

VILLAGE OF FOX LAKE

MUNICIPAL OFFICERS' ELECTORAL BOARD HEARING

MINUTES

JANUARY 7, 2021

Held Via Zoom at 4:15 p.m.

Order was called regarding Case No. 1 of the Fox Lake Municipal Officers Electoral Board pursuant to the requirements of the Illinois Election Code for the Fox Lake Municipal Officers Electoral Board to convene its initial hearing in this matter.

Attorney Scott Uhler, an attorney with the law firm of Klein, Thorpe & Jenkins introduced himself and served as legal counsel to the Electoral Board to assist with the conduct of the hearing.

1. Roll call.

Introduction of Board members and Chairperson

- Honorable Jeff Jensen, Chairperson
- Honorable Nancy Koske, Member
- Honorable Amy Driscoll, Member

A *roll call* vote was taken on January 7, 2021 at 4:15 p.m.

- Honorable Jensen, Chairperson (*present*)
- Honorable Nancy Koske, Member (*present*)
- Honorable Amy Driscoll, Member (*present*)

Attorney Uhler explained the following:

2. The hearing was convened pursuant to the Illinois Election Code as an open meeting. Notice of the hearing was provided in accordance with the Illinois Open Meetings Act and was posted as a virtual hearing, in compliance with the requirements for conducting virtual meetings as authorized by Section 7(e) of the Open Meetings Act, with the Zoom access link for public viewing. The Board is constituted of 3 municipal officials designated by Illinois to convene the hearing to consider an objection filed by Michelle Runnion, a registered voter in the Village of Fox Lake, to the nominating petitions filed by Sean Stochl to run for the office of Mayor in the Village of Fox Lake, all as required by Illinois law.
3. The notice of and access to the Zoom link for the meeting was publicly available. Ordinarily a public body would take public comment at a "meeting" subject to the Open Meetings Act. However, since this is an evidentiary hearing, subject to specific evidentiary rules similar to a court proceeding, and the hearing process is designed to carefully control the information and evidence

presented. Therefore public comment was not a permissible vehicle for the introduction of evidence in this matter and would not be appropriate.

4. The parties present for this hearing, or their representatives, identified themselves for the record. First, the candidate introduced himself, Sean Stochl, who represented himself. Secondly Michelle Runnion was represented by Attorney Shannon Yeaton. Attorney Yeaton introduced herself and provided her contact information. Attorney Yeaton was acting as legal counsel for Mrs. Runnion.
5. Upon receipt of the objector's petition, it was necessary under State law to identify the substitute member of this electoral board to serve as the chairperson as the person who ordinarily would serve as chair was disqualified since he was running for the same office that is the subject of the objection in this hearing. The chairperson to substitute is, by law, to be the next most senior trustee on the board of trustees. As there were 3 elected trustees with equal service on the board, the current chair was selected by a random lottery conducted at Village Hall which was videotaped. That record is public. All trustees were notified and no issues regarding the process followed have been raised. The elected official selected as the chairperson is Trustee Jeffrey Jensen.
6. The required notices in this matter and the procedure followed to date were all read into the record.

Motion was made to enter all the Exhibits into the hearing record. Roll call was as follows:

- Motion by *Koske*
- Seconded by *Jensen*

- *Jensen, Yes*
- *Koske, Yes*
- *Driscoll, Yes*

The Electoral Board members, candidate and objector all confirmed receipt of the draft rules of procedure, without objection and a motion to approve the rules was made. Roll call was taken:

- Motion – *Jensen*
- Second - *Driscoll*

- *Jensen, Yes*
- *Koske, Yes*
- *Driscoll, Yes*

Board Attorney Uhler explained the evidentiary process that would be followed in this hearing.

There were no questions and no initial or preliminary motions by either of the parties.

The objector through her attorney then presented her argument and evidence. The candidate was allowed to ask any questions and then proceeded with his argument.

The Electoral Board then discussed the objections and evidence presented. Board Attorney Uhler noted that the rules, as established by the Election Code and Illinois Courts were required to be followed by the Electoral Board and the minimum signature requirement is mandatory.

The Electoral Board made a motion to approve both objections, and they passed by the following roll call vote:

Roll Call Vote:

- Driscoll, Yes
- Jensen, Yes
- Koske, Yes

A Motion to continue the matter to a date to be determined to issue the findings in open session was made and approved. The Board attorney stated he will provide a draft decision to reflect the Board's decision, for the Board to reconvene to issue the written opinion.

A motion to continue and reconvene the hearing for that purpose was approved by unanimous vote.

A handwritten signature in black ink, appearing to read "Laura Finehan", is written over a single horizontal line. The signature is fluid and cursive, with a distinct "L" at the beginning and a "J" at the end.