

AVON TOWNSHIP MONTHLY BOARD MEETING MINUTES

433 E. Washington Street, Round Lake Park, IL 60073

Tuesday – January 5, 2021

7 p.m.

Pursuant to the Governor’s Executive Orders 2020-7, 2020-10, and 2020-18, this meeting will be held via audio and video conference and not at the Avon Township General Offices. Please note that, by joining the meeting by video or audio conference, your name, image, or phone number may be visible (in whole or in part) to others participating in the meeting. Detailed instructions for the public to join the meeting via audio and/or video conference will be provided upon request, by contacting Candy Leatherman at 847-546-1446 or emailing Cleatherman@avonil.us or jeanne@avonil.us no later than 4:00 p.m. on January 5, 2021.

Please also note that the Governor’s executive orders request that public bodies limit their agendas to only those items that require **immediate attention** and that other matters be deferred.

1. Meeting Called to Order at 7:00 pm
 - a. Suspension of the rules to allow for electronic attendance

A motion was made by Trustee Vaughn and seconded by Trustee DUBY to suspend the rules to allow for electronic attendance.

Trustee Bauman - aye	Trustee Law - absent	Trustee DUBY - aye
Trustee Vaughn - aye	Supervisor Wilke - aye	Motion Carries

2. Pledge of Allegiance
3. Roll Call

Trustee Bauman - present	Trustee Law - absent	Trustee DUBY - present
Trustee Vaughn - present	Supervisor Wilke - present	<u>Quorum Met</u>

4. Approval of Minutes

Motion was made by Trustee Bauman and seconded by Trustee Vaughn to approve the December 1, 2020 General Meeting Minutes.

Clerk Kearby noted the Finance Committee Minutes are not included because they have not met to approve them prior to the Board approval.

Trustee Law - absent	Trustee DUBY - aye	Trustee Vaughn - aye
Trustee Bauman - aye	Supervisor Wilke - no	<u>Motion Carries</u>

5. Public Participation: Please state your name and who you represent.

Ann Bidwell, Round Lake, shared that she has volunteered at the Food Pantry. She was impressed with the amount, distribution and quality of the food. She noted her concern that the volunteers are not wearing masks. Supervisor Wilke noted he would share that with the Food Pantry.

Gregario Resendiz, Round Lake noted it was not only the Food Pantry. He noted that he appreciates everyone at the Township take their job so seriously. I think things will get better every year.

Doug Kearney, Round Lake Beach, wished everyone a Happy New Year. Supervisor made a comment of bars and restaurants being a super spreader and noted this was from the Health Department. He FOIA'd that information and was told there is no documentation for that comment. He then contacts Terry Wilke and was told, like the County, we do not keep records of conversation. He also mentioned free speech in the First Amendment. He not sure he knows that this is for the people to protect them and their rights from the government. Public Officials are not free to say whatever they want. I find this disturbing that any elected official will make comments and attribute them to another without knowledge of them being true. I want to thank the Supervisor for finely transferring the deed for 320 Belleview and ridding the Township of that albatross. Hopefully, Township funds were not used to pay the taxes, which would

have been without Board approval and not follow any transfer agreement with the Township. The legalities of the House remain to be determined, but since we live in Illinois, nothing will be done. He mentions politics whenever questioned, but the only politics have been from his party lobbying Board members to back down. Maybe tonight those board members will have a change of heart. Welcome to Illinois.

Robert Myers, Grayslake noted recently showing interest and came upon a proposal of censure for Supervisor Wilke. My comment is I have had a 30-year career and am stunned by the pettiness and grammar in this document. The question is, did you use any public funds to draft this? It was noted this time was for public comments from a Trustee. He noted there is an implied significance and a lot of these things date back to 2018. I am startled by the lack of being forthright. They amount to little more than petty complaints and deplorable. I hope Supervisor Wilke is not frustrated by this and have been impressed with the food pantry and every other encounter to be quite pleasant. This is petty and childish.

Gregario Resendiz asked the Trustee if they are helping in the community or are you just sitting there doing nothing for the community?

