

**GRAFTON TOWNSHIP REGULAR BOARD MEETING MINUTES**  
**June 9, 2011**

**1. Call to Order**

Supervisor Moore called the meeting to order at 7:40 pm.

**2. Roll Call**

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

**3. Pledge of Allegiance**

Supervisor Moore waived the Pledge of Allegiance.

**4. Set Agenda for Meeting**

**Motion by Trustee LaPorta, seconded by Trustee Murphy, to accept the agenda for the June 9, 2011 meeting as posted by Clerk Ford and adding the following items from the Supervisor's proposed agenda: #10 Discussion and action regarding health insurance benefits for employees and elected officials; #12 Discussion and action regarding the posting of all meeting videotapes on www.graftontownship.net website; and #13 Discussion and action regarding letter from the Attorney General suggesting the board review ordinance requiring advance notice of intent to record meetings and prohibition of recording audience members.**

Discussion: Assessor Ottley asked that items 9B and 10E be moved to after "Payment of bills."

**Trustee LaPorta amended his motion, seconded by Trustee Murphy, to amend the previous motion and move agenda items 9B and 10E to after "Payment of Bills."**

**Roll Call**

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

**NAYS: Trustee McMahon**

**ABSTAIN: None**

**Motion Passed.**

**5. Regular Business**

**1. Audit and Payment of Bills**

**Motion by Trustee Murphy, seconded by Supervisor Moore, to approve the Town Fund bills as presented.**

Discussion: The bills were reviewed and discussed. Paying for services provided by J.A. Ketchmark was discussed. Attorney Nelson's hourly rate and actions writing a letter on behalf of the Township were discussed. All of the previously approved bills be held were discussed.

**Motion by Trustee Murphy to amend the motion, seconded by Trustee Zirk, to approve the Town Fund bills as presented including \$42.01 as Line Item #1769; excluding: Road and Bridge debt service \$300,000; Attorney Nelson/due to hourly rate and charges for writing a letter to Harris Bank on behalf of the Township and including all bills listed as Held in Abeyance Due to Litigation with the exception of the Forensicon bill.**

**Roll Call**

**AYES: Trustees Murphy, Zirk, LaPorta**

**NAYS: Trustee McMahon, Supervisor Moore**

**ABSTAIN: None**

**Motion Passed.**

**Motion by Trustee Murphy, seconded by Zirk, to approve the Road District bills as presented.**

Discussion: Road Commissioner Freund objected to the charges from J. A. Ketchmark for professional fees. Supervisor Moore stated that is part of the Supervisor's job as Treasurer.

**Motion by Trustee Murphy, seconded by Trustee Zirk, to amend the motion to approve the Toad District bills excluding J. A. Ketchmark \$408.00 and including The Bank of New York Mellon \$300.00/Bond Call Disclosure Fee.**

**Roll Call**

**AYES: Trustees Murphy, Zirk, LaPorta, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**Motion Passed.**

Board signed warrant lists.

## **9. New Business**

- B. Discussion and potential action on bids for renovations to Assessor's Office

Discussion: Assessor Ottley presented information he has compiled on light bulb replacement and installation of new windows. Supervisor Moore read a statement objecting to Assessor Ottley's actions regarding this matter. (EXHIBIT I) Trustee Murphy stated that Assessor Ottley did not go out for bid, but just acquired information.

**Motion by Trustee Murphy, seconded by Trustee Zirk, to direct Assessor Ottley to proceed with the project for replacement of light bulbs and installation of windows.**

**Roll Call**

**AYES: Trustees Murphy, Zirk, LaPorta, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**Motion Passed.**

## **10. Reports**

- E. Assessor

Assessor Ottley responded to comments made during Public Comment at the May 12, 2011 Regular Township Board Meeting stating that his proposed renovations will be a greener option and also that he has been down two employees.

## **5. Regular Business**

- B. Approval of Minutes

1. Minutes of May 12, 2011 Regular Township Board Meeting
2. Minutes of May 12, 2011 Special Township Board Meeting
3. Minutes of May 24, 2011 Special Township Board Meeting

**Motion by Trustee Murphy, seconded by Trustee LaPorta, to approve the Minutes of May 12, 2011 Regular Township Board Meeting, May 12, 2011 Special Township Board Meeting and the Minutes of the May 24, 2011 Special Township Board Meeting.**

**Roll Call**

**AYES: Trustees Murphy, LaPorta, Zirk, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**Motion Passed.**

## **6. Public Comment**

Al Jordi

Maggie Dar



**7. Board Member Response to Public Comment**

Trustees McMahon and Murphy responded.

**8. Old Business**

A. Discussion and potential action on status of audits.

Supervisor Moore reported that the audits are scheduled to begin on 6/20/11.

**Motion by Trustee LaPorta, seconded by Trustee Murphy to schedule a special meeting prior to the next Regular Township Board Meeting to receive an update on the audits, either in person or via phone with the audit company.**  
**All present voted AYE. Motion Passed.**

**9. New Business**

A. Discussion and potential action on adoption of Prevailing Wage Ordinance 20110609-1 Township and Prevailing Wage Ordinance 20110609-2 Road District.

