories without specifics that indicate whether challenges were due to consolidation or other factors. For instance, a surveyor running in last year's race for Champaign County recorder said it was "a nightmare" in counties with combined offices. However, it was not clear whether that was a function of consolidation or of resource constraints in smaller counties with statutorily combined offices.

Champaign County has considered consolidation at least three times in recent years,<sup>9</sup> going back to 2003.<sup>10</sup> The measure has been consistently rejected by the county board, "mostly over concerns that (recorder) services would suffer if it came under a larger office responsible for many other programs."<sup>11</sup> But there were political reasons too, as both Republicans and Democrats hoped one of their own would win the office in the next election.<sup>12</sup>

Former Champaign County Clerk Mark Shelden was elected recorder in 2016 and opposed the idea of consolidating the offices, in part citing concerns he had heard from customers of the recorder's office. He believes a separately elected recorder provides accountability for that function that would be hard to retain in a clerk's office with multiple responsibilities. While a recorder has to answer for the specific quality of recording activity, a clerk could be elected based on the quality of other services like vital records or elections.<sup>13</sup>

Shelden, who has an IT background, said the modernization of government offices can be done without necessarily consolidating them. He said he has brought value to the position with technology and efficiency measures that would not have come without him. This includes preparing their subdivision database for new software that will make processing documents faster, implementing a new state-created online tax declaration system (which Winnebago County also joined this year), and writing code to import plat maps into Recorder software for online availability. Shelden also argued that if the recorder's position is eliminated and its salary is paid by the fee fund, the savings should be passed on to customers in reduced recording fees rather than being used to improve the county's bottom line. (It would be worthwhile to further understand what is and is not paid for out of the Winnebago County recorder fee fund, and the impacts to it and the general fund by consolidation.)

Faced with their own budget crunch in the early 2000s, Macon County officials considered several consolidation options. A referendum to abolish the auditor's office failed in 2002.<sup>14</sup> Macon County also discussed eliminating the coroner's position but did not pursue it. An outside firm that does cost studies for the county gave an oral report to officials that consolidation of the recorder and clerk would not bring long-term savings for the county.<sup>15</sup> Recorder Mary Eaton believed the county was too big to consolidate without costing more money in software and training.<sup>16</sup>

LaSalle County conducted the most thorough research of any county that rejected consolidation. After visiting McLean County, some LaSalle officials believed their county could save money. But the retiring

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<sup>9</sup> (Kacich, 2015)

<sup>10</sup> (Potter, 2003)

<sup>11</sup> (Kacich, 2015)

<sup>12</sup> (Dey, 2017)

<sup>13</sup> (Bona, Email correspondence with Champaign County Clerk Mark Shelden, 2017)

<sup>14</sup> (Potter, 2003)

<sup>15</sup> (Bona, Email correspondence to Macon County Clerk, Steve Bean, 2017)

<sup>16</sup> (Potter, 2003)

recorder argued the clerk would be too busy with elections to give adequate oversight to land records.<sup>17</sup> The clerk eventually opposed the idea too, as did both nominees for recorder. The LaSalle County Board formed an ad hoc committee to study the issue. Karen F. Miller, who later would be elected recorder, said the office was needed to police fraudulent documents, especially with a high level of fraud in Illinois.<sup>18</sup> After six months, committee members told the board there were “no monetary or professional benefits” to consolidation and recommended against it.<sup>19</sup> A previous clerk said there already weren’t enough hours in the day to complete clerk work without the additional recording responsibilities. Others repeated the concerns of loss of service and no cost savings. Only 3 of the 27 board members voted for a referendum on consolidation; one of the original supporters on the board even voted against it.

Lake County has considered eliminating non-required elected offices for a while.<sup>20</sup> In 1978, voters approved abolishing the elected auditor in favor of an appointed finance director. However, in 1990, Lake County voters rejected measures to replace the elected recorder and coroner with appointed positions, largely because of opposition from the popular coroner and recorder at the time. They claimed appointees would be as political as elected officials.

While McLean County approved consolidation, it had the most public opposition of an ultimately successful measure to date, driven by then-Recorder Lee Newcom. He believed there would be no net savings because of software upgrades and other costs.<sup>21</sup> He also cited challenges in Adams and Tazewell counties, and decisions by other counties to not consolidate. We are unable to follow-up with Newcom on this subject; he passed away last year. (Adams and Tazewell officials said that while there were bumps in the road as they learned, the measures were ultimately successful, both fiscally and operationally. In researching this, R1PC found no reported evidence of long-term problems in those counties.) Newcom was also concerned that old land records would “get put in a backroom” and not be maintained.<sup>22</sup> This is a concern echoed by Winnebago County Recorder Nancy McPherson.

In the end, there were net savings for McLean County, because there were no unexpected software or other costs, according to Clerk Kathy Michael.<sup>23</sup> Because of transition planning and staffing efforts outlined later in this report, Michael said there have been no problems with maintenance of land records. She also instituted an annual and anonymous recorder customer survey that has rated the office with high marks, and offered that title companies, attorneys, and other users of the office could be interviewed about whether Newcom’s concerns have borne out. It will be worthwhile to monitor the continued performance of McLean County’s office, including the annual survey results.

The League of Women Voters of McLean County actually opposed the consolidation because the group thought the recorder’s office should be operated by an appointed, not elected, leader. The League believes the clerk should also be appointed.<sup>24</sup> Newcom supported making the recorder an appointed position. In several counties, another argument against consolidation was that it eliminated choice for voters.

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<sup>17</sup> (Giuliani, 2015)

<sup>18</sup> (Stanley, 2016)

<sup>19</sup> (LaSalle County Board Minutes, May 10, 2016)

<sup>20</sup> (Research memo provided by Lake County's ad hoc Commission on Government Reform and Accountability)

<sup>21</sup> (Newcom, 2012)

<sup>22</sup> (Ford, Voters to Decide the Fate of the McLean County Recorder's Office, 2012)

<sup>23</sup> (Bona, Telephone correspondence, 2017)

<sup>24</sup> (Ford, Referendum to Eliminate McLean County Recorder's Office Passes, 2012)

## *Transition planning and lessons learned*

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Counties that have consolidated their clerk and recorder offices said effective planning for the transition was key; learning from mistakes and evolving with the process were also important, and counties indicated that there may be bumps in the road, but none have yet caused a consolidation to fail. Officials also said buy-in from at least one of the two elected officials is vital, and participation from both is ideal.

In Adams County, Ehmen upgraded the recorder's computer system and streamlined the office in preparation for consolidation. He also taught then-Clerk Georgia Volm about his duties. Consolidation did not start out perfectly for Adams County, partly because it was the first to try. In 2014, Volm said that while there had been savings, the county had not realized "maximum efficiency" due to lack of funds from the county board or a combined office space.<sup>25</sup> The same newspaper report said that cross-training of employees hasn't been successful, but did not give specifics. Current Clerk & Recorder Chuck Venvertloh said his predecessor did not have a great working relationship with recorder employees, but he is changing the culture of the two offices and using one cross-trained employee to cover time off.<sup>26</sup>

Tazewell County's consolidation had no hiccups, but Board Chair David Zimmerman wished they had a more precise estimated cost savings to voters instead of a "best guestimate." Tazewell's then-recorder retired before the consolidation, leaving his chief deputy in charge. The chief deputy recorder and clerk began working together once the county sent the measure to voters, showing the importance of retaining recorder staff and expertise.

McLean officials gave themselves only one year after their referendum to consolidate, and advised a longer time period to prepare (if a referendum passed in March, 2018, Winnebago County would have more than two and a half years).<sup>27</sup> There were staffing issues early on, with some employees leaving and others uncertain about their future roles. The administration and clerk made some personnel moves to ease the transition: the chief deputy recorder became a human resources assistant for the administration, allowing her to assist both offices with the consolidation. A deputy recorder moved over to the clerk's office and now runs the recording division as program manager. A previous recorder employee came back to work as assistant program manager.