Jackie Cunningham noted that at least one of the Trustees did assist with the Christmas, Pat Duby and his wife helped.

6. Reports

Supervisor Wilke noted, there were 227 families for Christmas and 255 for Thanksgiving and 250 hams for Christmas that we helped out. There was an issue with the report that I didn't know about. Thank you to the volunteers and they are spectacular.

Motion was made by Trustee Bauman and seconded by Trustee Vaughn to approve the submitted reports.

Trustee Law - absent	Trustee Duby - aye	Trustee Vaughn - aye
Trustee Bauman - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

7. Consideration and Review of Bills

Anmarie Andresen noted the pre-paid bills for payroll is 6aa and all others are 6ab. There was a decision made for the 27th payroll was made on Dec 31 because it would have been in the next calendar year of 2020 and the 2021 will have one less.

A motion was made Trustee Duby and seconded by Trustee Bauman to approve the pre-paid bills 6aa and 6ab.

Trustee Vaughn - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee Duby - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

A motion was made by Trustee Duby and seconded by Trustee Bauman to approve the outstanding bills with the exception of \$168.71 Village of Round Lake Park.

Discussion: Anmarie Andresen brought up that this was a credit card purchase. Trustee Duby noted he believed it was for a permit for the charging station which is on the agenda later. She noted it was invoiced as 12/17 to Terry Wilke for Building Permit #BZ200599. Supervisor Wilke said it was for the charger and the generator.

Supervisor Wilke noted this was a motion to remove that item.

Trustee Vaughn - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee Duby - aye	Supervisor Wilke - no	<u>Motion Carries</u>

Supervisor Wilke noted it was back to the Outstanding Bills. Trustee Duby noted it was a part of his motion. Supervisor Wilke noted it has to be done separately.

Trustee Duby noted he is repeating the motion he originally made. (A motion was made by Trustee Duby and seconded by Trustee Bauman to approve the outstanding bills with the exception of \$168.71 Village of Round Lake Park.) Trustee Bauman seconded the motion.

Trustee Vaughn - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee Duby - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

8. New Business Items for Discussion and Possible Action:

a. Transfer Resolutions

1. Motion was made by Trustee Vaughn and seconded by Trustee Bauman to approve Transfer Resolution 2021-01-05PHR.

Trustee Duby - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee Vaughn - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

2. Motion was made by Trustee Vaughn and seconded by Trustee Bauman to approve Transfer Resolution 2021-01-05RB.

Trustee Duby - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee Vaughn - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

3. Motion was made by Trustee Duby and seconded by Trustee Bauman to approve Transfer Resolution 2021-01-05GA.

Anmarie Andresen gave an explanation of the CHRP Funds and the need in the area. This reflects spending beyond the CHRP allocation.

Trustee Vaughn - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee Duby - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

4. Motion was made by Trustee Duby and seconded by Trustee Vaughn to approve Transfer Resolution 2021-01-05TF.

Anmarie noted that the hours of a staff member changed and that when she moved to 30 hours, the designation of the employee from part time to full time had to be changed.

Trustee Vaughn - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee Duby - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

a. Transfer of Belleview Property

Trustee Bauman noted on December 16, 2020, Supervisor Wilke transferred 320 Belleview, Round Lake Park township property to his own nonprofit Avon Cares Food Pantry, Township Code 105-10 states, when any conveyance of real estate is made by a township, the deed shall recite the order of the township meeting directing the conveyance. The recital is prima facie evidence of the making and contents of the order. The deed shall be signed by the supervisor in his official capacity and attested by the township clerk unless the meeting ordered that the deed be made by some other officers or persons.

