

Minutes – Shields Township Board of Trustees
Regular Meeting May 19, 2022

STATE OF ILLINOIS,)
Lake County,)
Town of Shields)

SS.

THE TOWN BOARD OF SHIELDS TOWNSHIP held its regular monthly meeting via Zoom and in-person May 19, 2022, at 6:30 p.m.

PRESENT

Heather Kerr	Supervisor
Tammy Bryan	Clerk
Jeff Urso	Town Trustee
Brady Andersen	Town Trustee
David Weil	Town Trustee
Kathryn Walker-Eich	Town Trustee

- I. **Meeting Called to Order** – Supervisor Kerr called the meeting to order at 6:30 p.m.
- II. **Roll Call** – All present
- III. **Pledge of Allegiance** – Supervisor Kerr opened the meeting with the Pledge of Allegiance
- IV. **Public Comments**
 - A. **Statement from Alderman Karl Evans of the Third Ward of North Chicago** – I had the opportunity to see Shields Township April 21, 2022 meeting and I was very surprised see Trustee Jeff Urso put on a show regarding Phoenix Rising Food Pantry. I was aware of people being disgruntled during the meeting, but please do not discredit the good deeds that Heather Kerr accomplished with the Phoenix Rising foundation. Heather Kerr has not only helped the residents that need food and Foundation also has a team of people ready to get food for the needy. I would like to thank Heather and the foundation team so much. During the high point of Covid, the pantry was not closed, despite Trustee Urso’s claims and everybody in North Chicago Community and the surrounding communities were able to work together to get food at the most secure. There are many people in need of food and it is a blessing that we have the foundation and the foundation board members that care about citizens. Thank you for all you do in the township and a special thanks for helping the residents in the city of North Chicago.
 - B. **Statement from Board of Phoenix Rising**, To Whom It May Concern, the Phoenix Rising Foundation board of directions would like to provide an update to the Shields Township Board. As to its activities over the last two years. Since March 2020 the food pantry operated by PRF has continued to provide food to those facing food insecurity Contrary to some statements made by people unaffiliated with the food pantry PRF and has never closed nor relocated. Rather like many other organizations faced with the challenges presented by the pandemic, the pantry pivoted and changed its service model. While at the same time expanding to reach its

communities it had not served prior to 2020 mainly Highwood and Waukegan. This work continues to sustain and PRF is proud to have worked with so many community partners to provide food for those who need it most

- C. **Matt Garrity** – via zoom – No response
- D. **Heather Myers Grum** – in person – I have a lot of questions and concerns as a community member, I wonder where is our community headed, does my voice have a place, it's obvious to everyone here there are issues, how are we going to find solutions to fix them that works together, make change together and build a stronger community together. I'm confused how a Shields Township employee would report an issue of alleged harassment and no resolution has been found. I'm confused how board members who's named in the allegation remains active voting member while there is we all know and unresolved case. If these allegations are baseless, why not want to clear your name? We have no idea if the harassment is physical, verbal or sexual in nature? What message is this sending the parties involved as well as to this community. There is trust that has been broken. We see it when allegations continue to go unresolved and a steady stream of new allegations surface. We see it when municipal building that sample a without community vote. We see it when we watch our board member fight with one another, threaten to leave amid unresolved issues rather than be the problem solvers we elected you to speak. It is intimidating to watch this all unfold and quite frankly, I'm concerned about the cost of all this to our community are we tying-up our time and tax dollars in the exact people we have in school within the township our neighbors. We are Knollwood and North Chicago and Lake Bluff and Lake Forest. Shields Township our voice on the local level, and to those trying to dismantle this township, why are you trying to silence our voices? I invite to not serve yourself. I invite you to either be a healthy part of the solution that best serves our entire community or please move. Neighbors, I call you to stay involved and invested. It takes a lot of courage to stand before you and ask these questions. I risk being publicly ridiculed, but I have a greater fear of watching the voice of our community be silenced, please don't let that happen. Thank you.
- E. **Chuck Fitzgerald** – I am going to ask the Supervisor for some consideration. Direct and to the point, I can't believe I am here, I was asked to be here by concerned residents because of the time I put into this Township, my former staff, then just build this township to watch what happened, I don't know much what has happened and I don't know all that. But I also know that its Township government is very typical form of government to understand because of how much it's structured. And I had those issues also. But as its supervisor, I also look at the bully pulpits when you have a voice you see why you speak up, doesn't matter if in your department or not. I do. I know that you have issues that have been raised about what is going on in various departments. I know that there is no highway department anymore due to state legislation that was passed, but I know that you do have issues with this the assessor's office as I did to. And I still spoke up. I would encourage people to do so. I would be curious to some of the things I have read and heard about salaries of people and maybe people not living here during the pandemic and still collecting salaries, I walked away in 09 and it's in my rearview mirror and