McLean County Administrator Bill Wasson said early on that the biggest challenge was "changing the accounting arm of the office."<sup>28</sup> By all accounts, that challenge has since been solved with no ongoing problems. Additionally, then-Recorder Newcom – who had campaigned heavily against consolidation – was cooperative once the votes were in. County Clerk Michael said Newcom's previous efforts to modernize the office with technological advances helped the consolidation succeed.

Most counties said maintaining experienced deputies or some other day-to-day leadership in the clerk and recorder divisions was key to success because one official could not be in both places at once. Some officials compared it to being a CEO overseeing the leaders of a company's separate divisions.

Counties agreed that buy-in from both the elected clerk and elected recorder are key to a successful transition. Peoria County Clerk Steve Sonnemaker recommends having the clerk and recorder or their designees on the planning committee for consolidation. "When they did that here, they didn't consult me or

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<sup>25</sup> (Kaergard, 2014)

<sup>26</sup> (Bona, Email correspondence with Champaign County Clerk Mark Shelden, 2017)

<sup>27</sup> (Staff, Telephone Conference with McLean County Officials, 2017)

<sup>28</sup> (Ford, 2013 Brought Several Changes to McLean County, 2014)

the recorder” which caused some bitterness, he said.<sup>29</sup> He recommended a planning partnership with the clerk and recorder each having an equal seat at the table along with a couple of county board members. The conflict between Sonnemaker and the board over the process limited the success of consolidation, Sorrel said. There was also lingering resentment from Republican County Board members who took it as a slight to their party, Sorrel said.

Since then, the tension has since eased and productive steps were taken, Sorrel said. While pushing the consolidation issue, the county board approved the recorder’s significant investment to scan and index all historic records. The clerk also participated in the project, which finishes this year and is expected to improve customer service by allowing users to conduct property research remotely. Sorrel said another challenge was collective bargaining. While employees in both offices were in the same bargaining unit, their agreement had detailed language related to bumping rights when moving from one elected office to another. Recorder employees had more seniority but the clerk wanted more protection for his employees in the event of layoffs. It took extra effort with the union to work out a solution.

If Winnebago County pursues consolidation, it could have its referendum next spring at the same time as nearby McHenry County. Because of that, and existing relationships between the counties’ elected and appointed leaders, McHenry would be worth watching along the way.

Tirio started his term as recorder seeking efficiencies in the office independent of consolidation, but since officials expect the referendum to pass, he is also planning for consolidation. He created a public plan for the office and updated it last summer after the county board approved the referendum. This summer Tirio also announced he is running for clerk to oversee the consolidation, as the current Clerk is seeking a different position. The current clerk, who supports the consolidation, would assist with transition planning while still in office. Tirio said the real work of planning for consolidation will not happen until after the referendum next spring. If consolidation is approved, the current elected officials will be able to plan with more certainty; additionally, candidates for Clerk will be able to articulate their own plans.

Tirio recommended an “iterative” plan that would evolve over time with more information. “You can’t really look at efficiencies and how to improve until after the election,” he said.<sup>30</sup> “You’re going to go in there and kind of assess, figure out where the low-hanging fruit is and work at it rather than spending two years trying to figure out every detail.” He sees it taking 2 to 4 years to execute his plan.

He does recommend that financial integration of the offices should be last, because separate budgets can help with measuring the impact of changes to the specific offices. “As time goes on and as you’re starting to change things, you can measure pretty specifically financially. Comingling will make it hard to see how improvements affect each area.”

Tirio said a key to efficiency, both within the separate offices and in a merged office, is to first tackle early obvious opportunities. For instance, McHenry County is in the midst of a project to “back index” historic records that have been recently scanned. Instead of having the project drag on because employees work on it when they have time, he is having employees take dedicated turns and, when possible, hiring lower-pay part-time help to complete such tasks, leaving full-time employees to do more difficult tasks. This also involves changing employee attitudes that lower-volume times in the office mean there is less work to do. Tirio is also replacing old hardware the office has that is hard to maintain. Tirio advised that government bodies looking to improve operations should be willing to spend money on equipment, personnel, or other things if there is a defined benefit. “Any real systemic change oftentimes requires some sort of investment at

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<sup>29</sup> (Bona, Telephone interview, 2017)

<sup>30</sup> (Bona, Telephone interview, 2017)

some point.” Tirio thinks the consolidated office should be redesigned into functional work units like records, elections, and external requests. If he succeeds, it would be a closer step to full integration than any other county has achieved.

Tirio also recommended viewing consolidation as a partnership between the clerk and recorder and the county board and administration. The latter provides resources needed to make the project successful. One suggestion is to consider a project manager that works for the administration and can go between offices.

## *What consolidation looks like*

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As noted earlier, only one county is actually merging the clerk’s and recorder’s offices into one space. In reality, counties aren’t consolidating offices, they are consolidating elected officials. Generally, the two offices are still being run as they were before consolidation, just with one elected official in charge focusing on shared administrative and executive tasks. Cross-training between offices so far has been limited. Most counties said maintaining deputies or some other day-to-day leadership in the clerk and recorder divisions was key to success because one official could not be in both places at once. In a consolidated office, the elected official has to have strong management and communication skills, since she or he is effectively a CEO managing multiple divisions of a company.

In Adams, Tazewell, and McLean counties, the offices remain on different floors, and there are no plans to bring them together. Between renovating the clerk’s offices and moving physical records, the cost is not worth the small gains. Officials in those counties also say there is a value to keeping the functions separate so employees can focus on their different tasks. Cross-training has been limited: in Adams and McLean counties, one or two employees can fill in in each office when others are off. Tazewell County has had more success cross-training on similar duties – issuing marriage certificates, recording deeds, and assisting in the election office – to better manage the different peak seasons of the offices.

In these counties, the elected clerk/recorder primarily handles administrative and executive duties. He or she typically has their office in the clerk side, but keep tabs on the recorder side through trusted department leadership. All three counties said it was vital to retain as many key employees as possible with the transition. Tazewell County’s chief deputy recorder was disappointed by the consolidation because she wanted to run for recorder, but she stayed in the position and eased the transition. That helped with perception of no leadership in separate office. She left behind enough stability that when she retired, her position was not filled. In McLean County, each office has its own program administrator and separate program budgets. “In the end, I know nothing about the recorder’s office,” Michael said. “I think I hire well and delegate. I don’t get into the minutiae of the recording business. I’ve got great staff.” Michael retained the former deputy recorder – she calls him “recorder without the title” – and has found her own job hasn’t changed, other than managing another program administrator.

Due to decreased staffing post-recession, McHenry County is rearranging offices on its administrative campus, looking for ways to use less space overall, County Administrator Pete Austin said. The recorder’s office peaked with over 42 employees during the pre-recession building boom, but is down to 17 and could get smaller. Meanwhile, the clerk’s office dropped from 16 to 13. However, even if consolidation with the clerk’s office is approved by voters, officials think they will not put the clerk and recorder in the same space but across the hall from each other.

Even the three larger counties – DeKalb, Williamson, and Kendall – that opted to never have a separate recorder keep the functions separate in offices that are next to each other.<sup>31</sup> There is little cross-training, and deputies oversee individual functions. In Kendall County, Clerk & Recorder Debbie Gillette is the only cross-trained employee. “It changes day to day depending on what’s going on. Right now I am spending most of the day working in Recording because we are upgrading our system. When it is election season I spend more time in the Clerk’s office.”

Peoria is the only county that is so far taking the step of physically merging the offices. It is costing \$300,000 in remodeling but Clerk Steve Sonnemaker believes it will pay off. Peoria is unique as the only consolidated county that at the same time removed election duties from the county clerk (creating a new countywide election commission also incorporating the Peoria city commission). The physical merger also would not have been possible without the massive scanning project Sonnemakers’ predecessor took on that converted archived paper records into digital files. (Winnebago is in the second of a three-year process to do the same.) Because of the smaller size, Peoria has had success with cross-training, though again it involves shifting employees from one duty to another to cover for time off rather than totally integrating. With a full merger, Sonnemaker expects that to increase. “It just seemed to make so much more sense, as business flows and ebbs there are busy and slow times,” he said. Sonnemaker has a chief deputy overseeing the recording division and a manager over the vital records and tax extension functions. Sonnemaker is prohibited from doing customer service and counter work due to the office’s collective bargaining contract, so he focuses on administrative and executive tasks.

