

ADMINISTRATIVE ORDER NO. 2016-10 22ND JUDICIAL CIRCUIT McHENRY COUNTY, ILLINOIS

DEC 3 0 2016

KATHERINE M. KEETE McHENRY CTY, CIR, CLK,

APPOINTMENT OF PUBLIC MEMBERS TO SERVE

ON THE MCHENRY TOWNSHIP ELECTORAL BOARD

Having received a written request, a copy of which is attached hereto, by e-mail on December 29, 2016, and further updated, from Attorney James G. Militello III of the law firm of Prime Law Group, LLC, attorneys for McHenry Township, requesting pursuant to 10 ILCS 5/10-9 that the Chief Judge appoint public members to the McHenry Township Officers Electoral Board to consider objections to the nomination papers of candidates for the offices of McHenry Township Trustee and McHenry Township Clerk, at the April 4, 2017, Consolidated Election for the reason that members of the Electoral Board are disqualified from serving because of various conflicts and statutory disqualifications.

This Court having considered the request and having reviewed the statutory authority, 10 ILCS 5/10-9, finds that the appointment of public members of the McHenry Township Electoral Board is appropriate and required.

THEREFORE, IT IS ORDERED that the following shall serve as public members of the McHenry Township Electoral Board relative to the nomination petitions for candidates at the April 4, 2017, Consolidated Election to consider objections as set forth as follows:

- 1. Bob Anderson, Verified Objection to Petition Gary Barla, Candidate a. Public member: David N. Stone, Esq.
- 2. Bob Anderson, Verified Objection to Petition Sue Draffkorn, Candidate a. Public member: David N. Stone, Esq.
- 3. Bob Anderson, Verified Objection to Petition Neal Schepler, Candidate a. Public member: David N. Stone, Esq.
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 Public member: David N. Stone, Esq., Chairman
 - b. Public member: Stephen M. Haugh, Esq.
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a. Public member: David N. Stone, Esq., Chairman

b. Public member: Stephen M. Haugh, Esq.

Dated: DECEMBER 30, 2016

MICHAEL J. SULLIVAN CHIEF JUDGE

Michael Sullivan

From:

James G. Militello III <imilitello@primelawgroup.com>

Sent:

Thursday, December 29, 2016 3:41 PM

To: Cc: Michael Sullivan Bridget Diedrich

Subject:

Re: McHenry Township - Electoral Board

Attachments:

Administrative Order 2016-10 Mchenry Township Electoral Board.pdf; First Amended Public

Member Request.pdf; Candidate Position sorted by Boards 2.pdf

Judge Sullivan,

Thank you for contacting individuals to serve as public members to the McHenry Township Officers Electoral Board for hearing on objects filed.

After my initial letter, and our telephone conversation today, I received notification from the McHenry Township Supervisor that there are two (2) additional objections that require appointment. The objections was from Bob Anderson, against Candidate, Neal Schepler, Trustee Candidate, and Craig Wallace, Trustee Candidate, that were received at the same time (December 27, 2016 at 4:04 pm) as the other Bob Anderson objections.

We respectfully request that we add two additional objections for a total of 19 objections to our request. We have updated our initial request with a First Amended Public Member Appointment Request, a copy of which is attached. We have inserted these two new additions in Objection #3, and #4, and then respectively renumbered the objections.

We have updated the Candidate Position with two new appointments by name, and have sorted the boards in order of hearing to accommodate the public members appointment and their schedules.

Attached is a finalized Administrative Order 2016-10 for your review regarding said appointments. We have also sent a copy of this email and attachments to Bridget M. Diedrich, as requested.

Thank you for your assistance,

Jim

James G. Militello III PRIME LAW GROUP, LLC 747 S. Eastwood Drive Woodstock, IL 60098 [t] 815.338.2040 ext. 123 [f] 815.338.0526

[e] imilitello@primelawgroup.com



Attorney Militello,

I acknowledge your email and attachments and also our telephone conservations this morning concerning the requests which you have made on behalf of the McHenry Township Board with regard to the need for the appointment of public members to the McHenry Township Officers Electoral Board for hearings on objections filed to the nominations township officers pursuant to the provisions of 10 ILCS 5/10-9.

