

MINUTES OF THE REGULAR MEETING
OF THE CORPORATE AUTHORITIES
OF THE VILLAGE OF CAMPTON HILLS
JANUARY 15, 2008 7:30 P.M.
CAMPTON TOWNSHIP COMMUNITY CENTER
5N082 OLD LAFOX ROAD
CAMPTON HILLS, ILLINOIS

The special meeting of the President and Board of Trustees of the Village of Campton Hills was called to order by President Smith on Monday, January 15, 2008 at 7:40pm at the Campton Township Community Center, 5N082 Old LaFox Road, Village of Campton Hills, Kane County, Illinois pursuant to notice given and presented as provided by law.

Clerk Lambe called the roll.

Present in person at the roll call:

Trustee Bernard Bertsche

Trustee Charles Cappell

Trustee Jim Kopec

Trustee Mike Millette

Trustee Roy Pollack

Absent at roll call:

Trustee Albert Lenkaitis, Jr.

Also Present: Village Attorney William Braithwaite, Deputy Village Clerk William Beith, Police Chief Greg Anderson, two residents and two members of the press.

Pledge of Allegiance: President Smith led the recitation of the Pledge of Allegiance.

Public Comments: There were none.

Consent Agenda: [By a single vote, called an omnibus vote, the Board may approve a number of unrelated items. There may be no discussion, but any Trustee may remove any one or more items from the Consent Agenda, whereupon that item goes on the agenda below].

- A. Approval of Committee of the Whole and Regular Board Minutes from December 4, 2007 and December 18, 2007 and the January 7, 2008 Special Board minutes.
- B. Approval of payment of bills per attached #08-15 Warrant List.
- C. Ratification of Comcast Cable Franchise Agreement executed by Village President. R-08-02
- D. Consideration of an Ordinance adopting the Kane County Stormwater Ordinance by reference. O-08-01
- E. Consideration of an Ordinance to enforce the Campton Township Parks Rules and Regulations. R-08-06
- F. Consideration of an Ordinance to adopt the Kane County Subdivision Ordinance by reference.
- G. Consideration of Ordinance to amending and Restating the Village Code.
- H. Consideration of a Resolution authorizing purchasing through State of Illinois Joint Purchasing Program. R-08-03
- I. Consideration of an Amendment to the Village Code to provide for Administrative Adjudication of certain offenses. O-08-03
- J. Consideration of Resolution authorizing the President to enter into an employment contract with John Nobel as an Adjudication Officer. R-08-04
- K. Consideration of a Resolution approving Kane County Emergency Aid Agreement. R-08-05
- L. Consideration of a motion authorizing Village Treasurer and Village President to amend Resolution No. R-07-45 "Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code" and R-07-45a "Municipal Estimate of Maintenance Costs" as requested by Illinois Department of Transportation. R-08-01

President Smith removed item F. and item G. from the consent agenda. A motion was made by Trustee Millette and seconded by Trustee Kopec to approve the consent agenda. Clerk Lambe called the roll, Trustees Lenkaitis, absent; Kopec, aye; Millette, aye; Bertsche, aye; Cappell, aye, Pollack, abstain. The President declared the consent agenda approved.

Action on any item from the Agenda of the Committee of the Whole Meeting: None.

Additional Items from Village President, Trustees, Staff, or Citizens:

Trustee Cappell submitted a report to the Board addressing some of the information from the last election. A copy of the report is attached to these minutes. Trustee Cappell holds a doctorate and teaches critical thinking and statistical analysis at Northern Illinois University along with directing the Quantitative Research Lab that he founded for the University.

President Smith mentioned there are Special Census jobs available and applications are available at Village Hall, 40W115 Campton Crossings Drive, Unit B, Campton Hills, IL.

Trustee Cappell offered thanks to John Pree and Karlene Cappell for their efforts in counting houses within each census blocks. There are 25 blocks that the Village has submitted for counting in the Special Census with an estimate of 1,600 households. The numbers of households need to be confirmed. Anyone interested in helping with this effort should contact Village Hall.