Peoria has further used software upgrades to help. Sonnemaker says he is the first county clerk in Illinois to offer an online portal for couples to start the marriage certificate process. Alternatively, there is a computer in the office they can use. Either way, it reduces staff time from 30 minutes per license to 10.

A consistent thread among counties that eliminated the elected recorder is they used the process as an opportunity to look at other cost-cutting or efficiency measures in the offices. As the consolidations typically happened shortly after the Great Recession, officials took the opportunity to reduce recorder staffing levels appropriately and upgrade technology and workflow systems to reflect modern day recording. They were often able to maintain document turnaround times or even improve them with less staff, but it’s hard to tell how much of that is due to efficiency and how much due to declined volume. Comparatively, Winnebago County has already done much of this.

Counties that have consolidated offices say while there may have been concerns that the recording function would have lower priority and service would suffer after consolidation, that hasn’t happened. “It came and went and nobody said anything,” Adams County Clerk/Recorder Chuck Venvertloh said.

## *Tracking success*

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Counties have generally done little to track success of consolidation, other than totaling the decrease in personnel expenses and monitoring for customer complaints or other visible problems. There are some complicating factors that make tracking the financial success of consolidation difficult. Most counties that have consolidated did so while also cutting staff in response to post-recession drops in volume and in revenue, making it hard to isolate the direct benefits of consolidation. Also, counties have not been able to put a price tag on any decreases in customer service or other outputs; that said, no consolidated county we talked to reported any customer outcry.

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<sup>31</sup> (Bona, Email correspondence with officials in DeKalb, Williamson, and Kendall counties, 2017)



In a phone conversation with Winnebago County and R1PC staff, McLean County officials said, “The primary measure of success is to maintain the level of work in the recorder’s office to meet the requirements of transactions. We’ve been able to do that.” Clerk Kathy Michael took a step no other counties have, and one that Winnebago County should strongly consider. After consolidation, she started an annual, anonymous survey on customer service to attorneys, title companies, and other frequent users the year the offices combined. In the first survey, the average score was 4.5 out of 5. So far, this year’s survey is averaging 4.6, with many compliments, Michael said.

Tazewell County officials have heard no complaints from consolidation. While the county saved \$125,000 by eliminating salaries, at least some of the personnel savings was due to right-sizing the recorder office, which may have still been overstaffed despite drops in real estate activity, and technological upgrades made by new leadership. Looking back on the process, Zimmerman suggests that counties look at historical data about when there have been temporary employees hired or other personnel increases made in order to identify times when cross-training may help most in an effort to track progress. He also suggested tracking the number of deeds recorded per month and how much staff time they took.

It is possible to enact efficiency measures without actually consolidating the offices of county clerk and recorder. For example, in McHenry County, Tirio has already instituted some tracking measures within his separate recorder office. His ultimate goal is an Operational Metric Database that would include statistics on document volume, turnaround time, and other office performance statistics. He envisions a dashboard for the community and forums for users of services. So far, he is tracking document turnaround time so staff can identify when and why there are delays. Tirio has also started regular check-ins with employees on how the job can be done better. He lamented that there really is no baseline among county recorders for metrics on number of employees needed, time taken per task, or document turnaround time. “Without much in terms of historical data, it was hard to know where to start so you measure everything,” he said. “If we take all these steps (to ensure efficiency), then we can look into the eyes of our constituents and say we really are doing all we can do.”

Champaign County Recorder Mark Shelden said in an email that while there is a cost savings to eliminating a position, officials must decide where they are prepared to lose the work that position does. “For elected positions, this can be difficult because their jobs are not well defined and they are not answerable to anyone other than the voters every four years.” With his county rejecting consolidation, Shelden is focusing on making tangible improvements to office efficiency and keeping costs down.

## *Overseeing elections is an important consideration*

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The clerk’s responsibility to host elections presents the most complicated question for consideration regarding a clerk and recorder merger. For instance, McLean officials say because of election issues, the clerk needs more legal advice than the recorder’s office does. But because elections are in late fall and early spring, they run counter-seasonal to the summer peak of recording activity, so most counties see no conflict. Some officials interviewed saw opportunities to cross-train staff from each office to avoid having to bring in part-time staff for high-volume times. This opportunity causes many recorders to be concerned that recording duties will fall behind during elections if the clerk relies on recording staff for support.

However, McLean County Clerk Kathy Michael said having elections under her watch doesn’t hurt recording or any of office’s other functions. She limits cross training between the vital records function and recording, though. “We don’t rob Peter to pay Paul with staffing for Elections. We have a dedicated election team,

solely used for Elections; they don't work in Vitals or Recording during 'slow' time. These days, when it comes to elections, there is no longer any slow time anyway."<sup>32</sup>

There's been no formal talk of consolidation of elections offices in McLean County, she said, but if there were, she'd favor moving the Bloomington city commission to her office. She noted that most county clerks still operate election divisions with no problems. Michael believes consolidation would cut at least two election staff, and reduce confusion from voters who do not know which office they are under. "Whenever any governmental agency can combine, it can and should save money. That doesn't mean we have to sacrifice service," she wrote. "We can and will continue, to lead by example, just as we've proven with the Recorder merger where many said, 'it will never work.'"

The McLean County League of Women Voters recommends moving county elections out of the clerk's office, abolishing the Bloomington Election Commission, and putting all elections into a separate commission.<sup>33</sup> "We do not favor the consolidation of election duties into the elected McLean County Clerk's office as we believe election functions should not be involved in party politics."<sup>34</sup> wrote League member Sally Rudolph in an email.

Peoria County Clerk Steve Sonnemaker disagrees with Michael. He said the concern about recordings taking a backseat to elections is a problem, though one he will no longer have to deal with because the function was removed from his office. "When we were in election mode, the demands for information, you had to stop everything else and focus on getting ballots out. Elections pretty much take priority over anything else. ... If you're thinking of merging a Recorder of Deeds in an office that still has elections, you're going to have some problems during those times. You may have to use recording staff to work elections because you need every hand."

## *Other efficiency efforts by counties*

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After the success of eliminating the recorder, Tazewell is also looking at whether it could eliminate its other elected offices that aren't required by the Illinois Constitution – the auditor and coroner. They are studying whether to eliminate the auditor and move functions to the finance department. But he recognizes the significant counterpoint of voters wondering "But what are you trying to hide?"

Tazewell has taken other countywide initiatives to be more efficient. "For the past year, unless it's an essential position, all of our elected officials have made a commitment to keep the position open for 180 days. We realized well over \$100,000 in savings." This serves as both a test period to see if the position is still necessary, as well as a simple delay to slightly lower the budget impact of the position. Also, where possible, when a person leaves the county, officials try to split the duties to two other employees and give those people a raise.

In McHenry County, Tirio is cutting down on training time and "tribal knowledge" by implementing a written knowledge base that will make it easier to train and cross-train future employees.

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<sup>32</sup> (Bona, Email correspondence with McLean County Clerk and Recorder Kathy Michael, 2017)

<sup>33</sup> League consensus reached after a 2009 study, along with a longtime League consensus on county government that was revised in 2014, per email from League representative.

<sup>34</sup> (Bona, Email correspondence, 2017)

## Section 2: Overview of Winnebago County context

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From the start, it is important to note that Winnebago County has already undertaken many of the efficiency measures that others counties – those that have consolidated and those who have not – have made, so inasmuch as cost saving measures are possible, they may not be as high. “Winnebago County is fairly electronic, they may not realize as much savings there as we did,” Tazewell County Board Chairman David Zimmerman said.

Also, this report focused on a high-level understanding of the office functions and processes, and not a detailed examination of workflow, technology, and specific opportunities for greater efficiency.