I have reviewed the materials which you have provided to me and I have contact several individuals to see if they would be available to serve as public members on the McHenry Township Offices Electoral Board for hearing on the 17 objections which you listed in your letter dated December 29, 2016.

With regard to Objections which you numbered as Objection No. 1 through Objection No. 13, I appoint the following Public Member to the McHenry Township Officers Electoral Board to hear these 13 Objections:

David N. Stone, Esq.

With regard to Objections which you numbered as Objection No. 14 through Objection No. 17, I appoint the following two Public Members to the McHenry Township Officers Electoral Board with one of the two Public Members being designated to be appointed as Chairman as was requested in your letter:

David N. Stone, Esq., Chairman

Stephen M. Haugh, Esq.

I believe that Mr. Stone will be available all day on Wednesday, January 4, 2017. Mr. Haugh may be available both in the morning and afternoon, but would prefer to have the hearings to which he is being appointed to be heard in the morning on January 4, 2017.

I told both Mr. Stone and Mr. Haugh that you would be in contact with them to give them more details about the hearings and the location of the hearings. Mr. Haugh suggested that you used the cell phone number to contact him.

Please finalize the proposed Administrative Order and send it to me attached to an email and also send a copy of the email and attachment to Bridget M. Diedrich, Administrative Assistant for the Chief Judge, at BMDiedrich@co.mchenry.il.us

Bridget M. Diedrich's phone number is 815-334-4885.

Please let me know if you have any questions or further requests.

Mike Sullivan

Michael J. Sullivan
Chief Judge- 22nd Judicial Circuit
McHenry County, Illinois
McHenry County Government Center, Room 355
2200 N. Seminary Avenue
Woodstock, Illinois
815-334-4885 (phone)
815-334-4659 (fax)
Email: MJSulliv@co.mchenry.il.us

From: James G. Militello III [mailto:jmilitello@primelawgroup.com]

Sent: Thursday, December 29, 2016 8:40 AM

To: Michael Sullivan

Subject: McHenry Township - Electoral Board

Morning Judge Sullivan,

Attached please find our letter, exhibits, and draft administrative order regarding appointment of public members to the McHenry Township Electoral Board.

Hearings are anticipated to begin Wednesday, January 4, 2016 at 9:30 a.m. Due to the number of objections I believe multiple days will be required.

Thank you in advance for your assistance.

Best regards,

Jim

James G. Militello III
Prime Law Group, LLC
747 S. Eastwood Drive
Woodstock, IL 60098
[t] 815.338.2040 ext. 123
[f] 815.338.0526

[e] jmilitello@primelawgroup.com

<image001.gif>



ADMINISTRATIVE ORDER NO. 2016-10 22ND JUDICIAL CIRCUIT McHENRY COUNTY, ILLINOIS

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ON THE MCHENRY TOWNSHIP ELECTORAL BOARD

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Dated: DECEMBER	, 2016		
-		MICHAEL J. SULLIVAN	
*)		CHIEF HIDGE	

