

Minutes Board of Town Trustees

STATE OF ILLINOIS

LAKE COUNTY

TOWN OF NEWPORT

THE BOARD OF TOWN TRUSTEES met at the office of the Town Clerk at the Village Hall on May 28, 2014.

Members Present:

Beth Hartford, Trustee

Ronald Miller, Trustee

Diane Crittenden, Trustee

Corey Kirschhoffer, Trustee

Randy Whitmore, Supervisor

Rodger Edmunds, Highway Commissioner

Debbie Spurgeon, Clerk

Call to Order: Supervisor Whitmore called the Regular meeting of the Board of Town Trustees to order at 7:00 p.m.

Pledge of Allegiance: Supervisor Whitmore led the Pledge of Allegiance.

Roll Call: In attendance were Beth Hartford, Ron Miller, Rodger Edmunds, Jerome Berens, Diane Crittenden, Corey Kirschhoffer, Randy Whitmore and Debbie Spurgeon. Also present, Attorney Adam Lasker of Ancel, Glink, et al.

Approval of Agenda: The agenda was not called for approval.

Approval of Minutes: Supervisor Whitmore requests a motion and second to approve the minutes from April 23, 2014, including: General Town Budget Hearing, Road District Budget Hearing and Regular Meeting Minutes. No discussion.

Motion by Hartford; seconded by Miller to approve the three sets of minutes from April 23, 2014 as presented.

Voice vote: Ayes, all; nays, none. Motion passed 5-0.

Reports:

Supervisor's Report:

Supervisor Randy Whitmore states the township has received \$3,000 from local farmer Dave Richards. Whitmore indicates the amount is a partial payment (\$1000) from 2013, and full payment (\$2000) for 2014, for farming the township's 19.8 acres.

Whitmore spoke briefly about an effort to bring Uline to the corner of Rt. 173 and I-94. Uline ultimately made a decision to build near their existing Pleasant Prairie, Wisconsin campus.

Highway Commissioner's Report:

Commissioner Edmunds indicates there was an error in the Road District Budget. He calls on Mrs. Toni Edmunds to explain. Mrs. Edmunds says an error was found in one of the formulas used to calculate the budget. She states that no line items were changed, the budget has not changed, and only the ending balance is affected. Trustee Hartford asks if the corrected budget needs to be re-filed with the county. Toni Edmunds says no, it does not.

Rodger Edmunds states the unemployment issue with Mike Dolinar has been settled and he has signed the papers. Trustee Crittenden inquires what the unemployment issue is about. Commissioner Edmunds says Mike Dolinar went to an attorney indicating he wants his job back after Edmunds hired his son-in-law, Matt Mitten. Trustee Crittenden inquires how this involves unemployment. Edmunds responds Dolinar wants his job back. Crittenden questions if the settlement is for Dolinar being fired. Edmunds indicates yes, adding Ancel Glink could not find a way out and advised settlement. He concludes it is now over with.

Attorney Adam Lasker comments if the matter was to go forward it would be a Federal lawsuit for wrongful termination involving complex briefing, and the least expensive, easiest way for the township to deal with the matter is to cut a settlement check.

Highway Commissioner Edmunds maintains Edward's Road is getting worse. He says he met with the county and there isn't much that can be done if Old Mill Creek chooses not to maintain the section of roadway. Edmunds added that he suggested to the county the roadway be turned back into Newport Township's jurisdiction. He says Lake County indicated in order to do this the property on the north side of Edward's Road would need to be de-annexed from Old Mill Creek. Edmunds suggests to Lake County that Newport should be allowed to collect the associated MFT funds. He concludes the best that can be done is to have Old Mill Creek fix the culverts and then Edmunds will take over the road, likely sometime next year. Supervisor Whitmore is under the impression there is a legal process for Old Mill Creek to vacate the road. Edmunds says yes, but the result will be the same, calling the process a waste of time. Trustee Hartford asks how Edmunds can be assured Newport will receive the tax money if the process is not followed. Commissioner Edmunds says Tim Smith [Mayor of Old Mill Creek] will not agree

to turn the collected tax monies over. Hartford replies he [Smith] isn't entitled to them if Old Mill Creek refuses to maintain the road. Edmunds agrees, but calls the situation a stand-off. Commissioner Edmunds adds he already has Newport resources out there patching Old Mill Creek's section of Edwards' Road.

Whitmore and Edmunds state that Tim Smith has \$100,000 of MFT monies in the bank, having been collected on Edward's Road, but refuses to spend it claiming Old Mill Creek residents do not drive on the road. Trustee Kirschhoffer expressed frustration with Mayor Tim Smith over the Edward's Road situation.

Assessor's Report:

Assessor Berens inquires as to whether the General Town/Assessor Budget was passed at the April meeting. [Yes.] He states June tax bills are out, noting that similarly to last year his office factored down township properties by ~10%. He notes however, that the tax rate has again risen. Berens used an analogy of a 'teeter-totter' to explain the correlation. He believes the situation is stabilizing and in general, next year will be more stable.

Clerk Comments:

No report.

Trustee Comments:

Beth Hartford—No report.

Ron Miller-- No report.

Diane Crittenden—No report.

Corey Kirschhoffer—No report.

Attorney's Report: No report.

Township Business:

The 2014 fiscal year meeting date resolution is revisited as an amended resolution. At the April 2014 Regular Meeting, the board agreed to move the Regular Meetings back to the third

Wednesday of the month, and to maintain a fiscal year schedule. Trustee Hartford notes the amended resolution provided by Attorney Keri-Lyn Krafthefer is incorrect, identifying a schedule which includes a Sunday meeting date and neglects to provide dates for the entire year. The board reviews and corrects the Ancel Glink resolution pursuant to the dates agreed upon in April. Supervisor Whitmore requests a motion to adopt the Amended Resolution Establishing Meeting Dates for FY 2014, as revised by the board this evening.

Motion made by Crittenden; seconded by Kirschhoffer

Voice Vote: Ayes, Hartford, Miller, Crittenden, Kirschhoffer, Whitmore; Nays, none. Motion passed 5-0.

Finances:

The supervisor introduces the bills for approval:

Supervisor Whitmore requests a motion to approve the Assessor- General Town Fund bills.

Motion made by Kirschhoffer; seconded by Crittenden

Voice Vote: Ayes, Crittenden, Kirschhoffer, Whitmore; Nays, Miller, Hartford. Motion

Passed 3-2

Supervisor Whitmore requests a motion to approve the Newport Township Road District Road & Bridge bills.

Motion made by Crittenden; seconded by Kirschhoffer.

Voice Vote: Ayes, Crittenden, Kirschhoffer, Whitmore; Nays, Hartford, Miller. Motion

passed 3-2

Supervisor Whitmore requests a motion to approve the General Town Fund bills.

Motion made by Kirschhoffer; seconded by Crittenden.

Voice Vote: Ayes, Crittenden, Kirschhoffer, Whitmore; Nays, Hartford, Miller. Motion passed

3-2.

Public Comment:

No public wishing to comment.

Executive Session:

No closed session.

Motion to Adjourn:

Supervisor Whitmore requests a motion and a second to adjourn the Regular Meeting.

Motion by Hartford; seconded by Miller.

Voice Vote: Ayes, all; Nays none. Motion passed 5-0.

Meeting adjourned at 7:27 p.m.

Dated the 28th day of May, 2014.

 s/Debbie Spurgeon

Debbie Spurgeon, Township Clerk