

**Minutes of Blackberry Township  
Regular Monthly Meeting  
43W390 Main Street Road, Elburn, IL 60119**

**July 11, 2023**

**CALL TO ORDER:** At the Blackberry Town Hall, Supervisor Esther Steel called the meeting to order at 7:00 p.m. Trustees present were Judie Childress, Bill Earle, Harley Veldhuizen and Eric Anderson. Also present was Assessor Riley Kavanaugh and Clerk Lisa Hodge.

**PLEDGE:** Supervisor Steel asked Trustee Childress to lead the Pledge of Allegiance.

**CLERK:** Roll Call: Clerk Hodge called the roll: Veldhuizen-here, Earle-here, Anderson-here, Childress-here, Steel-here.

**PUBLIC COMMENT:** Nothing at this time.

**MINUTES:** The Trustees reviewed the minutes of the June 13, 2023 regular monthly meeting. Supervisor Steel asked for a motion to approve the minutes as presented. Trustee Childress so moved, Trustee Veldhuizen seconded. The motion carried unanimously by voice vote.

**ROAD COMMISSIONER:** Highway Commissioner Rod Feece was unable to attend the meeting but had prepared a report that Supervisor Steel read aloud. Topics included the completion of the final paving project, the Brundige Road rail crossing issues and trying to schedule a meeting with Crown.

Trustee Earle updated the Board on the names of the streets in Mill Creek that were paved.

**ASSESSOR:** Assessor Riley Kavanaugh reported that a cell tower letter was sent out. They have been working with Kane County to double check the Book, which should be published in two weeks. Assessor Kavanaugh thanked the Assessor's office staff, Jaime Sundblade and Vicky Vandiver, for performing additional field checks.

The Assessor's office is looking into the MJS program-to update the website property search to facilitate comparables. Trustee Anderson will be looped into that discussion.

**TRUSTEES:** Trustee Anderson updated the Board on updating the current names associated with email addresses on the Township's website and eliminated old and former email names. He will plan to spend one afternoon soon, to migrate the new email program onto everyone's device.

Trustee Childress provided a report on the 708 Inc. Board meeting. She had two handouts for the Boards consideration that included service statistics. Trustee Childress believes the tax money is very well spent.

**CEMETERY:** Sexton Jeanne Chybik reviewed the Cemetery report with the Board.

Regarding PACE, she has noticed an improved "on-time" performance. There were no new applications this month.

**SUPERVISOR:** Supervisor Steel asked the Board if they desire to meet with Blackberry Township residents impacted by Crown but asked them to hold their thoughts and comments until she read aloud her prepared statement regarding Crown. After reading her statement, Supervisor Steel asked Clerk Hodge to add the statement to the minutes.

Supervisor Steel reported that the Township Attorney affirmed the limitations of Township authority. She also reported that one resident had contacted Kane/DuPage Water & Soil Agency and asked them to present a power-point at the Blackberry Township July Board meeting, without the Township's knowledge.

Supervisor Steel acknowledged Trustee Earle who shared that he received an email from a resident regarding Kane/DuPage Water & Soil Agency and that the resident was asking for the Township Board to represent the citizens and enter into a contract with Kane/DuPage Water & Soil.

Supervisor Steel responded that she will contact Kane County to make sure that Blackberry Township does not duplicate things that Kane County is already doing. Supervisor Steel impressed upon everyone that Kane County is extremely active in protecting the Blackberry Creek region.

Supervisor Steel opened the meeting to Public Comment.

Mr. Dale Essling had a question regarding Kane/DuPage Water & Soil Agency.

Ms. Carolyn Anderson explained why she had contacted Kane/DuPage Water & Soil Agency.

Mr. Bob Raimondi had concerns about a possible TIF.

Ms. Diane Spehar had concerns about plummeting property values.

Ms. Donna Baughman requested a copy, if possible, of the statement that Supervisor Steel read aloud earlier.

Supervisor Steel returned the meeting to the Agenda.

Discussion/Action Item: Budget adjustment to accommodate Contract Assessor: Supervisor Steel led the discussion about the budget item adjustment to move contract service to accommodate Riley Kavanaugh's salary. Discussion ensued. Supervisor Steel asked for a motion to adjust the budget item. Trustee Earle so moved, Trustee Anderson seconded. Supervisor Steel asked Clerk Hodge to conduct a roll call vote. Clerk Hodge took a roll call vote: Veldhuizen-yes, Earle-yes, Anderson-yes, Childress-yes, Steel-yes. The motion carried unanimously.

