

**GRAFTON TOWNSHIP
ANNUAL TOWN MEETING MINUTES
TUESDAY, APRIL 13, 2010, 7:30 P.M.**

1. Call to Order

Clerk Harriet Ford called the meeting to order at 7:30 p.m.

2. Pledge of Allegiance

Clerk Ford led the audience in the Pledge of Allegiance.

3. Explanation of Procedures

Only qualified electors of Grafton Township are permitted to make and vote on motions during the Annual Township Meeting. A qualified elector is a current resident of Grafton Township who is registered to vote at his/her present address. All qualified electors are asked to check-in and provide their name and current address prior to entering the meeting room. If their name does not appear on the list of registered voters provided by the County Clerk, a voter registration card or receipt of voter registration must be provided by the individual.

Clerk Ford read the following:

“Electors will be given a ballot in order to cast written votes for specific agenda items. Non-resident guests will be permitted to enter after signing their name and address, but will not be permitted to vote or participate in the meeting, with the exception that the Attorneys for the Township and the Road District will participate in certain informational parts of the meeting to explain voting procedures and the pending issues related to agenda items; non-resident law enforcement officers may be permitted to enter to help control the peace.

The Annual Township Meeting shall be governed by Roberts Rules of Order, unless that item is voted down by the electors. Only items on the published Agenda will be considered at this Meeting. Anyone disturbing or affecting the welfare of the electors at the meeting may be asked by the Township Clerk to leave the meeting and will be escorted out of the Meeting.

Qualified electors are permitted to make and vote on motions made during the meeting. Motions will not be considered if they are not made by a qualified elector.

The following procedure will be in effect for motions from the floor:

- Once recognized by the Moderator or the Clerk, an individual may make a Motion
- No Motion will be recognized unless presented from a designated microphone
- The individual will state their name and address
- The individual will state their Motion
- The Motion must be seconded from the designated microphone
- All individuals will be required to utilize a designated microphone
- The Vote will take place by either standing to cast the vote or by written ballot.”

4. Selection and Oath of Moderator

A. Nominations for Moderator

Motion by Dan Ziller, Jr., seconded by Rick Leuth, to nominate Jim Kearns.

Motion by Rob LaPorta, seconded by Joe Machan, to nominate Steve Harlfinger.

B. Close of Nominations for Moderator

Motion by Robert Horisek, seconded by unidentified elector, to close the nominations for Moderator.

Motion Passed by voice vote.

C. Vote to Appoint Moderator

Jim Kearns was appointed Moderator by standing vote.

D. Administration of Moderator's Oath of Office

The Clerk administered the Moderator's Oath of Office.

E. Signing of Oath

Jim Kearns signed the Moderator's Oath.

Moderator Kearns announced that electors received a handout indicating that voting would occur with either a green or pink card. To avoid confusion, Moderator Kearns clarifies that there is not a green card to vote on, only pink.

5. Introductions

Moderator Kearns asks for count of electors, and asks that the three attorneys present on the dais introduce themselves.

Patrick Coen introduces himself as attorney for the Grafton Township Road District.

Rob Bush and Keri-Lyn Krafthefer introduce themselves as attorneys for Grafton Township.

6. Adoption of Rules

Agenda Item: Discussion and possible action on Motion to adopt Robert's Rules of Order as the sole rules of Grafton Township with no amendments for the Annual Town Meeting (placed on agenda per petition of voters).

Motion by Frank Kearns, seconded by Rick Leuth, to adopt Robert's Rules of Order for the meeting.

Motion Passed by standing vote.

7. Approval of the Minutes from the April 14, 2009, Annual Town Meeting

Motion by Don Bond, seconded by Steve Harlfinger, to approve the April 14, 2009, Annual Town Meeting Minutes.

Motion Passed by standing vote.

Discussion:

- Tom Halat was recognized by Moderator Kearns. Mr. Halat made a motion to censure the Township Trustees.
- Moderator Kearns stated that he was advised by the Township attorneys that this item was not on the official Agenda for the Annual Meeting, and therefore could not be considered.
- Moderator Kearns stated that the motion was stricken.

8. Presentation of Annual Township Financial Reports

A. Presentation of Supervisor's Annual Financial Report

Clerk Ford read the Summary of the Supervisor's Annual Financial Report.

B. Presentation of Highway Commissioner's Annual Financial Report

Clerk Ford read the Summary of the Highway Department's Annual Financial Report.

Motion by Robert Horisek, seconded by Rich Ford, to waive the reading of the full report.

Motion Passed by standing vote.

9. Old Business

Motion by Tammy Leuth, seconded by Dan Ziller, Jr., to amend the sequence of the Agenda and move Agenda Item No. 11, Potential action on purchase, sale, conveyance of the Township's corporate property, or the lease of Township property, or other lawful action under 60 ILCS 1/30-50, to be the first item on the Agenda.

