

LAW OFFICES

**STORINO, RAMELLO & DURKIN**

9501 WEST DEVON AVENUE  
ROSEMONT, ILLINOIS 60018

—  
(847) 318-9500

FACSIMILE (847) 318-9509

August 23, 2019

DONALD J. STORINO  
MICHAEL K. DURKIN  
RICHARD J. RAMELLO  
NICHOLAS S. PEPPERS  
THOMAS M. BASTIAN  
JAMES E. MACHOLL  
BRIAN W. BAUGH  
ANTHONY J. CASALE  
ANDREW Y. ACKER  
PETER A. PACIONE  
MELISSA M. WOLF  
MATTHEW G. HOLMES  
MICHAEL R. DURKIN  
THOMAS J. HALLERAN

ADAM R. DURKIN  
JOSEPH R. PELLEGRINO

—  
JOSEPH G. KUSPER  
ANGELO F. DEL MARTO  
MARK R. STEPHENS  
BRYAN J. BERRY  
ANN M. WILLIAMS  
LEONARD P. DIORIO  
RICHARD F. PELLEGRINO  
DONALD J. STORINO II  
BRIAN R. KUSPER

OF COUNSEL

IN REPLY REFER TO FILE NO.

Mr. Kirk Allen  
Edgar County Watchdogs  
kirk@illinoisleaks.com

**Re: Freedom of Information Act Request - Lake in the Hills Sanitary District**

Dear Mr. Allen:

On August 9th, 2019, the Lake in the Hills Sanitary District received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

1. A copy of any reports or documentation regarding pornography on any computer in the LITHSD in the last 3 years

Please find attached responsive documents.

Please be advised that some of the records responsive to your FOIA request have been determined to be exempt from disclosure under FOIA, for the following reasons:

- As set forth under Section 7(1)(m) of FOIA, some of the records requested constitute "communications between a public body and an attorney ... representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies."
- As set forth under Section 7(1)(c) of FOIA, some of the records requested constitute a "clearly unwarranted invasion of personal privacy" and "the disclosure of information that is highly personal or objectionable"

to a reasonable person and in which the subject's right to privacy outweighs the public interest in obtaining the information."

- As set forth under Section 7(1)(d-4) of FOIA, the records requested constitute records "created in the course of administrative enforcement proceedings" and disclosure would "unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative [or] investigative... agencies" and disclosure would result in "demonstrable harm to the agency or public body that is the recipient of the request."

2. **A copy of the bid publication for the vehicle sold to a Mr. Nelson**

See attached responsive documents.

3. **A copy of all bids received for the vehicle sold referenced above**

See attached responsive documents.

4. Copy of any memo or report written by the Assistance (sic) Manager Timara (sic) Mueller regarding pornography on any LITHSD computer.

Please see response to FOIA request (1), above.

The time for responding to your request was extended until today via my correspondence to you dated August 14, 2019.

The person responsible for the decision to deny portions of your FOIA request is the Lake in the Hills Sanitary District Freedom of Information Officer, Tamara Mueller. In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a Request for Review regarding the decision made by the Lake in the Hills Sanitary District Freedom of Information Officer with the Public Access Counselor at the Illinois Attorney General's Office. You can file your Request for Review with the Public Access Counselor by writing to:

Sarah Pratt  
Public Access Counselor  
Office of the Attorney General  
500 South 2nd Street  
Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

If you choose to file a Request for Review with the Public Access Counselor, you must do so within 60 calendar days of the date of this letter. Please note that you must include a copy of

your original FOIA request and this letter when filing a Request for Review with the Public Access Counselor.

You are also notified that you have the right to judicial review regarding the decision made by the Lake in the Hills Sanitary District Freedom of Information Officer pursuant to Section 11 of FOIA.

STORINO, RAMELLO & DURKIN

Attorneys for the Lake in the Hills Sanitary District



---

Ann M. Williams

It is now time to speak out about the mess it is here. This place is an absolute disaster with no guidance no organization no communication.

