

HOMER TOWNSHIP

Executive Session Meeting Minutes

STATE OF ILLINOIS
Will County, ss.
Town of Homer,

EXECUTIVE SESSION
BOARD MEETING
FEBRUARY 11TH 2019

DRAFT PRESENTED TO BOARD ON APRIL 8TH 2019

THE BOARD OF TOWN TRUSTEES met at the Old Town Hall 16057 Cedar Rd. Lockport, Illinois 60491 on February 11th 2019

PRESENT:
Supervisor Meyers
Trustee Fijan
Trustee Kalas

ALSO PRESENT:
Mike DeVivo Highway Commissioner
Karen Szykowski Assessor
Attorney Sramek
Mary Pat Degrassi Staff

The executive session began at 7:34 PM. This Executive Session was recorded in compliance with the Open Meetings Act. The recording is available in the Township Clerk's Office.

Supervisor Meyers discussed the appointment of Mary Pat Degrassi and her decision to become Deputy Clerk should she so desire and if Clerk Sowa would appoint. Supervisor Meyers reported that she received an email from Clerk Sowa which stated, "Pam, after a great deal of thought I wanted to let you know it is my intent to resign. I will be working with my physician and I am bereft to explore short term disability. And the only way for me to be eligible is to resign my position. I will be contacting IMRF to be insure the proper steps are taken regarding the resignation this week. Also, I intend to be in my office to remove my belongings this weekend. I will prepare a formal resignation upon the advice of IMRF and will forward it to you for the Boards acceptance in March." Supervisor Meyers reports that short of receiving an actual resignation there is little we can do. She hopes that Clerk Sowa will follow through with her intentions for the state of the Township. The IMRF rules as an elected official state that you can only be eligible if you resign your position first. From the timeline of the Township, if she does not resign until March 11th, unless we had applicants and called a special meeting, we will not have someone to conduct the Annual Township Meeting. According to her knowledge, the Clerk is the only one who can conduct this meeting.

Attorney Sramek stated that she can appoint a Deputy Clerk who could stand in her place. Supervisor Meyers stated is difficult to find someone to take on this responsibility and to complete the minutes which are behind for free.

Karen Szykowski stated she believes that IMRF would not offer any advice but rather they would refer you back to the book to read.

Trustee Kalas voiced concerned over what if the March Meeting comes and we still hear nothing. Attorney Sramek stated should Clerk Sowa resign we can appoint this position. If she does nothing we are in unfamiliar territory. Trustee Kalas is concerned if by March 11th there is nothing then we need a backup plan.

Supervisor Meyers stated she has never seen anything other than actually being found guilty by a court that allows the Board to remove an elected official from office. She cited an example of another Township having similar difficulties with their Highway Commissioner who is failing to do the duties of his position.

Trustee Kalas stated something needs to be put into place.

Supervisor Meyers indicated all has been done to protect the Township in the absence of the Clerk without overstepping our bounds. Arrangements have been made wherever possible to insure as much as possible is being done within legal limits. Supervisor Meyers also believes that the position of Clerk does not have to be a full-time position anymore. Attorney Sramek believes that if things go as planned and she resigns, you can appoint the position on a part-time basis with a salary that has already been established with no benefits.

Supervisor Meyers stated no decision is being made this evening. She asked Attorney Sramek if a person is just completely refusing to do their job do you have to bring charges against them and take them to court to have them removed? Attorney Sramek stated there is a provision in the statutes for resignation and one for being convicted of a crime, but there is nothing in between. So, what to do when you have an official who is not fulfilling their responsibilities is a question mark. He is not sure at this point. The Trustee's voiced their concerns. Supervisor Meyers stated there is no precedent for this situation. She is concerned about the annual town meeting.

Attorney Sramek suggested they contact Clerk Sowa and ask her to appoint a Deputy Clerk to ensure that her responsibilities are maintained in her absence. Supervisor Meyers feels there are things that the Clerk must do or that somebody appointed to that position must do. Supervisor Meyers doesn't know anyone interested in this position.

Mary Pat Degrassi asked if Clerk Sowa resigned at the March 11th meeting and the next meeting was one day before the Annual Town Meeting, could someone be appointed that day and then run the Annual Town Meeting? Supervisor Meyers and Attorney Sramek stated yes.

Supervisor Meyers wanted to clarify with Attorney Sramek that it was her understanding that if the newly appointed position was someone who was an elected official already, they would have to resign first before being appointed to the position of Clerk. Also, if its an employee of the Township who wanted to fill the position of Clerk, there would be a conflict of interest. Sramek shook his head in agreement of the statements.

Motion to return to regular session by Trustee Kalas, Second by Trustee Fijan at 8:01 PM. All Yes, Motion Carries. No action was taken.

Executive Session ended at 8:01 PM

Respectfully submitted,

Kathleen Kruczek, Deputy Clerk