

Wauconda Township Board Meeting

January 20, 2021, by Zoom

Call to Order/ Roll Call: The meeting was called to order at 6:07 p.m. For roll call, answering present were: Trustee Lochmayer, Trustee McKernan, Trustee Santi, Trustee Whitehead, Supervisor Swanson, Assessor Oaks, Highway Commissioner Weisbruch, Administrator Maioriello, and Attorney Hartman.

Pledge of Allegiance: The pledge was led by Attorney Hartman.

Approve Agenda: Trustee Santi motioned to approve the agenda with the addition of the following: review specific sections of the employee manual; section 6.12, section 6.20, section 1.19, section 1.15, section 6.17, section 1.6, and discussion of the elected official's compensation, and the addition of a closed session for consideration of the employment, compensation, discipline, performance, or dismissal of specific employees with no action being taken. She wants these items added as they are an old business. Since the Trustees cannot discuss these matters as a group without being in a meeting, a closed session is necessary. Trustee McKernan seconded the motion.

Supervisor Swanson stated that discussion of an employee or employee manual will not be discussed in an open meeting. Supervisor Swanson asked the attorney for his opinion on this. Attorney Hartman stated that his opinion is that since the executive session was not posted on the agenda his concern would be going into an executive session.

Trustee Santi stated that she sent the state statute from the attorney generals' office allowing for an executive session to be called that is not on the agenda. Attorney Hartman stated he does not agree it would allow us to do it. He stated that other attorneys will not agree with him, but that is his opinion. Trustee Santi stated that Supervisor Swanson has done it in the past.

Trustee McKernan asked the attorney if it were okay to move forward with the executive session since he has stated that other attorneys would disagree with his opinion and a precedent has been set as this has been done before. Attorney Hartman stated that he feels there would be risks by not complying with posting requirements by the attorney general's office. He feels that it should not have happened in the past and maybe his predecessor thought it was okay.

Supervisor Swanson stated he and the attorney would like to have known about these issues before calling for an executive session. Trustee McKernan stated that several times the Supervisor had called for special meetings and did not give the Trustees information ahead of time. Trustee Santi stated that the attorney was provided with the issues before this meeting

and they were provided to the Supervisor at the November meeting. She stated that the Trustees would like to meet to get these matters taken care of.

Trustee McKernan has asked that the executive session will be added to next month's meeting.

Before moving forward, Trustee Whitehead wants clarification and noted that an executive session is added to next month's meeting. Supervisor Swanson stated to call the clerk to have it added to the agenda.

Trustee Santi wanted to make sure the executive session would be put on next month and not be refused like it was this month. Supervisor Swanson stated if it falls under the conditions of an executive session, it will be permitted. Supervisor Swanson motioned and Trustee Lochmayer seconded to approve the agenda. A voice roll call was taken. All were in favor. This motion carried.

Approve Minutes December 16, 2020. Trustee McKernan motioned, and Supervisor Swanson seconded to approve the minutes. A voice roll call was taken. Trustee Lochmayer abstained, everyone else voted aye. This motion carried.

Approve Minutes of Special Meeting 01-15-21: Trustee Vacancy: Trustee Santi motioned, and Trustee McKernan seconded to approve the minutes. A voice roll call was taken. Trustee Lochmayer abstained. All were in favor. This motion carried.

Vote: Payment of Town Fund bills from December 17, 2020, to January 20, 2021: Trustee McKernan motioned, and Trustee Santi seconded to approve the bills. A voice roll call was taken. All were in favor. This motion carried.

Vote: Payment of Road District bills from December 17, 2020, to January 20, 2021: Trustee McKernan motioned, and Trustee Lochmayer seconded to approve the bills. Supervisor asked about a bill for changing the locks to the highway garage and asked if he was going to get a set of keys to the garage. Highway Commissioner said no. The Supervisor stated that since he cannot get into the garage, he will vote no on paying certain bills. Trustee Whitehead asked the Supervisor what the normal Township procedures he uses for denying a bill that was submitted for review to the Trustees for payment. Trustee Whitehead stated that when he has an issue or questions, he makes a phone call to the department head to clear the bills in question and would like to know why the Supervisor does not do the same. Supervisor Swanson stated he would want to see the items purchased and cannot do that since he is locked out of the garage. A voice roll call was taken. Trustee McKernan, Trustee Lochmayer, Trustee Santi, and Trustee Whitehead vote aye, Supervisor Swanson voted nay. This motion carried.

Treasurer's Report:	General Town Fund	\$ 46,714.25
	General Assistance	5,674.74
	Social Security/IMRF	6,610.96
	Senior Services Fund	12,078.16
	Road and Bridge Fund	10,391.36
	<u>Permanent Road Fund</u>	<u>38,401.38</u>
		\$119,870.85

Public Participation: Maria Weisbruch stated she wanted to applaud the Trustees for appointing Trustee Lochmayer to the Board. She heard there were many qualified candidates, but since Mr. Lochmayer is automatically going to be the next Trustee in May, the Trustees made the most appropriate and diligent decision in letting him get on board early to begin his service.

