

GRAFTON TOWNSHIP REGULAR BOARD MEETING MINUTES
December 9, 2010

1. Call to Order

Supervisor Moore called the meeting to order at 7:30 pm.

2. Roll Call

Present: Supervisor Moore, Trustees LaPorta, McMahon, Murphy, Zirk, Clerk Ford, Assessor Ottley, Road District Commissioner Freund, Township Attorney Krafthefer

3. Pledge of Allegiance

Supervisor Moore led those present in the Pledge of Allegiance.

4. Regular Business

A. Audit and Payment of Bills

1. Discussion and potential action to pay bills as submitted

Motion by Trustee Murphy, seconded by Trustee McMahon, to pay the bills for the Town Fund as presented on the Warrant List.

Roll Call

AYES: Trustees Murphy, McMahon, Zirk, LaPorta, Supervisor Moore

NAYS: None

Motion Passed.

The Trustees reviewed the bills. Supervisor Moore stated that if she does not receive all of the bills back she will seek a court order. The bill from Township attorneys Ancel, Glink, Bush, Dicianni & Krafthefer was discussed. (EXHIBIT I) The Trustees were in favor of paying the entire bill. The Supervisor was not. Assessor Ottley stated he required three (3) days notice as to when the bills were due to the Supervisor.

Motion by Trustee Murphy, seconded by Trustee Zirk, to amend her previous motion and to pay the bills for the Town Fund as presented on the Warrant List excluding the bills from J.A. Ketchmark in the amount of (1) \$850.50 and (2) \$1110.00; Grafton Township Road District for \$611,000; and specifically including the entire bill from Ancel, Glink, Bush, Dicianni & Krafthefer in the amount of \$5423.08.

Roll Call

AYES: Trustees Murphy, Zirk, McMahon, LaPorta

NAYS: Supervisor Moore

Motion Passed.

Assessor Ottley stated that the lease is expiring on the scanner. For \$2993.95, they can buy out the lease. He would also like to discuss purging equipment at the January meeting

Supervisor Moore reviewed the Profit/Loss Statement/spread sheet and stated that there are serious financial shortfalls and problems. Trustee Murphy stated that until an audit is conducted the figures could not be verified. Trustee LaPorta asked why the Supervisor failed to respond to his November 16, 2010 FOIA request for copies of complete bank statements, canceled checks, all Quick Books reports, P&L statements and ledger sheets. Supervisor Moore did not respond.

Motion by Trustee Murphy, seconded by Trustee Zirk, to pay the bills for the Road District as presented on the Warrant List.

Road District Commissioner Freund stated that he would like his bills paid and presented separately. (EXHIBIT II) He believes it would be easier for the Board, more efficient since they are two different entities. Supervisor Moore stated that this topic is not subject to Board Rules and according to Bryan Smith of TOI (EXHIBIT III), there is no statutory requirement that gives the Road District the authority to require the Supervisor to use the list of bills prepared by the Road District. Trustee McMahon stated that the Supervisor is interpreting the letter and that the letter from TOI actually states that it is the Board's decision. Trustee Murphy agrees. Trustee LaPorta stated that he thought this was a reasonable request and that in his opinion is not exactly what Bryan Smith stated. Supervisor Moore called for the question.

Roll Call

AYES: Trustees Murphy, Zirk, LaPorta, Supervisor Moore

NAYS: Trustee McMahon

Motion Passed.

2. Board signs Warrant Lists

The Board signed the Warrant lists of bills for the Town Fund and the Road District.

5. Public Comment

Donna McMahon

Adriana Turricipo

6. Board Member Response to Public Comment

Trustee McMahon responded.

7. Old Business

- A. Discussion and potential action on agreement with Road District regarding the building.

Attorney Krafthefer reported that the Highway Department has submitted three invoices today for interest due as previously approved at the July 2010 Regular Township Board Meeting. She further stated that an intergovernmental agreement is not possible until an audit is conducted. She recommends that the Township proceeds with paying these invoices. She stated that the Trustees have discussed assuming the loan at previous meetings.

Motion by Trustee LaPorta to direct attorneys to continue to work out an agreement to pay the Road District. Motion by Trustee LaPorta amended this motion to move to pay the invoices as submitted.

Motion to amend previous motions by Trustee LaPorta, seconded by Trustee Murphy to table agenda item 7A.