FIRST AMENDED PUBLIC MEMBER APPOINTMENT REQUEST December 29, 2016

- 1. Bob Anderson, Verified Objection to Petition Gary Barla, Candidate
 - a. The position is McHenry Township Trustee.
 - b. Bob Anderson is representing himself as the objector.
 - c. Please appoint one (1) public member.
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- 16. Craig Adams, Objection to Petition William Cunningham, Candidate
 - a. The position is McHenry Township Trustee.
 - b. Craig Adams is representing himself as the objector.
 - c. Please appoint two (2) public members; of which one is a chairman.
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e Filled	Date filed time filed objector value	Candidate	Position	Supervisor (Adams)	Clerk (Nelson)	Trustee (Schepler)	2nd Trustee (Barla)	2nd Trustee Public Member 2nd Public Member (Barla) (Stone, Esq.) (Haugh, Esq.)	(Haugh, Esq.)	
12/28/16	11:55 PM Adams, Craig	William Cunningham	Trustee		. 6			Chair	×	
12/28/16	11:55 PM Adams, Craig	Stanley Wojewski	Trustee		×			Chair	×	
12/28/16	11:55 PM Adams, Craig	Michael Rakestraw	Trustee		×			Chair	×	
12/28/16	11:55 PM Adams, Craig	Bob Anderson	Trustee		×			Chair	×	
12/27/16	4:04 PM Anderson, Bob	Gary Barla	Trustee	Chair	×			×		
12/27/16	4:04 PM Anderson, Bob	Sue Draffkorn	Trustee	Chair	×			×		
12/27/16	4:04 PM Anderson, Bob	Neal Schepler	Trustee	Chair	×			×		
12/27/16	4:04 PM Anderson, Bob	Craig Wallace	Trustee	Chair	×			×		
12/27/16	4:23 PM Rooney, Steven	Craig Wallace	Trustee	Chair	×			×		
12/27/16	4:24 PM Rooney, Steven	Neal Schepler	Trustee	Chair	×			×		
12/27/16	4:25 PM Rooney, Steven	Mary Ellen Shine	Trustee	Chair	×			×		
12/27/16	4:25 PM Rooney, Steven	Sue Miller	Trustee	Chair	×			×		
12/27/16	4:25 PM Rooney, Steven	Robert Beltran	Trustee	Chair	×			×		
12/27/16	4:25 PM Rooney, Steven	Luis Eric Aguilar	Trustee	Chair	×			×		
12/28/16	11:52 PM Aguilar, Luis Eric William Cunningham	William Cunningham	Trustee	Chair	×			×		
12/28/16	11:52 PM Aguilar, Luis Eric Stanley Wojewski	Stanley Wojewski	Trustee	Chair	×			×		
12/28/16	11:52 PM Aguilar, Luis Eric Michael Rakestraw	Michael Rakestraw	Trustee	Chair	×			×		
12/28/16	11:52 PM Aguilar, Luis Eric Bob Anderson	Bob Anderson	Trustee	Chair	×			×	0.10	
12/28/16	11:55 PM Adams, Craig	Daniel Alyward	Clerk			×	Chair	×		
12/27/16	3:55 PM Verr, Steve	Craig M. Adams	Supervisor		×	×	Chair			
12/27/16	4:21 PM Rooney, Steven	Craig M. Adams	Supervisor		×	×	Chair			
12/28/16	11:52 PM Aguilar, Luis Eric Steve Verr	Steve Verr	Supervisor		×	×	Chair			
12/28/16	11:55 PM Adams, Craig	Steve Koeber	Highway Commissioner		×	×	Chair			
12/28/16	11:55 PM Adams, Craig	Steve Verr	Supervisor		×	×	Chair			
12/27/16	3:50 PM Mayer, Jeffrey	James Condon	Highway Commissioner	Chair	×	×				
12/27/16	4:25 PM Rooney, Steven	Mary Mahady	Assessor	Chair	×	×		٠		
12/28/16	11:52 PM Aguilar, Luis Eric	Steve Koeber	Highway Commissioner	Chair	×	×				
12/27/16	4:04 PM Anderson, Bob	Marsha Nelson	Clerk	Chair		×	×			
12/27/16	4;25 PM Rooney, Steven	Judith Gottlieb	Clerk	Chair		×	×			
17/28/16	11-52 PM Aguillar Luis Frir Daniel Alyward	Daniel Alvward	Clerk	Chair		×	×			

James G. Militello jmilitello@primelawgroup.com

December 29, 2016

Honorable Michael J. Sullivan Chief Judge – Circuit Court of McHenry County Woodstock, IL 60098

RE: McHenry Township Officers Electoral Board - Designation of Public Members

Dear Judge Sullivan:

Following up my phone message from yesterday about McHenry Township, I am writing to identify all of the candidates and objectors and the total number of public members needed relative to each objection so that you may appoint public members.

