

**Trustee Shabnam Lotfi's Statement in Response to the  
Discrimination Report by Attorney Malina Piontek  
(Read to the Board at the Special Board Meeting dated June 25, 2024)**

To the Board of Trustees,

Thank you for giving me a chance to speak. Tonight, I will be addressing the events that led up to the incident at the April 16, 2024, board meeting among other things. Tonight's discussion is an uncomfortable one. You will hear things that you may not like. You will hear things you may disagree with. I ask that you resist the urge to quickly dismiss anything that makes you uncomfortable. The goal of the discussion is to not place blame as blame has no value. My goal is to plant a seed and start a conversation around lessons learned.

In a moment, I'll share some of my personal experiences and observations. My personal experiences are neither right nor wrong. They are not up for debate. We are not here to discuss whose truth is more true as there is no such thing as an absolute truth. They are merely an alternative perspective, a lens through which to view and assess the situation we are in now.

In Brene Brown's best-selling book, *Dare to Lead*, she writes that you cannot truly understand a person until you understand their values. Values are principles, standards of behavior, one's judgment of what is important in life. Living into your values means doing more than simply professing them. It is choosing what is often hard and right over what is fast and easy. My two core values are resilience and justice. I wanted to select courage, but courage is the ability to do something that frightens you. But as I have little fear of discomfort, resilience is more appropriate. Resilience is defined as an ability to recover from or adjust easily to misfortune or change. It is the ability to withstand adversity and bounce back from difficulty. Justice refers to the concept of moral rightness based on ethics, rationality, law, and fairness. Putting these two together, it means I will not back down from fight over fairness no matter how difficult the situation may be.

In October 2023, Attorney Steve Zach graciously joined us for a heartwarming governance workshop that I believe all trustees found useful. I certainly did. In fact, Attorney Zach inspired me so much that I reached my resilience and emailed the board 5 incidents where the administrator and I disagreed. That email was an ask for help, and it was sent on October 18, 2023. The very next day, Attorney Zach wrote an email stating that he did not intend for his comments to mean that trustees can engage in communication with each other. The story I heard in my head was, "Here I am asking for help and that *ask* for help has been shut down." Trustee Mark Lederer was the only trustee who responded and stated that if I had problems with the administrator, I should put it on the agenda for board discussion. I did not think that was appropriate. And I'm glad I did not do that, because at the October board meeting where the administrator put Trustee Behavior on the agenda, Trustee Dietmar Bassuner said that the discussion is embarrassing and that he's embarrassed to be a board member. I agreed. What I wanted was a private discussion to resolve disagreements. In December 2023, I reached out to the president to ask for help. We walked and talked around the capitol. But that discussion was not fruitful either as he was mostly concerned with keeping the administrator happy. And I ended up writing him pointers on how to keep her happy.

Now we are in January 2024, there are continued disagreements without clarity, an ask for help that had been shut down, a walk that resolved nothing, and now an agenda policy that I believed was written for me. The investigation report mentions the June 2023 board meeting as reason for the agenda policy, but I went back and viewed the video. That discussion lasted 5 minutes and it as being about meeting minutes and how staff should take minutes, not committee agendas.

Without help, the problems snowballed. And I felt that there was not anything, anything at all, that I could do as a trustee that was not going to be met with opposition. I felt her desire to have control over me and my committees. Despite the village attorneys stating that committee chairs have decision-making authority over their committees, the administrator made my decisions for me. Oddly, the investigation report acknowledges this fact but nevertheless justifies the administrator's actions as appropriate.

On April 15, 2024, one day before the village board meeting, the president called to inform me that I would no longer be chair of the Services Committee. Caught off guard, I was confused. The president had not attended any of my committee meetings. There was no complaint from any committee members, nor had I dropped the ball on any important project. What was the rationale for this? Given that I value fairness, I reached for resilience inside myself and zealously advocated to keep my position. In all honesty, it felt humiliating to have to do that and made me more suspicious. The explanation in my mind was that the administrator was partially behind this. The next day, a few hours before the April 16, 2024, board meeting, I learned that I was no longer Chair of Personnel. I was caught off guard again. I called the president immediately to ask why he did not inform me the day before when we talked. He said "I did. Don't you remember?" That only enraged me more because he was gaslighting me. When I walked into the board meeting, of course I was prepared to defend myself and call out the fact that I was being unfairly treated and potentially discriminated against. While the ordinance gives the president authority to nominate individuals to positions, the ordinance is not intended to be arbitrarily implemented.

After the April 16, 2024, board meeting, the president emailed to disagree with my discrimination allegation and to schedule a meeting to instead discuss my behavior. I informed the president that when an individual voices discrimination, the proper thing to do is to conduct an independent investigation, which to his credit he did. I never had any plans to sue the village. Had I wanted to sue the village, I would have easily contacted Attorney General Josh Kaul or the U.S. Attorney's Office. It would have taken me 5 minutes. Had I wanted to sue, I would not have advised the president to do an independent investigation as this would not have benefited me. But even if the investigation report came out in my favor, I still would not have sued the village. Anyone who has ever heard me speak knows that I have profound respect and admiration for the residents of Shorewood Hills. Why would I leave the taxpayers with a hefty legal bill to pay for the Board's failures?

