

# Minutes Board of Town Trustees

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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 March 17, 2021

**Members Present:**

J. Daryle Spiller, Trustee

Stan Williams, Trustee

James Zegar, Trustee

Mike Wells, Trustee

Randy Whitmore, Supervisor

Debbie Spurgeon, Clerk

Rodger Edmonds, Highway Commissioner

**Call to Order:** Supervisor Whitmore calls the Regular Township Meeting of the Board of Town Trustees to order at 7:00 p.m.

**Pledge of Allegiance:** Supervisor Whitmore leads the Pledge of Allegiance.

**Roll Call:** In attendance, Daryle Spiller, Stan Williams, Rodger Edmonds, Mike Wells, James Zegar, Debbie Spurgeon and Randy Whitmore. Also, present, Attorney Kurt Asprooth, Ancel, Glink, Diamond, Bush, DiCianni & Krafthefer, PC. Absent, Assessor Jerome Berens.

**Approval of Minutes:** Supervisor Whitmore requests a motion and a second to approve the February Regular Meeting Minutes.

Motion to approve the Regular Meeting Minutes from February 17, 2021 by Williams, second by Wells.

Roll call vote: Ayes, Spiller, Williams, Wells, Zegar, Whitmore. Nays, none.

Motion passes, 5-0.

## **Reports:**

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

Supervisor Whitmore inquires with Rodger Edmonds on the status of CPR, First Aid and AED training for township professionals and residents. Edmonds has been in conversations with the Newport Fire District and determined it is not practical to open training up to all township residents. Class size is limited to a maximum of 12-14 people. Further coordination with the fire district is needed to plan and schedule.

Whitmore says the board is going to hire Rodger Edmonds and they have determined a salary for the new position, which Whitmore says will be called Public Works Director.

*[Background: The State of Illinois has determined the Newport Township Highway District and the position of Highway Commissioner will be abolished at the conclusion of the current term of office. The district does not meet the current established threshold for the minimum amount of roadway it is responsible for. At the conclusion of the current term, the maintenance of Newport Township roads will fall to the Newport Township Board.]*

Whitmore invites Attorney Kurt Asprooth to speak about the plans for the employment of Edmonds following the conclusion of his term of office as Highway Commissioner in May. Asprooth says Edmonds cannot accept such a position while he is still an elected official, noting there are criminal penalties if he engages in negotiations for his compensation prior to his term ending. Asprooth continues, that the board will need to take formal action to hire Edmonds and any other staff they wish to keep once the road district is dissolved. Additionally, if the board is establishing a public works department it also needs to document how it will operate. Edmonds questions Attorney Asprooth on the timeframe in which the board can undertake action to hire him, with Asprooth confirming Edmonds cannot be hired as an employee by the board until he is formerly out of office as an elected official, stressing such action is prohibited. He confirms the new board officially begins its term on May 17, 2021, with Edmonds' term ending at midnight on May 16, 2021. Supervisor Whitmore determines Newport will swear in officers for the new term of office at the Regular May Meeting on May 19<sup>th</sup>, rather than in advance of the meeting. Edmonds can be hired at the May 19<sup>th</sup> meeting.

Edmonds continues, stating his discussion with Whitmore regarding budgeting for the new position is that \$15,000 will come out of the General Town Budget and \$25,000 from the Gravel Fund. Edmonds has questions regarding his spending limit, signing warrants and creating policies for the new department. Attorney Asprooth says Edmonds' spending limit for bidding purposes can be no more than \$20,000. Whitmore says currently Edmonds has a \$10,000 maximum limit. The board will need to adopt a written policy and include such details. He suggests operating on a 30-day basis and working with vendors to get invoices in-line, so that bills can be efficiently reviewed and approved at the Regular monthly meeting. There should be no need for special meetings to pay bills. He reminds the board that the IL Local Government Prompt Payment Act requires vendors give 30 days for review and approval and another 30 days for payments to be made. By law, the township can technically take 60 days to pay vendors, although it intends to operate on a 30-day basis. This is the law, and it pertains to all local

government entities. Asprooth adds, Edmonds will no longer have the authority to sign warrants, this duty must now fall to the Supervisor.

Asprooth comments that Ancel Glink can assist with policy and employee manuals, detailing how the new department will be run administratively and expectations and benefits for employees. The road district employees will need to submit new applications for employment. There are no statutory limitations on who the board can hire. He advises the township's annual budgets be adopted by the board prior to Edmonds leaving elected office.

Edmonds says he has 3 full-time employees and asks if they will need to be re-hired by the board (yes). The board will have the authority to hire and fire employees. Edmonds can make recommendations to the board, but will no longer will have the authority to hire/fire once his term of office concludes.

Asprooth states the employees could be re-hired at the April Regular Meeting, but not Edmonds. His hiring must wait until after the conclusion of his term on May 16<sup>th</sup>.

