

SPECIAL MEETING OF THE VILLAGE BOARD  
VILLAGE OF PORT BARRINGTON  
LAKE AND MCHENRY COUNTIES, ILLINOIS  
January 6, 2020

President Yeaton called the Special Meeting of the Board of Trustees to order at 6:00 pm. The following Trustees were present: Cillo, Corrigan, Fecske, Herstedt Vogeler and Grothendick. This meeting was attended virtually by all. Village Clerk Nancy Bachal and Village Administrator Donna Erfort were also present.

President Yeaton announced that the Board must limit discussion to the Counsel to represent the Electoral Board of the Village and would the Bateman law firm remain as counsel for the meetings 01/07/2021 at 6pm and 8pm. All members of the Electoral Board have been seated and are present except for Carl Metz II.

Trustee Cillo asked how the Board was selected. President Yeaton responded that there are statutory requirements. The Bateman's do not choose.

Trustee Vogeler stated that he has been vocal about the Village President engaging the Bateman's without consent of the Village Board. He believes they would lose the Village as a client if he were elected and stated that he also does not trust the Village President, Shannon Yeaton.

Donna Erfort remarked that the agenda she received was regarding questions of conflict of interest.

Trustee Corrigan stated that the Trustees asked for the meeting to discuss the topic. He was displeased that Trustees had to do their own research to find out information about the Electoral Board rules and they expected a timeline response from the Bateman's. He stated his concern that there was insufficient information and possible mis-information.

President Yeaton responded that the Board members were not supposed to do research. Trustees Grothendick, Fecske, Herstedt and Cillo were not sent any information at all as they are not on the Electoral Board. Donna Erfort and Nancy Bachal prepared the necessary documents so they had more information.

Donna Erfort reminded the Board that the subject of this meeting is whether to have the Bateman's serve as Counsel to the Electoral Board and not Village Attorney.

Trustee Grothendick asked what the Village Attorney's function would be at the meeting. President Yeaton responded to make sure documents are available and convey rules to the Board. Trustee Grothendick asked if they ask questions of participants. They do not.

Trustee Vogeler stated that as an Electoral Board member he received documents just today. Under Electoral powers – item “c” it says the Attorney may also examine witnesses. President Yeaton responded the purpose and function is to protect the Village interest. They have not done

anything self-serving. Trustee Vogeler stated the short time frame to review the information was a concern. He stated there should have been more information prior to 24 hours before the Electoral Board convenes.

Trustee Corrigan stated that the meeting was called because the Trustees want to be sure the whole process was above board and transparent.

President Yeaton responded that the Bateman's did not rush the dates. There is statute regarding time frame for meeting from the time papers are served and it is a requirement. She asked if the Board would want to hire special counsel for the meeting tomorrow.

Trustee Vogeler stated he was frustrated by the lack of information. Trustee Cillo also expressed frustration that there are questions and no option to ask them.

Trustee Grothendick motioned that the Bateman's be retained as counsel for this Electoral Board but wanted a separate letter drafted to state disappointment. President Yeaton responded that the Board was chosen Monday. A letter could be drafted, but the timeline is in the statute. Trustee Cillo seconded. Roll call was taken; Trustees Fecske, Corrigan, Vogeler, Cillo and Grothendick voted Aye. Motion approved.

The meeting open to the floor at 6:58pm.

Denise Piane asked if the Bateman's are being retained for only the meeting tomorrow or for all future Village matters. President Yeaton responded that the Bateman's are the Village Attorneys in general.

Shelly Motley stated she believes there is a conflict of interest between the Bateman's and President Yeaton and wants to file a FOIA to find out how the Electoral Board was formed.

Trustee Vogeler stated there are set rules that the Bateman's drafted that say they are authorized to defend the Board at the Circuit level if it goes to the Circuit Court and the Electoral Board must sign the rules. President Yeaton stated that there is an option to decide prior to that next step. The Village is not obligated. The language could be changed to read "may" instead of "will".

Jay Motley asked when the public would know what the objectives of the Electoral Board were. President Yeaton responded that this meeting was for only one purpose. At the hearing tomorrow you could hear more or you could fill out a FOIA at the Village Hall. Jay also asked if the Bateman's would be counsel for both meetings and the answer was yes.

John Schultz stated he believed the documents were a contract with the Bateman's and was concerned.

Shelly Motley stated she heard the reason for the short timeline is that the Village would be fined for delay. She asked if the Board was given the option to accept the fine and delay for another week. President Yeaton responded that it was not part of the discussion.

Jane Doe demanded to know whether Jay Motley's question would be in the minutes of this meeting. The Village Clerk responded that it would and so would the Village President's response that the agenda limits the scope of conversation.

Trustee Cillo motioned to adjourn the Special Meeting. Trustee Herstedt seconded. Roll call was taken: 6 Ayes, 0 Nays, 0 Absent. Motion approved.

The meeting was adjourned at 7:28 pm.

Respectfully Submitted,

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Nancy Bachal, Village Clerk

AYES   5  

NAYS   0  

ABSENT   0  

ABSTAIN   1-Herstedt -technical phone difficulties

APPROVED   January 27, 2021