

PECATONICA TOWNSHIP

RESOLUTION NO. 2025-01

**A RESOLUTION REGARDING THE ACTIONS OF THE TOWNSHIP
CLERK RELATED TO THE APRIL 1, 2025 ELECTIONS**

WHEREAS, Township officials will be elected at the April 1, 2025 consolidated elections;
and

WHEREAS, several Candidates have filed nomination papers for the following
Pecatonica Township offices as specified below for the April 1, 2025 consolidated election:

Township Supervisor:

Greg Deppe
Randal L. Olson

Township Clerk:

Kelly M. Fuca

Highway Commissioner:

Vince Mangiaracina
Thomas R. Menge

Township Trustee:

Brian Boomer
John Wiegert; and

WHEREAS, each of the Candidate's Nomination Papers, with the exception of those of
Brian Boomer, were defective and not in compliance with the mandatory provisions of the
Election Code, which was apparent from the face of the filings as follows:

Greg Deppe: Failed to file a receipt for the filing of his statement of economic
interests with the local election official in accordance with 10 ILCS
5/10-5. Failed to file a statement of economic interests statement
with the Winnebago County Clerk prior to November 18, 2024.

Randal L. Olson: Failed to file a receipt for the filing of his statement of economic
interests with the local election official in accordance with 10 ILCS
5/10-5. Failed to file a statement of economic interests statement
with the Winnebago County Clerk prior to November 18, 2024.

Kelly M. Fuca: Failed to file a receipt for the filing of his statement of economic
interests with the local election official in accordance with 10 ILCS

5/10-5. Failed to file a statement of economic interests statement with the Winnebago County Clerk prior to November 18, 2024. Failed to have the notary public sign page 3 of her petition sheets.

Vince Mangiaracina: Failed to file a receipt for the filing of his statement of economic interests with the local election official in accordance with 10 ILCS 5/10-5. Failed to file a statement of economic interests statement with the Winnebago County Clerk prior to November 18, 2024.

Thomas R. Menge: Failed to file a receipt for the filing of his statement of economic interests with the local election official in accordance with 10 ILCS 5/10-5.

John Wiegert: Failed to file a receipt for the filing of his statement of economic interests with the local election official in accordance with 10 ILCS 5/10-5. Failed to number his pages in accordance with 10 ILCS 5/10-4; and

WHEREAS, objections were filed as to certain candidates which were subsequently withdrawn by the Objectors; and

WHEREAS, no electoral board ruled that any candidate should not be on the ballot; and

WHEREAS, the Township's local election official is Kelly Olson Fuca, the Township Clerk; and

WHEREAS, Kelly Olson Fuca is a candidate for Township Clerk whose own nomination papers did not comply with the mandatory provisions of the Election Code as discussed; and

WHEREAS, candidate Randal L. Olson is a candidate for Township Supervisor whose nomination papers did into comply with the mandatory provisions of the Election Code, as set forth above; and

WHEREAS, candidate Randal L. Olson is the father of Township Clerk Kelly Olson Fuca; and

WHEREAS, Greg Deppe is a candidate opposing Randal L. Olson for Township Supervisor; and

WHEREAS, Kelly Olson Fuca is politically affiliated with candidate Vince Mangiaracina, who is running for Highway Commissioner; and

WHEREAS, incumbent Township Highway Commissioner Thomas R. Menge is running against Vince Mangiaracina for Highway Commissioner; and

WHEREAS, without seeking legal counsel, Kelly Olson Fuca sent an amended certification to the Winnebago County Clerk's office removing her father's opponent, Greg Deppe, and incumbent Highway Commissioner Thomas Menge, for the flaws in their nomination papers, but not removing herself, her father, Vince Mangiaracina and John Wiegert for the same exact flaws in their nomination papers; and

WHEREAS, the Township Clerk has ostensibly treated similarly situated candidates differently based on their relationships and political affiliations with her; and

WHEREAS, the Township has been notified that the candidates that the Township Clerk has removed from the ballot intend to sue the Township as a result of the Clerk's selective removal of two candidates from the ballot but not others; and

WHEREAS, the Township Board did not direct the Township Clerk to treat candidates differently when six of them had fatal defects to their nomination papers which were clear from the face of the petitions, including the Township Clerk herself; and

WHEREAS, the Township Clerk, as local election official, must apply any policy related to the refusal to certify candidates to the ballot equally and uniformly; and

WHEREAS, the Township Clerk was not acting pursuant to any custom, policy or practice of Pecatonica Township when she decided to remove two candidates, who she is not politically supporting, from the ballot while leaving on the remaining candidates, who she is politically supporting.

NOW, THEREFORE, BE IS RESOLVED BY THE TOWNSHIP BOARD OF PECATONICA TOWNSHIP AS FOLLOWS:

Section 1: The Pecatonica Township Board incorporates the preamble language of this Resolution as set forth above as if fully set forth in this Section verbatim.

Section 2: The Pecatonica Township Board officially states that it believes that all candidates with fatal flaws apparent on the face of their nomination papers should be treated equally related to ballot certification by the Township Clerk.

Section 3: The actions of Township Clerk Kelly Olson Fuca in failing and refusing to certify Greg Deppe and Thomas Menge on the ballot certification for Supervisor and Highway Commissioner of Pecatonica Township for the April 1, 2025 elections is not supported or approved by the Township Board, nor it is pursuant to any custom, policy or practice of Pecatonica Township.

Section 4: This Resolution shall be tendered to the Winnebago County Clerk and the Winnebago County State's Attorney's office.

PASSED AND APPROVED by the Supervisor and Board of Trustees of Pecatonica Township, Illinois, this 11th day of February, 2025.

AYES: 4

NO: 0


Township Supervisor