Discussion: The documents were not available.

**Motion by Trustee Murphy, seconded by Trustee Zirk, to table the adoption of the Prevailing Wages Ordinances to the June Special Meeting.**

**Roll Call**

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

**NAYS: None**

**ABSTAIN: None**

**Motion Passed.**

B. Discussion and action regarding health insurance benefits for employees and elected officials.

Discussion: Trustee Murphy stated that the Board should discuss the options. Trustee LaPorta asked why this was being presented the day before the deadline. He asked Assessor Ottley and Road Commissioner Freund which plan they recommended. They both responded Plan 811/"grandfathered."

**Motion by Trustee Murphy, seconded by Trustee Zirk, to approve insurance Plan 811.**

**Roll Call**

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

**NAYS: None**

**ABSTAIN: None**

**Motion Passed**

Assessor Ottley left the meeting at 8:58 p.m.

C. **Discussion and action regarding the posting of all meeting videotapes on [www.graftontownship.net](http://www.graftontownship.net) website.**

Discussion: Supervisor Moore stated that there were funds allocated to purchase a video camera. The Trustees stated that they did not think this was a wise use of funds to pay someone to record every meeting and did not feel it was necessary to post a video.

**Motion by Trustee Zirk, seconded by Trustee Murphy, to strike this item from the agenda.**

**Roll Call**

**AYES: Trustees Zirk, Murphy, LaPorta, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**Motion Passed.**

D. Discussion and action regarding a letter from the Attorney General suggesting the Board review ordinance requiring advance notice of intent to record meetings and prohibition of recording audience members.  
Discussion: Supervisor Moore referenced the letter from the Attorney General. Trustee LaPorta stated that he believed the letter clearly stated that there were no violations and this matter was closed.

**Motion by Trustee LaPorta, seconded by Trustee Zirk, to take no further action on this matter.**

**Roll Call**

**AYES: Trustees LaPorta, Zirk, Murphy, McMahon**

**NAYS: Supervisor Moore**

**ABSTAIN: None**

**Motion Passed.**

E. Establishment of Agenda items for the special meeting  
Discussion: Intergovernmental Agreement with Road District; special meeting: audit update with audit person in attendance; transportation policies

#### **10. Reports**

A. Supervisor

Supervisor Moore said she plans to add a shredding component to the 9/24/11 event.

B. Trustees

Trustee LaPorta asked about the food pantry that the Supervisor is now advertising. Trustee Murphy stated that the Supervisor had previously stated this was a GA Food Pantry only. Trustees Zirk, LaPorta and Murphy asked about funds collected, where and how funds are itemized, etc. and asked this item be placed on the Agenda for the June Special Meeting.

C. Clerk

None

D. Road District Commissioner

General update; they are going to be using QuickBooks.

F. Committee Reports

Trustee Murphy reported that there is a Special Senior Committee Meeting is 6/13/11. PACE will be presenting.

#### **11. Closed Session**

None

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

None

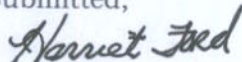
#### **13. Adjournment**

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

**Roll Call/Voice Vote/All present voted Aye.**

**Motion Passed/Meeting adjourned at 9:10 p.m.**

Submitted,



Harriet Ford

Grafton Township Clerk





## Grafton Township

McHenry County, IL

847-669-3328 • Fax: 847-669-9256 • [www.graftontownshipsupervisor.us](http://www.graftontownshipsupervisor.us)

P.O. Box 37, Huntley, IL 60142

EXHIBIT

I

June 9, 2011

### Statement by Supervisor Moore

The obligation of Grafton Township to Assessor Ottley is to provide him with adequate resources with which to properly assess the real estate parcels in Grafton Township. I believe that Grafton Township has done so.

I also believe that Grafton Township has the legal authority to budget money to spend remodeling his current office.

The problems with the matter are as follows: When it comes to letting bids on construction projects this is a township matter. As the duly elected Assessor, Mr. Ottley has no authority to let bids. In addition, I am unclear as to whether bids have been let in the proper fashion, whether bids have been received that pay prevailing wage, and whether Assessor Ottley has complied with applicable law. We do not have a township attorney who can clarify the matter for us. I am concerned that the township will be exposed to needless risk and exposure to suit without proper legal advice.

On top of that and perhaps more importantly, the township probably should not be improving a property for which it is paying rent. The building, for better or worse, is still owned by the Grafton Township Road District. Grafton Township Road District landlord, to whom we pay rent, should provide for much of what Assessor Ottley is trying to do.

I recommend the board vote no on this issue until we have a township attorney who can make sure bids let by the township can be in compliance with applicable law. For example, it could be argued that the additional construction coming in the Supervisor's office should have been bid at the same time as the assessor's project because it is all remodeling by the Grafton Township. To not allow a company paying prevailing wage on that construction could be construed as subterfuge whether it is or not.

It is for these reasons that this bid should be turned over to the office of the Supervisor, who will, on behalf of the township, request bids and bring the results to the board for its approval.