John Miceli asked what the policy and procedure numbers were that Trustee Santi referenced at the start of the meeting. Supervisor Swanson stated that Mr. Miceli would have to wait until the minutes get approved at next month's meeting to get those numbers.

Social Media Policy Discussion: Trustee Whitehead stated that social media is a great platform to reach many people and would like a policy put into place to broaden the exposure of all departments of all the works of the Township. Trustee McKernan asked who the administrators of the current Township Facebook page were. Supervisor Swanson stated that he, Melissa Garcia, the General Assistance employee, and the administrator were the administrators. Trustee McKernan suggested that instead of saying Supervisors office, it should say Township office. Supervisor Swanson stated that the front door states the Supervisors office.

Trustee Santi stated that the Facebook page is not representative of all the elected officials and it needs improvement. She would also like a policy to put into place. Supervisor Swanson stated he would like the attorney to review any policy before it is voted on. Trustee McKernan would like to acknowledge past Trustee Lindberg for initiating the Facebook page and policy for the Township while she was serving.

Trustee Santi motioned to open the floor to Assessor Oaks to speak. Trustee McKernan seconded. A voice roll call was taken. All were in favor.

Assessor Oaks stated that she contacted TOI regarding the Assessor's Facebook policy, and reconfirmed that the Assessor's office did not need the approval of the Board to put together their social media page or policy. Her office uses the TOI template for their policy.

Wauconda Historical Society Report: Dan Smith reported that two more years of the Wauconda Leader will be added to the web page. Due to two very generous donations, six more years of scanning of the Wauconda Leader will be funded.

Public Participation: None

Township Reports: Trustee McKernan stated that if anyone has any questions on the Covid-19 vaccine, go to allvax.lakecohealth.org, and remember to shop local. Supervisor Swanson stated that people who do not have computers to register for the vaccine can call the Township and the senior advocate can help them.

Trustee Lochmayer stated that he would like a consideration that there is a three-minute limit under public participation to make the public aware of it.

Supervisor Swanson stated that with the help of Messiah Lutheran Church, he delivered 90 meals to Liberty Arms. The Board approved the purchase of the 2014 van for the senior services tonight and since \$50,000.00 was budgeted, the Township saved \$43,000.00 by purchasing it.

Assessor Oaks stated that with the help of her Assessor's team, they were able to secure \$6063.00 through the CARES act for the Township for Covid reimbursement.

Highway Commissioner Weisbruch stated that because there was debris found in the locks to the garage, they had to be replaced. The sheriff's department and fire department have been supplied with keys. He stated that anybody can have access to the garage with a phone call to him. Because of all the expensive equipment, tools, and safety hazard issues, the garage must stay locked. Since their jobs require the employees to be out on the roads, he locks the door. As far as bills getting paid, he read that statute regarding the payment of the bills for the road commissioner and the road district treasurer.

Trustee Santi wanted to know about the maintenance agreement for the lot between the Township and highway department. Highway Commissioner Weisbruch stated that he received an email from the Supervisor stating he is looking at it. He sent over the agreement to the Board. The Supervisor stated he has never signed an agreement in the past and he is not going to sign one now.

Supervisor Swanson stated that he signed an agreement with Acres to plow the lot starting tomorrow. At the last snowstorm, the parking lot was not done to his satisfaction. Supervisor Swanson cited some issues with the plowing, piles of snow, and drainage of the lot. He received an email from the Highway Department stating he would not plow until the agreement is signed. He had it reviewed by the attorney and said it would not hold up. Attorney Hartman's opinion is that it is an unenforceable contract as it did not list any payment obligations from the Township or consequences.

Highway Commissioner stated that the department worked 22 hours straight the night the Supervisor was referring to and the lot was clean. He only wants a maintenance agreement to know what is expected. He does not understand why the Supervisor would sign a contract with a private contractor and not his department. It is not his responsibility to maintain the lot. It is the Supervisor's job to maintain the lot.

Trustee Whitehead stated that the lot needs to be done safely and that if the agreement needs to be altered, they should get it solved.

Trustee Santi asked how the contract to Acres was going to be paid and if the Board should approve the contract. Supervisor Swanson stated he does not need to get Board approval and the monies would come out of the town funds. Supervisor Swanson explained the boundaries Of the lot that the new company would be plowing.

Trustee McKernan was concerned about the way the contractor has been hired to plow part of the lot. He feels it is a waste of taxpayer's money.

Adjourn: At 7:35 pm., Trustee McKernan motioned to adjourn. Trustee Lochmayer seconded. The meeting was adjourned.

Submitted this 17th day of February 2021.

Supervisor Swanson

Clerk Rowe

Trustee McKernan

Trustee Lochmayer

Trustee Santi

Trustee Whitehead