We are not sure why the hunt for Rick was necessary but the wrong cancer was cut out of the district. Whatever the reason Ross and Tamara are trying to run this place with decisions by themselves when we speak up and this caused 2 EPA violations. One of them took us 3 days to clean up stupid stupid leadership.

Everyone was so interested in what we thought a few months ago and now we would be really interested in telling you what a shit storm is going on now.

But the real reason for this is the porn we heard was found on the computer in the lab Ross uses and some of those pictures were of the girl in the front office he is having an affair with. We heard Tamara was going to bury this and wondered if she did and didn't let the board know. Was the board notified? This has to be a violation of use of company property and some type municipal violation. So now Tamara is hiding stuff on Ross unbelievable.

And it should be brought out now that Ross ejaculated on a female employees personal items while he was drunk at work. He also tried to climb the fence one night when he was drunk and I think fired. I know the police were called. How does he keep his job? And now he is lying to the engineers to cover work he is not keeping up on. He has been told not to come in the front office because he stirs up trouble with his mouth and the office girls. Also when his dad was district manager a truck went out for bid but after the bids Ross was sold the truck by his father for a small amount. And this is the guy who received a big raise and is taking charge of running the district and Tamara. I bet no one knows any of this and now is the time to bring it up. Plenty of reliable people here that are hard workers who are smart and can keep the district running like it used to be run.

Something is wrong in what is going on here and maybe someone could step in and set it right. There is no one in charge anymore and the one in charge is teaming up with Ross and making a mess of things.

A bad decision was made and the workers here are suffering because of it.

Copy to Eric Hanson, NW Herald, Terry Easler

Edgar County Watchdogs

Cal Skinner

## 1MEMORANDUM

TO: Lake in the Hills Sanitary District  
FROM: Storino, Ramello & Durkin  
RE: Summary Report: Investigation of July, 2019 Anonymous Complaint  
DATE: August 22, 2019

---

On Monday, July 1, 2019, Lake in the Hills Sanitary District President Eric Hansen received an anonymous complaint in the mail alleging wrongdoing by District employee Ross K. Nelson ("Mr. Nelson") and alleging that then-Acting District Manager Tamara Mueller ("Ms. Mueller") was aware of, but ignored, Mr. Nelson's wrongdoing, which constituted mismanagement of District operations.

On or about July 3, 2019, President Hansen directed the law firm of Storino, Ramello & Durkin to conduct an investigation into the allegations of the anonymous complaint. A summary of the disposition of the investigation of the allegations contained within the anonymous complaint is outlined, below.

As of this date, the complaint remains anonymous and it is unclear whether the complaint has been advanced by a current employee or officer, a former employee or officer, or some other person outside of the District. Although a memorandum was prepared and issued to all District employees on July 15, 2019, outlining the process for making complaints and encouraging complainant involvement to ensure an effective and thorough inquiry, no District employee has revealed himself or herself as the complainant.

The allegations outlined in the complaint were thoroughly investigated by counsel, and a summary of the disposition of each matter is detailed below:

- Allegation: The complaint alleges that the District is being mismanaged by Ms. Mueller and that decisions made by Mr. Nelson and Ms. Mueller resulted in two Environmental Protection Agency violations.

Findings: The investigation determined that the allegation Ms. Mueller is collaborating with Mr. Nelson with respect to her management of the District is unfounded. There is no evidence or reason to believe her management of the District is compromised in any way.

The investigation determined that any allegation of Ms. Mueller's mismanagement of District operations was likewise unfounded. The investigation noted that no EPA

violation occurred as a result of the foam overflow of the District's digester. With respect to the foam overflow, Ms. Mueller was not timely notified of the issue as it was occurring. Additionally, the investigation found no evidence of mismanagement of the issue once she was made aware of the problem. With respect to the draining of the VPN tank, it appears that such draining resolved the tank's improper operation. The fact that the draining result in exceeding IEPA ammonia standards is unfortunate, but the rare exceedance of IEPA standards does occur from time to time in the District, including under the prior District Manager. As such, allegations of mismanagement by Ms. Mueller pertaining to the operations of the District are unfounded.