As with other county departments, most of the “fat” in the clerk’s and recorder’s offices has been cut in the wake of the recession. The clerk’s office went from 15 full-time employees in 2006 to nine full-time and two part-time employees in 2017, while the recorder’s office went from 21 full-time employees and two part-time employees in 2008 to 13 full-time employees in 2017. (These cuts are before the latest round of reductions just made in the newest county budget.)

To make up for the loss in staffing, the salaried employees in the offices – included the elected officials – have taken on more work and often more hours. Both Recorder Nancy McPherson and Clerk Margie Mullins pride themselves on being working officials who put in more than 40 hours, provide strong expertise in their fields, and help fill in gaps. They both started at lower levels of their offices and worked their way up. “(The previous recorder) came in and didn’t do anything. They made everyone else do the work,” McPherson said, echoing views of some other counties. “I vowed I would be a working recorder and I instilled that in my management team.” Mullins is retiring after the 2018 election, and McPherson has not yet announced plans for when her term ends in 2020.

Both cite customer service as the most important part of their offices, and they share a concern that consolidation – or any cuts to the offices – not impact customers. “I don’t think the public should have to suffer for what changes we have to make in our office,” Mullins said. “The staff has had to step up, there’s not as much catchup time, processing time. ... If that means I step up so be it.”

Mullins said her office provides customers documents in a day when some other offices around the state take three to five days. Customer service is particularly important with tax issues and marriage licenses. Those with delinquent taxes or have other tax issues come to the counter unhappy, and it is a skill to ease the process. Couples getting a marriage license often have questions that can extend the process from 15 minutes to 30, but answering those questions is one of the most important roles. Mullins did make one customer-service concession in 2010 by asking couples to make appointments for marriage licenses in response to the sudden boost in volume when the approval of same-sex marriages caused a sudden increase in demand for marriage licenses. While couples can still show up without calling ahead, the appointments help Mullins plan for each day’s traffic and guarantee immediate service for customers.

A key difference between the clerk’s office and recorder’s office is that the clerk handles many customers who visit only once, while the recorder handles mostly a small group of high-volume users like title companies, attorneys, and surveyors. The recorder has state requirements for recording documents quickly and entering them into the computer system by the next day. McPherson’s passion for her office is centered on the understanding that for most people, their home and property is their biggest investment. She noted that accuracy of land records affects not only property values and sales, but tax liabilities. Additionally, with Illinois a “race to the courthouse” state where documents first filed at the recorder’s office take precedence over others. McPherson said maintaining access is very important, and she is unable to take some of the

measures the clerk can. "That front counter is to be covered at all times," she said. "People come in ... we service them. When they have an issue they come in and say 'I'm so glad I don't have to make an appointment.'" This includes providing space in the office for title companies and other frequent users to conduct business and search for records.

One customer service element that may require further research is the recorder's three legal description writers. McPherson said they are important because they double check each legal description that comes into the office against official maps, and often find small, yet meaningful errors. She said this is a service not provided by any other county recorder in Illinois. In our research, we were unable to determine if similar service was provided by other offices like the county assessor elsewhere, and if not, whether there were widespread problems with accuracy. "You'd be surprised how many properties are not accurate," McPherson said. "Other counties have asked us numerous times for us to show them what we have" and to present at conferences. When errors are found, the office sends courtesy forms to the property owner or their representative explaining the change needed. As of the completion of this report, however, the status of the legal description writers was uncertain due to the significant cut in the recorder's budget.

Both officials have used cross-training to help with staff decreases. It is notable that the clerk's office already operates as two physically separate offices on opposite sides of the same floor: vital records on one side, elections and taxes on the other. Mullins' office is on the vital records side but she and the rest of her staff can help in either office. Mullins said cross-training is important because she can control the staffing levels but not the public demand. On slower days of customer demand, clerk and recorder employees catch up on processing, paperwork, and other administrative tasks. But on average days they do more customer service. Several employees are effectively "on call" at all times to respond to customers at the respective counters or phones, stopping what they're doing at their desks. An example is the recorder's ongoing project to "back index" historic land records that have been scanned into the computer system so they can be searched for. This task is secondary to customer response and other duties. In researching efficiency measures, with or without consolidation, it may be worth exploring the idea suggested in Section 1 by McHenry County Recorder Joe Tirio of dedicating staff to processing, back indexing, and other computer work to finish those tasks more quickly.

The elections office is the most different of the three clerk divisions, having little customer service responsibilities outside of election times. One person is dedicated to computer work managing voter records, which are done daily. Come election times, part time staff and cross-trained clerk staff help with a sudden boost in activity. Mullins and her chief deputy put in extra hours to fill in; Mullins operates with the attitude that "If my staff is here, I need to be here too."

McPherson said that as staff is given more to do and expectations are raised, they fill their workdays with more activity and less idle time and "chit-chat." She agrees with other recorders and clerks R1PC talked to, though, that cross-training will only have a little further benefit, not a big upside, with or without consolidation. Cross-training could help with simpler tasks like counter work and data entry but not time-intensive technical tasks. "You can only cut so many folks," McPherson said. "There's only so much that an employee can do."

Both offices have taken advantage of technological improvements to cut down on staffing needs and improve customer service. For nearly two decades, the clerk's office has used third-party vendor Vitalchek as an online portal for requesting birth, death, and marriage certificates. The office receives online requests a day later and staff can pull a group of requests in one batch and save time in fulfillment. The clerk's office was also helped in 2010 by a statewide database that moved the filing of birth certificates to hospitals and death certificates to funeral homes and coroners. This database also makes it easier to provide copies to customers.

Mullins has also explored online methods for providing voter and candidate documents, and for people to file Economic Interest Statements online.

The recorder's office has benefited from the advent of e-recording, where land records can be submitted online, and reviewed, recorded, and returned electronically. If errors are found, the document is sent back to the submitter for correction. Documents brought in by hand are quickly scanned in, though there is some hand-keying of information that does not scan properly. As of now, McPherson and her chief deputy believe that process is happening as efficiently as it can. "We've got the cutting edge of technology with our software provider. They are up to date, they are constantly updating," McPherson said.

McPherson also saved money from her recorder fee fund to do a three-year scanning project of historic records, going back to 1853. The scanning will finish in 2018, providing an important backup to physical files. McPherson diverted money for supplies, travel, and schooling to fund the project. Additionally, her employees are gradually back indexing those documents so customers can search for them digitally instead of needing to comb through large binders of records. But at the rate they're going, McPherson said, the back indexing process will take many years.

The two offices have some technological overlap, but not much. They share a major vendor, Fidlar, but the vital records and recording software aren't integrated. It will be worth following to see if the company or competitors introduce changes to the software in light of counties consolidating the offices.

## *Current elected officials' feelings on consolidation*

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County Clerk Margie Mullins has no decided opinion on whether consolidation is the right idea, while County Recorder Nancy McPherson is firmly against it.

Before this report was commissioned, Mullins said there should be a study to see if there were cost savings before the issue was sent to referendum.<sup>35</sup> "I would go with whatever the study finds," Mullins said in an interview with R1PC. "I have no feeling one way or another. Unfortunately, I'm not going to be here, it's kind of a moot point for me."

While most clerks in Illinois have recorder duties, Mullins said that they are all smaller offices than hers, so special attention must be paid to issues of larger offices with more volume. Historically, she said, it was understood that larger counties had the option to split the offices because of the higher volume of records to record. The larger counties consolidating or considering consolidation won't actually do their merger until 2020.

While Mullins said she doesn't see any reason consolidation could not work, it would take planning on the part of her successor. "I don't know what goes on up there; I know the basics," she said. Mullins sees potential for cross-training with adding the recorder function, at least when it comes to having those providing customer service like accepting records, answering questions, and providing copies. It will take training so they can confidently serve customers in the two offices. While there are commonalities between the offices, they also deal with specific legal issues that take up the elected officials' time. It will be worth looking at who handles legal questions in a consolidated office. For example, in McLean County, the county's legal office spends a lot of time assisting the clerk, particularly on changing elections law, so it is important to consider whether a consolidated office would need more, less, or the same legal help from the state's attorney's office.

