

AVON TOWNSHIP
Special Town Meeting Minutes
Monday, August 24, 2015

1. Meeting Called to order by Town Clerk, Jeanne Kearby at 7:00 pm
2. Pledge of Allegiance
3. Elect Moderator

Motion was made by Lisa Rusch and seconded by Georgeann Duberstein to appoint Anne Richmond.

4. Moderator Sworn in by Clerk
5. Moderator to Introduce Township Board
6. Censure Discussion and Possible Action

Motion was made by Pat Duby and seconded by Doug Williams to approve a resolution of censure as of today, August 24, 2015, to allow the voices of discontent of the citizens of Avon Township be heard and do hereby formally call for a resolution of censure against the Avon Township Assessor, R. Christopher Ditton, for actions unbecoming of an elected official and in concurrence with the resolution of censure unanimously passed by the Avon Township Board on August 10, 2015 and do further call upon R. Christopher Ditton to formally resign from his post as an elected official representing the citizens of Avon Township.

The moderator read the censure approved by the Avon Township Board of Trustees on August 10, 2015 upon the request of Patrick Duby.

Patrick Duby noted that his motion validates the action of the board and a second resolution of censure to state their approval of the Board's action and further call for the Assessor resignation.

Discussion was held and questions were answered regarding the lawsuit by Supervisor Rusch maintaining the confidentiality of a continuing lawsuit.

A question was asked by Stewart Feen if there was a mechanism to remove for an elected official. Attorney Dietz noted there was but that they would need to contact another lawyer.

Georgeann Duberstein noted she did ask the State's Attorney and they said she could do nothing. Patrick Duby noted that this resolution would act as a black mark on his performance.

Travis Haley asked if these actions were to seek removal of an elected official and that the resolution mentioned as a unanimous pass did not have all members present at the meeting. He asked if Bill McNeill would comment on the resolution since he was not present for the vote of the Board's resolution. Bill McNeill did comment that he was unable to attend due to a hospitalized illness. He noted that this Township is in trouble. We may not have insurance. We will get through this, we have a great board. He did close his office and filed a lawsuit. He also gave a history of when the lawsuits started. I am not running next term therefore I am not looking for votes. So, this Township is in trouble because of the cuts made, with my objection, with our last Supervisor. He said he would have voted yes on the resolution if he was present. He said we may have to go out for a referendum and he hopes everyone will support the Township.

Stewart Feen asked a question to the Attorney about the lawsuits. Are they all from Mr. Ditton? There have been two involving the current Assessor.

David Cruz asked how many suits are ongoing and settled. There is still one ongoing regarding two employees and then there is one to give the Assessor more money which has been settled. Georgeann Duberstein noted that when the Assessor gets a lawsuit, the Township pays both sides because he is an elected official of the Township.

Patrick Duby noted that the Assessor was directed to attend meetings. He did FOIA the suit and the Assessor has still not accounted for the time his office was closed. He noted that there was bullying and threats made to this Board. I am hoping this body will support the resolution to support the Board. This is not only because he closed his office, that he sued the Township and the lawsuits. It is also the assessments that were challenges and lost revenues because of the appeals that have been lost were not defended appropriately. There should not be a suppression of a vote by threat.

Judy Armstrong asked if the Township does not have the power to call for a resolution. Attorney Dietz said it was not within the statute but you could call for

a censure because it is basically a slap on the wrist. Judy Armstrong asked for an editorial change that the first line "citizens' call for a resolution of censure" is changed to "Citizens call for the resignation of Avon Township Assessor, Christopher Ditton. Doug Williams seconded that change.

As a result of the accepted friendly amendment, a motion made by Patrick Duby and seconded by Doug Williams that as of today, August 24, 2015, let the voices of discontent from the citizens of Avon Township be heard who formally endorse the resolution unanimously passed by Avon Township Board on August 10, 2015 against Avon Township Assessor, R. Christopher Ditton, and we do furthermore call upon R. Christopher Ditton to formally resign from his post as an elected official representing the citizens of Avon Township.

Wallace (Mutter) from Grayslake noted that these issues are new to me. There have been references of Mr. Ditton's non-attendance at meetings. Attorney Dietz noted there were some reasons given when a reason was given it was training or meetings. It was noted that he missed $\frac{3}{4}$ of the meetings.

Lisa Rusch noted as Supervisor, when the Assessor's office was closed the burden was put on my office as well as other assessor offices

The motion was called and Travis Haley asked for a roll call. Georgeann Duberstein asked why. He sated there is a roll call for referendum. Georgeann noted this was not a referendum.

The Moderator Anne Richmond called for a vote on the roll call.
In favor of a roll call.

All in favor a roll call show of hands? Opposed? By show of hands there will not be a roll call vote.

Gene asked for a clarification on the motion calling for the resignation. The motion was reread and clarified. The motion was read by the Moderator.

Those in favor say aye? Opposed? Motion passed by acclamation with one nay vote.

Since there is no other business. We are adjourned at 7:48 p.m.