- **Allegation: Mr. Nelson maintained pornographic pictures on his District computer, and Ms. Mueller covered up this conduct.**

**Findings: The investigation determined that the allegations surrounding Mr. Nelson's downloading of personal and inappropriate photos on his work computer was founded.** Mr. Nelson's use of the District's computer to store these personal and inappropriate photos is a violation of the District's policies that prohibit use of District equipment for personal purposes. Despite the fact that other employees may retain personal photos on their work computers, **the photos that were downloaded by Mr. Nelson were wholly inappropriate.**

The investigation also determined that the downloading of the inappropriate photos, compiled with the inadvertent disclosure of such photos, warranted disciplinary measures against Mr. Nelson. **Ms. Mueller, while working in her limited capacity as acting District Manager, handled the matter internally in order to protect the privacy of the subject of the photos, and admonished Mr. Nelson promptly via a written reprimand, placed in his personnel file. In addition, on August 12, 2019, shortly after Ms. Mueller was appointed by the Board as the District Manager and thereby vested with authority to discipline, she issued Mr. Nelson a Notice of Suspension, suspending him for three days without pay for the misconduct.** The investigation determined that Ms. Mueller handled this matter appropriately.

- **Allegation:** Mr. Nelson was involved in prior misconduct and his work performance is inadequate; specifically:
  - Mr. Nelson engaged in misconduct leading to his prior termination from the District, including being intoxicated at work and engaging in improper and crude conduct while intoxicated at work;
  - While Mr. Nelson's father was the District Manager, Mr. Nelson purchased a truck from the District after the truck went out for bid; and

- Mr. Nelson is behind in his current work and lying to engineers to cover up his deficiencies.

Findings: The investigation determined that the allegations in this regard were unsubstantiated. Mr. Nelson began his employment with the District over 20 years ago. Prior to 2009, Mr. Nelson was the subject of some discipline, under the authority of his father, former District Manager Ross S. Nelson, including a formal reprimand and a disciplinary suspension. In December of 2009, Mr. Nelson separated his employment with the District, and returned again in 2010. Since his return to work in 2010, Mr. Nelson's personnel file is deplete of any further discipline. The allegations set forth in the anonymous complaint regarding his conduct while his father was District Manager have no bearing on Mr. Nelson's current work performance or status.

With respect to the allegation surrounding Mr. Nelson's purchase of a truck from the District, no evidence of wrongdoing was found, and there was no evidence that the purchase price was inappropriately low. In addition, the practice of selling surplus property to officers or employees of the District was not limited to Mr. Nelson. In fact, in 2017, former Board President Shelby Key, while acting as Board President, funded the purchase of a truck that went out to bid. The bid was awarded to another individual, but the cashier's check tendered to pay for the truck was remitted by Shelby Key.

With respect to Mr. Nelson's current work performance, the investigation determined that Mr. Nelson is currently meeting the expectations of the District with respect to his new sludge pressing responsibilities, and, in fact, at times has exceeded the performance of a previous subcontractor. The investigation found the allegation regarding Mr. Nelson's current work performance or efficiency is unfounded.

In sum, the investigation conducted by District legal counsel determined that, with the exception of the substantiation of the allegation against Mr. Nelson regarding his storage of inappropriate photos on the District's computer, the allegations contained in the anonymous complaint are unfounded.