It was stated that she wanted it recorded to show the board never approved the Deed to be transferred.

b. Inventory Update

Trustee Bauman asked to verify our meeting on Friday, 8 at 8:00 am. She asked for Supervisor Wilke to attend. Supervisor Wilke noted he could be there at 8:00 but had another meeting at 9:00. It was recommended that we meet at the meeting and if it needs to have a second meeting to convene another meeting at that time. Trustee Bauman agreed to the meeting. Anmarie Andresen noted they were starting in the garage and we will keep Terry informed. Kristal Larson noted that we intend to just collect the base of the information and then we will tie the costs etc. at a different meeting. Trustee Duby asked if this was able to be shared with insurance. Anmarie Andresen also noted she had taken the bigger items and listed those items for the insurance. Supervisor Wilke noted that it was recommended by the insurance company that he take picture of the name and model for the record and he intends to do that.

c. Permit Violation

Trustee Duby noted that he was told there was a violation notice. He wasn't informed of the letter by the Supervisor, so he requested a copy. In the letter it noted a violation about not getting a permit for the electoral work at the Township. This was not discussed or told to the board and that is why I removed the permit from the outstanding bills. There is also the structure that was erected without prior knowledge or approval of the board.

Supervisor Wilke is looking for the item and asked if this was emailed. Clerk Kearby put the letter up on the screen for Board members to view. Trustee Duby noted the car ports were not being addressed by the Village of Round Lake Park because they were behind the building. In the letter it was noted the charging station did not have a permit and it needs the inspection.

Trustee Duby noted if construction was being considered by the Township, the trustees should be informed at least a month before so we can deal with this at that time. Hopefully people have experience and can assure all approvals have been made. It was noted that Basset Electric should have been handling that. Supervisor said we will deal with the city and do what ever we need to do. Supervisor Wilke noted you generally do not need permits for electrical work. Trustee Duby asked why this was not discussed at the Board meeting. Supervisor Wilke noted it is not necessary to be brought up.

Supervisor Wilke noted that we do not handle things that way and no other Township does. The way it works you approve the budget. You approve the Assessor's Budget, you approve the Township Budget, you approve the Superintendent's Budget. At that point you do not tell the Highway Commissioner what he can and can't do with his budget. You do not pre-approve those items. You approve the payments of the bills, not to be supervisors, not to be Highway Commissioners, not to be Assessors.

Clerk Kearby asked to solicit the comments from the attorney. Supervisor Wilke continued with the statement that we do not have a lawyer. The Supervisor appoints the lawyer. It was noted that the Board did approve the attorney. Trustee Duby noted that the board did approve the attorney and did vote on this item at a meeting. The fact that we do not have a lawyer representing the Township is completely false.

Clerk Kearby stated Jim Rock is representing Ancel Glink which is the Firm that was recommended by Terry Wilke and hired by the board. Would you like to make a statement? Jim Rock stated that is correct and it has been discussed previously. The fact there is a budget is not a replacement for the fact that the board should be approving votes on expenditures for the Township.

Supervisor Wilke said that is why we do not have an attorney. Trustee Bauman said because he is wrong? Tell me the attorney's that you have been talking to. Supervisor Wilke said for example Grafton County. There is case law that says this is not correct. Trustee Vaughn pointed out that Supervisor Wilke in the past has noted that Ancel Glink is the ones that wrote Township Law, and they are the ultimate experts. Supervisor Wilke said that was before we found out they copied and pasted; written by someone else. Attorney Jim Rock stated that was not true.

Trustee Duby said for the record, Ancel Glink is representing the Township and not the Supervisor. He does not have the authority to remove the fourth lawyer that disagreed with his opinion even though it followed the law.

Supervisor Wilke noted that he did not remove those Lawyers, they resigned because of your actions.

Supervisor Wilke said he actually has the original document that I noted with a different signature on it. Any other childish nonsense on this?

d. Supervisor Censure

A motion was made by Trustee Vaughn and seconded by Trustee Duby to approve the Censure submitted to the Clerk for this meeting.

Discussion: Trustee Vaughn noted we did read these items and there are additional items added by Trustee Duby. Trustee Duby noted he made the motion for three months in order to correct items. Those corrected items have been removed but there are others being added. Some of those violations are appalling. One item is a threat made by Supervisor Wilke to Trustee Duby and is the third time a threat has been made to a Trustee. In addition is the illegal meeting that was held for the transfer of property and I only apologize that it took 10 months instead of three.

