

Release

Draft

**EXECUTIVE SESSION MINUTES
Grafton Township Board
March 17, 2014**

The Executive Session of the Grafton Township Board was called to order by Supervisor Kearns at 7:51 P.M.

Present: Supervisor Kearns, Trustees Ziller, Zirk; Clerk Francis. Also present by board invitation was Attorney Joe Gottemoller.

Absent: Trustees Holtorf and Wagner

PURPOSE

To discuss pending litigation and personnel issues involving the Township pursuant to 5ILCS 120/2(c)(11)

DISCUSSION

Attorney Gottemoller stated that Otteson Britz agreed to delay the settlement payment of \$25,000 until the end of June, after the first installment of property taxes.

Supervisor Kearns said that he has received an invoice for \$2,800 dated October 17, 2013 from the Law Offices of Robert T. Hanlon and Associates. Supervisor Kearns said that he was not aware that this was owed until very recently. He looked into the matter and discovered that in the township meeting on August 2, 2012, Atty Hanlon offered mediation between Assessor Ottley and The Township Supervisor for free. Attorney Gottemoller said that he has plans to write to Atty Hanlon reminding him that the Township owes his Law Office nothing. (Exhibit I)

Regarding the Haligus Road property, Attorney Gottemoller presented a list of items that the property CAN be used for, which are fairly limited uses. Trustee Ziller asked if The Township had paid for water hook up and if so, we need a rebate for that or we could see the water rights with the property for which The Township paid \$12,490. A discussion ensued about the potential need to re-zone the property. The Board discussed the amount they thought they could get for the sale of the property. They discussed putting the sale of the property on the agenda for the Annual Town Meeting.

Regarding the forensic audit, Supervisor Kearns said that he did not take the report to the police, nor the State's Attorney. Trustees Ziller and Zirk agreed that we could release the report but thought that it should be sent to the police and the State's Attorney's office first to eliminate liability for The Township. Supervisor Kearns said that he would wait until next month to release everything.

ADJOURNEMENT

Motion was made by Trustee Ziller, seconded by Trustee Zirk to adjourn the Executive Session at 8:22 P.M.

AYES: Trustees Ziller, Zirk; Supervisor Kearns

NAYS: None

Motion Passed.

Submitted,

Kathryn Francis
Grafton Township Clerk

Law Offices of
ROBERT T. HANLON & ASSOCIATES, P.C.
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Woodstock, IL 60098

Robert Thomas Hanlon

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August 2, 2012

Grafton Township Offices
Messrs. LaPorta, McMahon, Moore, Murphy, Zirk,
Unit B
10109 Vine Street
Huntley, IL 60142

Via Personal Delivery at Grafton Township Offices

Re: Termination of Prior Offer of Free Mediation

Last month I made an offer to attempt to mediate the issues between the Grafton Township Trustees and the Grafton Township Supervisor. The offer was made as a result of what I believe to be a complete total waste of judicial and taxpayer recourses arising from the disputes in Grafton Township government. These disputes have consumed substantial funds of the township and are advanced and defended by individuals with no direct pecuniary stake in the litigation.

When I extended my offer, I truly believed there was legitimate interest on all parties to pursue the avenue of mediation.

Initially, based on what I had learned about these disputes I was concerned about a lack of good faith by the respective parties. Because of that concern, I had asked Mrs. Moore for a simple concession demonstrating her good faith. That concession was granted.

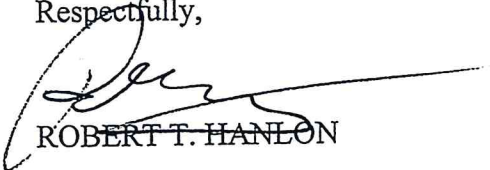
The personal animus which I perceive still exists and is eroding the very concept of governance by consent in Grafton Township. As of right now, Mrs. Moore and Mr. Ottley via their counsel are the only ones to have accepted my offer of mediation. I had been in contact with some of the trustees and in particular Mr. McMahon, Mrs. Zirk and Mrs. Murphy. Both Mrs. Zirk and Mrs. Murphy expressed an interest in the mediation process. Approximately two weeks ago, I provided dates to Mrs. Zirk so that in the event the trustees were interested in mediation a special meeting could be called. The dates I provided her were 7/30 and 7/31. The Trustees did not call a special meeting. I understand from Mrs. Zirk that she was under the impression that Mrs. Moore was going to schedule a special meeting of the Grafton Township

Board. I informed Mrs. Zirk that I would relay that to Mrs. Moore and ask her to schedule a special meeting. I did and tonight's meeting was set by Mrs. Moore.

I also understand that the trustees were not willing to make a decision on my offer to mediate in the absence of their counsel and she is not available this evening. Nevertheless, at this time I have no acceptance from the trustees and I doubt very much given Mr. LaPorta's e-mail statement to the press and Mr. McMahon's statements expressing concerns about success in mediation that such an approval will be forthcoming. As such, my offer to mediate for free between the Trustees and the Supervisor is now withdrawn.

However, my offer of mediation accepted by Mrs. Moore and Mr. Ottley will proceed unless terminated for other reasons. Hopefully, that process between Mrs. Moore and Mr. Ottley will result in a positive result for the parties and moreover, the people of Grafton Township who are paying for the ongoing litigation may ultimately save a few dollars.

Respectfully,



ROBERT T. HANLON