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<sup>35</sup> (Green, 2017)

Mullins said the county board should decide on whether it is a good idea before agreeing to a referendum, because the vote will almost definitely pass. "Anybody that knows the public ... you say the word 'consolidation' and that you can save money, [the referendum passing] is a given."

McPherson's major opposition to consolidation is that the elected clerk will be managing too many functions to properly oversee recording, especially from a different office several floors away. McPherson was particularly concerned that under a clerk, "Elections would be number 1, recordings will go to the bottom of the barrel."

As an example, McPherson cites the county board's decision to close the entire clerk's office on Election Day to provide staffing for elections. She said it would be a major problem for customers of the recorder's office to have it closed twice a year. (Because of this, we specifically recommend adjusting this to allow the recorder's office to remain open in consolidation is approved.)

McPherson said that it's too early to tell from other counties that have consolidated whether there are long-term problems, especially since they are smaller. McHenry County, though around the same size, has a much higher tax base than Winnebago County. McPherson also cited anecdotal examples of difficulties that consolidated counties have experienced, as well as arguments for the importance of the elected recorder made in counties that have rejected consolidation. "It's all good on paper," McPherson said. But if there are problems, "there is no going back."

McPherson said that customers already dispute the recording fee so if there's a notable drop in service they might do so more vehemently. She cites a 1994 lawsuit by title companies against her predecessor. The then-recorder was ordered to fix problems with records not being filed fast enough, causing a backlog with paper records piling up in baskets that customers had to search through by hand. Because of the 1994 lawsuit, and conversations with frequent users over the years, McPherson said they will watch the office closely for any change in level of service, in particular warning of another lawsuit if recording slows down or inaccuracies increase.

McPherson also said consolidation would be a "political" move only and not a cost-saving move. She said she believes the savings would just be reallocated to other parts of the county's general fund.

If consolidation is approved by voters, Mullins said she would want to visit McPherson's office and learn more about what happens there. It'll be even more important for her successor to do the same, even though she recommends a chief deputy still run the office. "Certainly whoever the new clerk is needs to sit down with Nancy and learn as much as they can in her office. You need to know a rough idea of that the office is about and what they do," Mullins said. She added that the recorder's staff will also be an important resource and that their ideas for the best way to run the office can help with the transition.

At the same time, Mullins recognizes the new clerk will much more quickly have to learn how to run the existing clerk's office. For her part, Mullins is already working on cataloging her decades of knowledge and institutional memory, leaving good notes and copies of important documents for the next clerk. She also wants to make sure her staff knows everything that is needed to run the office when she's gone. "There are good people put in place that can do a lot of helping," she said. Mullins is confident that if consolidation is approved, the two-plus years prior to the expiration of the recorder's term is plenty of time for a smooth transition.

Mullins said the two elected officials should figure out how consolidation would happen, and the County Board office should only provide technical support and other help requested by the clerk and recorder.

“Ultimately, it should be a conversation between the two elected officials and not the fifth floor telling us what to do,” Mullins said.

But McPherson said if consolidation is approved, the County Board office should do the heavy lifting of planning. She said she will not stand in the way, and she will answer questions from the new clerk as best she can, but she already has a full-time job running the recorder’s office as it is. “I’m not going to make it my full being. I have enough on my plate where I take the duties of my office to heart,” she said. “It’s not my responsibility to train a new clerk. ... I wasn’t elected to consolidate the office; I was elected to be the recorder.”

Mullins is sympathetic to McPherson’s feelings on the subject and her passionate defense of a separate office. “Nancy’s as proud of her office as I am of mine,” Mullins said. “We both worked very hard, we both came up through the ranks.”

## Section 3: Findings

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*Based on the research documented in Sections 1 and 2, it is feasible to consolidate the Winnebago County recorder position into the Winnebago County clerk position, provided there is proper planning, retention of key technical staff, and sufficient buy-in from the elected officials.* This assumes the two offices would remain functionally separate with department leadership reporting to one elected official, in keeping with other counties that have consolidated the positions (referred to as “simple consolidation” for the remainder of this report). Simple consolidation is expected to provide a small amount of payoff of around \$100,000 in annual savings, with a low risk of long-term problems. Moreover, having one elected official in charge of both offices would allow research and low-risk experimentation into whether there are more significant efficiencies possible by further merging staff and services. While the clerk and recorder are not a perfect fit for consolidation, they are by far the best fit in county government since they have a shared focus of maintaining important records and some commonality of workflow. Also, the clerk’s office is constitutionally required, while the recorder is not, and none of the other constitutionally required offices make sense to house the recorder. There are key differences between the clerk’s functions and recorder’s functions, but there is the potential for the customer service, record retention and retrieval, and clerical work to be combined.

A consolidated office could also permit improved use of office space and opportunities for technological collaborations not available with current software and equipment. But even if such longer-term benefits are not achieved, a small amount of savings is worth pursuing based, as noted in other counties, not only on current budget realities but also anticipated future needs for government to be efficient and nimble to meet challenges.

In addition, Recorder Nancy McPherson is correct that there is a “political” benefit to consolidation, but not one with negative implications. A successful consolidation would send a message to Winnebago County taxpayers that the county is responding to their desire for cost-saving measures and efficient government. This may also inspire elected officials to seek other innovative methods for providing high-quality services at the best value, including but not limited to other office consolidation ideas discussed in more detail later in this section. If the Winnebago County Board approved a referendum on clerk/recorder consolidation, and voters approve it, officials are strongly encouraged not to settle for the “quick win” of simply merging the duties of the recorder into the clerk, but pursue other efforts to continue the momentum towards maximum efficiency.

We understand both elected officials share a passion for their offices and pride in their personal level of experience working their way up to the top position. We also understand that the language of consolidation may seem to oversimplify the specific technical work each office does and gloss over differences. Simple consolidation, however, would allow for the offices to retain as much independence as is needed, while simply streamlining the chain of command into something resembling a corporation having multiple divisions, but one CEO.

In our research, it was particularly instructive to learn that the clerk’s office already operates as such, with somewhat disparate functions overseen by one elected official and multiple division-based experts. The clerk’s website illustrates this as demonstrated by the image below:





The front page of the county clerk's website allows patrons to choose the department in which their business pertains; it is clear from this image that the clerk's office already functions in a CEO model as described above, with a number of very different departments under the management of one county clerk. It is possible to imagine expanding this model to include county recording functions as another department under the management of the clerk.

The primary argument against consolidation from several recorders around Illinois (including Winnebago County's) is that the clerk would be so busy with elections and other duties that recording work would be deprioritized, leading to eventual problems with customer service and legal compliance. However, county clerks of all sizes, including Winnebago County's, routinely handle vital records and tax extension work alongside elections with no reports of significant problems. The same applies for the majority of Illinois counties where the clerk serves as recorder – we found no evidence of widespread problems. Larger counties that have consolidated the two offices have at most demonstrated growing pains, but no ongoing problems, especially not of the magnitude feared by opponents. It should be noted, though, that most of the counties that have consolidated did so fairly recently, so Winnebago County must monitor them to make sure they do not experience longer-term problems that we should proactively address.

Recorder McPherson is correct that the recorder's office requires technical oversight that is different from the clerk's current functions. However, there is no evidence that such oversight needs to come from a separately elected official. In fact, given the inconsistent history of elected recorders around the state (including documented problems with McPherson's predecessor), there is no evidence that voters elect and re-elect recorders based on a clear understanding of their qualifications and performance as much as a general political agreement. However, we strongly recommend retaining the chief deputy position in the recorder's office as that technical lead, appointed by the elected clerk. There is precedent for one elected official to oversee multiple appointed division leads, both in consolidated clerk's offices in Illinois that have chief deputy recorders or program managers, and in existing Winnebago County government. The elected county board chairman ultimately oversees a group of functions with their own technical leads – finance, planning/zoning, supervisor of assessments, etc. In a consolidated office, the clerk could be seen as a similar position judged by voters on her or his ability to manage multiple records-based functions. Indeed, this is what McLean County Clerk Kathy Michael says is the most important part of her job.

