

GRAFTON TOWNSHIP SPECIAL BOARD MEETING MINUTES
November 22, 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, Road District Commissioner Freund, Township Attorney Krafthefer

Absent: Assessor Ottley

3. Pledge of Allegiance

Supervisor Moore led those present in the Pledge of Allegiance.

4. Regular Business

A. Discussion and potential action on Board Rules.

Attorney Krafthefer reviewed the addition requested by different members of the Board regarding who shall be seated at the dais; payment of bills; and financial records. The Board Rules would now include the following additional language: 1) **I. Seating at Meeting** 1. *The Supervisor, Clerk, Trustees, Highway Commissioner, Assessor, Township Administrator and Township Attorney will be seated at the dais or head Board meeting table (s). If a question arises as to where any of them is to be seated, the Board may, by motion, determine where the individual shall be seated. No other person shall sit at the dais, or head Board meeting table (s) except upon the passage of a motion by a majority of the Township Board.* 2) **Payment of Bills** *The Supervisor shall bring originals of all unpaid invoices to the Township Board's meetings. If the original of the unpaid invoices are not available, the Supervisor shall bring a copy of the unpaid invoice and/or bring receipts for the items for which payment is sought to the meeting. The Highway Commissioner or Assessor may bring originals or copies of their unpaid invoices or the supporting receipts to the meeting to present if the Supervisor fails to present them, or if they were received after the Supervisor's cutoff date for invoices;* 3) **Financial Records** A. *The Supervisor shall bring the Township's financial records, checking account statements, cancelled checks or images of cancelled checks to each Township Board meeting, whether regular or special. In addition, the Supervisor shall bring the Township computer financial records, such as QuickBooks program, to each regular or special Township Board meeting, to facilitate the Township Board's discussion, consideration and action on items related to the Township finances.*

Motion by Trustee Murphy, seconded by Trustee McMahon, to approve the amended Resolution on Grafton Township Board Rules as outlined by the Township Attorney.

Discussion: Trustee Zirk stated that under Payment of Bills, she recommends the Supervisor should bring originals when available, not copies. Trustee LaPorta stated that the language specifies originals when available. Trustee McMahon wants to include related purchase orders when applicable. He also wants the ability to mark notations on original bills, not on copies. Supervisor Moore does not agree with writing on originals.

Motion by Trustee Murphy, seconded by Trustee McMahon, to amend the previous motion to include the wording “or related purchase orders or line items when applicable”: 2) Payment of Bills *The Supervisor shall bring originals of all unpaid invoices to the Township Board’s meetings. If the original of the unpaid invoices are not available, the Supervisor shall bring a copy of the unpaid invoice or related purchase orders or line items when applicable and/or bring receipts for the items for which payment is sought to the meeting.*

Roll Call

AYES: Trustees Murphy, McMahon, Zirk, LaPorta

NAYS: Supervisor Moore

Motion Passed.

B. Township Attorney’s Report on litigation.

Attorney Krafthefer reported that no decision has been made. Trustee Zirk asked if a special meeting would be required to discuss the Judge’s ruling. Attorney Krafthefer stated that this is not required, but it would be a decision that the Board could consider.

C. Audit and Payment of Bills

1. Discussion and potential action to pay bills as submitted.

Motion by Supervisor Moore, seconded by Trustee Murphy, to pay the bills for the Township and the Road District.

Discussion: Trustee Murphy asked about Hammerand bill/general assistance. Supervisor Moore stated that GA has its own website. Trustee LaPorta asked if the GA website was linked to the main Grafton Township website. Trustee Murphy stated that it should all be one website. Supervisor Moore stated that this was not necessary for the sites to be linked and the GA site only includes an application. Trustee LaPorta stated that at the very least it should be linked. Supervisor Moore stated that the Assessor controls the website and that is not acceptable to her. Trustee Murphy asked about the status of the Road District loan pay off. Attorney Krafthefer stated that it is being worked on so that it is financially feasible for the Township. Supervisor Moore read a letter she wrote outlining options. (EXHIBIT I) Trustee LaPorta stated that it is not possible to make financial decisions without the Trustees having access to the Township’s financial records that are stored at the Supervisor’s house or reviewing the results of an audit.

Trustee Murphy asked about Eder & Casella audit was suppose to be \$10,000.00. Trustee Zirk agreed. Trustee Murphy stated that the \$7,700 was the result of Supervisor Moore’s personal request to search for an audit of the records on the Grafton Township Food Pantry whose records have never been a part of the Township. Supervisor Moore stated that this bill has been paid already. The Trustees reviewed the letter of November 11,2010 from Road District Attorney Pat Coen. (EXHIBIT II) In January, Road Commissioner Freund stated he will pay \$8183.66 which will be for the entire year. He also requested that Supervisor Moore verify that she is paying for the correct Blue Cross/Blue Shield pay period since there have been errors in the past. Trustee Zirk stated that the bills that the Supervisor has categorized as “BILLS HELD IN ABEYANCE DUE TO LITIGATION” the total is erroneous. Supervisor Moore stated that the total should be stricken. Attorney Krafthefer asked why fees for her firm were listed in this category. Supervisor Moore stated that she did not authorize some of these charges under FOIA and GA. Attorney Krafthefer stated that these matters were legitimate questions asked from other elected Township officials.

Motion by Trustee LaPorta, seconded by Trustee Murphy, to pay the bills for the Town Fund as presented on the Warrant List, including the portion of the Ancel, Glink invoice in the amount of \$836.25 as listed under “BILLS HELD IN ABEYANCE DUE TO LITIGATION” since it is not part of litigation, the Road District as presented on their

Warrant List, the Assessor's Office as presented on their Warrant List; excluding the bill from J.A. Ketchmark \$850.50; J.A. Ketchmark \$1110.00; Paddock Publications/Daily Herald \$16.00; Road District to reduce the Eder & Casella from \$7080.00 to \$2000.00; exclude Road District IMRF taxes \$2597.32; \$2416.86; \$1349.50; Grafton Township Road District \$611,000 loan payoff; excluding Road district salary \$8,183.00; Road District Insurance \$4957.80.