Supervisor Wilke asked if he accepts the Town Hall as a legitimate meeting or are you saying that 320 Belleview never belonged to the Township in the first place. Trustee Duby noted he could read all 17 violations. You are not going to catch me in a game of words when violations occur over and over. It was not purchased properly; it wasn't transferred properly. It was held at a meeting that was not called properly. Lawyers and others have stated it was not done properly and you have tried to fire them. The answer is not firing the lawyer, which is what you have attempted to do in the past. That is not the proper way to be a democratic government. You cannot threaten other Board members. It cannot be done that way, and these are egregious violations. I am sorry this was not brought up sooner. Supervisor Wilke noted so now we are just going to keep lying. Trustee Vaughn said we have had this argument.

A motion was made by Trustee Vaughn and seconded by Trustee Duby to call the question.

Trustee Duby - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee Vaughn - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

Action on the original Censure motion:

A motion was made by Trustee Vaughn and seconded by Trustee Duby to approve the Censure submitted to the Clerk for this meeting.

Trustee Bauman - aye	Trustee Law - absent	Trustee Duby - aye
Trustee Vaughn - aye	Supervisor Wilke - no	<u>Motion Carries</u>

Supervisor Wilke opened by saying this is a perfect example of the morally bankrupt nature of this Board. When they are held to account for their actions, commit crimes and lies to cover it up. Like Donald Trump, they blame everyone else around them. In a couple of months, the voters will get a chance to weigh in on this Board's corrupt behavior. I suspect they will find you just as unfit for public office as I do now for exactly the same reasons.

Trustee Duby said this is interesting since two thirds are not even running in the next election.

e. Adjustments to Finance Committee Board Appointments

Trustee Duby noted the Finance Committee was established by the Township Board. Supervisor Wilke has shown disregard for rules governing financial matters such as the vehicles and property matters. In addition, hiring a no bid contractor for non-approved projects. The most egregious of these actions were violations made at the meeting on September 23, 2020 where the Board voted that a suitable venue could not be secured and hold the specified number of people due to the pandemic so the Town meeting was postponed by a vote of the elected Trustees until a suitable venue could be found due to the Governor's order to not hold a gathering of more than 50 people. On the following day, September 24, 2020, an illegal Town Meeting was orchestrated by Supervisor Terry Wilke and another member of the Finance Committee, Gregario Resendiz. Who willfully and actively took part in this illegal gathering. This in defiance of the Governor's orders and with no notice to any of the Trustees, the Clerk or the Township Attorney. This was against the Board's motions discussed at the previous night meeting, fully understanding the ramifications of those actions. Based on the above-mentioned reasons:

I motion to remove Supervisor Terry Wilke and Finance Committee Member, Gregario Resendiz as appointees on the Avon Township Finance Committee and all the privileges entitled thereof. This motion was seconded by Trustee Bauman.

Trustee Vaughn - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee DUBY - aye	Supervisor Wilke - no	<u>Motion Carries</u>

9. Executive Session for Employee conduct

A motion was made by Trustee Bauman and seconded by Trustee Vaughn to go into Executive Session for the purpose of employee conduct and litigation at 8:03 pm.

Trustee Law - absent	Trustee DUBY - aye	Trustee Vaughn - aye
Trustee Bauman - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

The Clerk put all the people attending into the waiting room.

A motion to end Executive Session was made by Trustee DUBY and seconded by Trustee Vaughn.

Trustee Vaughn - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee DUBY - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

A motion was made by Trustee DUBY and seconded by Trustee Vaughn to return to General Session at 8:46 pm

Trustee Vaughn - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee DUBY - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

10. Action on Executive Session: NONE

11. Good of the Whole

Trustee DUBY noted that there is no violence in Kenosha. Trustee Bauman noted how impressed she is that so many people stayed until after the Executive Session. Also really impressed with the number of people following the Township.

12. Adjournment

A motion was made by Trustee DUBY and seconded by Trustee Vaughn to adjourn the meeting at 8:48 pm.

Trustee Vaughn - aye	Trustee Bauman - aye	Trustee Law - absent
Trustee DUBY - aye	Supervisor Wilke - aye	<u>Motion Carries</u>

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 have questions regarding the accessibility of the meeting facilities, are asked to call the Township office prior to the meeting.