

MCHENRY TOWNSHIP MONTHLY MINUTES – JUNE 11, 2020

STATE OF ILLINOIS
COUNTY OF MCHENRY S.S.
TOWNSHIP OF MCHENRY

REVISED

BOARD MEETING
JUNE 11, 2020

Supervisor Adams called the meeting to order in the McHenry Township Hall at the published and posted time of 7:00 pm with the Pledge of Allegiance.

Roll call: Anderson here, Verr here, Adams here, Wojewski here, Rakestraw here.

Also attending the meeting was Clerk Aylward, Attorney Militello and Road Commissioner Condon, Account Manager Macrito and 27 Public call in.

Public Comment –

Bob Cumbers, McHenry IL – I would like to ask Mr. Verr if he has ever been elected to anything. You need a good slapping.

Rhonda Sporer, McHenry, IL – The voters do not want to dissolve the township and you refuse to apply for grants to help run the bus service, instead you raised the rates.

Kirk Donald, Johnsburg, IL – I would like to read something that Thomas Jefferson stated “Whenever any form of government becomes destructive of these ends [life, liberty, and the pursuit of happiness] it is the right of the people to alter or abolish it, and to **institute new government...**” We the electors need to do something to counteract the board’s actions until they can be voted out of office.

Robert Beltran, McHenry, IL – As for the dissolution of McHenry Township it was already brought to a vote by the electors in favor of keeping 5 to 1. This cannot be brought back to the voters for twenty-three (23) months. As far as hiring an outside attorney to handle this matter, who is well known for his high rates and lack of malpractice insurance, I would request the board require it. I also question Mr. Verr’s motives for this endeavor. Are you trying to bankrupt the township?

Mike Guy, McHenry, IL – McHenry, IL – Mr. Rakestraw, Mr. Anderson and Mr. Verr you were elected to do your job and you have failed to listen to the public’s direction. I look forward to the day all three of you are voted out of office.

Unknown Johnsburg, IL – I moved here recently and was not going to vote in the election, but learned of the value of McHenry Township and voted to keep it. I would hope that this board would listen to the will of the public and drop this, which you are sworn to serve.

- For more in depth details go to www.youtube.com – type in: mchenrytownshiplive
- Audio-recorded is not retained as part of the permanent record.

Anthony Gurske, IL – Why can't the three trustees be sanctioned? These meetings aren't widely made public and how much are these special meetings and how much is going in their pockets?

Mike Tauler, Wonder Lake, IL – Three tyrants. Item A, you are not able to do this whatsoever for 23 months and are out of order. Item B, you are literally trying to hack off limbs of the township to make it look like it is wasteful. Frankly, I am tired of this. Item C, the clerk has the final say why are you bringing this up? Item E, cutting salaries and benefits another example of trying to destroy from within by reducing the salaries so no one will run for that office. Well there are people willing to run because they love this township and see the need to keep it.

Linda Tauler, Wonder Lake, IL – You are not kings, heroes or martyrs you are wasteful fools, petty children, you are temporary. Stay strong McHenry Township we are better than them, we are stronger together. Once they are gone we can put this township back together and come back even better and stronger.

McHenry, IL – 80% of the voters voted on this referendum and putting it back on the ballot is a gross misuse of your powers as Trustees. As a reminder for you Trustees, the majority rules and the majority has spoken. By not following the elector's wishes you are not doing your job and I would love to file a suit.

I agree with the last guy and maybe the electors should sue these trustees individually and use their own money to defend themselves.

Jamie Rouse McHenry, IL – It's been three long years since Anderson, Rakestraw and Verr have tried to destroy our township. I would like to say there is a positive motive to your actions, but actions are wrong. I wish you would do your jobs and do what is best for your community, instead when the majority tells you they want their township and it falls on deaf ears. I would like to leave you with this from Taylor Swift. Someday I will be in a big old city and all you will be is mean. All you are is mean and a liar and pathetic and alone in life and mean, and mean, and mean, and mean

Jim Condon, McHenry, IL – I don't believe that the public comment works in this format. I could not understand what was being said by the public. Maybe we should look at another format.