Motion Passed by standing vote.

Discussion:

- Peter Hoffman stated that there was no call for Discussion, which is required per Robert's Rules of Order. Therefore, the vote is not valid.
- Tammy Leuth stated that she made this motion to unwind the 2008 previous agreement between the Township and the Road District, because in her opinion many of the electors believe that passage of this motion encompasses what should be accomplished at this meeting.
- Unidentified elector notes that the discussion is only about moving the agenda item, not the agenda item itself.
- Diane Ayers stated that this should be a calm, intelligent, non-polarized discussion with the interest of the entire community in mind. She did not want the item moved.
- Other discussion.

Motion by unidentified elector, not seconded, to call for the question and end discussion.

Motion passed by standing vote.

Vote on moving Agenda Item no. 11 to be the first Agenda Item.

Motion Passed by standing vote.

10. Potential action on purchase, sale, conveyance of the Township's corporate property, or the lease of Township property, or other lawful action under 60 ILCS 1/30-50.

Township attorney Krafthefer presented an overview of the agenda item explaining that if passed, this would authorize the Road District to sell the property back to the Township and authorize the Township to purchase it. Passage of this item would eliminate the following agenda items:

- No. 1: A Resolution Accepting the Conveyance of Road District Real Property by Grafton Township;
- No. 2: A Resolution Authorizing the Sale of Township Real Property to the Road District;
- No. 3: A Resolution Authorizing the Purchase of Township Real Property by the Grafton Township Road District;
- No. 4: A Resolution Authorizing the Conveyance of Road District Real Property;
- No. 5: A Resolution Authorizing the Lease of Road District Real Property; and
- No. 6: A Resolution Authorizing the Township to Lease Real Property.

Township Attorney Krafthefer further explained Agenda items originally numbered as 7, 8 and 9 would remain on the Agenda.

Motion by Frank Kearns, seconded by Dan Ziller, Jr., to adopt a Resolution made by the Grafton Township Road District and his attorney dated February 26, 2010 which unwinds the Grafton Township Road District and Grafton Township real property transaction that was unlawfully executed and to exercise the buy-back of the Lake in the Hills' Haligus Road property as stated in the original agreement of purchase on January 22, 2009, which gives the Village of Lake in the Hills the ability to repurchase the property from Grafton Township.

Discussion:

- Road District Attorney Pat Coen read the proposed Resolution and presented an overview of the proposed Resolution which would unwind the 2008 transaction and authorize the Township to purchase back from the Grafton Township Road District the property for the amount of \$700,000.
- An unidentified elector asked why the amount was \$700,000. Attorney Coen responded that the Road District borrowed \$700,000 from Harris Bank and that they had been paying interest on that loan. He also stated that the Township had not paid rent for 21 months that they occupied the space. He further explained Township Road District statutes.
- Other discussion was had.
- Clerk Ford read the motion made by Kearns, above, for clarification.
- Further discussion.

Motion by Joe Machan, seconded by Gloria Antonelli, to amend the Resolution and strike the following portion: "to exercise the buy-back of the Haligus Road property in Lake in the Hills as stated in the original agreement of purchase on January 22, 2009, which gives the Village of Lake in the Hills the ability to repurchase the property from Grafton Township."

Discussion:

- Several individuals stated opinions on whether or not the matter should be one motion or two separate motions. Several people tried to summarize.

Motion by Lucinda Nelson, seconded by Tim Hoeft, to call for the question and end discussion.

Motion Passed by standing vote.

Vote on Motion to amend the original Resolution.

Motion Passed by standing vote.

Moderator Kearns read the Resolution as amended: To adopt a Resolution made by the Grafton Township Road District and his attorney dated February 26, 2010 which unwinds the Grafton Township Road District and Grafton Township real property transaction that was unlawfully executed.

Discussion of Amended Resolution:

- Coen clarifies the meaning and effect of amended resolution.
- Further discussion.

Motion by Tim Hoeft, seconded by unidentified elector, to call the question and end discussion.

Motion Passed by standing vote.

Vote on adoption of Amended Resolution.

Motion Passed by standing vote.

11. Reconsideration of Vote of Adoption of Amended Resolution.

- Point of order by Diane Ayers regarding if everyone present was a registered voter.
- Further discussion on pink ballots, standing votes and voice votes.

Motion by Diane Ayers, not seconded, for reconsideration of vote of Adoption of Amended Resolution.

Discussion:

- Wayne Schmidt requested that individuals stop holding up signs advising people how to vote.
- Moderator Kearns directed individuals holding signs to refrain from doing so.
- Unidentified elector suggests holding up pink cards for voting rather than standing.
- Moderator Kearns states there will be no more discussion.
- Unidentified elector states that there are many in the audience who cannot physically stand and sit in rapid succession for these votes.

