

**GRAFTON TOWNSHIP
REGULAR BOARD MEETING MINUTES
June 14, 2010**

1. Call to Order

Supervisor Moore called the meeting to order at 7:30 pm.

2. Roll Call

Present: Supervisor Moore, Trustees LaPorta, McMahon, Murphy, Zirk, Clerk Ford, Assessor Ottley, Road District Commissioner Freund, Township Attorney Keri-Lyn Krafthefer, Road District Attorney Pat Coen

3. Pledge of Allegiance

Supervisor Moore led those present in the Pledge of Allegiance. Supervisor Moore began an invocation, but Trustees Zirk and Murphy stated that this was not advisable for a public government meeting.

4. Regular Business

A. Audit and Payment of Bills June 2010

1. Discussion and potential action to pay bills as submitted by the Supervisor for Town Fund and Road District Funds

Motion was made by Trustee Zirk, seconded by Trustee LaPorta, not to pay any Township bills that were presented on the bill list for June 2010, until all previously approved bills were paid by the Supervisor.

Discussion: Trustee Zirk asked why the bill for Ketchmark is still in there when it was never approved and why the Forensicon bill has not been paid when it was approved. Trustee Murphy stated that she was not pleased to have to take this type of action, but it was not fair to withhold payment to vendors that had provided services. Trustee McMahon stated that the Township cannot be selective about paying whomever they want to pay.

Roll Call

AYES: Trustees Murphy, Zirk, LaPorta, McMahon

NAYS: Supervisor Moore

Motion Passed.

2. Approval of Minutes-Oct. 8 2009 Regular Meeting., Oct. 29 2009 Special Meeting., Nov. 12, 2009 Regular Meeting., Nov. 18, 2009 Special Meeting 1; Nov. 18, 2009 Special Meeting 2, Nov. 24, 2009 Special Meeting, Mar. 2, 2010 Special Meeting, March 11, 2010 Regular Meeting, March 23,

2010 Special Meeting, May 13, 2010 Regular Meeting, May 27, 2010 Special Meeting.

Motion was made by Trustee Murphy, seconded by Trustee LaPorta, to pass the Meeting Minutes as presented for October 8 2009 Regular Meeting, October 29 2009 Special Meeting, November 12, 2009 Regular Meeting, November 18, 2009 Special Meeting #1; November 18, 2009 Special Meeting # 2, November 24, 2009 Special Meeting, March 2, 2010 Special Meeting, March 11, 2010 Regular Meeting, March 23, 2010 Special Meeting, May 13, 2010 Regular Meeting and May 27, 2010 Special Meeting.

Roll Call

AYES: Trustees Murphy, LaPorta, McMahon, Zirk

NAYS: Supervisor Moore

Motion Passed.

5. Old Business

- A. Discussion and Potential Action on Intergovernmental Agreement with Road District regarding unwind of real estate transaction per direction of electors at 2010 Annual Town Meeting.

Supervisor Moore asked that Patrick Coen explain the position of the Road District. Road District Attorney Patrick Coen stated that they are requesting that this intergovernmental agreement be passed to resolve the issue of unwinding the real estate transaction. Attorney Krafthefer stated that the special audit has still not been conducted; therefore the Trustees do not know the financial standing of the Township. Supervisor Moore stated that Brown & Co. have stated that they do not want to conduct the special audit. Attorney Krafthefer recommended that the township temporarily assume the loan payments, not the actual loan. Trustee LaPorta stated that he agreed with this plan and that it was critical for the financial records to be returned to the Township so that a special audit could take place. Supervisor Moore stated that this is a financial drain on the township. The Trustees agreed and again requested that Moore turn over the Township's financial records to them.

Motion was made by Trustee LaPorta, seconded by Trustee Zirk, to authorize the Township to assume the original payments on the Road District loan for \$2623.54 per month or until which time a special audit has been conducted and the issue may be resolved by completion of the transaction authorized by the voters at the 2010 Town Meeting.

Roll Call

AYES: Trustees LaPorta, Zirk, Murphy, McMahon

NAYS: Supervisor Moore

Motion Passed.

