

**SOUTH MOLINE TOWNSHIP
BOARD OF TRUSTEES MEETING**

May 2, 2023

PRESENT — Greg Aguilar, Supervisor; Andrea Anderson, Trustee; Brian Forsberg, Trustee; Howard Gripp, Trustee; Bob Schultz, Trustee; Nick Vyncke, Clerk and Kent Breecher, Cemetery Board.

MEETING CALLED TO ORDER — Meeting was called to order at 5:30 p.m. by Supervisor Aguilar.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES — Motion by Gripp, second by Anderson, that we approve the minutes of April 17, 2023. Motion carried, with all voting in favor.

OFFICIALS' REPORTS —

- a. **Clerk** — Statements of Economic Interests should have been turned in. Schultz said that he spoke with the county and they informed him he was not on the list. Vyncke will confirm.
- b. **Cemetery** — Breecher asked for a photocopy of the bill sent to the cemetery. Breecher asked if everyone had a copy of the laws and duties handbook. Breecher began reading from the handbook. He read aloud the following sections:

Prefix-Five Surprises of Being Elected - *Supervisors and trustees are often surprised to discover that their power is limited and, in part, derived from the ability to implement legislation. Although supervisors are the chief executive officers of the township, they have no independent power to expend funds, make purchases, hire employees or officers, or direct employees to act inconsistently with the legislated mandates....Individual trustees discover that they are only part of the legislative body and they possess no power to direct employees to do anything. Like the supervisors, they will discover that any efforts to bind the township in their own financial whims can produce little other than personal liability. Trustees, in order to achieve their objectives, must act through the exercise of legislative power and be able to overcome executive vetoes.*

Prefix - *“There are two kinds of township officials who create problems for their township: New Ones who know nothing about township government; old ones who think they know everything about it.”*

Penalties for Non-Performance - *If any supervisor refuses or willfully neglects to perform any of the duties of the office under the preceding Sections of this Article, he or she shall forfeit to the township the sum of \$50 and shall be disqualified to act as the supervisor of the township.* 60 ILCS 1/70-40

Public Graveyards - *The electors may authorize the township board to appropriate monies, in excess of the sum provided in the Public Graveyards Act, for the purpose of putting any old, neglected graves and cemeteries in the township in a cleaner and more respectable condition.* 60 ILCS 1/30-60

Independent Contractors - Townships frequently hire "independent contractors", a class of individuals who are neither officers nor employees. Frequently, the part-time township engineer or lawyer falls into this category. Such individuals are hired pursuant to a written contract of continuing motions of a council or board directing that particular assignments be carried out. Independent contractors are hired by the corporate authorities, unless the power to hire or fire is delegated to some other person or body.

Defamation Immunity - Where, however, an official steps beyond his or her official duties, the official is nonetheless exposed to personal liability in a libel or slander suit.

Prohibited Interests in Contracts - Township and road district officers are prohibited from having interests in township/road district contracts. 50 ILCS 105/3. No township/road district officer or employee may be interested directly or indirectly, in his or her own name or in the name of any other person, association, trust, or corporation, in any contract work for, materials, profits of work or materials, or services to be furnished or performed for the township/road district. 60 ILCS 1/85-45; 605 ILCS 5/6-411.1.

Control of Graveyards - The township supervisor is the treasurer of cemetery funds.

Treasurer of the Board of Managers - The treasurer pays out that money or property only upon the written order of the board of managers.

Cleaning Neglected Graves and Cemeteries - The above proposition, however, is just one way to maintain a cemetery. The township board of trustees may also appropriate funds to be used for the purpose of putting any old, neglected graves and cemeteries in the township in a cleaner and more respectable condition. The township board may appropriate funds to be used to maintain cemeteries owned by the state or any unit of local government. The township board may also appropriate funds from the township treasure to maintain non-profit cemeteries, but not for religious or sectarian purposes. 50 ILCS 610/2c

Aguilar informed Breecher that he had been speaking for over fifteen minutes and that he would like there to be a question in the near future. Breecher stated that the cemetery is separate and that cemetery officials are appointed just like this board is elected.

Breecher wanted to be clear about his wife not being paid her hourly wage for working in the cemetery. He stated that Aguilar has not been paying the bills. He continued by stating that Aguilar is the treasurer and bills have not been paid when asked. Aguilar requested that Breecher ask the board a question. Breecher believes there is no cooperation.

Breecher then discussed his reputation and career history. Breecher believes this is a political issue with the son of the previous supervisor. Breecher said he got involved to improve the look of the cemetery. He has been impressed with Chris Best's efforts. Breecher asked how things can get done without people being paid. Anderson stated there are only two items that are paying issues and that the board is willing to pay. Schultz asked for something in writing saying there is a conflict. Breecher continued by saying we can't do the basic things without being paid. Aguilar asked for the contract spoken of in the past. Breecher passed along a copy. Aguilar read his conversation with Township Officials of Illinois - Jerry Crabtree. Aguilar continued by reading what the attorney has said in the past. Gripp asked how all of this conversation even came about. Aguilar explained.

Aguilar continued by discussing why he implemented time sheets. Breecher continued that Aguilar pays what the cemetery board says to pay. Schultz suggested the board needs to be talking to an attorney.