With the impending retirement of longtime Clerk Margie Mullins in 2018, the timing to consider consolidation may not appear ideal. However, there are also favorable conditions to consider. If consolidation is approved, there will be commitment from the top of county administration to provide support for the process and help ensure a successful outcome. While Recorder Nancy McPherson opposes consolidation, her experience and the stability of her office would make consolidation easier. Additionally, Mullins has already committed to helping her staff and successor gain the knowledge needed to successfully run the clerk's office. It is not a guarantee that at a future election cycle there would be this foundational stability.

*Perhaps the most important finding in our research, beyond the basic feasibility of simple consolidation, is that planning, communication, and coordination are keys to success.* Because of the noted differences between Winnebago County and the counties that have previously consolidated the offices, existing models do not automatically apply to this case, and work will be needed to develop the model that fits. This became a larger part of this study than determining feasibility. Later in this section, we outline several recommendations for Winnebago County officials, including the clerk, recorder, county board, and county board chairman to consider to ensure as smooth a transition as possible and set the stage for future innovations. We have identified the following key recommendations that we believe are needed to be satisfied before the county board approves a referendum:

1. Confirm that local title companies and other major users of recorder's office do not have significant problems with the concept; get their buy-in to avoid legal or other challenges that the current recorder believes are possible.
2. Recognize the uncertainty of who the newly elected clerk will be in 2018 and determine whether there is any realistic risk of that person either opposing consolidation or limiting its success. For consolidation to succeed, there needs to be significant buy-in from at least one of the two elected officials.
3. Commit to developing a transition plan for the two years between a referendum and consolidation.
4. Account for the potential for limited involvement by the current recorder in transition planning. While she has said she will not stand in the way of consolidation if approved, she does not expect to have time to significantly help with planning, because she is focused on running her office. Due to staffing cuts, neither the recorder, nor clerk, nor their staff may have as much time to dedicate to transition planning as those in other counties have previously.
5. Do as much as possible to retain key staff in both offices, especially chief deputies.

If the county board declines to put a referendum on consolidation on the ballot, or if a referendum fails, there are other efficiency measures that should be explored in the separate clerk and recorder offices. Additionally, there are other measures in Winnebago County government that should be explored regardless of what happens with the clerk and recorder offices. These measures are explained in more detail in the next section. County officials should take care not to let the clerk/recorder consolidation debate distract from exploring these other measures, which could have as much or more long-term impact.

## *Consolidation referendum legal process*

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To get the question added to the March ballot, a resolution must be approved by the Winnebago County Board by January 2, 2018, according to Clerk Margie Mullins. She said the resolution needs to have the question for the referendum, which is based on state statute. The clerk's office, as part of its election duties,

would create the ballot and have either the county board or the board chairman sign off. There are no fees to the county for this process beyond regular election funding, Mullins said. If the referendum passes, Mullins certifies the results to the county board and to the state. By law, consolidation would go into effect in December 2020 at the end of the current recorder's term.

## *Cost-benefit analysis*

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R1PC began this study hoping to conduct a preliminary cost-benefit analysis of consolidation, expecting that other counties had done the same. However, our research found that few had gone beyond estimating the savings of cutting a position (or, in some cases, several positions) and monitoring whether there were qualitative reductions in service or performance.

We found that conducting a cost-benefit analysis locally is difficult for several reasons. First, there is little available baseline data on the quantifiable value of personnel hours put in at each office. As noted in Section 1, this is not primarily a fault of the Winnebago County clerk and recorder; this is a difficulty elected officials around the state encounter. Secondly, many of the potential benefits and costs of consolidation are still theoretical and/or hard to quantify, as even counties several years past consolidation have experienced.

*Based on the quantifiable data available, we find that there is very likely a net benefit to consolidation. The minimum net benefit is somewhat less than the total of the recorder's salary and benefits (which is estimated at something more than \$100,000, based on her \$82,000 salary). That estimate assumes the reduction of one position, but also accounts for the cost of losing the work value the current recorder provides that could not be absorbed by existing staff.* It is clear Recorder Nancy McPherson's work running the technical aspects of the office and complementing the staff in customer service and other duties provides a tangible benefit beyond the administrative tasks that would be given to the new county clerk or work picked up by cross-trained staff or technological improvements. However, based on our review of other counties and the local offices, there is nothing to indicate that the cost of losing the position would consume most of the savings. Also, while the loss of the longtime recorder will bring a loss of institutional memory, McPherson has not announced whether she plans to run for re-election in 2020; therefore, the loss of her institutional knowledge could be possible regardless of a referendum for consolidation.

There may be further benefits from cross-training staff and/or aligning the need for part-time staff and additional elections help for the existing clerk's office with counter seasonal needs in the recorder's office. However, other counties advise the specifics of such benefits will not be quantifiable until after consolidation, when one official could look at both offices and budgets. There are potential, though likely small, additional benefits of having one elected official instead of two to streamline the budget process and other communication with county government colleagues.

Any other quantifiable costs related to a simple consolidation of elected officials appear to be negligible. There is no legal cost to the county for the referendum process. There would be some supply costs to changing stationary and other items to reflect the combined office, but some of those costs would be incurred the next time a new recorder is elected. Finally, there would be no costs related to new or upgraded software or equipment because of a simple consolidation of elected officials; any such investment would be tied to a more thorough integration that has not happened in almost any other county at this time.

A potential cost that is hard to quantify at this time (but not expected to consume county savings) is a reduction in productivity due to employee confusion or loss of morale during any uncertainty in a transition period.

With or without consolidation, officials should conduct further research to see if there are ways to quantify impacts to customer service or document processing time with reduced staff into a more thorough cost-benefit analysis. This would also help prepare for a time in the future when budgets or volume of work warrants a consideration of expanding staff.

The relatively low risk of simple consolidation is predicated on Winnebago County officials committing to thorough planning and communication over the two and a half years following a referendum. As evidenced in other counties, deficiencies in planning and communication can eat into any savings in the short- and medium-term. Retaining qualified, committed technical staff is of particular importance, even if it requires some pay increases. No consolidation has had so many problems as to make the move not worth the effort thus far from a cost-benefit standpoint; however, because most counties have only consolidated relatively recently, Winnebago County should monitor them closely for any changes in that calculation.

There are several outstanding questions that should answer to further refine this cost-benefit analysis, though they are not expected to significantly change the outcome:

1. Does the current Collective Bargaining Agreement have limitations of who can do what in the office that would further limit savings/absorption of recorder duties?
2. Are there rules about use of the recorder fee fund will not significantly limit savings for general fund?
3. Is more study needed to identify the implications of budget/staff cuts just approved in each office? Our feasibility review predated approval of those cuts.

While simple consolidation of the elected officials has a relatively low risk and reward, there is a much higher range of potential outcomes with a full integration of the offices. There is no obvious model for such integration, and a preliminary concept created by Winnebago County's IT director was not intended as a formal plan. A full integration could lead to more extensive cross-training and shared use of physical space and technology. It is possible a full integration could lead to a model not currently imagined in Illinois that provides even larger benefits. But the potential costs are also large: the uncertainty and perceived chaos could decrease the productivity of employees, or cause key employees to leave. Efforts to cross-train or integrate tasks that do not fit together could waste time and lower employee morale. Physical and technological changes to the office, once made, would be a sunk cost regardless of if they provide benefits. At worst, a poorly executed full integration could lead to customer service, recordkeeping, and legal issues feared by the current recorder. While the above cost-benefit analysis is sufficient for determining feasibility of simple consolidation, a much more comprehensive one would be needed prior to considering full integration.

## *Planning for success*

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If the county board approves a referendum on consolidation, officials should quickly commence planning for consolidation, as it is likely the voters will pass the measure. For consolidation to succeed there must be a detailed plan of action, including who is involved in the planning, what are the key milestones, and who monitors its success.