Roll Call

AYES: Trustees LaPorta, Murphy, Zirk, McMahon, Supervisor Moore

NAYS: None

Motion Passed.

← NAY

- B. Missing GA/EA identifier explanation, requested of Supervisor Moore, from Trustee Murphy

Supervisor Moore stated that this is on every agenda and that she has been advised by counsel not to respond. Trustee Murphy stated that the counsel for the Township is Keri Lyn Krafthefer and she did not advise the Supervisor and that this is not a confidentiality issue.

- C. Discussion and potential action on Haligus Road signage.

Supervisor Moore stated that she is the CEO and the only person that can negotiate on behalf of the Township or enter into an agreement. Administrator Pam Fender asked where the sign was at this time.

Motion by Trustee Murphy, seconded by Trustee LaPorta to discuss signage for Haligus Road property.

Roll Call

AYES: Trustees Murphy, LaPorta, Zirk, McMahon, Supervisor Moore

NAYS: None

Motion Passed.

Trustee Murphy stated that sign was paid for last month. Attorney Krafthefer stated that the electors voted to sell the property. Trustee Murphy asked where the sign was and why the sign was not up. Supervisor Moore stated that she is awaiting resolution to litigation. Trustee Murphy stated that this has nothing to do with litigation.

Motion by Trustee Murphy, seconded by Trustee Zirk, to amend her motion to direct the Supervisor to place the sign that she ordered and paid for on the property in order to begin the process to sell the property as directed by the electors at the 2010 Annual Meeting.

Trustee McMahon stated that he had wanted Administrator Fender to handle selling the property. Trustee Murphy stated that there was no phone number on the sign. Trustee Zirk stated that she agrees that a phone number is needed on the sign. Trustee LaPorta stated than the sign was useless without a number. Supervisor Moore called for the question.

Roll Call

AYES: None

NAYS: Trustees Murphy, Zirk, McMahon, LaPorta, Supervisor Moore

Motion Failed.

8. New Business

- A. Discussion and potential action on requiring a second signature on all Township checks.

Supervisor Moore stated that this is not a requirement by TOI, but some Townships do require it and that anyone signing checks must be bonded at the same amount as the Supervisor which would cost the Township about \$20,000.00.

Motion by Trustee McMahon to have a second signature on checks with a disclosure box stating *authorization only*. Motion failed due to no second.

Supervisor Moore tabled the item.

- B. Discussion and potential action regarding denied FOIA requests and other Trustee requests to the Supervisor and the impact of PAC of the Illinois Attorney General's Office.

Supervisor Moore referenced her letter of 12/9/10 to the Illinois Attorney General. Trustee Murphy stated that there are many half truths in this document and it does not represent the entire story. As a member of the Board she does not believe she should receive financial information with check numbers blacked out. Trustee McMahon expressed his extreme displeasure with the matter in which FOIA request are handled by the Supervisor. He believes his rights have been denied.

- C. Discussion and potential action of appointment of Senior Committee members.

Motion by Trustee Murphy, seconded by Trustee Zirk, to appoint members of the Senior Committee.

Trustee Murphy reviewed a draft of a proposed mission statement for the committee. The Board reviewed the applicants. Trustee Zirk stated that she thought it was important to have representation from the different geographic areas of the Township.

Motion by Trustee Murphy, seconded by Trustee Zirk, to amend the previous motion and to appoint the following applicants to the Senior Committee: Trustees Murphy and Zirk to serve as liaisons, Michael Bissett, Rich Ford, Michaelene Vandeimeir, Joann Stegmaier, Loralee Stump.

Roll Call

AYES: Trustees Murphy, Zirk, McMahon, LaPorta

NAYS: Supervisor Moore

Motion Passed.

- D. Discussion on taxing bodies.

Administrator Pam Fender presented information on a sample of a tax bill, specifically to demonstrate the amount that the Township receives.

9. Establishment of Agenda items for next meeting.

Supervisor Moore-Appointment of an auditor.

10. Reports

- A. Supervisor
- B. Trustees
- C. Clerk

Clerk Ford reported that Deputy Clerk Mary Hardy has not been paid for services she provided at the October Regular Township Board Meeting. An invoice had been submitted in October for \$130.00. The Trustees encouraged the Supervisor to pay this immediately.