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I need a motion to approve the Revised Trustee Special Meeting April 24-28th, 2020

Motion to approve made by Trustee Anderson, second by Supervisor Adams

Discussion Ensued

Roll Call Vote: Anderson aye, Rakestraw aye, Adams aye, Wojewski abstain, Verr nay

3 ayes, 1 nay, 1 abstain - Motion carries

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I need a motion to approve May 14, 2020 Regular Board meeting minutes

Motion to approve with correction made by Trustee Anderson, second by Rakestraw

Discussion – Trustee Anderson stated that on page 7 it should be 5 ayes not 4 ayes.

Roll Call Vote: Anderson aye, Rakestraw aye, Adams aye, Wojewski aye, Verr nay

4 ayes, 1 nay - Motion carries

I need a motion to approve May 28, 2020 BAO Hearing minutes

Motion to approve made by Trustee Anderson, second by Supervisor Adams

Discussion - None

Roll Call Vote: Anderson aye, Rakestraw aye, Adams aye, Wojewski aye, Verr nay

4 ayes, 1 nay - Motion carries

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Motion for approval of receipts and bills for the Town Fund

Trustee Anderson Motion to approve receipts and pay bills of the Town Fund, second by Trustee Wojewski

Total reimbursements to be approved	\$00.00
Total Bills to be approved	\$50,340..57
Total Bills paid prior to Audit	\$62,344.40
Total Bills to be approved	\$112,684.97
Total Receipts:	\$8,205.71

Roll Call Vote: Anderson aye, Rakestraw aye, Adams aye, Wojewski aye, Verr aye

5 ayes, 0 nays – Motion carries

Note: Trustee Verr stated yes to accept the expenditures and receipts for the Town fund, but signed the balance sheet and cover sheet as Nay except for State and Federal taxes, insurance and salaries.

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Motion for approval of receipts and bills for General Road and Bridge fund

Trustee Rakestraw Motion to approve receipts and pay bills of the General Road and Bridge Fund, second by Anderson.

Total reimbursements to be approved	\$00.00
Total Bills to be approved	\$80,569.76
Total Bills paid prior to Audit	\$19,784.65
Total Bills to be approved	\$100,354.41
Total Receipts	\$27,804.51

Roll Call Vote: Anderson aye, Rakestraw aye, Adams aye, Wojewski aye, Verr nay (except State & Federal taxes, salaries and insurance).

4 ayes, 1 nay (with exception) - Motion carries

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Motion for approval of receipts and bills for Permanent Hard Road Fund

Trustee Wojewski Motion to approve receipts and pay bills of the Permanent Hard Road Fund, second by Supervisor Adams.

Total reimbursements to be approved	\$00.00
Total Bills to be approved	\$72,624.17
Total Bill paid prior to Audit	\$12,507.54
Total to be approved	\$85,131.71
Total Receipts	\$100

Roll Call Vote: Anderson aye, Rakestraw aye, Adams aye, Wojewski aye, Verr nay (except State & Federal taxes, salaries and insurance).

4 ayes, 1 nays (with exceptions) – Motion carries

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Resolution of the Board, pursuant to governing Illinois statutes such as, but not limited to, 60 ILCS

1/24-15, to submit to the electors of McHenry Township at the next election in a form substantially following 60 ILCS 1/24-30, and related statutes to dissolve McHenry Township. Discussion and possible action. Trustee Verr comments "A proposition to save taxpayers' money and reduce waste in this time of fiscal crisis."

