



The Mayor of the Electoral Board asked Mr. Corneils if he had anything further to add to the written objection. Mr. Corneils responded that Hall filed the Statement for statewide office instead of the local county form and, in addition, had not filed it with either the state or the county as was mandatory and had not filed a receipt of that filing along with his nomination paperwork with the City Clerk. Ms. Orr asked Mr. Hall for a response. Mr. Hall inquired how the Objector had found out at which time Ms. Orr asked for a response to the objection. Mr. Hall stated that he had sent it in and had a receipt which he had with him. He further stated that if “he is right, he is right”.

Regarding the use of the wrong form, Ms. Orr explained that no case law was found on this issue but she had reviewed a treatise on election law which stated that the forms required for statewide office and those required for a local unit of government are substantially similar. Both forms inform the public as to the Candidate’s sources of revenue and his or her assets.

The Mayor asked for questions from the Electoral Board whereupon Mr. Hall asked if he could file the receipt at the hearing. Ms. Behland responded that it had to be submitted within the five (5) days permitted to file petitions.

The Board then proceeded to discuss the second objection which stated that the petitions of Mr. Hall were deficient in that the pages of the petitions were not numbered, which is a mandatory requirement and not discretionary. The Objection Petition referred to the two decisions cited in the Objector’s Petition, *Wollan v. Jacoby*, 274 Ill.App.3d 557 (1<sup>st</sup> Dist. 1995) and *Jones v. Dodendorf*, 190 Ill.App.3d (2<sup>nd</sup> Dist. 1989) which affirmed that position.

In response to the objection, Mr. Hall said that he had been out talking to businesses and he would never have looked at the Objector’s petitions and would never have tried to do this and not waste resources.

The Mayor asked Ms. Orr for the next objection raised by Objector’s Petition. Ms. Orr explained that the objection stated that the number of signatures on Mr. Hall’s petition were insufficient and cited 13 signature errors, eight of which signators on the petitions either did not live within our jurisdiction which is mandatory and three signors did not live within the ward for which the Candidate was running for a total of 11. Ms. Behland then explained that in addition, objection numbered 4 in the Objections Petition stated that the top portion of one of the petition forms had not been completed thereby invalidating the total signatures by two, being the number of signatures on that page.

Ms. Orr then requested anything further from the Objector or the Candidate who responded that he felt he could add a lot of value to the town and stated it is as though the Objector won by semantics.

Upon conclusion of all discussion on each of the objections, Ms. Orr requested the Electoral Board to sustain or overrule each objection as presented. On the first objection as to the use of the wrong Statement of Economic Interests, and the failure to file a receipt with the City Clerk evidencing the filing of the Statement with the County, the Electoral Board divided

the objection into 1-A and 1-B and overruled objection 1-A on the grounds that the state form and the local unit of government form require substantially the same information. As to objection 1-B regarding the failure to file the Statement with the County and no receipt of such filing ever having been filed with the City Clerk, the Electoral Board sustained the objection 1-B.


Ms. Behland then advised the Electoral Board that the numbering of pages of the petition was the next objection. Mr. Funkhouser voted to sustain the objection as did Ms. Behland and the Mayor.

Ms. Behland then directed the Electoral Board's attention to the three items pertaining to the signatures, the first of which was to throw out the petition with two signatures as the petition did not have the required information and to the office sought by the Candidate. The objection to the inclusion of the signatures on this sheet was sustained. The second part of the objection was to the names of those signors who did not live in town, which objection was sustained as well as the objection that the signors did not live in the Ward. The final objection as to the contention that the number of signators required had not been met was overruled by the Electoral Board as one signature had been counted twice leaving the total number of valid signatures as ten, the required minimum.

Ms. Orr then advised the Electoral Board that the sustaining of one of the objections was sufficient to eliminate the candidacy of Mr. Hall.

The Mayor advised those present that the Candidate would have the right to appeal the Court. The Mayor asked for public comment and there being none asked for a motion to adjourn which was passed by unanimous vote.

The foregoing Findings and Decision of the United City of Yorkville, Kendall county, Illinois being read at an open meeting and approved this 9<sup>th</sup> day of January, 2023.

  
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Mayor John Purcell, Chair of the United  
City of Yorkville Electoral Board