Closed Session: A motion was made by Trustee Millette and seconded by Trustee Bertsche that a portion of the meeting be closed to the public, effective immediately as permitted by 5 ILCS 120/2 (c)(11) to discuss litigation against, affecting, or on behalf of the Village which has been filed and is pending in a court or administrative tribunal or which is probable or imminent; and, pursuant to 5 ILCS 120/2 (c)(1) to consider information regarding the appointment, employment, and compensation of specific employees of the Village and review of Executive Session Minutes. Clerk Lambe called the roll, Trustees Lenkaitis, absent; Kopec, aye; Millette, aye; Bertsche, aye; Cappell, aye, Pollack, aye. The President declared the motion approved and the meeting moved to closed session at 8:15pm.

Return from Closed Session: On order of President Smith the meeting was returned to order at 9:29pm. Clerk Lambe called the roll, Trustees Cappell, aye; Kopec, aye; Lenkaitis, absent; Bertsche, aye; Millette, aye, Pollack, aye.

Adjournment: A motion was made by Trustee Bertsche and seconded by Trustee Kopec to adjourn the meeting at 9:29pm. A voice vote was unanimous. The President declared the motion passed and the meeting adjourned.


Rebecca R. Lambe, Village Clerk

Approved by the Corporate Authorities on January 22, 2008.

The April 17th Election Incorporating the Village of Campton Hills

C. Cappell

Last Updated Jan. 15, 2008

This comment describes and interprets the results of the April 17, 2007 Consolidated Election in which a referendum on whether to incorporate the Village of Campton Hills appeared on the ballot. This essay is motivated by different interpretations of the election and its legitimacy created by those seeking to dissolve and disconnect from the Village. I apply standard critical thinking and statistical reasoning to evaluate and interpret the election results.

Facts of the Matter

The "facts of matter" are established by the Kane Co. Election Board under the control of the Kane Co. Clerk's office and are certified by the Kane Co. District Court shortly after the election. The results concerning the Kane Co. April 17th, 2007 Consolidated Election can be found at: <http://www.kanecountyelections.org/ElectionResults/electionresults.asp>
Retrieved Dec. 31, 2007. Follow the links to the archived election results for the 2007 Consolidated Election.

I have summarized the results of the April 17, 2007 Consolidated Election in Table 1; in Table 2 I have compiled historical statistics on voter turnout in Kane County Elections.

Interpreting the Facts

Varying interpretations of the above election facts have appeared in the local papers and in statements by groups who continually oppose to the formation of the Village and want to dissolve or disconnect from the new Village. In one flyer distributed to residents encouraging them to disconnect from the existing Village, the dissolvers and disconnecters wrote:

"Only 27% of all registered voters voted for the creation of the Village – hardly a mandate!!! (55% of the 49% turnout). According to IL case law, municipal annexations almost always require the consent of 100% of the property owners. The few exceptions require, at a minimum, the consent of majority of property owners and, in many cases, approval of a majority of voters affected.

(Source: Flyer obtained for Cappell files, no authorship attributed, no date, but the flyer appeared in circulation in 2007 after the election.)

Material in other campaign literature and letters to the editors of local papers (e.g. Steve Burdette, Kane Co. Chronicle, Jan. 7) refer to the incorporation election failing to produce an electoral mandate because of the low turnout or the "slim" or "narrow" electoral margin.

These interpretations call into question the very legitimacy of the election results and the democratic process. The American Heritage Dictionary defines 'mandate' as:

"An authoritative command or instruction. A command or an authorization given by a political electorate to its representative."

Thus, the dissolvers and disconnecters' flyer claims that a mandate should consist of a majority of all registered voters. By multiplying the proportion of voter turnout for the Village referendum (.4917) and the proportion of voters favoring the referendum (.5459) to obtain .2684, they then claim no mandate exists. They delegitimize the election outcome, even though a majority, 54.59%, voted in favor of the referendum to form a new Village.