Pursuant to 10 ILCS 5/10-9(4), "[t]he township officers electoral board to pass upon objections to the nominations of townships officers shall be composed of the township supervisor, the town clerk, and that eligible town trustee elected in the township who has the longest term of continuous service as town trustee, of whom the township supervisor shall be the chairman." Furthermore, it provides that "in the event that any member of the appropriate board is a candidate for the office with relation to which the objector's petition is filed, he shall not be eligible to serve on that board and shall not act as a member of the board and his place shall be filled as follows: c. In the Townships officers electoral board by the eligible elected town trustee who has had the second longest term of continuous service as town trustee."

There are 28 objections filed on 20 candidates, and we have attached a summary of those filed objections in relation to their filed date, showing date filed, time filed, objectors name, candidates name, and position, see Exhibit A. Exhibit B is a grouping of the filed objections with the 6 different electoral boards based on disqualification of members where the official was a candidate for an office involved in the objection, and they were replaced by the designated substitute. Below is a listing of public member(s) we would request for appointment as a substitute(s).

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 - b. Bob Anderson is representing himself as the objector.
 - c. Please appoint one (1) public member.

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Attached is a draft Administrative Order for your review.

Also, after review of the attached Exhibit "A" and "B" if your Honor believes that there is "risk of bias" relative to the township officers electoral board based on the number of objections and candidates filed, and concern of potential conflict and disqualifications we would then in the alternative, request the appointment of three (3) public members for all 28 objections, with one individual being named chairman.

We appreciate and thank you for your attention to this matter and if you would like to discuss this further, please do not hesitate to contact me at my direct number, \$15-338-2040 ext. 123 and my cell number is \$15-790-3866.

Very truly yours,

Prime Law Group, LLC

James G. Militello III

JGM/md Enc:

J A	
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Position
Highway Commissioner
Supervisor
Clerk
Trustee
Trustee
Supervisor
Trustee
Trustee
Assessor
Clerk
Trustee
Trustee
Trustee
Frustee
Clerk
Highway Commissioner
Supervisor
11:52 PM Aguilar, Luis Eric William Cunningham Trustee.
Trustee
Trustee
Trustee
Clerk
Highway Commissione
Supervisor
William Cunningham Trustee
Trustee
Trustee
Trustee

2
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17
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2nd Trustee Public Member 2nd Public Member	(Appointed)																								Chair	Chair	Chair	Chair	
Public Member 2	(Appointed)				×	×	×	×	×	×	×	×	×	×	×	×									×	×	×	×	Chair
2nd Trustee	(Barla)										***						×	×	×	Chair	Chair	Chair	Chair	Chair					×
Trustee	(Schepler)	×	×	×													×	×	×	×	×	×	×	×					×
Clerk	(Nelson)	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×				×	×	×	×	×	×	×	×	×	
Supervisor	(Adams)	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair	Chair										
		nissioner		nissioner																			nmissioner						
Position		Highway Commissioner	Assessor	Highway Comn	Trustee	Trustee	Trustee	Trustee	Trustee	Trustee	Trustee.	Trustee	Trustee	Trustee	Trustee	Trustee	Clerk	Clerk	Clerk	Supervisor	Supervisor	Supervisor	Highway Commissione	Supervisor	Trustee	Trustee	Trustee	Trustee	Clerk
				Steve Koeber Highway Commissioner						Sue Miller Trustee	Robert Beltran Trustee.	Luis Eric Aguilar Trustee	William Cunningham Trustee	Stanley Wojewski Trustee	Michael Rakestraw Trustee	Bob Anderson Trustee	Marsha Nelson Clerk	Judith Gottlieb Clerk	Daniel Alyward Clerk	Craig M. Adams Supervisor	Craig M. Adams Supervisor	Steve Verr Supervisor			160	+5			
Date Filed Time Filed Objector Name Candidate Position				11:52 PM Aguilar, Luis Eric Steve Koeber Highway Comn				4:24 PM Rooney, Steven Neal Schepfer Trustee		4:25 PM Rooney, Steven Sue Miller Trustee	4:25 PM Rooney, Steven Robert Beltran Trustee.	4:25 PM Rooney, Steven Luis Eric Aguilar Trustee	11:52 PM Aguilar, Luis Eric William Cunningham Trustee	11:52 PM Aguilar, Luis Eric Stanley Wojewski Trustee	11:52 PM Aguilar, Luis Eric Michael Rakestraw Trustee	11:52 PM Aguilar, Luis Eric Bob Anderson Trustee	4:04 PM Anderson, Bob Marsha Nelson Clerk	4:25 PM Rooney, Steven Judith Gottlieb Clerk	6 11:52 PM Aguilar, Luis Eric Daniel Alyward Clerk	3:55 PM Verr, Steve Craig M. Adams Supervisor	4:21 PM Rooney, Steven Craig M. Adams Supervisor	11:52 PM Aguilar, Luis Eric Steve Verr Supervisor	11:55 PM Adams, Craig Steve Koeber Highway Con		160	11:55 PM Adams, Craig Stanley Wojewski Trustee		11:55 PM Adams, Craig Bob Anderson Trustee	