Patrick Coen stated that a payment of \$15,751.25 is due to Harris Bank on July 1, 2010, which covers interest for a six month period.

Motion was made by Trustee LaPorta, seconded by Trustee Murphy, for the Road District to pay Harris Bank \$15,751.25 by July 1, 2010.

Roll Call

AYES: Trustees LaPorta, Murphy, McMahon, Zirk

NAYS: Supervisor Moore

Motion Passed.

B. Enter Supervisor's response to censures in minutes.

Motion was made by Trustee LaPorta, seconded by Trustee Zirk, to strike this item.

Roll Call

AYES: Trustees LaPorta, Zirk, Murphy, McMahon

NAYS: Supervisor Moore

Motion Passed.

Supervisor Moore stated that this motion is void, since no action had to be taken.

C. Names reference in previous GA report

Motion was made by Supervisor Moore to strike this item due to confidentiality. Motion failed due to no second.

Supervisor Moore again refused to answer the questions that she informed the Trustees she would answer about the two items she claims were related to general assistance – a bill for ARC Disposal, Inc., and a bill made payable to an individual. Trustee Murphy wanted to know if ARC was related to a general assistance case, and to confirm that the individual listed on the warrant list was not a general assistance recipient. Murphy stated that she repeatedly requested either a “yes” or “no” response from the Supervisor, not to state a specific name, as to whether an error was made and that it has nothing to do with confidentiality.

6. New Business

A. Discussion and Potential Action concerning Prevailing Wage Ordinance(s) for Township and Road District.

Motion was made by Supervisor Moore, seconded by Trustee Murphy to pass a 2010-2011 Prevailing Wage Ordinance for Grafton Township and for the Road District.

Roll Call

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

NAYS: None

Motion Passed.

B. Discussion and Potential Action on adopting an Open Meetings Act policy

Attorney Krafthefer explained the proposed policy. Supervisor Moore stated that this was the FOIA officer's job and she would not support it.

Motion was made by Trustee LaPorta, seconded by Trustee Zirk, to adopt an Open Meetings Act Policy and to designate Pam Fender and Harriet Ford as OMA officers.

Roll Call

AYES: Trustees LaPorta, Zirk, Murphy, McMahon

NAYS: Supervisor Moore

Motion Passed.

C. Discussion and Potential action on a Resolution on recording of meetings.

Motion was made by Supervisor Moore to strike this item since there is no prepared Resolution. Motion failed due to no second.

Attorney Krafthefer stated that she is requesting authorization from the Board to prepare a Resolution regarding recording of meetings.

Motion was amended by Trustee Zirk, seconded by Trustee Murphy, to have recordings and photos of meetings be taken in the back of the room.

Supervisor Moore stated that this was already passed by the Board.

Motion was amended by Trustee Zirk, seconded by Trustee Murphy, to authorize Township Attorney Krafthefer to prepare a Resolution regarding recording of meetings that complies with state/township statutes.

Roll Call

AYES: Trustees Zirk, Murphy, McMahon, LaPorta

NAYS: Supervisor Moore

Motion Passed.

D. Discussion and Potential Action related to cooperative programming with Huntley Library, McHenry County Workforce Center, and creating a new Computer Lab and Job Hunters Resource Center at Grafton Township.

Administrator Pam Fender gave an overview of the proposed program. Other than minimal cost for supplies such as paper, printer cartridges, ink, etc, she plans to have any other equipment or services donated. She will need internet capabilities for these computers. Supervisor Moore stated that she did not believe this was allowed per township statute. Attorney Krafthefer stated that Township Code 85-13 allows programs related to education and/or for seniors. Supervisor Moore stated that she no funding allocated for this program. Trustee Murphy stated that it was a good idea and would not require a large budget.

Motion was made by Supervisor Moore to allow Pam Fender to proceed with the program if she is not terminated by Judge Caldwell and she uses absolutely no Township funds. Motion failed due to no second

Motion was made by Trustee Murphy, seconded by Trustee LaPorta, to authorize Pam Fender to proceed with a Grafton Township Computer Lab and Job Hunters Resource Center and that any cost associated for supplies would be designated under the "Office Supplies" budget line item.