still is. But I had to come and say something, because you have an important job and I took my job serious, if you don't then walk away, that's all. I don't know any of you at all, I may know you Trustee Walker, and I saw some of you, but I don't know because I had no time, when I was there I was supervisor, that's all. I don't know any of you. So I don't have an axe to grind with any of you. But when I watched and hear and see what them, what is going on. And I know prior board dismantled this township, which was their choice. I also know some people have ulterior motives for this township, for personal gains and have used it and I stayed quiet, because again, it wasn't my place but it has come to this point, that shake my head, take a seriously hard look at yourselves if you really want this job, because if you don't move on, as I did, and do something else. So you know, I am not just here to chastise, to remind you of the jobs. I see on the agenda that you may have the appointing of a new assessor, I would say this I have a reservation. As far as the assessor goes, one of my adversary's daughter was an assessor who spoke out very highly. Yes, she was assessing four years, which I said nothing. I said nothing, she sits in the back, and enough is enough. I treated taxpayers dollars better than my own, why, because it's not my money, it's theirs. Remember that, you are fiscally responsible to take care of their life to do what is best for this township, not personal gains. Thank you.

V. Supervisor Kerr – There is a statement I would like to make: At our last meeting on April 21st, we had several township officials make statement about resigning. We need to take a few minutes to sort out who's in and who's out who's so that we can function as an effective township government. First we have two Township Trustees, Trustee Urso and Trustee Walker-Eich state they would be resigning May 2nd if I did not resign. I did not resign. But we did not receive official resignation from these trustees. You will see that on the agenda, we have listed items. So that each of them can tell us what they are doing. Also at our last meeting Clerk stated that she was resigning May 31st, unlike the statements of the trustees her statement of May 31st was not contingent on my resigning therefore, we have action later in the meeting to accept a replacement and we will start the process for finding when we accept her resignation and start the process for finding a new clerk. In addition at the last meeting Scott Helton assessor stated he would be resigning as assessor May 2nd if I did not resign. Then assessor Helton moved out of his office and left a letter for his staff. After that on May 4th, Trustee Urso delivered us the letter dated April 25th, stating that Assessor Helton was withdrawing his conditional resignation. However, May 8th he submitted another conditional resignation letter to us. So we have an agenda item below related to the appointment of new assessor because we have to begin the process. First agenda Item A, previously announced resignation by Trustee Walker-Eich, Are you resigning or are you staying. Item B, Trustee Urso, are you resigning or are you staying.

i. Trustee Walker-Eich response - I am staying

ii. Trustee Urso response - I am staying

VI. **For Action** – Approval of previous meeting minutes, two sets of minutes to approve, March 31, any questions.

Trustee Urso - the most updated sent by the clerk this afternoon would be the one to approve.

Supervisor Kerr – you would have to do that publicly Trustee Urso. So make any amendments during the meeting.

We should not accept amendment minutes prior to the meeting. The first set of minutes that were submitted last

week on the 11th. Those are the minutes that we first got all of these were sent to you. Then there were three sets of

amendments that were sent. However, to amend minutes during a meeting it has to be stated publicly. So if you do have any amendments relating you would like to make, it would be made as a public record, then we can make a motion to amend.

Trustee Urso-I would amend the first minutes under new business section 6, oh, these are.

Supervisor Kerr-We need to state what whether you would like to have amendment please make that matter publicly.

There is nothing to amend...(audience?)

Trustee Urso-The most updated minutes that the clerk sent to the board today is the ones that I would like to approve

Supervisor Kerr-Which ones as to the sentence or paragraph.

Trustee Urso-motion for attorney to resign voted yes Trustee Walker-Eich, Trustee Weil Abstain, Trustee Andersen no, roll call vote 2-1. Weil wanted a revote, revote took place, that was actually not true. We were all here. Trustee Weil asked for a revote at that time Madame Clerk said that she believed that she's a tiebreaker, and she would have decided with Trustee Walker-Eich and myself, and at that point onto the next we moved onto the next, we never took another roll call vote. So thank you Clerk Bryan has the amendment it is on the video from 1503 to 1607. The video from March. So I'd like to end to remove that paragraph because it's actually untrue.