# Memo

To: Ross K. Nelson

From: Tamara Mueller and Jerilyn Stahlberg

Date: 5/31/19 Tom Q7

Re: Inappropriate Content

---

Please see the attached emails from Gabriel Camacho of Technology Masters to Jerilyn and Tamara. Be advised that having such content on District computers (and/or District supplied cellphones) is not appropriate for the workplace. **Please immediately remove all inappropriate photos and any other inappropriate content that may exist and refrain from obtaining and/or saving such content on any District devices in the future.**

Thank you!



## Tamara Mueller

---

**From:** Gabriel Camacho <gcamacho@tmi-usa.com>  
**Sent:** Monday, May 20, 2019 10:46 AM  
**To:** Tamara Mueller  
**Subject:** Re: More Questions

See below.

**Gabriel Camacho**  
Director of Network Services

O 847 202 8525  
F 847 202 8916  
[gcamacho@tmi-usa.com](mailto:gcamacho@tmi-usa.com)

**Technology Masters**  
201 E. Dundee Rd.  
Suite 10  
Palatine, IL 60074  
[www.tmi-usa.com](http://www.tmi-usa.com)

On May 20, 2019, at 9:56 AM, Tamara Mueller <[tmueller@lithsd.com](mailto:tmueller@lithsd.com)> wrote:

Hi Gabe,

I have a few more questions about the photos you saw.

Is the password on that computer still [REDACTED]? I believe the password is a default password and that sounds correct.

Can you tell the date the photos were taken and the date the photos were downloaded onto the computer? Not without looking at the files further.

Was the work you were doing on that computer typical of what you do on all computers at the District? Typically just maintenance is performed. I was not "snooping" if that is the question, the folder was open when I connected to the computer and I could see the thumbnails.

Thanks,

<image001.png>

Tamara Mueller  
Assistant District Manager  
Lake in the Hills Sanitary District  
919 Plaza Street  
Lake in the Hills, IL 60155  
847-653-5122 phone  
847-653-4523 fax

## Jerilyn Stahlberg

---

**From:** Gabriel Camacho <gcamacho@tmi-usa.com>  
**Sent:** Thursday, May 16, 2019 1:53 PM  
**To:** Jerilyn Stahlberg  
**Subject:** Re: Inappropriate Content Observed

Jerilyn,

I did want to mention I did not feel comfortable coming forward yesterday with this information because I believe some of the content is [REDACTED]

**Gabriel Camacho**  
Director of Network Services

O 847 202 8525  
F 847 202 8916  
[gcamacho@tmi-usa.com](mailto:gcamacho@tmi-usa.com)

**Technology Masters**  
201 E. Dundee Rd.  
Suite 10  
Palatine, IL 60074  
[www.tmi-usa.com](http://www.tmi-usa.com)

On May 16, 2019, at 12:10 PM, Jerilyn Stahlberg <[jstahlberg@lithsd.com](mailto:jstahlberg@lithsd.com)> wrote:

Okay, I will pass it on.

<image002.png>

Jerilyn Stahlberg  
Office Administrator  
Lake in the Hills Sanitary District  
515 Plum Street, Lake in the Hills, IL 60156  
Phi 847.658.5122 FI 847.658.4523

**From:** Gabriel Camacho [<mailto:gcamacho@tmi-usa.com>]  
**Sent:** Thursday, May 16, 2019 11:41 AM  
**To:** Jerilyn Stahlberg <[jstahlberg@lithsd.com](mailto:jstahlberg@lithsd.com)>  
**Subject:** Inappropriate Content Observed

**Jerilyn,**

During my maintenance visit yesterday 5/15/19 I saw photos containing nude content on the computer located in Ross Jr's office. I'm not sure how these were obtained but they are stored on the computer. If you would like me to investigate further please let me know.