- D. Road District Commissioner
- E. Assessor
- F. Township Attorney
- G. Township Administrator
- H. Committee Reports

11. Closed Session

12. Discussion and potential action of items as discussed at Closed Session.

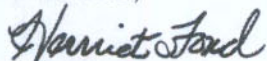
13. Adjournment

Motion was made by Trustee Murphy, seconded by Trustee LaPorta to adjourn the meeting.

Roll Call/Voice Vote/All Ayes

Motion Passed/Meeting adjourned at 9:05 p.m.

Submitted,



Harriet Ford
Grafton Township Clerk

Law Offices
 ANCEL, GLINK, DIAMOND, BUSH, DiCIANNI & KRAFTHEFER, P.C.

140 SOUTH DEARBORN STREET
 SIXTH FLOOR
 CHICAGO, ILLINOIS 60603
 Tax I.D. 36-2763103
 (312) 782-7606
 FAX (312) 782-0943

Grafton Township
 Ms. Linda Moore, Township Supervisor
 10109 Vine Street
 Huntley, IL 60142

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 November 22, 2010
 Account No: 3148386

Summary of Legal Services Rendered

		Fees	Expenses	Advances	Total
3148386.0002	Corporate	4,817.50	1.38	2.95	4,821.83
3148386.0003	Linda Moore v. Grafton Township	508.75	0.00	0.00	508.75
3148386.0006	FOIA	92.50	0.00	0.00	92.50
		<u>5,418.75</u>	<u>1.38</u>	<u>2.95</u>	<u>5,423.08</u>

2,081.25

This bill includes payments through October 31, 2010

\$ 3,341.83

• 50 hours of
 work ^{correspondence} never sent
 to Atty by Supervisor

9.25 hours GH
 not approved by
 Supervisor

• 50 hours of
 Criminal case
 work - not twp work

• 25 hours charge
 to Road District

• 25 hours work for
 Forensicon

• 75 hours to
 do work done ??
 by Supervisor ??

• 50 hours work
 for FOIA officer never
 requested

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Corporate

			<u>Hours</u>
10/1/2010	KJK	Review projects from last board meeting; start working on revisions to Board rules	0.25
10/5/2010	KJK	Review correspondence from Fender regarding miscellaneous issues	0.25
10/6/2010	KJK	Review information regarding meeting dates and various issues	0.25
10/7/2010	KJK	Review correspondence from Pam Fender regarding Supervisor's desire to have frogs, bugs and mice in town hall	0.25
10/7/2010	KJK	Review employee warning notice; Review issue of web postings	0.25
10/7/2010	KJK	Review agenda of meeting	0.25
10/8/2010	KJK	^{6/7/2010 INVOICE} Advise on Trustee's concerns about senior bus being used for improper purposes and g.a. van being used for non-g.a. purposes	0.25 - NO <u>GA</u>
10/8/2010	KJK	Work on policy modifications directed by Board	0.25
10/11/2010	KJK	Review issue regarding Supervisor's attempt to force Highway Commissioner to sign contract regarding electronic recycling program which was never approved by or presented to Township Board	0.25 - NO - Charge to Road District
10/11/2010	KJK	Review agenda as provided in Board Rules; Provide additional agenda items	0.25
10/11/2010	KJK	Review information regarding late annual audit	0.25 - NOT ATTYS JOB
10/12/2010	KJK	Review information regarding audit extension	0.25 - NOT ATTYS JOB
10/12/2010	KJK	Review final board agenda	0.25
10/12/2010	KJK	Revisions to Board Rules as directed by Board; Forward to Township for distribution	1.00
10/12/2010	KJK	Itemize and research all statements made by Moore related to her public disclosure of name of general assistance recipient	<u>GA</u> 1.00 - NO - GA
10/12/2010	KJK	Review correspondence from Supervisor regarding annual town meeting minutes	0.25 - NONE SENT TO ATTORNEY
10/12/2010	KJK	Review correspondence from Dan Hynes' office regarding extension of audit	0.25 - NOT ATTORNEYS JOB
10/12/2010	JTO	Review all meeting minutes since Moore's tenure as Supervisor to identify meetings where Moore's refusal to discuss ARC Disposal and related disclosure of GA client is discussed (NO CHARGE)	4.00 - <u>GA</u> - NOT AUTHORIZED

