

**EXECUTIVE SESSION MINUTES**  
**Grafton Township Board**  
**November 16, 2015**

The Executive Session of the Grafton Township Board was called to order by Supervisor Kearns at 7:56 P.M.

Present: Supervisor Kearns, Trustees Holtorf, Wagner, Ziller, Zirk; Clerk Hurley. Also present by invitation of the board was Attorney Gottemoller and Assessor Zielinski.

Absent: None.

**PURPOSE**

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

**DISCUSSION**

Attorney Gottemoller explained that two or so weeks prior, he received a summary judgement from the court. There was an affidavit that all of the documents requested had been submitted, but they asked for a deposition from Assessor Zielinski to confirm. To the court, there were two issues: 1. Were all of the documents there? 2. Were there any games played? If there were any games played, there would be \$5,000 in fines. Then today, Assessor Zielinski sent an email to Cal Skinner's blog (Exhibit I) which Attorney Gottemoller believes will indicate that games were being played and cause us to lose the case, pay \$5,000 in fines plus the plaintiff's attorney's fees, and that other lawsuits will likely come of it. In the blog, Assessor Zielinski put the plaintiff front and center. In fact, the plaintiff's attorney is how Attorney Gottemoller came across what was written in the blog.

Supervisor Kearns stated that Assessor Zielinski had been on the blog all day responding to comments, and that it is Township policy that Township property not be used for blogging.

Assessor Zielinski said he did not send the email to Cal Skinner. It was an email he sent to people in his neighborhood and thought it was information they should know. Trustee Holtorf asked him if he would resign. Assessor Zielinski said that is not going to happen.

Assessor Zielinski left the meeting at 8:07.

Supervisor Kearns asked Attorney Gottemoller if we could just surrender and move on to minimize the damage. Attorney Gottemoller said they had a right to depose and they will do it. Trustee Wagner asked if they could just send an affidavit to which Attorney Gottemoller said that would not work. Trustee Wagner then asked about a possible defamation of character lawsuit, to which Attorney Gottemoller replied that if that was the case, it would be against Assessor Zielinski and not the Township.

Supervisor Kearns mentioned that Assessor Zielinski had begun to tape record the meetings. In fact, he had attempted to record this executive session. He also has a sign posted in his office warning people that they may be recorded. The trustees all agree that he should not be recording, especially not in front of the plaintiff.

Trustee Wagner said that he will tell the public that we have no confidence in Assessor Zielinski and the assessment process that he has directed.

**ADJOURNEMENT**

Motion was made by Supervisor Kearns, seconded by Trustee Ziller to adjourn the Executive Session at 8:30 P.M.

AYES: Supervisor Kearns, Trustees Ziller, Wagner, Holtorf, Zirk

NAYS: None

Motion Passed.

Submitted,

Kathryn Hurley  
Grafton Township Clerk