Motion to approve made by Trustee Verr, second by Anderson

Discussion Ensued – Attorney Militello stated that the memo he sent to the board, attempting to place the same proposition on the ballot would go against 28-7 of the election code. Trustee Verr interrupted and stated that they didn't ask for his opinion and that He should not talk since he is in conflict. Attorney Militello stated he was asked by the Supervisor to give an opinion and that if there are concerns about his opinion, that the Board should seek other opinions regarding this position, and the proposition. He also stated that the proposition would need to be in the form set out in 24-30 of the Township Code, and that the Board can't just add additional language to the proposition to change it, if they are going to comply with Article 24.

Roll Call Vote: Anderson aye, Rakestraw aye, Adams nay, Wojewski nay, Verr aye.

3 ayes, 2 nays – Motion carries

Resolution of the Board to hire attorney Robert Hanlon for any special representation on any and all matters concerning the referendum voted by the Board to dissolve McHenry Township, and related matters. Discussion and possible action. Trustee Verr comments "this action is necessary because of the ongoing and continuing conflict of the Township attorney."

Motion to approve made by Trustee Verr, second by Rakestraw

Discussion Ensued - Supervisor Adams stated he will not hire Attorney Hanlon, I don't believe that Attorney Militello is in conflict. Trustee Verr stated that this is the exact same conflict that Attorney Hanlon was hired for before and Attorney Militello has an ongoing conflict. Attorney Militello stated he would recuse himself from this matter not because of a conflict but because he has advised the board of the proposition not being correct.

Roll Call Vote: Anderson aye, Rakestraw aye, Adams abstain, Wojewski nay, Verr aye.

3 ayes, 1 nay, 1 abstain – Motion carries

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Resolution of the Board authorizing the appointment of a deputy McHenry Township Clerk. Discussion and possible action.

Motion to approve made by Trustee Verr, second by Rakestraw

Discussion Ensued – The Attorney stated that it is up to the clerk if he wants to appoint a deputy clerk. The board can pass a resolution but it doesn't mean the clerk has to appoint someone. Trustee Verr stated that the clerk is not always here. Supervisor Adams stated that if the clerk is not here the Supervisor or the assessor would handle the duties of the clerk. Someone is always here to accept anything for the clerk.

Roll Call Vote: Anderson aye, Rakestraw aye, Adams aye, Wojewski nay, Verr aye

4 ayes, 1 nay – Motion carries

Resolution of Board to order Supervisor to establish and promulgate written Covid 19 procedures for disinfecting all township vehicles involved with the "Senior Express Program." Discussion and possible action.

Discussion Ensued - Supervisor Adams stated that the procedures were given to the board at the last meeting. Trustee Verr asked that he look at the IDPH website for any updates and to add to the website.

Resolution 170521 to set salaries and benefits for elected Officials. Discussion and possible action.

Motion made by Trustee Anderson (with the stipulation of the Attorney looking into the requirement of IMRF), second by Supervisor Adams.

Discussion Ensued - Trustee Anderson asked about the retirement benefits. Attorney Militello stated he would contact IMRF about requirements. Trustee Verr stated that these positions are part-time. Highway Commissioner stated that it is unfortunate that this board thinks that these positions are part-time. Supervisor Adams stated that these positions are not part time by any means.

Roll Call Vote: Anderson aye, Rakestraw aye, Adams aye, Wojewski aye, Verr aye.

5 ayes, 0 nays – Motion carries

Discussion on McHenry Townships' handling of Salvation Army. Discussion and possible action.

Motion made by Trustee Rakestraw to take Salvation Army off of the website, second by Anderson

Discussion Ensued – Supervisor Adams explained how we handle Salvation Army Assistance as an extension center. Trustee Verr wants it taken off the website, we need to have separation of church and state.

Roll Call Vote: Anderson aye, Rakestraw aye, Adams aye, Wojewski nay, Verr aye

4 ayes, 1 nay – Motion carries

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Attorney Militello to discuss the policy for McHenry Township cameras. Discussion and possible action.

A motion to accept the camera policy made by Trustee Anderson, second by Supervisor Adams

Discussion Ensued – Trustee Anderson asked about the wording. The attorney addressed his concerns.