#### **Highway Commissioner Report:**

Commissioner Edmonds says the Newport Fire District has determined if a Senior Luncheon is to be held in 2021, due to the continuing Covid-19 emergency, it will likely be September rather than June. However, it remains uncertain whether it will be held at all this year. Edmonds briefly describes a program in coordination with area hospitals for community outreach donation bags.

The Lake County Forest Preserve is constructing a new bike trail, which will cross Edward's Road near the Sheridan Oaks subdivision. LCFP is looking for input from Edmonds regarding lighting, signage, etc. to blend in with the scenic area.

Edmonds discusses REBUILD IL funds that the township is receiving (\$8911, twice a year). The monies must be used by 2025. He is considering a bike path for the North Dilly's Rd/Mill Creek area.

#### **Assessor's Report:**

No report.

#### **Clerk's Report:**

The clerk indicates two monthly board audit reports are circulating for signatures. The township recently implemented a new accounting system and Bookkeeper Nancy Lech advises there are two reports this month---one closing out the outgoing system, and one opening the new system. Each incorporates a portion of the month.

Spurgeon updates the board on the status of the 2021 Annual Town Meeting, as communicated by TOI and the State of Illinois. Due to the ongoing Covid-19 Emergency procedures, it remains possible that guidance will again change prior to April 13<sup>th</sup>. She will continue to apprise the board of any updates. Meanwhile, the board does need to adopt the Annual Town Meeting Agenda tonight.

**Trustee Comments:**

Daryle Spiller—No report.

Stan Williams—No report.

Mike Wells—No report.

James Zegar—No report.

**Township Business:**

The board must adopt the Annual Town Meeting Agenda tonight.

Whitmore requests a motion to adopt the Annual Town Meeting Agenda, as presented.

Motion by Spiller, second by Williams.

Roll Call Vote: Ayes, Spiller, Williams, Wells, Zegar, Whitmore. Nays, none.

Motion passes, 5-0.

**Trustee Stan Williams left the meeting at 7:30.**

As requested by Bookkeeper Nancy Lech, the board needs to adopt a new Illinois Municipal Retirement Fund (IMRF) Resolution for elected officials. IMRF requires participating municipalities to do this biennially. A brief discussion occurs on participating Newport elected officials and the number of hours required for eligibility. Attorney Asprooth indicates Newport can still utilize the grandfathered 600 hours, rather than the current 1,000-hour threshold. While the district has additional employee participants in IMRF, the resolution for consideration tonight pertains strictly to elected officials. Newport allows only for the Township Assessor and Township Highway Commissioner to participate in IMRF.

**Trustee Stan Williams returns to the meeting at 7:35.**

Whitmore requests a motion to pass the IMRF Resolution (#122021A), as presented.

Motion by Zegar, second by Wells.

Roll Call Vote: Ayes, Spiller, Williams, Wells, Zegar, Whitmore. Nays, none.

Motion passes, 5-0.

Supervisor Whitmore introduces the tentative budgets for the General Township and Township Highway. Budgets must on public display for at least 30 days. During the display period, the board can make adjustments prior to final approval. The board agrees budget hearings will precede the April Regular Meeting.

Whitmore requests a motion to pass the Tentative General Township Budget for 2021/2022 (#Tentative A), as presented.

Motion by Zegar, second by Spiller.

Roll Call Vote: Ayes, Spiller, Williams, Wells, Zegar, Whitmore. Nays, none.

Motion passes, 5-0.

Whitmore requests a motion to pass the Tentative Highway Budget for 2021/2022 (#Tentative B), as presented.

Motion by Williams, second by Wells.

Roll Call Vote: Ayes, Spiller, Williams, Wells, Zegar, Whitmore. Nays, none.

Motion passes, 5-0

**Finances:**

Supervisor Whitmore indicates the monthly bill warrants are available for trustee review.

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

Motion by Wells, second by Spiller.

Roll Call Vote: Ayes, Spiller, Williams, Wells, Zegar, Whitmore. Nays, none.

Motion passes, 5-0.

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

Motion by Spiller, second by Zegar.

Roll Call Vote: Ayes, Spiller, Williams, Wells, Zegar, Whitmore. Nays, none.

Motion passes, 5-0.

Whitmore requests a motion to approve the Road & Bridge bills.

Motion by Williams, second by Wells.

Roll Call Vote: Ayes, Spiller, Williams, Wells, Zegar, Whitmore. Nays, none.

Motion passes, 5-0.

**Public Comment:**

No public comment.

**Closed Session:**

No closed session.

**Motion to Adjourn:**

Supervisor Whitmore requests a motion to adjourn the Regular Board Meeting.

Motion by Spiller; second by Williams.

Voice Vote: Ayes, all. Nays, none.

Motion passes, 5-0.

Meeting adjourns at 8:00 p.m.

**Dated the 17<sup>th</sup> day of March 2021.**

\_\_\_\_\_s/Debbie Spurgeon\_\_\_\_\_

**Debbie Spurgeon, Township Clerk**