In the flyer quoted above, a 'red herring' is introduced into the argument as well: equating the mandates needed for two distinct processes governed by different statutes: disconnecting small areas from an existing village and an election referendum to form the Village in the first place. The two events are not comparable; and the statutes covering the two processes are distinct. The function of a 'red herring' in any argument is to distract one from the issue at hand by introducing irrelevant information that superficially seems to validate a point being made.

How then do we establish a valid interpretation of the facts of the matter? We do so by comparing the level of turnouts for varying elections and establishing relevant contexts for the results of the April 17, 2007 Consolidated Election. By using data from several federal elections and the facts compiled in Tables 1 & 2 and statistical reasoning, the following conclusions emerge:

- Multiplying the percentage in the winning category and the percentage of voter turnout to indicate the needed strength of the mandate (at least 50%) in democratic elections does not provide much understanding or meaning about the outcome – it tells us absolutely nothing about the intentions of those not voting.
- Practically all Presidential elections fail to achieve this definition of mandate: e.g. the Nixon landslide win over McGovern in 1972 (60.67% with 79.89% turnout); the Reagan landslide over Mondale in 1984 (58.8% with a 53.11% turnout). Only one meets the criteria, Johnson (61.1%) over Goldwater in 1964 with a suspiciously high turnout rate of 95.78%;
- The record high turnout in the Village of Campton Hills' precincts on April 17, 2007 (49.17%) was 2.3 times greater than the Kane Co. wide turnout in the same election for the Kane Co. Government \$85 million dollar bond issue (21.59%);
- The turnout for the referendum election (49.17%) was substantially above the average turnout for comparable, Kane Co. Consolidated Elections over the past 25 years (26.64%); (in fact, a level that is 5 standard deviations above the average);
- The turnout for the referendum election (49.17%) was substantially above the average turnout for General Primary Elections where party candidates are selected to run for national office, (over 2 standard deviations above the mean Kane Co. average turnout of 31.60%)
- The level of turnout (49.17%) was more consistent with levels in non-Presidential General Elections (within 1 standard deviation below the average Kane Co. turnout of 52.14%);
- The level of turnout was substantially below the level in the Presidential General Elections (mean Kane Co. turnout of 73.16%), but so are all other types of elections.
- There is a high level of statistical confidence that a majority, somewhere between 52.77% and 56.40%, of all Village registered voters favored the incorporation of the Village of Campton Hills on April 17, 2007 [(99.9% confidence interval based on standard statistical inference tests [54.59% +/- 3.3* .0055].
- Using the same logic of statistical inference, one can say there is less than one in a million chance that on April 17, 2007 the true level of support for incorporating the Village among all registered voters was 50% or less on April 17, 2007. [z-statistic = 8.3; p-value < 10⁻⁶].

These statistical facts lead to the interpretation that the April 17, 2007 Consolidated Election generated far more interest and participation in Campton Hills than any other Kane Co. Consolidated Election in the last 25 years, leading to a record turnout. The turnout indicates the voters of Campton Hills viewed the importance of this election at a level comparable to selecting a Governor or Senator and other national and state officials, but not as important as selecting a President. The 54.59% favoring the incorporation, given the turnout level, leads to a statistically defensible inference that the majority of all registered voters on April 17, 2007 favored the incorporation of the Village of Campton Hills.

As for adjectives, one can validly claim this was a decisive election rendering a clear mandate.

Sources for the national election turnouts and results discussed above:

The American Presidency Project, University of California at Santa Barbara.

<http://www.presidency.ucsb.edu/data/turnout.php> Retrieved Jan. 3, 2008.

Dave Leip's Atlas of U.S. Presidential Elections. <http://www.uselectionatlas.org> . Retrieved Jan. 3, 2008.

The number of registered voters is commonly under-reported; if the number of registered voters is under-reported, the turnout rate based on that number will be inflated. Most scholars use the percent of the voting age public (based on more reliable Census Bureau data) to make time series or geographical comparisons. Underreporting should not be a problem for Kane Co. data examined here.