Roll Call Vote: Anderson aye, Rakestraw aye, Adams aye, Wojewski aye, Verr aye

5 ayes, 0 nays – Motion carries

Attorney Militello to present an opinion on the ability to have more than two (2) trustees to call a special meeting. Discussion and possible action.

Trustee Wojewski withdrew this agenda item.

Discussion to hire a forensic accountant to investigate the McHenry Township Town Fund, and the McHenry Township Road District Fund. Discussion and possible action.

Motion made by Trustee Rakestraw to have the attorney put together an RFP for a forensic audit, second by Verr.

Discussion ensued – Supervisor Adams stated he didn't think that a forensic audit was necessary unless you suspect some type of fraud, there is no wrong doing going on, you approve every bill and receipt. Since we do have an audit done yearly and they have not found any problems with what the township is doing I believe this is an unnecessary expense to the taxpayers, secondly these types of audits are very expensive and time consuming. You need to be specific in what you are looking for. Trustee Verr stated that this needs to be done and we can put a cap on the cost. Highway Commissioner stated unless there is a stated reason of wrong doing the Road District will not be participating or paying for any part of this forensic audit unless there is a requirement by law. Trustee Wojewski stated that the current auditors pick a Trustee and ask specific questions on the any wrong doing being done. Trustee Verr stated he will give Attorney Militello specifics for each department for the forensic audit. Attorney Militello explained he would be happy to put together an RFP and bring it the July meeting.

Roll Call Vote: Anderson aye, Rakestraw aye, Adams nay, Wojewski nay, Verr aye

3 ayes, 2 nays – Motion carries

REVIEW OF EXECUTIVE SESSION MINUTES

Fund transfers (if necessary)

New Business

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Old Business

Trustee Rakestraw asked again about the advertising for the parks. Attorney Militello stated that he doesn't have a written opinion right now, but stated that he has not found anything in the township code that would support advertising. The township doesn't have the ability to form their own non-for-profit or foundation.

Trustee Verr asked for a legal opinion for the senior bus ride.

Proposed Agenda Items for Next Meeting

Add to the agenda, RFP for the forensic audit for discussion and possible action.

Add the number of calls to GA and the Bus Riders to the top of the report for the bus rides.

Add to eliminate Emergency assistance. Along with the estimated cost.

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SUPERVISOR'S REPORT

A.) Park Report - see packet

B.) General Assistance Report - see packet

C.) Senior Center Report - see packet

- Trustee Wojewski excused himself for the evening, Stated he had to leave.

Discussion ensued - Supervisor Adams addressed all questions on the reports.

ASSESSOR'S REPORT - See packet

HIGHWAY COMMISSIONER'S REPORT – See packet

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EXECUTIVE SESSION –

Trustee Verr motioned to go into executive session at 9:38 pm for ongoing litigation 60ILCS5/120/2C11, second by Anderson. Supervisor Adams excused himself he was not feeling well all night and asked Trustee Anderson to take over the meeting.

All in favor signal by aye – All ayes, Motion carries

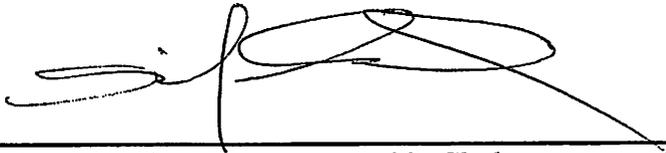
Motion to reconvene by Trustee Rakestraw, second by Verr at 9:48 pm

BOARD MEMBER'S COMMENT - None

ADJOURNMENT

Motion for adjournment at 9:50 pm, made by Trustee Rakestraw, second by Trustee Anderson

All in favor signal by aye - **All ayes, Motion carries**



Daniel R. Aylward, McHenry Township Clerk

McHenry Township is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting or who have questions regarding the accessibility of the meeting or the Township facilities should contact Supervisor Adams at 815-385-5605 promptly to allow the Township to make reasonable accommodations for those persons.