**Recommendation:** A planning committee should be formed including the current clerk and recorder, their chief deputies, and at least one county board member and/or appointed representative of the county board chairman. R1PC is available to provide additional technical support. We agree with the clerk that the two elected officials should have a primary place in the planning process, but also recognize the role of the administration and county board in assisting its success, as evidenced by other counties that have

consolidated. While the county board has budget authority, operational decisions, proposed job duties, and cross-training plans should be agreed upon by the clerk, the recorder, and their deputies. While Recorder McPherson has said she will not have the time to plan for consolidation, it is important to give her and her chief deputy as much of a voice in the process as they want. It will be vital to have the recorder and her staff coordinate as much as possible with the clerk's office in an effort to ensure a strong, stable and successful consolidation. In other counties where the recorder was opposed to consolidation, most notably McLean County, the recorder was both helpful in the process after the referendum was passed.

The committee should provide regularly scheduled updates before the county board on the status of planning efforts and milestones. Reporting at county board meetings is not to indicate the board has control of the process but to provide a simple public forum for transparency. The committee should also remain together at least a year after consolidation to track success of implementation as outlined below.

**Recommendation:** Amend policy closing clerk's office on Election Day to allow for recorder division to remain open as a sign of good faith to recorder staff concerns.

**Recommendation:** The current clerk and recorder each compile a written document conveying useful information accumulated throughout their professional experience in the offices for their deputies and for whoever succeeds them in office. This would not focus on the requirements of the job, but more on sharing their institutional memory, important processes, and "tips and tricks of the trade" to assist with a smooth transition regardless of whether the offices are consolidated, and regardless of when the current elected officials leave office. This also gives Recorder McPherson and Clerk Mullins opportunities to share ways they increased efficiency and customer service and areas they believe efficiency could still be improved and recommendations on how to do so.

**Recommendation:** The current clerk and recorder meet as soon as possible to determine ways the clerk can shadow the recorder on day-to-day duties, understand the budget, interact with staff, and discuss any other potential issues with the transition. When the new clerk is elected, have that person do the same, respecting the recorder's and her staff's time and schedule limitations. This could not only improve the clerk's knowledge of the recorder's office, but confirm to the recorder and her staff that their specific concerns and ideas will be taken seriously and considered throughout implementation.

**Recommendation:** Retain as much experienced staff as possible, and keep chief deputy or similar position in each office. Counties that have consolidated have cited staff retention as a major driver of success. The division heads must have sufficient knowledge and skill to manage day-to-day operations. Additionally, if staff from either the recorder's or clerk's office feel unfairly treated or like there was insufficient effort made to communicate with them, they may have residual resentment or disgruntlement that could affect progress. However, including them in the process and communicating clearly with them will give them ownership in its outcome. Additionally, the division head positions may actually grow in stature in this model, giving employees a clear development path.

**Recommendation:** Review the current Collective Bargaining Agreement and identify any potential planning implications for clerk and recorder staff to determine whether there are limitations to cross-training, potential issues with seniority and bumping rights, and other details that could force a modification of this plan.

**Recommendation:** During the two years between the referendum and consolidation, there should be a plan for exploring cross-training opportunities led by the elected officials and their staffs. While it is expected that simple consolidation will create limited opportunities for cross-training, the existing professionals will have the best understanding of opportunities as they get to know each other's staff and their responsibilities. This

could provide flexibility when one division has high volume and needs more staff while the other is at low volume. With proper buy-in from staff, cross-training offers the opportunity to develop workers with more robust, diverse skillsets that promote their professional growth. However, if done poorly, cross-training, offers the opportunity to create “bad renaissance men”— staff who do something different all the time and as a result do not do anything well. At this point, for example, cross-training is likely limited to customer service, data entry, and record retention tasks, not technical tasks like checking record accuracy or providing tax extension services.

While details of cross-training activities should be developed by the staff themselves, there are some potential ideas:

- Allow the clerk and recorder to start the process by meeting with their staffs to get opinions on how best to cross-train and collaborate with each other.
- Clerk employees could take dedicated time to shadow recorder staff and vice-versa to look at learn more about their jobs and office functions. This would also give employees ownership of cross-training and empower them to make suggestions.
- Have decided days where certain staff from one office have cross-training workshops with the other office’s staffs.
- Conduct a more strategic study to identify the main skills and knowledge required in each office in order to complete certain types of work and cross-train duties with similar requirements. Through this process, we avoid overloading employees with having to learning a vast amount of technical knowledge for a task they may do only rarely.

**Recommendation:** Conduct a study to further research the efficiency in skills utilization and optimal workflow of having dedicated counter/customer service staff versus the existing system in both offices where multiple employees do a variety of tasks, but disrupt their work and shift immediately to serving a customer when one comes into the office. Some research indicates that being disrupted from a task and then returning to it decreases productivity, making the practice counterproductive.

**Recommendation:** Concurrently plan a phasing concept to eventually consider a full merger, but don’t commit to one until findings are in. Set realistic schedule for research and planning. Wait until after 2020 to seriously research full integration. This will allow five key things to happen:

1. Two years of focused attention preparing for a successful simple consolidation.
2. Time for the newly elected clerk to familiarize herself or himself with office operations, identify improvement areas, and have a leading seat in the planning process.
3. Allow Winnebago County administration to conduct a physical office space usage study, currently scheduled for 2018
4. Allow the recorder’s office to finish its historic records scanning project and then assess space needs for the physical versions of those records. Other counties have reported that this scanning project significantly lowered their space needs.
5. Allow for time to consider movement of elections from the clerk’s office to a countywide commission, freeing up space to move the recorder’s office, as in Peoria County. Preliminarily, it is not recommended to move city elections into the clerk’s office while also adding recorder duties, but more study would be needed on that issue.

## *Measuring success*

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Regardless of whether Winnebago County pursues full integration of the clerk and recorder's offices, it can be a trailblazer in measuring success of consolidation. Counties that have consolidated the offices have done little if anything to track changes in efficiency, customer service, or other measures of performance. For Winnebago County to report to taxpayers whether consolidation was successful, it must decide what to track, identify current baselines, set realistic goals, and implement methods for tracking and reporting.

**Recommendation:** The planning committee recommended above should remain together for at least year after consolidation to track progress and continue to report before the county board. For example, the committee could set a target of a certain number of months after consolidation for level of service to return to pre-consolidation levels. The committee could take the lead in agreeing to other metrics the consolidated offices would track. After a year, reports could be reduced to one or two times annually. While this recommendation imagines the shared oversight by the consolidated offices with assistance from other county officials, it is possible the committee would decide a third-party organization could provide better collection and reporting of results. If decreased efficiency or unsatisfactory savings are reported, we suggest identifying an 'A, B, and C' risk management plan for rectifying the situation.

**Recommendation:** Implement a tracking system for recorder and clerk office functions to understand how many documents are processed every day, week, month, and year prior to and after consolidation. This will help us determine how capacity for document processing changes post-consolidation, as well as identify periods when we might expect it would be cost-effective to fluctuate staff. During the 6-12 months after transition occurs, there may be a decrease in how many documents can be processed; however, if after an identified period of time, the singular office maintains or increases its ability to handle pre-consolidation levels of documents, this could be deemed a 'success' of consolidation, while a continual decrease in ability to process a similar volume of documents could be deemed a 'failure' of consolidation. Additionally, the county could monitor the ongoing budget of the consolidated office to determine the same; if the staff is able to process at least a similar volume of documents with the same or a reduced budget, this could be considered a 'success.'

**Recommendation:** The commitment of the current clerk and recorder to be "working officials" is important to recognize. However, it is not currently quantified in a meaningful way, which makes measuring their individual value and, more importantly, setting a baseline against which to compare future officials, near impossible. Recognizing the independence of the elected clerk and recorder, we recommend they determine a way they could track their total hours and amount of time spent on non-administrative tasks, such as customer service and technical work, as well as the total hours put in by their exempt, salaried deputies. This should be done with the goal of tracking manpower so the elected officials can make even more informed staffing decisions and budget requests to the county board.

