

RUTLAND TOWNSHIP
REGULAR BOARD MEETING
JUNE 8, 2010

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The Rutland Township Board held its monthly meeting in the Town Hall. Supervisor Sanders called the meeting to order at 7:00 p.m. The Rutland Township Clerk Debra Schultz led the Pledge to the Flag. Roll call showed the following members present: Supervisor Sanders, Clerk Schultz, Trustees Schuldt, Schultz, and Swanson. Also present were Assessor Siers, and Highway Commissioner Schultz.

MINUTES

There are a few minor corrections to the minutes of May 11, 2010. On page 7 the first correction is to replace March 31, 3010 with March 31, 2010. Also on page 8 under OTHERBUSINESS MATTERS there are double words on was decided. With the corrections made, **a motion was made by Trustee Schuldt and seconded by Trustee Schultz to accept the minutes as corrected at the June 8, 2010 meeting. Vote: Voice vote. All Ayes.**

2010-06-01

PUBLIC COMMENT

No public comment

SUPERVISOR ANNOUNCEMENTS

Supervisor Sanders asked Trustee Schultz how the basil seeds were doing for the fair for next month. Brenda Reynolds from the auditing firm will be here next month to answer any questions the board may have about the audit. Supervisor Sanders then went over some of the suggestions given to her by the auditors. There will be an annual meeting for the Officials of Kane County on October 20, 2010 please mark your calendars. It will be held at the Lincoln INN in Batavia. The first tax distribution has taken place on May 26, 2010 and the second one will take place on June 23, 2010.

FINANCIAL

The financial reports for the 1st month ending April 30, 2010 for the Town and Road district were distributed in the Trustee notebooks last month for their consideration at this time, **a motion was made by Trustee Schuldt and seconded by Trustee Schultz to accept the Town and Road financials as presented for the June 8, 2010. Vote: Roll call vote.**

2010-06-02

Schuldt yes
Schultz yes
Swanson yes
Sanders yes

Motion carried.

The financial reports for the 2nd month ending May 31, 2010 were included in the Trustees notebooks for their consideration at next month's meeting.

BILLS AND SALARIES

Discussion on the Town bills began with Supervisor Sanders noting the quality of the reports, the printer is not doing well. There were questions on the Rake Group account, also on Scruff and Buff account.

With no further discussion on the bills Supervisor Sanders went over the town bills with salaries in the amount of \$9,881.91, total invoice in the amount of \$6,416.27 for a total amount of \$16,298.18. With no further discussion **a motion was made by Trustee Swanson and seconded by Trustee Schuldt to authorize payment of the May bills as presented for the June 8, 2010 meeting. Vote: Roll Call Vote.**

2010-06-03

Swanson	yes	
Schuldt	yes	
Schultz	yes	
Sanders	yes	Motion carried.

Discussion began with Supervisor Sanders reading the amount of claims for the Road District, with salaries in the amount of \$9,972.70, and invoices of \$7,544.51, for a total amount of \$17,517.21 for the month of May. With no further discussion, **a motion was made by Trustee Schuldt and seconded by Trustee Schultz to authorize payment of the May bills for the Road District as presented for the June meeting. Vote: Roll call vote.**

2010-06-04

Schuldt	yes	
Schultz	yes	
Swanson	yes	
Sanders	yes	Motion carried.

ADOPTION OF PREVAILING WAGE ORDINANCES

There were no questions or discussion on the Prevailing Wage Ordinance for the Town, a **motion was made by Trustee Schuldt and seconded by Trustee Swanson to adopt the Prevailing Wage Ordinance #RU 2010-05 for the Town for the year 2010-2011 as presented. Vote: Roll call vote.**

2010-06-05

Schuldt	yes	
Swanson	yes	
Schultz	yes	
Sanders	yes	Motion carried.

There were no questions or discussion on the Prevailing Wage ordinance for the Road District, **a motion was made by Trustee Swanson and seconded by Trustee Schuldt to adopt the Prevailing Wage Ordinance #RU 2010-06 for the Road District for the year 2010-2011 as presented. Vote: Roll call vote.**

2010-06-06

Swanson	yes	
Schuldt	yes	
Schultz	yes	
Sanders	yes	Motion carried.

