

EXECUTIVE SESSION MEETING MINUTES-BOARD OF TOWN TRUSTEES

STATE OF ILLINOIS }

MCHENRY COUNTY } SS

ALGONQUIN TOWNSHIP }

The board of Town Trustees met at the office of the Township at 3702 Northwest Highway, Crystal Lake Illinois on Wednesday, January 9th at 8:45 p.m. The following were in attendance:

Supervisor: Charles Lutzow

Trustee: Dan Shea

Trustee: Dave Chapman

Trustee: Melissa Victor

Trustee: Rachael Lawrence

Clerk: Karen Lukasik

Township Attorney: James Kelly

Attorneys Stacy Shelly and Troy Lunquist were also in attendance

Supervisor Lutzow opened the closed session meeting at 8:45p.m. in the upstairs board room to discuss litigation. A roll call vote was taken and the following individuals were present: Lutzow, Lukasik, Chapman, Shea, Victor, Lawrence and Kelly and two attorneys, Stacy Shelly and Troy Lunquist, representing the Township and Road District in Tax Objection cases 16 TX 30 and 17 TX 11. Mr. Lundquist stated the plaintiff's attorney, Tim Dwyer, demanded a response to the settlement proposal which was scheduled for answer by tomorrow in the amount of **\$250,000**. Lundquist recommended that the Road District and Township share the settlement costs proportionately. The board determined to accept the proposed settlement. Mr.

Lundquist stated that he would need agreement from the Road District. He then left the closed session to call the Road District attorney Hanlon to discuss the proposed settlement. After speaking to Hanlon and Gasser, he returned to the closed session meeting and asked if the Township Attorney and Lutzow could speak with Gasser and Hanlon on the phone alone. The board did not support this. Lundquist explained that Gasser agreed to speak to Lutzow alone if the Township Attorney was not present. The board did not support this.

Lundquist stated he is close to withdrawing from the case because he does not feel comfortable with this anymore. He also says he is only the messenger. Mr. Lundquist advised he would go back and talk to Gasser and Hanlon and verify that they agreed for him to relay the message they proposed to the board.

Lundquist returned and Gasser/Hanlon gave him explicit permission to disclose their conversation. Lundquist then disclosed that Gasser and Hanlon would only agree to the settlement if the following three demands were met. 1. Go back into open session and approve all Road District bills. 2. Gasser's complete budget will be "restored", (or increased by \$100,000.00). 3. Board will agree to a settlement conference for pending litigations. The board discussed these demands and did not agree. Lawrence stated it would be unlawful for the Board to meet these demands and the Board rejected said demands. Shea reiterated that the offer the board made toward the settlement stands. Gasser and Hanlon are asking to obtain legislative action outside of the view of the public.

When Lundquist left the closed session meeting once again to relay the rejection by the board of Gasser and Hanlon's demands, Kelly stated that Gasser/Hanlon

recommendation greatly exceeds the scope of the financial terms of the case. Kelly continues to discuss

18CH411, Gasser vs Algonquin Township Board, and discussed

that motion to dismiss is pending as well the motion to disqualify Kelly. He also

discussed Edgar County Watchdogs vs. Algonquin Township and Road District,

18CH238, and advised the Board that subpoena would be issued for the Dropbox. The

Smith vs Algonquin Township was discussed. The Board authorized Kelly to take

depositions. Kelly explained that Hanlon made a threat to sue Lutzow but at this time

no action has occurred and that this was an intimidation tactic.

Lundquist returns to the closed session with the board and states there is no agreement from Gasser/Hanlon and that his firm will have to withdraw as counsel. The board adjourned at 10:15 P.M. to return to open session.

Karen Lukasik

Algonquin Township Clerk

Date: January 25, 2019