

**AVON TOWNSHIP MINUTES  
MONTHLY BOARD MEETING  
433 E. Washington Street, Round Lake Park, IL 60073  
Monday – July 13, 2015 7:00 p.m.**

**1. Call Meeting to Order at 7:00 P.M.**

**2. Pledge of Allegiance**

**3. Roll Call**

Trustee DeLaMar – present  
Trustee deGroh – present

Trustee McNeill – present  
Supervisor Rusch – present

Trustee Larson – present  
Quorum Met

Also in attendance: Clerk Kearby, Commissioner Kula, and Attorney Dietz

**4. Approval of Minutes :**

Motion was made by Trustee deGroh and seconded by Trustee McNeill to approve the minutes of June 8, 2015.

Trustee DeLaMar – abstain  
Trustee deGroh – aye

Trustee McNeill – aye  
Supervisor Rusch – aye

Trustee Larson – abstain  
Motion Carries

**5. Public Participation (on agenda items only)**

Patrick Duby noted that he is reiterating his request for a Censure. There are continued issues with the Assessor noting several complaints with the Assessor. He has failed to keep his office open for 5 months. He caused undue stress and hardships for the constituents. He has failed to uphold that office to the highest standards the citizens demand. Based on those and other complaints, he is asking the Board to vote in favor of the censure, item number 14. I want the record to show the discontent of citizens in this region that he was elected to represent.

Georgeann Duberstein spoke that at a prior meeting she asked Assessor Ditton was asked if this was going to happen every year. He responded not if I get what he wants. Supervisor Rusch noted there are parameters in the agreement that would deal with that issue. Attorney Dietz noted that he can't guarantee there would be no lawsuits but there are provisions that address this.

**6. Reports:**

- a) Supervisor Rusch presented a written report. Noted in her report was the Senior Market Day Coupons, Diaper Service success, Budget classes are increasing in numbers and the parking lot is being resealed and lined. She thanked the Highway Department for cutting our front grass. There is an open house regarding Washington Street on July 15. Information was shared regarding Highway 53. Touch a Truck will be on October 24. The Township will be at the Lake County Fair on Friday.

Trustee deGroh noted the increase in inquiry and GA needs.

- b) Assessor Ditton was not present even though he is required to attend the meetings. He noted in an email that he continues to work on the Quadrennial Year and the part timers will be there until October.
- c) Commissioner Kula presented a written report. He noted that he is prioritizing the projects due to the budget and planning to postpone some for the next fiscal year. The department has been working on some mosquito abatement issues.

Trustee DeLaMar also asked that the Assessor give a report to the Board every month with the documentation. It is very helpful for the Trustees.

- d) Clerk Kearby presented a written report. She noted the reports for Community Service and FOIA requests and also included a newspaper article regarding a trustee that was censured for their review. She also explained the work to create a sustainable system of keeping records. She also attended the Lake County TOI meeting.
- e) Trustees as necessary Trustee McNeill noted Lake County TOI will be at the Lake County Fair. Trustee DeLaMar reported on the Avon Community Pantry will be doing a number of fundraising activities in the near future. There will be fliers and I will make sure you get the fliers. She also noted Northwestern Hospital is doing a fundraiser for the Food Pantry next month.

**7. Proclamation for American With Disabilities Act Awareness Day was read.**

**8. New Township Officials of Illinois Handbook**

Supervisor Rusch has ordered new Handbooks for everyone and you can destroy the old ones.

**9. Resolution 2015-7-13 AD**

Motion was made by Trustee Larson and seconded by Trustee DeLaMar to approve Resolution 2015-7-13AD.

Trustee deGroh – aye	Trustee DeLaMar – aye	Trustee McNeill – aye
Trustee Larson – aye	Supervisor Rusch – aye	<u>Motion Carries</u>

**10. Bill Payment**

**a) Discussion and Action on prepaid bills**

Motion was made by Trustee deGroh and seconded by Trustee Larson to approve the prepaid bills.

Trustee DeLaMar – aye	Trustee McNeill – aye	Trustee Larson – aye
Trustee deGroh – aye	Supervisor Rusch	<u>Motion Carries</u>

**b) Discussion and Action on outstanding bills**

Motion was made by Trustee deGroh and seconded by Trustee Larson to approve the outstanding bills as amended with the addition of Gerald Dietz monthly bill.

Trustee DeLaMar – aye	Trustee McNeill – aye	Trustee Larson – aye
Trustee deGroh – aye	Supervisor Rusch	<u>Motion Carries</u>

**11. Discussion: Jurisdictional Transfer Agreement Between Avon Township Road District and the Village of Grayslake**

Commissioner Kula noted an agreement with Grayslake to transfer the care and maintenance of a section of road (Wilmar Ave. and Lakeside Dr) for logical and efficient maintenance of the road. The Village of Grayslake has agreed and there is no cost associated with this transfer.