**BILLS:** The Board reviewed the bills.

Road: Supervisor Steel reviewed the Road bills and reported that the Road District received a reimbursement check from WBK. A motion to pay the Road bills was made by Trustee Veldhuizen, seconded by Trustee Earle. Clerk Hodge called for a roll call vote to authorize the expenditures: Veldhuizen-yes, Earle-yes, Anderson-yes, Childress-yes, Steel-yes. The motion carried.

Town/Cemetery: A motion to pay the Town/Cemetery bills was made by Trustee Earle, seconded by Trustee Anderson. Clerk Hodge called for a roll call vote to authorize the expenditures: Veldhuizen-yes, Earle-yes, Anderson-yes, Childress-yes, Steel-yes. The motion carried.

**OLD BUSINESS:** Nothing at this time.

**NEW BUSINESS:** Nothing at this time.

**PUBLIC COMMENT:** Nothing at this time.

**EXECUTIVE SESSION:** Supervisor Steel asked for a motion to enter into Executive Session for the purpose of discussing a Personnel issue. Trustee Childress so moved, Trustee Veldhuizen seconded. Clerk Hodge called the roll: Veldhuizen-yes, Earle-yes, Anderson-yes, Childress-yes, Steel-yes.

The meeting entered into Executive Session at 8:00 p.m.

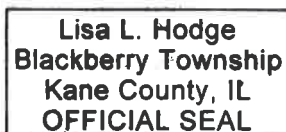
The meeting returned to open session at 8:50 p.m.

**ADJOURNMENT:** With no further business, a motion to adjourn was made by Trustee Childress, seconded by Trustee Veldhuizen. The meeting was adjourned at 8:52 p.m.

Respectfully submitted,



Lisa L. Hodge, Blackberry Township Clerk



## Statement regarding the Township/Crown

Blackberry Township is a taxing body in the State of Illinois. We are granted statutory authority by the State. All of us on this Board have sworn an oath to uphold the Constitution of the United States of America and the Constitution of the State of Illinois.

In 1970 the State of Illinois adopted a revised constitution. This revised constitution included Dillon's Rule. Dillon's Rule states that the State of Illinois has the power to grant statutory authority to local forms of government. Each form of government has defined authority. The idea is the authority is granted to provide certain functions. The different taxing bodies are granted the power to collect taxes to fund the functions authorized by the state. Each taxing body has a very defined area of authority. The idea is that each area of responsibility becomes our area of expertise.

In a general sense the Township has authority over rural roads not controlled by another entity say a village, city, county or state. That is our Road District. It is a separate taxing body from the Township. Rod Feece is the Roads Commissioner.

The Township is designed to be the financial arm of the Township. We are responsible for maintaining the financial end of the Township including the financial operations of the Road District. Not the day to day operation. We are responsible for maintaining the Assessor's office budget within the Township budget. We do not control the day to day operations of the Assessor's office. We have additional opportunities of authority where there is no authority from another taxing body. These would include senior and youth services and the maintenance of cemeteries. We are also required by state statute to maintain a General Assistance Fund and have the ability to support mental health which Blackberry does by levying funds for the Inc Board. This is a general scope of the authorized activities of the Township. We do not have the authority as a unit of government to use our position and title to influence or impact the activities of another taxing body. There are repercussions for us if we do try to violate the States Constitution. And this Township does not have the funds to fight a court battle we would ultimately loose because we are in violation of the Constitution.

Now, having said that there is one area where we as a Township can have an opinion and that is the proposed TIF. If the TIF that is being proposed negatively impacts the Township and our ability to provide our statutorily authorized functions, then we can question it. The only real area or part of the Township that can challenge the TIF is our Road District. Rod is actively working on that. I am helping. We have reached out to several taxing bodies so far to see where they are in this. We are virtually the least of the taxing bodies impacted by the TIF. We have not met with Crown. We have not met with the Village of Sugar Grove. This is a work in process for us and we will continue to see what we can do.

A handwritten signature in black ink, appearing to read "B. H. Stal". The signature is written in a cursive, flowing style with some loops and flourishes.