Roll Call

AYES: Trustees LaPorta, Murphy, Zirk, McMahan

NAYS: Supervisor Moore

Motion Passed.

Board signs warrant lists.

2. Discussion and potential action directing Supervisor to bring the Township's financial records, checking account statements, cancelled checks or images, and other items to Township Board meetings.

Discussion: Trustee LaPorta stated that this is covered in the Board Rules, but the Supervisor has consistently refused to make records available to the Trustees. He would like a special meeting to review these records since he believes that the financial records are inaccurate. Trustee McMahan stated that the FOIA requesting this info has been denied by the Supervisor. Attorney Krafthefer stated that denying the Trustees access to the financial records of the Township is part of the litigation. Trustee McMahan stated that it is their duty as elected officials to verify the accuracy of this information.

Motion by Trustee LaPorta, seconded by Trustee Zirk to schedule a special meeting to review the Township's financial records, checking account statements, cancelled checks or images, and other financial items and direct the Supervisor to bring the computer with the financial records to this meeting.

Roll Call

AYES: Trustees LaPorta, Zirk, McMahan, Murphy

NAYS: Supervisor Moore

Motion Passed.

- D. Approval of Minutes

1. Minutes of October 14, 2010 Regular Township Board Meeting

Motion by Trustee Zirk, seconded by Trustee Murphy, to approve the Minutes of October 14, 2010 Regular Village Board Meeting.

Discussion: Supervisor Moore suggested numerous changes. None were accepted.

Roll Call

AYES: Trustees Zirk, Murphy, LaPorta, McMahan

NAYS: Supervisor Moore

Motion Passed.

2. Minutes of November 11, 2010 Regular Township Board Meeting

Motion by Trustee Zirk, seconded by Trustee LaPorta, to approve the Minutes of November 11, 2010 Regular Township Board Meeting.

Discussion: Supervisor Moore stated that she just received these minutes. Clerk Ford stated that it was a 10 minute meeting, therefore they were very brief. Supervisor Moore moved to strike minutes. Motion failed due to no second.

Roll Call

AYES: Trustees Zirk, LaPorta, McMahon, Murphy

NAYS: Supervisor Moore

Motion Passed.

3. Minutes of August 12, 2010 Executive Session

Motion by Trustee Murphy, seconded by Trustee Zirk, to approve and release the Executive Session Minutes of August 12, 2010.

Roll Call

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

NAYS: None

Motion Passed.

E. Discussion and potential action on transferring budget line items.

F. Transfer of GA Funds.

Motion by Trustee LaPorta, seconded by Trustee Murphy, to combine agenda items "E." and "F."

Roll Call

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

NAYS: None

Motion Passed.

Trustee Murphy stated that Trudy Jurs' salary should be placed in GA. Attorney Krafthefer stated that this is not a transfer, but a correction since Ms. Jurs' salary is posted to the wrong account. \$150.00 phone charge has to be adjusted. Trustee Murphy stated that this was done at the last meeting. Trustee Zirk stated that \$150.00 phone charge has to be posted in correct account. Supervisor Moore stated that she did not know at this time where to place it and she has to think about it.

Motion by Trustee LaPorta, seconded by Trustee Zirk, to direct the Supervisor to correct the posting of Trudy Jurs' salary by crediting the town fund and debiting the GA fund.

Roll Call

AYES: Trustees LaPorta, Zirk, McMahon, Murphy

NAYS: Supervisor Moore

Motion Passed.

Trustee LaPorta asked that Supervisor Moore stop repeatedly moving out of her seat to walk over to confer with her personal litigation attorney during the meeting.

G. Discussion and potential action on Resolution establishing 2011 Township Regular Meeting dates.

Motion by Trustee Zirk, seconded by Trustee Murphy, to approve Resolution 20101122-1, A RESOLUTION ESTABLISHING REGULAR MEETING DATES FOR 2011.

Roll Call

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

NAYS: None

Motion Passed.

H. Discussion and potential action to adopt estimate of tax levy.

Motion by Trustee Murphy, seconded by Trustee LaPorta, to establish the estimated tax levy for the Road District as a rate of 4.999%.

Discussion: Supervisor Moore stated she is not in favor since she will not support raising taxes. Trustee Murphy explained that due to the tax cap, this levy will not raise taxes. The Township taxes will not go up due to this action.

Roll Call

AYES: Trustees Murphy, LaPorta Zirk, McMahon

NAYS: Supervisor Moore

Motion Passed.

Motion by Trustee Zirk, seconded by Trustee LaPorta, to establish the estimated tax levy for the Town Fund at a rate of 4.999%.

Discussion: Supervisor Moore stated she is not in favor since she will not support raising taxes. Again, Trustee Murphy explained that due to the tax cap, this levy will not raise taxes. The Township taxes will not go up due to this action.

Roll Call

AYES: Trustees Zirk, LaPorta, Murphy, McMahon

NAYS: Supervisor Moore

Motion Passed.

I. Establishment of Agenda items for next Regular Meeting.

Supervisor Moore stated she would like to appoint an auditor for the past due audit. She has four proposals. Trustee Zirk stated that Brown and Company has already been approved by the Board to conduct the audit. Trustee Zirk stated that she would like No reports.

5. Closed Session

None

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

None

7. Adjournment

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

Roll Call/Voice Vote

Motion Passed/Meeting adjourned at 8:35 p.m.

Submitted,

Harriet Ford
Grafton Township Clerk