10/13/2010	KJK	Review information regarding ad Supervisor placed in newspaper without Board approval	0.25	
10/13/2010	KJK	Confer with Pat Coen regarding issue of resolution regarding payment of interest on loan	0.25	
10/13/2010	KJK	Review information regarding Supervisor's refusal to provide financial information to trustees and her refusal to provide bank statements	0.25	
10/13/2010	KJK	Review and respond to inquiry regarding website videos	0.25	
10/13/2010	KJK	Review notice to Supervisor not to trespass on property	0.25	
10/13/2010	JTO	Review videos of township meetings and summarize all exchanges between Moore and the board regarding name of GA client released to the public on the warrant list in September 2009; Draft memo regarding same (NO CHARGE)	4.00	- NOT AUTHORIZED GA EXPENSE
10/14/2010	KJK	Confer with Harris Bank; Confer with Patrick Coen; Work on issues regarding interest on loan and Road District pay-off; Work on issues regarding same	1.00	
10/14/2010	KJK	Finalize revisions to Board Rules as directed by Board	0.50	
10/14/2010	KJK	Prepare correspondence to Board regarding statutory references to their authority to hire township employees	1.00	
10/14/2010	KJK	Prepare for and attend Board Meeting; Travel to Police Department for interview following David Moore's confrontation with Trustee McMahon	8.50	
10/15/2010	KJK	Review material from Township regarding Farmside and and Huntley Park District press release regarding altercation	0.25	- Criminal Case NOT TOWNSHIP
10/20/2010	KJK	Review correspondence from Patrick Coen; Review information regarding Series 2008 debt certificates; Review CD	1.00	
10/20/2010	KJK	Review information regarding mailing lists and bus fares	0.25	
10/20/2010	KJK	Review correspondence from Road District regarding back-up documents regarding Road District debt issues	0.50	
10/21/2010	KJK	Investigate information from <u>TOIRMA</u> that Supervisor called to seek coverage for injuries her husband allegedly sustained	0.25	- <u>TOIRMA</u> Criminal Case NOT TOWNSHIP
10/22/2010	NAG	Prepare and send letter to client advising as to legal requirements and procedures for completing Annual Certificate of Status of Exempt Properties	0.25	
10/26/2010	KJK	Review information regarding supervisor's refusal to acknowledgement of bus fare increase freeze per Board direction	0.25	
10/26/2010	KJK	Review information regarding withheld information and meeting date on holiday	0.25	
10/27/2010	KJK	Review correspondence regarding bus fee issue	0.25	
10/29/2010	KJK	Review correspondence from Supervisor Moore regarding potentially rescheduling meeting set for Veteran's Day FOR CURRENT LEGAL SERVICES RENDERED	0.25	NOT SENT TO ATTORNEY
			29.50	4,817.50

RECAPITULATION

PROFESSIONAL	HOURS	HOURLY RATE	TOTAL
Nicholas A. Grojean	0.25	185.00	46.25
Keri-Lyn J. Krafthefer	21.25	185.00	3,931.25
Jason T. Olsen	8.00	105.00	840.00

10/13/2010	Newslibrary.com, fee to obtain article	2.95
10/19/2010	Duplication Costs	1.38

TOTAL COSTS

4.33

TOTAL AMOUNT DUE

4,821.83

This bill includes payments through October 31, 2010

Law Offices
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Linda Moore v. Grafton Township

			<u>Hours</u>	
10/4/2010	TGD	Appearance in court regarding status hearing	2.00	
10/4/2010	KJK	Follow up with clients following court hearing	0.25	
10/11/2010	KJK	Review information regarding latest mail problems caused by Supervisor and other various issues	0.25	
10/11/2010	KJK	Prepare correspondence to L. Neubecker regarding status of lawsuit as it relates to payment of bill to Forensicon	<i>no</i> 0.25 <i>He'll be in Absence</i>	
		FOR CURRENT LEGAL SERVICES RENDERED	<u>2.75</u>	508.75

	RECAPITULATION		
<u>PROFESSIONAL</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
Thomas G. DiCianni	2.00	185.00	370.00
Keri-Lyn J. Krafthefer	0.75	185.00	138.75

TOTAL AMOUNT DUE

508.75

This bill includes payments through October 31, 2010

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Grafton Township
Ms. Linda Moore, Township Supervisor
10109 Vine Street
Huntley, IL 60142

