

# Minutes Board of Town Trustees

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STATE OF ILLINOIS

LAKE COUNTY

TOWN OF NEWPORT

December 21, 2016

## **Members Present:**

Beth Hartford, Trustee

Ronald Miller, Trustee

Diane Crittenden, Trustee

Corey Kirschhoffer, Trustee

Randy Whitmore, Supervisor

Debbie Spurgeon, Clerk

Jerome Berens, Assessor

Rodger Edmonds, Highway Commissioner

**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, Beth Hartford, Ron Miller, Rodger Edmonds, Jerome Berens, Diane Crittenden, Corey Kirschhoffer, Randy Whitmore and Debbie Spurgeon. Also present, Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, PC attorney, Tiffany Nelson-Jaworski.

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

**Approval of Minutes:** Supervisor Whitmore requested a motion and second to approve the Regular Meeting minutes from November 16, 2016. No discussion.

Motion by Hartford, seconded by Miller to approve the Special Meeting minutes as presented.

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

## **Reports:**

### **Supervisor's Report:**

Supervisor Whitmore responded to a question from last month's meeting regarding the township General Assistance (G/A) levy. Whitmore indicates there is \$58,000 in the G/A account, since he's been in office there have been 7 G/A cases and a couple of these have been less than \$200. There is adequate money in the G/A Fund, which is why he chose not to levy for general assistance. Trustee Miller responded his point at the last meeting was that Whitmore still raised the levy by the full 5% allowed, and a better solution would have been to turn that portion of the levy off--- in other words, the money would have stayed in the pockets of taxpayers instead of being diverted to township operating expenses.

Whitmore provided an updated letter of credit to compensate for the continuing instability of Norstates Bank where the township keeps its funds.

The Supervisor says he's been negotiating a price on 6.5 acres of township property for approximately four months. The current negotiation is set at \$40,000 per acre, which he calls more than fair. The supervisor yields the floor to Neil Palmer of American Transmission Co, (ATC) who says for a year he has been working on building a transmission connection between southern Wisconsin and Illinois. ATC filed applications with the Interstate Commerce Commission for a preferred route east of Delany, on the west side of Union Pacific tracks, paralleling the Commonwealth Edison line. The alternate route ATC has proposed is to come down the C&N railroad line from Russell to Route 173, then come across 173 to the substation site they acquired at the NE corner of Route 173 and Delany. The application was approved by the ICC, and an order issued approving the preferred and alternate routes. Palmer says there are 12 individual land owners in addition to the township with which they are negotiating. He is requesting the township move forward with holding a special meeting in January for the electors to vote on the proposal. If approved, the easement will provide the township a one-time amount of \$278,100. Palmer says of the 12 landowners, 4 have signed an easement option agreement. Palmer admits if ATC wants to consider condemnation, they must go back to the ICC to seek the authority to do so. He says the project could start as early as next year or in a couple of years.

### **Highway Commissioner's Report:**

Commissioner Edmonds asks legal counsel, Tiffany Nelson-Jaworski what fund the easement money will go into. Nelson-Jaworski does not know, indicating she will need to ask Keri-Lyn Kraftheifer, but adding she thinks it will go into the General Fund.

Edmonds says he is curious because the road district sponsored the property and all rent monies for the property go to the road district.

Edmonds also notes he has some equipment in the shop, but will be getting it back soon. He has hired two additional drivers for snowplowing from Kirschhoffer Trucking.

The Commissioner also notes speeding and dumping issues on Edwards Road in the time period since the road was paved by the township for Old Mill Creek. He is working with Lake County on the concerns, and also on reducing the speed limit.

**Assessor's Report:**

No report.

**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:**

Supervisor Whitmore introduced the adoption of the township levy, requesting a motion.

Motion by Kirschhoffer, seconded by Crittenden to adopt the General Town Levy.

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

Passes 3-2.

Whitmore requested a motion to adopt the Road District Levy.

Motion by Crittenden; seconded by Kirschhoffer.

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

passes 3-2.

Whitmore requests a motion to call a Special Meeting in January to discuss property issues (easement for transmission line for ATC).

Attorney Tiffany Nelson-Jaworski suggests stacking the meetings at 7:00 with the Special Meeting beginning at 7:00 p.m. and the Regular January Board Meeting following afterwards. The clerk confirms with Nelson-Jaworski that the special meeting will take the same format as has been used in the previous Special Meetings (yes) and that only the electors present at the meeting will make the decision for the entire township (yes). Nelson-Jaworski says 15 voters must be in attendance in order for there to be a quorum. Attorney Nelson-Jaworski says she will provide a clean version of the documents for posting. Whitmore asked if the wording will be provided by the firm (Ancel Glink) for posting (yes). Nelson-Jaworski says the motion is, “to hold a Special Meeting to discuss and take potential action on whether the township is going to enter into an easement agreement with ATC for the property described in Exhibits A and Exhibits B, which the representative from ATC just spoke about. The meeting is proposed at this moment to be held on January 18, 2017 at 7:00 p.m. here at Wadsworth Village Hall, 14155 Wadsworth Road. The meeting will be properly posted in accordance with Township Code and also published in accordance with the Township Code.”

Motion by Kirschhoffer; seconded by Crittenden.

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

Nelson-Jaworski states the board must sign the request for the meeting and it must be provided to the clerk. Whitmore notes the date is improperly stated on the document prepared by Ancel Glink. Nelson-Jaworski directs the clerk to correct the date to December 21, 2016. The document is routed for board signatures.

Whitmore questions Neil Palmer of ATC, that if the vote goes through, will you guys give us the option money up front. Palmer says the option time has actually already expired and the township will be paid “all those different payments” at one-time.

**Finances:**

Supervisor Whitmore requested a motion to approve the Assessor/General Town Fund bills.

Motion by Crittenden; seconded by Kirschhoffer.

Voice Vote: Ayes, Crittenden, Kirschhoffer, Whitmore; Nays, Hartford, Miller. Motion passed 3-2.

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

Motion by Kirschhoffer; seconded by Crittenden.

Voice Vote: Ayes, Crittenden, Kirschhoffer, Whitmore; Nays, Hartford, Miller. Motion passed 3-2.

Supervisor Whitmore requested a motion to approve the Road District bills.

Motion by Kirschhoffer; seconded by Crittenden.

Voice Vote: Ayes, Crittenden, Kirschhoffer, Whitmore; Nays, Hartford, Miller. Motion passed 3-2.

**Public Comment:**

**Stan Williams**—Inquires if there any pushback to the state since the county is plowing the state routes. [Edmonds briefly addresses Williams’ question.]

**Motion to Adjourn:**

Supervisor Whitmore requested a motion to adjourn the Regular Meeting.

Motion by Hartford; seconded by Miller

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

Meeting adjourns at 7:37 p.m.

**Dated the 21<sup>st</sup> day of December, 2016.**

                  s/Debbie Spurgeon                  

**Debbie Spurgeon, Township Clerk**