Supervisor Kerr: the sentence or the paragraph.

Trustee Urso – I would like to submit the most updated minutes the clerk presented to us today. The most recent minutes. Motion to approve those minutes.

Supervisor Kerr: I believe we have a comment by made by our legal-council Keri-lyn, do you have something you'd like to say?

Counsel-As long as the amendment is accurately reflecting what happened at the meeting, then that's okay. If you want to table these one more month to go back and look at the meeting or the tape recording of the meeting to make sure everything's accurate. That's fine too. But technically this is a second meeting after the meeting under the open meetings act that we have to adopt as soon as possible, as I believe the first version the minute said there was a vote taken, so there wasn't a vote taken so..

Trustee Urso-There was a discussion, but no roll call vote. From 1507-1604, clearly see we had a discussion but not a roll-call vote.

Counsel- Okay, if the board members who were present at meeting recall that's what happened, then you can adopt the minutes as amended tonight. If you want to take time to pause and just go back and confirm that we would table this.

Trustee Urso-I motion to approve the recent minutes the Clerk just handed us, second the motion by Trustee Walker-Eich, passed with Roll call vote 5-0. Motion carries.

VII. **April 21 2022 meeting minutes** – any questions – motion to approve, Trustee Walker-Eich, second Trustee Urso, passed Roll call roll vote 5-0.

VIII. **For Action** – Approve Bills

i. Town Fund expenses approval \$75,892.85, Trustee Weil motion to approve, second Trustee Anderson, passed by a roll call vote 5-0

1. FYI: Rent on a quarterly basis for Supervisor and assessor's office

ii. General assistance expenses approval \$850.00 Trustee Weil motioned to approve, second Trustee Anderson, passed by 5-0 on a roll call vote.

- iii. Road & Bridge expenses approval \$13,177.08 Trustee Andersen motioned to approve, second Trustee Walker-Eich, passed by a 5-0 on a roll call vote.

IX. New Business

- A. Acceptance of resignation of Township Assessor effective May 8th, motion to accept- Trustee Urso, second Trustee Weil. Roll call vote 5-0
- B. Acceptance of resignation of Township Clerk, effective May 31. Clerk rescinded her resignation
- C. Appointment of Township Assessor

- i. Supervisor Kerr-Official through the board, in the process of vetting qualified candidates. Nothing to be rushed or done in haste, qualified candidates, Trustee Weil, I need more time to look at the candidates to look at the candidates, no rush tonight, it's an important position and take our time and instead of I would like to see something on paper.
- ii. Trustee Urso-Blue cards going out, qualifications to be assessor, one person come to mind, former trustee she has spent years on this board as an assessor and trustee. I would like to motion to appoint Kathy Blahunka at this time as Township Assessor.
- iii. Legal Counsel – under the property tax code 35ilcs200/2-60, that is section of property tax code that addresses the filing of vacancies in office and there are two sentences in the middle of that statute that I would like to read to you, it says to appoint a person to fill a vacancy under this section was a member of established political party as defined in section 10-2 of the election code that is still in existence. At the time the appointment is made. The appointee establish his or her primary political party or by holding or having held office in a political party organization before the appointment. So I have provided the supervisor with Mr. Helton's voting records from the Lake County Clerk's office and this indicates that at the last primary election, which was held on March 17 2020 he voted republican. I have also provided her with a copy of Miss Blahunka's voting Blahunka voting record from the Lake County Clerk and that shows that at the March 17 2020 primary election, she voted as a Democrat. So based on the statute she is ineligible to be appointed to this vacancy. We need to find a Republican.

Audience – she has no right to serve period. Her mother has done nothing but speak negative against this Township.

Counsel-We have to follow the law, this is what the law is, if we don't like it we need the general assembly to fix it, but she's ineligible as is anyone that pulled a Democrat primary ballot. So we need to recruit a Republican candidate

Audience: This is why the assessor should not be elected. They should be employees of the county.

Trustee Urso- We should take a break and get legal confirmation on this.

Audience-You got the best legal counsel in the state

Supervisor Kerr-This is what the law has stated, if you have anything else you would like to say before we move on.

