



AVON TOWNSHIP – SPECIAL BOARD MEETING

MINUTES

433 E Washington Street, Round Lake Park, IL 60030
Tuesday, November 30, 2022 – 7:00pm

Call to Order

The meeting was called to order at 7:00pm by Supervisor Michele Bauman.

Pledge of Allegiance

Roll Call

Supervisor Bauman	-	Present			
Trustee Kearby	-	Present	Trustee Dobrow	-	Present
Trustee Repa	-	Present			

Quorum Established

Trustee Loffredo - Present (via teleconference)

Also present was Clerk Larson and Assessor Ditton.

Public Comment

None

Reports

Clerk Larson presented a report to the board.

1. Discussion and possible action related to the annexation of township property.

Supervisor Bauman introduced the item expressing that the annexation was successful. The cost was approximately \$1600.

Clerk Larson noted that the board authorized spending up to \$3,000 and no further action is recommended.

2. Discussion and possible action related to the appointment of an Assessor

A MOTION to appoint Chief Deputy Assessor Cindy Brust to the position of Township Assessor to fill the vacancy of the Assessor position created by Assessor Chris Ditton’s resignation effective December 5th by Trustee Dobrow.

Bauman rises to amend the motion.



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A MOTION to TABLE the appointment until our next general meeting on December 13 based on the advice of counsel. Our attorney has recommended that the new assessor be under contract prior to being appointed.

Motion: Bauman

Discussion ensued.

Dobrow asked for written documentation from the attorney.

Kearby noted that prior appointments had involved an interview process. Kearby further noted that the process with Kula was related to legislative action and that there were several meetings related to the transition.

A SECOND to the MOTION TO TABLE by Trustee Kearby.

Bauman noted that there were concerns and she needs to follow the rules because this is not an elected position, this is an appointed position.

Dobrow reinforced his motion noting that State Legislators are not appointed under contract, they fill the role.

A SECOND to the MOTION TO APPOINT by Trustee Repa.

Kearby noted that a motion to table takes precedence. Clerk Larson noted that is correct procedure.

Kearby continued to speak on the topic of legality of the proposed main motion.

Dobrow asked Clerk Larson if there is a vote to table. Larson affirmed.

Bauman noted that we are going against what our attorney told us.

Continued discussion ensued.

Repa noted that the question needs to be addressed.

Larson restated the motion for consideration.

Trustee Kearby asked the question be called. Supervisor Bauman called the question.



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Roll Call on the Question to Table the Main Motion

Supervisor Bauman	-	AYE			
Trustee Dobrow	-	NAY	Trustee Kearby	-	AYE
Trustee Loffredo	-	NAY	Trustee Repa	-	NAY

Motion FAILS.

Discussion continued on the main motion.

Bauman noted that she was following the recommendation of the attorney in her position. Following the advice of the attorney is the only way we can prevent issues here.

Repa noted that all of the necessary qualifying documentation for eligibility requested at the prior meeting was presented.

Dobrow restated the motion and second.

Bauman asked Clerk Larson what was next. Larson noted that there was a motion and a second, the question could be called.

Roll Call on the Main Motion to Appoint

Supervisor Bauman	-	NAY			
Trustee Dobrow	-	AYE	Trustee Kearby	-	NAY
Trustee Loffredo	-	AYE	Trustee Repa	-	AYE

Motion carries.

Public Comment

Assessor Chris Ditton expressed his thanks for the decision of the board. He then noted that he went through this process in 2011 and that there is no contract. The only time you would have a contract is for an acting assessor who does not fill all of the requirements for holding office.

Tom Brust noted that this is the same thing that happened in 2009 for the Highway Commissioner.

Bauman noted that people could attend in two weeks and ask questions of the attorney at that time.

Repa noted that all of the documentation cited by Assessor Ditton was presented and there is no issue.



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Travis Haley commented that numerous appointments including Tom Brust, Chris Ditton and Pat Duby were all appointed without a contract to hold those respective positions. Mr. Haley looks forward to discussion with the attorney.

Kearby was concerned that we did not perform due diligence, post a petition or investigate options. It is the responsibility of the Trustees to find the candidates to best serve the township. We spent more time and energy to appoint a position eliminated by legislation than we did on this.

Kearby noted that we are in a crisis. We are understaffed in the township area and underfunded. That is something we will have to address annually. All the due diligence she performed in this process and the appropriateness of this process led her to believe we needed to be a better job vetting the candidate.

Bauman noted that she contacted the attorney and these were the items that the attorney recommended. If the attorney is wrong then we will have that opportunity at the upcoming meeting.

Haley stated that Kearby was appointed in 2013 to fill the role of Clerk and no contract was necessary.

Kearby noted that there is a difference between an elected position and someone who oversees people.

A MOTION to Adjourn by Trustee Kearby.

Public comment continued and questions were raised.

Larson noted for the procedural issues, the board can reconsider the question at an emergency meeting on 24 hours notice if the attorney validates the option of a contract. If the attorney does not come back soon enough, the appointment is beyond remedy. The board cannot take an action to revoke their appointment, though there may be other avenues.

She continued to discuss the history of seeing appointments for all of the positions going back to the 1990's and that none of those involved a contract. There was a time where a Clerk was under contract and TOI deemed them to be inappropriate and removed.