**12. Non-Renewal of Insurance – Discussion**

Supervisor Rusch appraised the Board regarding that our insurance company will not be renewing our insurance. Also included was a list of all the claims over the past 6 years. Our agents will be searching for a different insurance carrier. We are currently covered until December 1<sup>st</sup>. We will make the decision of a new company in November. Answering a question from the public, all claims have been from the Assessor’s Office. Attorney noted that these were all suits that were outside the Board’s control.

**13. Garbage Disposal Rising Costs – Discussion and possible action.**

Supervisor Rusch explained the contracted service with Waste Management for the last 25 years. Our costs have gone to \$525.00 per month. Waste Management can raise fees within a signed contract without prior approval. The Board discussed other disposal options and the parameters for ending the contract with Waste Management. Analysis was presented on the current costs and the costs to pay the penalty for ending the current contract.

Trustee Larson asked if any of the new companies would pay the penalty to end the contract if they go to their company. Clerk Kearby asked if the Board’s feelings that depending some nuances with the contracts, it is the Boards intent to cancel the service with Waste Management and pay the early cancelation fees. Trustee McNeill asked if we can look into a single year contract and to join Round Lake Park.

**14. Censure request from Public – Discussion and Action on Resolution**

A discussion was held regarding the pros and cons of a censure for the Assessor. Attorney Dietz noted typically when a Board censures they are doing a censure for one of their own. He noted that this should be coming from the Citizens at a special town meeting. This would assure clarity and no confusion. He noted that anyone could come to a Town Meeting and pass a censure. Trustee McNeill noted that a censure from the electorate would carry more weight and draw more attention. It was noted that the Board of Trustee have a duty to represent the wishes and requests of the electorates. Attorney Dietz noted that the trustees do not have jurisdiction over his actions. Attorney Dietz also noted that future litigation could be affected. Trustee Larson asked for a public reading. Clerk Kearby read the document aloud.

A motion was made by Trustee deGroh and seconded by Trustee Larson to approve the Censure Resolution as corrected 2015-7-14-Censure.

Discussion: Trustee Larson noted that he does not think the Censure goes far enough. This is not comprehensive enough and it was not seen until today by the Trustees. Trustee DeLaMar also noted the needs for this to reflect the strong sentiment of the electorate.

Trustee Larson withdraws his second. Attorney Dietz noted that at a Special Town Meeting, anyone else can discuss the information received from a FOIA. It was noted that it is setting a dangerous precedent to bend to the pressure of a threat of a lawsuit.

Supervisor Rusch seconds the motion.

Trustee deGroh – aye	Trustee DeLaMar – no	Trustee McNeill – no
Trustee Larson – no	Supervisor Rusch – aye	<u>Motion Fails</u>

A motion was made by Trustee Larson and seconded by Trustee DeLaMar to have a Special Town Hall meeting on August 24 at 7:00 pm putting Censure on the agenda for the meeting.

Trustee NcNeill – aye	Trustee Larson – aye	Trustee deGroh – aye
Trustee DeLaMar – aye	Supervisor Rusch – aye	<u>Motion Carries</u>

## **15. Old Business**

## **16. New Business**

1. Supervisor Rusch noted a request to join the Metropolitan Association. Please review for next meeting.
2. Supervisor Rusch would like to travel to a class in O'Fallon, IL which is our policy to request from the Board and will be staying overnight. If there is any objection, let her know.
3. Trustee Larson would like to start the budget process early and is calling a Finance Meeting on July 27 to discuss possible increase in the Levy.
4. Papers have been signed of the settlement and they are maintained in the records.
5. Avon Township Baseball Field issues, Trustee Larson asks to discuss it at a future meeting.
6. Supervisor Rusch noted we found a piece of property we own that we were unaware of. It is basically swamp property. She is contacting the county to find if there is any other property we may own.

## **17. Public Comment**

Patrick Duby noted his dissatisfaction with the Board's decision to push the censure off on the electorate. He also noted his appreciate bring the Censure off. He is disappointed that the Board did not step up and

help with the wording. You were elected to make the tough decisions and step up to take the risk to make a decision.

Ann Richmond thanked the Board for taking up the Censure. She wants the Board to stand up and not be bullied.

## **18. Adjournment**

Motion was made by Trustee McNeill and seconded by Trustee deGroh to adjourn at 8:41 p.m.

Motion carried by acclamation.

*Avon 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 in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting of facilities, are asked to call the Township office prior to the meeting*