DRAFT

ADMINISTRATIVE ORDER NO. 2016-

22ND JUDICIAL CIRCUIT

McHENRY COUNTY, ILLINOIS

APPOINTMENT OF PUBLIC MEMBERS TO SERVE

ON THE MCHENRY TOWNSHIP ELECTORAL BOARD

Having received a written request, a copy of which is attached hereto, by e-mail on December 29, 2016, from Attorney James G. Militello III of the law firm of Prime Law Group, LLC, attorneys for McHenry Township, requesting pursuant to 10 ILCS 5/10-9(4) that the Chief Judge appoint public members to the McHenry Township Officers Electoral Board to consider objections to the nomination papers of candidates for the offices of Township Supervisor, Township Trustee, Township Clerk, Highway Commissioner, and Township Assessor, at the April 4, 2017, Consolidated Election for the reason that members of the Electoral Board are disqualified from serving because of various conflicts and statutory disqualifications.

This Court having considered the request and having reviewed the statutory authority, 10 ILCS 5/10-9(4), finds that the appointment of public members of the McHenry Township Electoral Board is appropriate and required.

THEREFORE, IT IS ORDERED that the following shall serve as public members of the McHenry Township Electoral Board relative to the nomination petitions for candidates at the April 4, 2017, Consolidated Election to consider objections as set forth as follows:

- Bob Anderson, Verified Objection to Petition Gary Barla, Candidate a. Public member:
- 2. Bob Anderson, Verified Objection to Petition Sue Draffkorn, Candidate a. Public member:
- 3. Steven Rooney, Objection to Petition Craig Wallace, Candidate
 - a. Public member:
- 4. Steven Rooney, Objection to Petition Neal Schepler, Candidate a. Public member:
- 5. Steven Rooney, Objection to Petition Mary Ellen Shine, Candidate a. Public member:
- 6. Steven Rooney, Objection to Petition Sue Miller, Candidate
 - a. Public member:

7. Steven Rooney, Objection to Petition - Robert Beltran, Candidate a. Public member: 8. Steven Rooney, Objection to Petition - Luis Eric Aguilar, Candidate a. Public member: 9. Luis Eric Aguilar, Objection to Petition - William Cunningham, Candidate a. Public member: 10. Luis Eric Aguilar, Objection to Petition - Stanley Wojewski, Candidate a. Public member: 11. Luis Eric Aguilar, Objection to Petition - Michael Rakestraw, Candidate a. Public member: 12. Luis Eric Aguilar, Objection to Petition - Bob Anderson, Candidate a. Public member: 13. Craig Adams, Objection to Petition - Daniel Alyward, Candidate a. Public member: 14. Craig Adams, Objection to Petition - William Cunningham, Candidate a. Public member: b. Public member/chairman: 15. Craig Adams, Objection to Petition - Stanley Wojewski, Candidate a. Public member: b. Public member/chairman: 16. Craig Adams, Objection to Petition - Michael Rakestraw, Candidate a. Public member: b. Public member/chairman: 17. Craig Adams, Objection to Petition - Bob Anderson, Candidate a. Public member: b. Public member/chairman: Dated: DECEMBER ____, 2016

MICHAEL J. SULLIVAN CHIEF JUDGE