

## Minutes Board of Town Trustees

STATE OF ILLINOIS,  
COUNTY OF LAKE  
TOWN OF FREMONT

The Fremont Township Board of Trustees met at 22385 W. Illinois Route 60. Mundelein, IL 60060 on June 18, 2015 to conduct a **Special Meeting**.

### **ELECTED OFFICIALS:**

Diana O'Kelly	Supervisor
Christina McCann	Town Clerk
Bill Grinnell	Highway Commissioner
Ed Sullivan, Jr.	Assessor
Trustee Atleson	Town Trustee
Trustee Forman	Town Trustee
Trustee Martin	Town Trustee
Trustee Shanahan	Town Trustee

### **1. CALL TO ORDER AND PLEDGE**

Trustee Martin called the meeting to order at 10:00 a.m.

### **2. ROLL CALL**

#### **BOARD MEMBERS PRESENT**

Trustee Atleson, Trustee Forman, Trustee Martin, Trustee Shanahan

#### **ELECTED OFFICIALS PRESENT**

Clerk Christina McCann

#### **OTHERS PRESENT**

Attorney Jim Hartman, Smith, LaLuzerne & Hartman, Ltd.

### **3. PUBLIC COMMENTS**

None

### **4. OLD BUSINESS**

#### **4.1 2015 Prevailing Wage Ordinance No. 254 – Town**

- **Trustee Forman moved and Trustee Shanahan seconded the motion to adopt Prevailing Wage Ordinance No. 254 – An ordinance of Fremont Township, Lake County, Illinois ascertaining the prevailing rate of wages for laborers, workmen and mechanics employed on public works of said Township.**

#### **Roll Call**

**Aye:** Trustee Atleson – under protest, Trustee Martin – under protest, Trustee Shanahan – under protest, Trustee Forman

**Nay:** None

**All in favor, motion carried**

Discussion: Trustee Shanahan asked attorney Jim Hartman to discuss repercussions to the Township and the Board if the Ordinance is not adopted. Mr. Hartman explained the Prevailing Wage Act is a state law and that violators of the law are subject to the penalties for committing a Class A Misdemeanor. He could not provide opinion as to whether the State would impose penalties because he does not know of any public body that has failed to pass the Prevailing Wage Ordinance. Mr. Hartman explained it is the Board's statutory obligation to pass the Ordinance and that a bigger risk is to not pay prevailing wages for a public works project.

Trustee Atleson and Trustee Martin asked for clarification regarding use of employees versus hiring contractors to perform maintenance work. Mr. Hartman stated that is a grey area but interpretation of the law is that employees performing maintenance are not subject to prevailing wage, but hired contractors performing maintenance are. Clerk McCann referenced discussions with attorney Chuck Smith regarding a possibility the township's public official liability insurance may not cover trustee legal fees if there is legal action related to the board's failure to adopt the Ordinance.

**5. PUBLIC COMMENTS**

None

**6. ADJOURN**

- **Trustee Forman moved and Trustee Shanahan seconded the motion to adjourn the meeting at 10:20 a.m. All in favor, motion carried.**

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Respectfully Submitted, Christina McCann, Fremont Township Clerk on: July 13, 2015