**Gabriel Camacho**  
Director of Network Services

O 847 202 8525  
F 847 202 8916  
[gcamacho@tmi-usa.com](mailto:gcamacho@tmi-usa.com)

# Notice of Suspension

To: Ross K. Nelson

From: Tamara Mueller *TAM*

Date: 8/12/19

Re: Storage of Inappropriate Photos

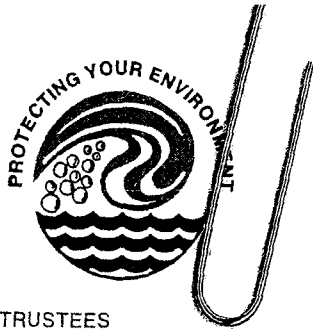
---

Following an investigation, it has been determined that you improperly stored inappropriate photos of [REDACTED] on the District's computer and these photos were discovered by a third party. Accordingly, I am hereby issuing you a three-day suspension without pay, which will be served one day per pay period over the next three pay periods on specific dates to be determined by me. Your first suspension date will be served by you tomorrow, 8/13/19.

11:56 AM  
08/14/19  
Cash Basis

LITH SANITARY DISTRICT - Sewerage Fund  
Transaction Detail By Account  
January 1, 2004 through August 14, 2019

Type	Date	Name	Memo	Original Amount
<b>Gain/Loss - Sale of Equipment</b>				
Deposit	04/08/2008	Panos, Nick	Sale of Surplus equipment	1,550.00
Deposit	04/14/2009	Wetzel, Kevin	Surplus Equipment sold	4,150.00
Deposit	06/08/2009	Larsen, Richard	Sale of 1993 Mule	2,176.00
Check	06/19/2009	Larsen, Richard	Refund on sale of 1993 Mule	-300.00
Deposit	07/31/2009	Marc Kresmery Con...	Sale of 87 Vactor	7,050.00
Deposit	07/14/2010	Terry Cotter	Sale of Riding Lawn Mower	1,010.00
Deposit	07/22/2010	Gugle, Jeffrey	Sale of Generator	500.00
Deposit	10/26/2010	Ross K Nelson	Truck purchase	1,700.00
Deposit	05/02/2012	Hahn Enterprises	1993 Truck sold	2,800.00
Deposit	03/13/2017	Dan Ziller	1995 Ford F350 w 2 Yd Dump Body - Sold to Dan Ziller	4,700.00
Deposit	10/13/2017	Renee Laramie	Sale of 2004 Ford Ranger XLT	2,605.00
<b>Total Gain/Loss - Sale of Equipment</b>				
<b>TOTAL</b>				



# LAKE IN THE HILLS SANITARY DISTRICT

515 PLUM STREET • LAKE IN THE HILLS, ILLINOIS 60156 • 847-658-5122 • FAX 847-658-4523

TRUSTEES  
SHELBY KEY  
DAVID McPHEE  
TERRY EASLER

ROSS NELSON  
DISTRICT MANAGER

CYNTHIA JOHNSON  
TREASURER / CLERK  
cjohnson@lithsd.com

## USED EQUIPMENT BILL OF SALE

**BUYER:** Ross & Erica Nelson

**SELLER:** Lake in the Hills Sanitary District  
515 Plum Street, Lake in the Hills, Illinois 60156  
847-658-5122, fax 847-658-4523

**Date of Sale:** October 25, 2010

**Used equipment description:**

One (1) 1997 Ford F-250 Pickup Truck VIN 3FTHF26H3VMA51250

SELLER certifies to the BUYER that the SELLER has the authority to sell this equipment to the BUYER. SELLER acknowledges receiving the following payment from the BUYER to transfer ownership of this equipment.

**Sale Price:** \$ 1,700.00

SELLER and BUYER agree that to the best of their knowledge, all information on this BILL OF SALE is correct. The SELLER has received payment from the BUYER and hereby transfers ownership of this equipment to the BUYER.

**Signature of BUYER:** [Signature] **Date:** 10-25-10

**Signature of SELLER:** Ross Nelson **Date:** 10-25-10

The equipment is being sold "As is", meaning there is no warranty for any defect and all repairs are the responsibility of the BUYER. The BUYER hereby assumes all financial responsibility.