Counsel-I did provide you with a statute so that you could pass it out. I also provided the Supervisor with the voter registration documents so that if people want to examine those they can examine those.

Supervisor Kerr - May we move on...

Counsel-So you have a motion to second, I would recommend that be like either voted on or removed.

Trustee Urso-Madame Attorney, since we did not vote as a partisan board, neither Democrat nor Republican, does that mean Assessor would be non-partisan.

Counsel-Well the statutes written, it doesn't go by how he ran in the township election, it's how they voted in the primary prior to the time the vacancy came up. That's a great question, I understand what you are saying because if people ran on partisan, but it goes by the general assembly put in here that sentence that I read about participation in the primary election.

Trustee Urso-I haven't seen the word vote in the statute they just handed us. You clearly knew that Miss Blahunka was the only other person in Shields Township have the qualifications. You guys set this up for it. I personally don't see we should postpone. This is point in case what is going on this in the township.

Trustee Weil-We need postponement

Trustee Urso-Do we motion to second or are we denied a vote

Counsel-No, you can vote on it. I mean the problem is if you guys vote in favor or installing someone we're going to have to go into court for an injunction tomorrow to prevent her from taking office because she's not qualified. So it's just a matter of how much legal fees you want to spend.

Audience: Its obvious Trustee Urso has an agenda. I obviously, Trustee Urso because you do have an option you can have the county take over which is what you should do.

Supervisor Kerr-We are going to move on as our legal counsel says we can. May we move on please?

Audience grumbling, Township Attorney Kari-lyn, the motion should be withdrawn. I would recommend the motion in the second to be withdrawn.

Trustee Urso not withdrawn.

Supervisor Kerr make a motion to withdraw.

Counsel-No, It has to be made by the people. If not, you can call for the motion or to table the motion. The motion to table supersedes and is not debatable

Supervisor Kerr- if we table, what is next?

Counsel-It would have to come back before the vote. I mean it they want to call their lawyers and confirm what I am saying, they can do that. I mean it's not even a grey area of law. It's black and white.

Supervisor Kerr-May we move on please?

Counsel-Yes can move on. Or call for a vote.

Supervisor Kerr-How can we proceed in a civil manner?

Trustee Urso-Keri-lyn can you clarify that as well? If a person did early voting in a primary would that change their card, no, it is not.

Counsel-Early voting does start for a few weeks for this current election cycle. They just sent out the military card and overseas ballots on Friday. We still have some litigation going on over the ballot configuration, but, no, I mean so this is it would it was the primary election prior to the time of vacancy.

Supervisor Kerr-There was a motion and a second, but I am not sure what. Keri-lyn did you hear anything?

Counsel-It was to the appoint Miss Blahunka to be Assessor

Supervisor Kerr-And we're not doing that apparently no?

Counsel-That's what I am suggesting it should be withdrawn. I mean if you want to call the question and the people can put for the record how they're voting on this. That's fine. There's fine.

Supervisor Kerr-I am not going to make a motion on something that's someone's not qualified.

Counsel-There's already a motion through. There's already motion and a second so someone can call for the question. If it passes we'll just have to litigate it. I mean that's...but in each three people to affirmatively vote yes.

Trustee Urso-I will table it if I got an answer that would make sense. Why would you litigate it? I am just asking.

Supervisor Kerr-I don't want to do something like that.

Audience- Because you are breaking the law. Yes, you are breaking the law.

Chief Deputy Assessor would like to make a statement if the attorney would allow me to, yes.

Counsel-Okay

Chief Deputy Assessor-I have been in this township for almost 33 years now. I worked under Teresa for 27 years of those years, I have worked under Kathy Blahunka for 3.5 years and Scott and almost 6, During the 3.5 years for Blahunka, did not go to a board review or go over assessments. She was that it was my responsibility for review, but she earned fifty-thousand a year during that time and did not do anything to earn that salary and if that is something the township and the taxpayers want again? And that is up to all of you. But I can tell you when there was a time when all of you were against this person until recent events occurred, I also know that one of the trustees is currently taking classes. And if that trustee is currently taking classes to work in an assessor's office, you have to wonder why, I'm sorry, but there's a lot going on here. Why are you rushing this, this is a township you grew up in, you've been around here, you know me, you know my family, don't do this then. I have said everything, but please don't make this decision because you're to get even with the events that have happened. If

you don't right the thing for this township and you think this is, I don't think is funny, that is sad.