Table 1: Results for the Proposition to Incorporate the Village of Campton Hills

Proposition to Incorporate The Village of Campton Hills	Vote Count	Percent of Total Ballots Cast	Percent of Valid Ballots Cast
Yes	2,272	54.59%	55.20%
No	1,844	44.31%	44.80%
No Vote Recorded	46	1.10%	--
Total Ballots Cast	4,162	100.00%	100.00%
Registered Voters in Campton Hills	8,464	--	--
Percent Voter Turnout in Village of Campton Hills	49.17%	--	--

Source: Cunningham, John A. Kane Co. Clerk. Consolidated Election, April 17, 2007: Official Canvass. May 8, 2007, p. 126.

<http://www.kanecountyelections.org/ElectionResults/electionresults.asp>

Retrieved Dec. 31, 2007.

Table 2: Kane Co. Percent Voter Turnout of Registered Voters in Past Elections

Date	General Elections ¹	General Primary Elections ²	Consolidated Elections ³	Consolidated Primary Elections ⁴	Consolidated Elections (Non-partisan) ⁵
1980 *	78.06	41.20	--	--	--
1982	58.59	18.40	--	--	--
1983	--	--	25.94	--	22.82
1984 *	73.33	33.99	--	--	--
1985	--	--	28.00	--	12.25
1986	52.87	21.76	--	--	--
1987	--	--	19.34	--	20.40
1988 *	76.69	43.93	--	--	--
1989	--	--	34.41	--	19.23
1990	55.30	28.73	--	--	--
1991	--	--	22.87	--	21.88
1992 *	82.02	47.09	--	--	--
1993	--	--	33.29	25.81	15.83
1994	52.22	34.28	--	--	--
1995	--	--	30.74	22.43	20.70
1996 *	65.33	28.05	--	--	--
1997	--	--	22.72	17.66	16.92
1998	48.28	29.00	--	--	--
1999	--	--	27.95	--	--
2000 *	68.62	28.42	--	--	--
2001	--	--	26.95	--	--
2002	49.21	34.32	--	--	--
2003	--	--	28.43	20.08	--
2004 *	68.04	26.12	--	--	--
2005	--	--	24.06	9.9	--
2006	48.49	27.09	--	--	--
2007	--	--	21.59 ⁶	--	--
Average	73.16* 52.14	31.60	26.64	19.18	18.75
St. Dev.	6.10* 3.85	8.15	4.51	5.99	3.53

* Indicates Presidential Election Year

¹General Elections are held in Nov. These elections are used to elect officials to national, state, and county offices.

²General Primary Elections are held in March (changed to Feb. in 2008) of even-numbered years and are used by parties to nominate their candidates for the General Election held in Nov.

³Consolidated Elections are held in April of odd-numbered years and are used to elect township and municipal officials, etc. and to vote on referenda. ((10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2) Sec. 2A-1.2. Consolidated Schedule of Elections - Offices Designated.)

⁴Consolidated Primary Elections are held in Feb. and are used to vote on party nominees to run in the Consolidated Election in the following April election; public questions or referenda can appear on the ballot as well. ((10 ILCS 5/2A-1.2) (from Ch. 46, par. 2A-1.2) Sec. 2A-1.2. Consolidated Schedule of Elections - Offices Designated.)

⁵Beginning in 1999, this election held in Nov. has been combined with the April Consolidated Election.

⁶The Kane Co. turnout for the April 17, Consolidated Election was not included in the Voter Turnout Table cited below. The turnout estimate in Table 2 reflects the percentage of registered voters voting on the county-wide, Kane Co. \$85 million dollar bond referendum (44,739 votes cast from 207,199 registered voters).

Source: Cunningham, John A. Kane Co. Clerk. Election Results: Past Voter Turnout.

<http://www.kanecountyelections.org/ElectionResults/VoterTurnout.pdf>

Retrieved Dec. 31, 2007