FILLING THE TRUSTEE VACANCY

The next item on the agenda is filling the trustee vacancy. Supervisor Sanders than went on to explain how we were going to proceed with filling the trustee vacancy. Trustee Swanson questioned if the resignation of Patrick Whalen had been properly accepted. A discussion followed. Supervisor Sanders stated that according to the April 27, 2010 correspondence from Ronald Roeser our Township Attorney, regarding the resignation of Patrick Whalen and the procedure for filling the trustee vacancy should begin with an agenda item (on the May Agenda: Resignation of Trustee Whalen). Our Attorney also stated that we could receive nominations at that time and proceed to fill the vacancy.

Supervisor Sanders referred to the *Township Laws and Duties Handbook* regarding resignations along with the Township attorney.

Trustee Schuldt, Trustee Schultz and Supervisor Sanders felt that the resignation of Trustee Patrick Whalen had been accepted properly when everyone thanked him for his service, all wanted to move forward with the procedure for filling the vacancy. Discussion continued on. Supervisor Sanders than referred back to the correspondence dated April 27, 2010 from our Township Attorney which states when one no longer resides within the Township he/she loses eligibility and can be said to have resigned as the moving van pulls away from his house. I believe a resignation need not be in writing but must otherwise be sure, certain and definite. Any resignation is effective upon acceptance by the Township. Supervisor Sanders stated that she had indeed talked to Patrick Whalen today and he has given her a new address, she than asked for a motion to proceed forward with filling the trustee vacancy. **A motion was made by Trustee Schuldt and seconded by Trustee Schultz to proceed forward with filling the trustee vacancy. Vote: Roll call vote.**

2010-06-07

Schuldt **yes**

Schultz **yes**

Swanson **abstain**

Sanders **yes**

Motion Carried.

Supervisor Sanders than referred to a correspondence from Ronald Roeser our Township Attorney dated May 25, 2010 as to how we were to proceed. It stated that simply because one has expressed an interest in the seat, the issue becomes whether that person can get nominated by any member of the Board. We can have multiple nominations. A "majority" consists of a majority of those members present, presuming a quorum. Supervisor Sanders stated that we do have a quorum this evening with herself and three Trustees, the majority being three votes. Voting will continue and be repeated until a candidate receives three votes. Although no specific procedural rule applies, you might vote on the candidates in the order nominated. Remember, each nomination, like a motion, requires a second. The fact one moved or seconded a nomination does not require them to vote in favor of that candidate. In all events, the nominee needs three votes to win. All of this business is to be conducted in open session.

Supervisor Sanders than asked for nominations to appoint a trustee to the trustee vacancy. **Trustee Schuldt opened with his nomination for John Payson. His nomination was seconded by Trustee Swanson.** Trustee Swanson, than nominated Gordon Mueller for the trustee vacancy, her nomination was not seconded, the motion failed. Trustee Schultz than nominated Charleen Carlson for the trustee vacancy, her nomination was not seconded, the motion failed. Supervisor Sanders than asked if there were any other nominations. Hearing none, she then proceeded with the one nomination that had been seconded for John Payson.

Supervisor Sanders asked Clerk Schultz to take the vote. This is for the one nomination that had been seconded for John Payson. The appointment is to fill the vacancy for trustee created by the resignation of Patrick Whalen. Roll call vote.

2010-06-08

Schuldt	yes	
Swanson	yes	
Schultz	yes	
Sanders	yes	Motion carried.

The yes has it and the appointment has been made. The Rutland Township board has appointed John Payson to fill the trustee vacancy.

John Payson was than congratulated. He introduced himself and gave a little background. Clerk Schultz at this time administered the Oath of Office to John Payson. He is now the new Rutland Township Trustee.

REPORTS BY OFFICIALS

Clerk Schultz informed everyone that Tim Schmitz mobile office will be coming to Rutland Township on July 20, 2010 from 1:00 to 3:00 in the afternoon to answer any question the residents may have. Highway Commissioner Schultz let everyone know that work on the bridge on Damish Rd will be occurring. Also that paving in Rutland Township will begin sometime in July.

DOCUMENT SIGNING

ADJOURNMENT

With no further business a motion was made by Trustee Schuldt and seconded by Trustee Schultz to adjourn the meeting at 7:57. Vote: voice vote. All yes
2010-06-09

RESPECTFULLY SUBMITTED,

DEBRA SCHULTZ, TOWNSHIP CLERK

STEVE SCHULDT, TRUSTEE

KATHERINE SCHULTZ, TRUSTEE

BEULAH SWANSON, TRUSTEE

MARGARET SANDERS, SUPERVISOR