**Recommendation:** Following McLean County's example, institute an annual anonymous survey of frequent users of the recorder's office, such as title companies, attorneys, and surveyors. Start the survey before consolidation to develop a baseline, and track performance annually. The results can guide potential improvements, and also warn of any drop in customer satisfaction. This survey could be done with or without consolidation. Additionally, the clerk could consider surveys for customers of that office, though the low level of repeat business may make this more difficult.

**Recommendation:** Agree on a slate of other metrics for financial performance, customer service, and efficiency, identify baselines, set targets, and track over time. The metrics can be adjusted if some are deemed unhelpful, or other metrics appear along the way. Suggested ideas include:

- Reduction in budget by division and by category.
- Budget per capita or per document compared to other counties in the state.
- Average waiting time for customers in each office.
- Average time to complete a marriage certificate or other vital record.
- Average time to enter, verify, and process a land record.
- Average time for customers of each office to received requested documents.
- Average turnaround time for various documents.
- Error rate for document entry.
- Document processing totals by county in Illinois to determine where Winnebago County ranks in terms of per capita, per FTE, or per budget amount rates.
- Additionally, there may be some opportunities to research state or national measures for the above as a useful comparison against the county.

**Recommendation:** Research whether there is a way to quantify the effect of changes in level of service – such as increased wait times for documents or reduced office access – in order to see if taxpayers and customers are willing to trade lower costs for lower service.

## *Other opportunities for efficiencies within existing offices*

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While it is clear that both the recorder and clerk have done well to maximize efficiency and retain quality service with less staff, there may be opportunities for further efficiency measures even without consolidation.

**Recommendation:** The clerk and recorder use this as an opportunity to collaborate with Winnebago County IT and their vendors to determine if there are software or equipment upgrades that can improve productivity in either office. For example, in our research we identified two possible improvements, but an IT expert would be needed to determine applicability. In the recorder’s office, it is possible that upgrades to the existing Fidlar software package, such as the AVID land records management system and the INSPECT assisted-indexing feature, could reduce staff time hand-keying information and speed up certain processes. Recorder McPherson and her chief deputy believe such upgrades would not ultimately save money due to local volume, a response we could not verify or deny, so we recommend further research to confirm. In the clerk’s office, we recommend examining the online marriage certificate process implemented by Peoria County as a possible time-saving measure for staff and opportunity for Winnebago County to be ahead of many other Illinois counties. There may be other opportunities for each office to provide more online search, ordering, and payment options with ever-evolving software. Finally, if the clerk and recorder are consolidated, it would be worth exploring whether a joint contract with Fidlar (which provides different software for each office) would be a cost savings, and to monitor whether Fidlar or another vendor develops any software geared toward combined offices.

**Recommendation:** Look for ways to use lower-level or temporary staff to finish repetitive, clerical tasks such as back-indexing of newly scanned historic land records. This suggestion from other counties could free up higher-paid staff to do more important tasks. Moreover, a concerted effort to finish back-indexing as soon as



possible might cause a short term increase in costs but a long-term savings that would be more than worth the investment. It would make it easier for employees and customers to search the records database, giving full value to the scanning project.

**Recommendation:** Depending on Recorder McPherson's decision on whether to keep legal description writers on staff with the recent budget cuts, research how this layer of review is done in other counties and whether it is necessary or an "above and beyond" service the county may not be able to afford. It would also be worth knowing whether Winnebago County has an outsized number of errors with submitted legal descriptions or if they are in line with the experience of other counties. Recorder McPherson has said the legal description writers protect against inaccuracies that could lead to a legal challenge similar to the 1994 lawsuit against the previous recorder. However, we were not able to verify the likelihood of this threat. Title companies and other frequent users of the office would be a good resource for further research on the subject, as well as other ideas for efficiencies and ways to maintain or improve customer service.

**Recommendation:** As a component of the previously referenced study of county office space expected in 2018, review opportunities for clerk and recorder offices to condense their facility needs. This could include sharing storage space, removing historic physical records once they have been scanned, and analyzing the amount of office space provided in the recorder's office for title companies and others.

**Recommendation:** Be prepared to conduct a new cost study for the clerk and recorder fees after consolidation. It was unclear in our research whether the changes to the offices and their budgets envisioned in this report would require such a study, but it is possible, and potentially beneficial, to get an updated picture on revenue trends for those fee funds.

## Recommendations for other initiatives to further study

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In our research, we identified other potential opportunities for Winnebago County to consolidate, realign, or otherwise adjust its structure to improve its service and value to taxpayers. These ideas are based upon the idea that efficiency is not only measured by cost but also by the quality and ease of the customer experience. In some cases, taxpayers are confused as to which office to go to, or may need to visit multiple offices. In other cases, a document or process must go through several offices, causing potential for delays, errors, and other inefficiencies. The suggestions here also build on the spirit of this report that Winnebago County is not pursuing consolidation for its own sake, but as an opportunity to modernize its government and innovate its service-delivery model. Finally, consideration of these suggestions must first consider state and local law requiring certain functions be housed in certain offices. In some cases, we were not able to fully research those legal issues for this report, and recommend further study.

### Elections

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Explore combining the election duties of the county clerk's office with those of the Rockford Board of Elections into a countywide election authority. This could include some sort of due diligence and feasibility study like this report. Our preliminary recommendation, if this were pursued, would be to create a new countywide authority instead of simply moving Rockford elections to the county clerk to allow the newly consolidated clerk and recorder offices to focus on efficient maintenance of records. We would also recommend corresponding with officials in Peoria County and DuPage County (the two in the state to thus far make such a move) to learn how they went about this process in their counties and whether they have any recommendations.

### Auditor

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An elected auditor's office is not required by the Illinois Constitution. The auditor could be an appointed position or his duties combined with the county's finance department; both of these models exist in Illinois. The county would still be required to have an independent audit of its financial statements conducted every year by a certified public accountant. There could be the perception from taxpayers, though, that a separately elected auditor provides an additional safeguard that must be taken into account.

### Treasurer

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Recommendation #30 from the *Cook County Modernization Report* is to "Create a Unified Property Tax Administration Office" and, while Cook County is not a similar county to Winnebago County, this could be a sensible idea from the perspective of the taxpayer and it is worth exploring. The recommendation is: merge "the County Clerk's tax extension, tax redemption and map divisions; the part of the Recorder's office dealing with property records; and the Auditor's property functions. [The Official position] would be appointive ... Creating a unified Office of Property Tax Administration would require a county referendum." We suggest exploring comparable changes to Winnebago County property tax administration, and, where allowable, even look at combining as many tax administration, collection, and filing services into a single county location. Winnebago County should explore the potential for removing the tax extension responsibility of the clerk's office and other separated property tax services into a single elected official, such as the constitutionally required treasurer, to gain increased workflow and office space efficiencies while simplifying processes for the public. This study could be conducted throughout the period between a referendum on consolidating the recorder and clerk's offices and the actual consolidation.

The county clerk calculates and extends the tax rates on all real estate in the county, files the annual budgets and levies of all taxing bodies, computes the tax rates for each unit, extends the taxes by applying the tax rates to the equalized assessed valuation, and certifies the information to the county treasurer. The clerk also collects delinquent tax payments and calculates Enterprise Zone abatements. The recorder files tax sales certifications. Further research would clarify exactly which functions could be merged.

### *Supervisor of Assessments*

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The supervisor of assessments is an appointed position in Winnebago County that has communication with the clerk and recorder offices regarding property and tax information. A study may be warranted to see what realignment of the three offices' duties is possible. For example, we have discovered a number of counties in California consolidate the county clerk, recorder, and assessor into one single elected office. We have not researched, however, Illinois statutory limitation on this. Additionally, the supervisor of assessments may be able to provide some of the accuracy safeguards now provided by the recorder's legal description writers.

### *GIS and Mapping*

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The clerk and recorder's office both have an element of GIS and/or mapping functions, but staff do these tasks as a minor part of their overall duties. It is worth exploring whether throughout Winnebago County government there would be enough demand for these skills to reinstitute a small (1 or 2 employee) mapping department to handle these tasks more efficiently, freeing up other office staff to focus on core duties.

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