

Approved as Presented

GRAFTON TOWNSHIP REGULAR BOARD MEETING MINUTES
Grafton Township, McHenry County, Illinois
Grafton Township Office, 10109 Vine Street, Huntley, IL 60142

MONDAY, December 18, 2023

The Regular Township Board Meeting of the Grafton Township Board, McHenry County, Illinois was held on Monday, December 18, 2023 at the Grafton Township Offices.

1. **Call to Order -7:30**
2. **Roll Call**– Board Present: Supervisor Ruth; Trustee Cooper, Cratty, Lueth and Ziller; Road Commissioner Kearns, Attorney Gottemoller, and Clerk Watson. Assessor DeBaltz absent.
3. **Pledge of Allegiance** was said.
4. **Approval of the Agenda**
A motion was made by Supervisor Ruth, 2nd by Trustee Cooper to Approve the Agenda as corrected, moving “8. Old Business A. Discussion and possible action – Transfer of Appropriation Road & Bridge” before New Business. Roll call vote taken, all ayes noted, motion carried.

8. **Old Business**
A. **Discussion and possible action – Transfer of Appropriation Road & Bridge**
A discussion ensued. Road Commissioner Kearns asked for \$20,000 to be transferred from Road & Bridge Fund to Maintenance Service Road. A motion was made by Trustee Ziller, 2nd by Trustee Cratty to the Transfer of Appropriation from line item 6311, Road and Bridge to line item 6314 Maintenance Service Roads in the amount of Ten Thousand and 00/100 Dollars (\$10,000.00). Roll call vote taken, all ayes noted, motion carried.
5. **Regular Business**
A. **Approval of Minutes Township Regular Board Meeting**
A motion was made by Supervisor Ruth, 2nd by Trustee Ziller to approve the Minutes of the Township Regular Board Meeting dated November 20, 2023 as approved as correcting Trustee Zillers comments on page 2, B. Discussion and possible action – Road District Levy to read as follows: “Do less feet of road until the costs come down to make a flat levy work”. Roll call vote taken, all ayes noted, motion carried.

B. **Audit and payment of unpaid bills/Warrant check detail for Town Fund**
A bank service fee was noted, and Supervisor will call to have removed. A motion was made by Trustee Cratty, 2nd by Trustee Cooper to approve the Audit and payment of unpaid bills/Warrant check detail for the Town Fund as presented. Roll call vote taken, all ayes noted, motion carried.

C. Audit and payment of unpaid bills/Warrant check detail for Road District

A discussion ensued regarding the explanation of Replacement Taxes to the Village. Trustee Ziller asked that his name be removed from the Road District Vendor list. **A motion was made by Trustee Ziller, 2nd by Trustee Lueth to approve the audit and payment of unpaid bills/Warrant check detail for the Road District as presented.** Roll call vote taken, all ayes noted, motion carried.

6. Public Comment

A resident from Colleens Cote subdivision (name attached and made a part of these records) would like to use golf carts in neighborhood. A discussion ensued regarding the jurisdiction, liability, enforcement, policing, safety, safety testing for such vehicles/ordinance.

7. Board Member Response to Public Comment -

Road Commissioner Kearns will set up a meeting with resident to further discuss.

8. Old Business -

A. Discussion and possible action - 2024/2025 Road District Levy

A discussion ensued. Road Commissioner Kearns went before a McHenry County Judge for "Complaint for Mandamus and Declaratory Judgement", Court Order MR00025 ordering the following (in brief):

1. Highway Commissions has the "right and sole authority to determine " Road Levy
2. Board has the "ministerial duty to levy and certify" to County Clerk
3. Board does not have "authority to alter, amend, modify, changes reduce or otherwise give direction" to Road District

A complete copy of the Court Order is attached and made part of these minutes.

Attorney Gottemoller explained the Board's options.

A motion was made *under protest* by Trustee Cooper, 2nd by Supervisor Ruth to approve the Road & Bridge Levy for a 4.99% increase in the amount of Nine Hundred Thousand, Two Hundred Forty Six Dollars (\$900,246.00). Roll call vote taken. Trustee Cooper-aye, Supervisor Ruth-aye, Trustee Cratty-no, Trustee Lueth-aye; Trustee Ziller-no. Motion carried.

9. New Business - Discussion and possible action - None

10. Executive Session, if necessary, pursuant to 5 IL CS 120/2(c) section to be decided

11. Discussion and potential action of items discussed during Executive Session- None

12. Committee and Officer Reports

SUPERVISOR REPORT: NONE

TRUSTEES: None

ASSESSOR: None

CLERK - None

ROAD COMMISSIONER

Road Commissioner Kearns read a prepared report outlining the following (in part):

1. "What we do as the Grafton Township Road District"
2. "What does this mean for the taxpayers?"
3. Comparable Area Townships numbers
4. Levy

A copy of this report in its entirety is included and a part of these meeting minutes.

13. **ADJOURNMENT**

Being no further business, a **motion was made by Trustee Ziller, 2nd by Trustee Cooper to adjourn the Regular Board Meeting.** Voice vote taken, all ayes noted, motion carried. The Regular Board meeting adjourned @ 8:42 p.m.

Respectfully submitted,
Kathleen M. Watson, Grafton Township Clerk