Breecher continued by stating that the contract for Best's lawn care was just for mowing. He then reminded the board that they asked him to mow the hill as a separate charge, due to past ordinance issues with the neighborhood and the City of Moline.

Anderson reaffirmed her belief that everything needs to be done legally. Breecher told the board that the cemetery is a separate taxing body.

Aguilar asked the board if they have heard anything thus far answering anything that Breecher was asked to bring in response to a previous meeting. Anderson stated that if someone was looking in from the outside and questioned the situation, everyone could be in trouble. Breecher asked about the cemetery budgets. Aguilar stated again that this is why the cemetery falls under the township – thus, including Chris Best as an employee. Breecher told Aguilar to quit slandering Breecher.

Aguilar asked the board if anyone would like to step up and take the lead on contacting an attorney. Attorney Lisa Patrelli was listed as the township's attorney. Aguilar asked which bills have not been paid. Breecher stated his wife's pay. Aguilar once again reminded Breecher that she would be paid, if they completed the required timesheet.

- c. **Youth** — The board had a request for sponsoring a golf tournament. They decided not to participate.

SUPERVISOR'S REPORT —

- a. **G.A. Report** - Pending 1, Active 8, Approved 1; Total 10.
E.A. Report - Pending 4; Total 4.
- b. **Efficiency Study** - There will be the first efficiency study meeting required by the state after the June 6, 2023 meeting.

UNFINISHED BUSINESS —

Lot Sale - Due to a recent inspection requested in the contract, the deal can be voided. Aguilar informed the board that something was detected in the ground. The buyer can choose to walk away. The buyer did offer a different number of \$106,000 verbally to Aguilar. Forsberg stated that he would change his vote if that was the price to be voted on. The board would like to decline the recent offer by the buyer. Schultz would like to see the inspection or proof there are tanks in the ground which could cause the value to drop due to cleanup costs. Gripp believes we should stand firm at the original offer of \$116,000. Further discussion is needed.

Road and Bridge Budget - Schultz made a motion to approve the Road and Bridge Budget as written. Anderson seconded the motion. Motion carried, with all voting in favor.

Fire Protection District - Aguilar was informed that the City of Moline may possibly be stopping fire services to the recently acquired SMT Fire Protection District based on not receiving the required paperwork from the township. The township attorney selected to represent the Fire

Protection District told Aguilar that the paperwork was turned in some time ago. Discussion ensued. Aguilar believes this could be a major safety issue for constituents. Aguilar continued by listing items completed for the satisfaction of the agreement.

NEW BUSINESS —

Mandatory Sexual Harassment Training - Aguilar asked if everyone completed the training. Everyone received the required reading prior to the township meeting. Certificates of completion were signed.

Mandatory Open Meetings Training - Aguilar informed everyone of the need to complete the online training module. Schultz asked for a link. Aguilar will provide it.

Centennial Accounting - Aguilar and the administrative staff have been having issues with the accounting firm that recently merged with the former accountant. He presented a list of the items that have been mistakes. Aguilar believes a lot can be done in-house. He suggested QuickBooks. Anderson reminded the board that there are laws requiring many things when acting as an accountant. It was mentioned that the board could go another route with a different accountant. Aguilar would like to bring the administrative assistant to the next meeting. Further discussion is needed.

Audit – The audit was completed last week. Everything seems in good order. The report is expected soon.

Schultz received a call about a day the office was closed. Aguilar informed Schultz that the day in question was approved. Further Discussion needed.

MEETINGS & EDUCATION —

Next Board Meeting: May 22, 2023 at 5:30 p.m.
South Moline Township Hall, 2521 53rd Street, Moline, IL

TRUSTEES APPROVAL OF BILLS BY FUNDS —

- a. TOWN FUND
 1. TOWNSHIP ADMINISTRATION — Motion by Anderson for approval; second by Gripp. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.
 2. ASSESSOR — Motion by Gripp for approval; second by Schultz. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.
 3. TOWNSHIP SENIOR CENTER — Motion by Schultz for approval; second by Forsberg. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.
- b. TOWN FUND — FICA — Motion by Forsberg for approval; second by Anderson. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.
- c. TOWN FUND — IMRF — Motion by Anderson for approval; second by Gripp. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.
- d. GENERAL ASSISTANCE — Motion by Gripp for approval; second by Schultz. Ayes:

Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.

- e. ROAD & BRIDGE / GENERAL FUND — Motion by Schultz for approval; second by Forsberg. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.
- f. ROAD & BRIDGE / IMRF FUND — Motion by Forsberg for approval; second by Anderson. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.
- g. ROAD & BRIDGE / FICA FUND — Motion by Anderson for approval; second by Gripp. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.
- h. ROAD & BRIDGE / EQUIPMENT & BLDG — Motion by Gripp for approval; second by Schultz. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.
- i. ROAD & BRIDGE / INSURANCE FUND — Motion by Schultz for approval; second by Forsberg. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.
- j. CEMETERY — Motion by Forsberg for approval; second by Anderson. Ayes: Anderson, Schultz, Gripp, Forsberg and Aguilar. Unanimous.

COMMENTS — None

ADJOURNMENT — Motion by Gripp, second by Schultz, that we adjourn the meeting. Motion carried, with all voting in favor. Meeting adjourned @ 6:40 p.m.

Respectfully submitted,

Nicholas “Nick” Vyncke
South Moline Township Clerk