Unidentified elector seconds Motion for reconsideration of vote of Adoption of Amended Resolution.

Moderator Kearns instructs electors to hold pink ballots high above their heads for remaining votes.

Vote on reconsideration of vote of Adoption of Amended Resolution.

Motion fails by showing of pink ballots.

12. Motion to Strike Agenda Item Nos. 2-7, originally numbered 1-6.

Motion was made by Frank Kearns, seconded by Peter Hoffman, to strike Agenda Item Nos. 2-7, originally numbered 1-6.

Discussion:

- Unidentified man asked for secret ballots.
- Other general discussion.

Motion was made by unidentified elector, seconded by unidentified elector, to call the question and end discussion.

Motion Passed by showing of pink ballots.

Vote on Motion strike Agenda items originally numbered 1-6.

Motion Passed by showing of pink ballots.

13. Agenda Item Nos. 8, 9, and 10, originally numbered 7, 8, and 9.

Township Attorney Krafthefer explained differences between the resolutions for consideration.

Discussion:

- An unidentified elector asked what the cost to the Township would be for this action.
- Grafton Township Trustee Betty Zirk responded that the property had already been purchased/paid in full, hence the only cost would be for maintenance of the property.
- Further discussion.

14. Agenda Item No. 8: A Resolution Authorizing the Purchase of Village Real Property by Grafton Township (Haligus Road).

Motion was made by unidentified elector, seconded by unidentified elector, authorizing the Purchase of Village Real Property by Grafton Township (Haligus Road).

- General discussion.

Motion was made by unidentified elector, seconded by Dan Ziller, Sr. to call the question and end discussion.

Motion Passed by showing of pink ballots.

Vote on adoption of Resolution Authorizing the Purchase of Village Real Property by Grafton Township (Haligus Road).

Motion Failed by showing of pink ballots.

15. Agenda Item No. 9: A Resolution Authorizing the Conveyance of Township Real Property (Haligus Road).

Motion was made by unidentified elector, seconded by Joe Machan, to adopt the Resolution Authorizing the Conveyance of Township Real Property (Haligus Road).

Discussion:

- Township Attorney Krafthefer explained that this would authorize selling the Haligus Road property back to the Village of Lake in the Hills. However, if they refuse, the Township keeps the property.
- Frank Kearns asks a question about section V of the Resolution.
- Moderator Jim Kearns read Section V of the Resolution.

Vote on adoption of Resolution Authorizing the Conveyance of Township Real Property (Haligus Road).

Motion Passed by showing of pink ballots.

16. Agenda Item No. 10: A Resolution Authorizing the Sale of Township Real Property (Haligus Road)

Motion was made by Rich Berlat, seconded by Wayne Schmidt to adopt a Resolution Authorizing the Sale of Township Real Property (Haligus Road).

- General discussion.

Motion by Peter Hoffman, seconded by Tammy Lueth, to amend the Resolution to restrict the Township from accepting less than \$99,500 for the Haligus Road property.

Discussion: Opinions were expressed regarding how to sell the property and the asking price.

Vote to amend Resolution Authorizing the Sale of Township Real Property restricting the Township from accepting less than \$99,500 for the Haligus Road property.

Motion Passed by showing of pink ballots.

Vote on adoption of a Resolution Authorizing the Sale of Township Real Property (Haligus Road), as amended.

Motion Passed by showing of pink ballots.

17. New Business

- A. General Discussion of Township Hall Space, Potential New Town Hall or Potential Lease of Space for Township Hall and financing options related to same.

Motion was made by Frank Kearns, to move this item to a committee of electors appointed by Board of Trustees.

Discussion: Tim Hoeft stated that this was done at the 2009 Annual Meeting, therefore, no action could be taken at this meeting.

Motion by unidentified elector, seconded by Tim Hoeft, to strike this item from the Agenda.

Motion was made by unidentified elector, seconded by unidentified elector, to call for the question and end discussion.

Motion Passed by showing of pink ballots.

Vote on Motion to strike this item from the Agenda.

Motion Passed by showing of pink ballots.

- B. Sale of Surplus Road District equipment, Sale of Surplus Township equipment, and set 2011 Annual Town Meeting:

Motion was made by Dr. Bob Kunz, seconded by Virginia Tobin, to accept Agenda Item 11 originally numbered 10, in its entirety, to sell all surplus Road District equipment; to sell all surplus Township equipment; and to set the next Annual Town Meeting for Tuesday, April 12, 2011 at 7:00 p.m.

Motion Passed by showing of pink ballots.

18. Adjournment

Motion was made by Mary Hardy, seconded by Pam Fender, to adjourn the meeting.

Motion Passed by voice vote.

Meeting adjourned at 9:40 p.m.

Jim Kearns
Moderator
2010 Annual Meeting

Date

Harriet Ford
Grafton Township Clerk

Date