Now let's talk about village processes. Our consultant, Funkhouser continues to remind us that the president is just one voting member. The president doesn't have any additional decision-making power. If this is true, then why did Laura Vaulderrama resign from the board as a trustee only to run for village president months later? If the president does not have additional decision-making power, why did Tracy Bailey resign from the board as a trustee only to run

for president months later in 2023? The reality is that the role of village president assumes far more authority than the statute allows. During the past 5 years, I have witnessed 4 strong, intelligent women leave this Board, all for similar reasons. That being, the inability to get access to information or have items placed on the board's agenda. Some board members have blamed those trustees, instead of the lack of process. Laura Vaulderrama was too young and impatient. Tracy Bailey was not assertive enough. Erin Clune, an author and historian with a Ph.D. and command of the English language, well, she's just too assertive for us! This is wrong. We cannot have a system that requires people, mostly women, to change their personalities and communication styles to receive equal access to information and process that others on this board readily enjoy. That is what is happening here.

Board members continue to disregard and outright dismiss any concerns about fairness and process. There often is no process, and I challenge you to find it. When I first joined the Board in 2019 without any experience at all and while on maternity leave, I was given a near \$200K Four Corners renovation project. With no experience and no instructions, I worked with the services committee, village administrator, village engineer, camp counselors, and residents to identify the needs of the community in preparation for an RFP. The project was a success. Now contrast that with the Facilities/Site Study. At the July 2023, board meeting I expressed my concern that the RFP had gone out without committee involvement. Trustees dismissed my concern and authorized the administrator to sign a contract with FGMA. One year later and down \$30,000 with an outraged community, we're back at square one starting this project over. How does our process allow for a rookie trustee to handle a near \$200K renovation project all on her own, but a more experienced trustee was excluded from an RFP for \$40,000 study? The investigation report states that the administrator "involved committee chairs ... with consultants ... only after the Board identified a particular committee's role for the project." So, I ask you, when did the Board assign the Facilities/Site Study to Services? (Never.)

Here's another example. Why is it that at the January 16, 2024, board meeting, we all agreed on how to evaluate the administrator's performance, the president then emailed us on January 24 confirming that he is sending the agreed upon documents to the administrator, but then the administrator wrote on February 15 stating, "John forgot what he's supposed to do" and we received a new evaluation of the administrator which included 20 comments from Trustees John Imes and Mark Lederer, and only 1 comment each from Trustees Erin Clune, Cara Coburn-Faris, and myself? Is it a board evaluation or not? We don't have authority as a board if we have processes that are completely opaque.

Justice is eroded when those responsible for upholding the pillars of democracy are the ones tearing it down. Democracy does not work when there are not policies and procedures in place, or if they are, they are ignored. Integrity is doing what's right and often hard, instead of what's fast and easy. It is treating each trustee as a professional, even if you dislike them. It is putting personal agendas aside and arguing for the best idea to win on the merits. It is holding each other accountable when processes are violated. You are all smart, intelligent, talented people. You have a chance to steer this ship in the right direction. You have a new administrator starting in 3 weeks. If we do not address these issues, then we are failing our new administrator before he starts. In life, I believe that you should either win or learn. It is now the board's reaction to adversity/criticism, not adversity itself, that ultimately will determine its fate.

## **Processes that lack transparency, accountability, and fairness**

1. **Nomination of candidates for committees** – Each April, the president provides only the name of individuals nominated to serve on a committee. With no other information, the Board approves.
  - a. **Suggested Change** – Names of all applicants and criteria for selection must be included for the board’s review at least one week prior to the meeting.
2. **Administrator’s Evaluation** – The current pseudo process is an annual meeting sometime in the winter with each trustee completing an evaluation form. We don’t know if the evaluations are anonymous or not. There are no criteria for any summary document, who authors it, who edits it, and who reviews it.
3. **Termination of Administrator** – Despite residents’ expressing disapproval, the administrator announcing a search for employment elsewhere, trustee concerns, and staff stating that they do not want a new administrator that reminds them of the former administrator, the Board did nothing. If it is an “at-will” employment agreement, at what point does the Board address whether the administrator is still serving at the pleasure of the board?
4. **Decision-Making Authority of Committee Chairs** - Village Attorney states the committee chairs decide on open meetings law. This is not being followed.
5. **Project Lifeline** – There is no process.
6. **Request for Information** – There is no process for trustees to request information from Village Hall except the mandated ORR (open records request) process.
7. **Criteria for Waiving All 3 Readings of an Ordinance Change** – There is no standard.