Roll Call

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

NAYS: None

Motion Passed.

- E. Discussion and Potential action on Huntley Library- Library 2Go program-cooperation

Pam Fender explained the existing Huntley Library program and requested that the information be distributed to individuals riding on our Township bus or visiting the offices.

Motion was made by Trustee Murphy, seconded by Trustee LaPorta, to cooperate with Huntley Library and distribute this information to individuals riding the Township bus or visiting the Township Office.

Roll Call

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

NAYS: None

Motion Passed.

- F. Discussion and Potential action on special audit

Trustee Zirk stated that she has spoken to them and that they are ready to do the audit when the records are available. Supervisor Moore stated that she believes this company has a conflict of interest since they provide financial services to the Grafton Township Food Pantry and that she will not consider them for the audit. Attorney Krafthefer stated that when financial records are available Brown & Co. is ready to conduct a

special audit. Attorney Krafthefer stated that the food pantry is a separate entity and has nothing to this company providing services to the Township. Trustee Zirk stated that when Millie Ruth was Supervisor the finances for the food pantry were never part of the Township finances and that the audits performed by other companies over the past years never included the food pantry. Trustee Murphy stated that the food pantry has never been a line item and it is not relevant to this special audit.

Motion was made by Trustee Zirk, seconded by Trustee LaPorta, to authorize the hiring of Brown & Co. to conduct a special audit and that Supervisor Moore should return the financial records to the server at the Township offices so that this audit may be completed,

Roll Call

AYES: Trustees Zirk, LaPorta, Murphy, McMahan

NAYS: Supervisor Moore

Motion Passed.

G. Formation of planning committee to review facility needs

Motion was made by Supervisor Moore to form a planning committee to review facility needs. Motion failed due to no second.

H. Discussion and possible action regarding employee's salary, payment, termination

Supervisor Moore stated that she has only received one time sheet from Pam Fender. Attorney Krafthefer stated that Ms. Fender is an exempt employee and not required to hand in a timesheet. Supervisor stated that she has asked Ms. Fender to compile an activity report and that has not done so. Trustee McMahan stated that he objected to Ms. Fender being asked to provide a timesheet or an activity report.

Motion was made by Supervisor Moore to declare Trustee McMahan out of order. Motion failed due to no second.

I. Discussion and potential action to change policy regarding media

Supervisor Moore said that she has received a complaint received from the Attorney General's Office regarding the media being placed at the back of the room that was similar to people being asked to move to the back of the bus. Attorney Krafthefer stated that she did not believe this was the case.

J. Discussion and potential action regarding pending litigation

A brief update was presented.

K. Attorney Report on statutes regarding payment of trustees/employees

Supervisor Moore stated that, by law, Trustees are to be paid after performing the audit of the bills. Attorney Krafthefer stated that the Trustees have approved and paid bills, but the Supervisor has declined to pay them. Trustee LaPorta stated that the Trustees have performed their duties. Trustee McMahon stated that Supervisor Moore gets paid, why shouldn't the Trustees? Attorney Krafthefer read the Township Code section related to compensation of trustees, Section 65-5. Supervisor Moore could not specify the statute she was referencing and said she disagreed with the Attorney. Trustee LaPorta asked Supervisor Moore if she planned to pay the Trustees. Supervisor Moore stated that she could not answer this at this time.

1. Reports

A. Transportation Committee Report

Supervisor Moore stated that the Committee has recommended increasing the rates and that she would provide an overview of the Budget so that this item can be discussed. Trustee Murphy stated 1) The bus service for seniors was never intended to be a profit generator; 2) The funds that bought the bus were from a grant. 3) The Township lost the Village of Huntley funds last year since the Supervisor did not accept the agreement from the Village of Huntley Attorney in a timely manner. Trustee LaPorta stated that going over the budget at this time was irrelevant since the numbers were not substantiated.

Motion was made by Trustee LaPorta, seconded by Trustee Zirk, to strike the remaining reports on the agenda and adjourn

Roll Call

AYES: Trustees Zirk, LaPorta, Murphy, McMahon

NAYS: Supervisor Moore

Motion Passed/Meeting adjourned at 8:35 p.m.