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FOIA

			Hours	
10/12/2010	KJK	Review FOIA request for copy of videotape of annual town meeting; Advise regarding same	0.25	- FOIA officer
10/14/2010	KJK	Review response for FOIA request for annual town meeting tape	0.25	- did not authorize
FOR CURRENT LEGAL SERVICES RENDERED			0.50	92.50

	RECAPITULATION		
PROFESSIONAL	HOURS	HOURLY RATE	TOTAL
Keri-Lyn J. Krafthefer	0.50	185.00	92.50

TOTAL AMOUNT DUE

92.50

This bill includes payments through October 31, 2010

Road District of Grafton Township

Jack Freund, Highway Commissioner

10109 Vine Street Unit A

Huntley, IL 60142

Phone 847-669-5070

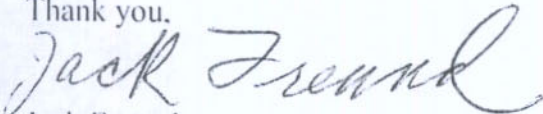
Fax 847-659-1075

December 2, 2010

Dear Grafton Township Board of Trustees,

I am requesting a change in the "Board Meeting Rules" regarding the payment of bills. Under section IV. Part B. I would like the supervisor to present a separate list of bills for the Road District as we presented them to her. We give her a list of bills with our PO #'s on it when we turn them in and she does not use it. The Road District is a separate entity and should not be on a combined list with the townships bills. Also I am requesting that a separate vote be done to approve the Road District bills, since there should be two lists of bills.

Thank you,

A handwritten signature in cursive script that reads "Jack Freund".

Jack Freund

Grafton Township Highway Commissioner

Linda Moore

Subject: RE: Grafton Township
Date: Wed, 8 Dec 2010 13:32:12 -0600
From: Bryan@toi.org
To:

Linda,

I am not aware of any particular statute that requires the Supervisor to use the PO numbers from the vendors on the bill list.

Bryan Smith

From: Linda Moore
Sent: Wednesday, December 08, 2010 1:29 PM
To: Bryan Smith
Subject: Grafton Township

Dear Bryan Smith,

I hope you can help me on this matter.

My Road Commissioner has given a letter to the Trustees requesting the "Board Rules" to be changed. He is asking that the Supervisor present a separate list of bills for the road district and that it must be the list his department prepares.

I have attached the list I prepare for your review. Click on the December 2010 tab on the bottom for the most recent spreadsheet.

He feels it is very important that the list of bills also include PO numbers from the bills he receives.

Do you know of any statute that gives the road department the authority to require the supervisor to use the list of bills prepared by the road district and that requires the PO numbers from the vendors to be a part of this list?

It is my understanding that the statutes require the supervisor to present the bills of the township to the board for approval. I am not aware of any statute that supports my Road Commissioner on this matter.

Please refer me to any statutes that would be helpful. Our board meeting is Thursday night.

Thank you.

Linda Moore
Grafton Township Supervisor

RE: Grafton Township

From: **Bryan Smith** (Bryan@toi.org)

Sent: Wed 12/08/10 2:04 PM

To: Linda Moore

Yes. I received your fax. There is no "set form" for townships/road districts to use but I see no problem with the list style you sent me. It contains all the necessary information but I assume if the board wants more information they could ask for it to be included.

From: Linda Moore

Sent: Wednesday, December 08, 2010 1:59 PM

To: Bryan Smith

Subject: RE: Grafton Township

I am now faxing it to 217-744-7419, did you receive it?

Linda

Subject: RE: Grafton Township

Date: Wed, 8 Dec 2010 13:55:36 -0600

From: Bryan@toi.org

To: linda@

No I was not able to open it.

From: Linda Moore [-]

Sent: Wednesday, December 08, 2010 1:55 PM

To: Bryan Smith

Subject: RE: Grafton Township

Were you able to open the excel spreadsheet that I sent you?

Is it typical of other townships?

Linda

Subject: RE: Grafton Township

Date: Wed, 8 Dec 2010 13:39:52 -0600

From: Bryan@toi.org

To: lndamoor

No I am not.

From: Linda Moore

Sent: Wednesday, December 08, 2010 1:37 PM

To: Bryan Smith

Subject: RE: Grafton Township

Bryan,

Thank you for your quick response. Are you aware of any statute that requires the supervisor to use a list of bills prepared by the road commissioner's department?

list of bills prepared by the road commissioner's department?