Supervisor Kerr going to ask – object to the rushing to the process, Kathy has issued this to some of the people here in the room, Trustee Andersen and Trustee Weil, I quote, “there is no need rush to replace the elected role if Shields Township Assessor as the office has been managed similarly for the years. It may be wise to explore all your options. Take your time and interview qualified candidates prior to any appointments. By doing this you may aid and smother emotional brush fires and retain newer highly skilled staff that Shields Township residents deserve.” Does that answer your question Trustee Urso? I hope so.

Trustee Urso motion to table

Trustee Andersen part of the discussions of the assessor need to be discussed at a further date

Motion to table, second Supervisor Kerr. Passed by roll call vote 5-0

- D. Drainage Project – North Ave discussion + possible action to retain Manhard Engineering. Field Manager Beake – first reason got called over there 1014 North Ave, Bayonne and Green Ave in SW neighborhood, pipe is too low a lot of them we haven't done anything to in the last 25 years, we can wait for them to collapse and not get any better. If we do going ahead and do it, I always people asking when are we doing their ditch, substantial project. Supervisor Kerr, any questions. Rates have gone up since 2021 inflation. Field Manager running numbers estimate, just a figure. What are we talking about here? South side of the road, 6 10 inch pipes 24 feet long, times \$93 a foot, in the last project we did, \$11,532 there is 2 twelve in pipes for 69 feet \$87 foot covered in black top and cover then, they will be a different price \$169 feet, there is pipes in there that are pvc we should not use bad luck and spots with pvc that just doesn't work under driveways. We redid all of the ditching on the last project, get lawn mowers into ditch, each block is 600 feet long on the maps a certain number of driveways that's right around \$7,000 and the other side of the road \$6,700, ball park approximate. Those are the Field Managers numbers. Are you recommending, to retain Manhard Engineering, for the last road project, this is a drainage project, trustees to approve and retain and walk around with Rob, motion to retain, give us a broader, brought in several times an idea of the scope, be committing to retain. Need them to finish this properly. Knollwood is pretty flat, doesn't have water coming from over there two. They are most knowledgeable about our needs repairing their roads, long time since we hired engineering. Motion Trustee Urso, second Trustee Weil, passed by roll call vote 5-0.

X. Reports

Trustee Reports – NA

Assessor's Reports Kelly Ugaste-Cooprider– We turned in the assessments to the chief county assessment officer, should be going out end of June beginning of July waiting for the state multiplier for the township and our tentative maybe 1 slightly negative.

Road & Bridge Report – Field Manager report. But first I want to clarify assessor Helton misinformation. I will read verbatim, active document, eligible, in April 2022 former assessor for his good friends, highway commissioner 2013-2021. The former assessors stated the supervisor did not order through CMS through manner possible, simply not true, reputation to be sullied by Anderson or Helton, Jack 4/12/2021 through CMS in email 4/12/2021 purchases need to be in by 04/22/2021 not eligible clearly the expiration date of final term and abolishment to have less than 15 miles of road, 28 days still left before the expiration his obligation to buy it. Historically salt contracts come out mid-February early March, examples I have on hand, way back in year 2000, through the years, example 03/01/2020, 04/08/2020. I am not going to go through but you can see the pattern, salt bought through the open market, we spent the money, we moved on from winter. The only thing it seems that we haven't move on from all things of through another department inside the Township to justify ourselves. I have worked here for 25 years and never once had the former assessor had many things to say about the salt. How much we're going to take or where we get it from as long as the roads are salted. That's the only time salt comes up. Lastly hearing the assessor's report former assessor Helton stated the township under the current Supervisor Township is toxic and toxic place to work. Again I worked here for 25 years under 4 highway commissioners and 6 terms and currently I think it's the farthest thing from toxic, but I've seen in a long time. It's my hope that the supervisor and myself can work together to grow, improvements and drainage improvements and replace our aging fleet of vehicles.

Trustee Urso-We appreciate you Rob, all that you do.

Supervisors Report -

Highway/Field Manager – no report

Clerk – not available as it is not listed on the meeting agenda

- XI. **Adjournment** – The meeting was adjourned at 7:18 p.m. by Supervisor Kerr. Motion to adjourn Trustee Weil second Trustee Andersen.