



## **CHAMPAIGN COUNTY BOARD Litigation Committee**

**County of Champaign, Urbana, Illinois**

Monday, September 10, 2018 at 4:30 p.m.

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Jennifer K. Putman Meeting Room  
Brookens Administrative Center  
1776 E. Washington St., Urbana

### **County Board Committee Members:**

Jack Anderson

John Clifford

Giraldo Rosales (Chair)

Pattsi Petrie

Pius Weibel

## **AGENDA**

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- I. Call to Order
- II. Roll Call
- III. Approval of Agenda/Addenda
- IV. Approval of Minutes
  - A. Open Session – July 31, 2018
- V. Public Participation
- VI. Closed Session Pursuant to 5 ILCS 120/2(c)(11) to consider litigation which is pending against or on behalf of Champaign County, and litigation that is probable or imminent against Champaign County
- VII. Other Business
  - A. Approval of Closed Session Minutes – July 31, 2018
  - B. Semi-annual Review of CLOSED Session Minutes
- VIII. Adjournment



**Champaign County Board  
Litigation Committee  
County of Champaign, Urbana, Illinois**

**OPEN MINUTES – SUBJECT TO REVIEW AND APPROVAL**

DATE: Tuesday, July 31, 2018  
 TIME: 4:00 p.m.  
 PLACE: Jennifer K. Putman Meeting Room  
 Brookens Administrative Center  
 1776 E Washington, Urbana, IL 61802

**Committee Members**

Present	Absent
	Jack Anderson
Brooks Marsh	
Giraldo Rosales (Chair)	
Pattsi Petrie	
Pius Weibel	

**County Staff:** Deb Busey (Interim County Administrator), Barb Mann (State’s Attorney Chief of Civil Division), Joel Fletcher (State’s Attorney’s Office), Tammy Asplund (Recording Secretary)

**Others Present:** Keith Fruehling (Heyl Royster)

**MINUTES**

**I. Call to Order**

Mr. Rosales called the meeting to order at 4:08 p.m.

**II. Roll Call**

A verbal roll call was taken and a quorum was declared present.

**III. Approval of Agenda and Addendum**

**MOTION** by Mr. Weibel to approve the agenda; seconded by Mr. Marsh. Upon vote, the **MOTION CARRIED** unanimously.

**IV. Approval of Minutes**

A. Open Session Minutes – June 20, 2018

**MOTION** by Ms. Petrie to approve the open session minutes of the June 20, 2018 Litigation Committee meeting; seconded by Mr. Weibel. Upon vote, the **MOTION CARRIED** unanimously.

**V. Public Participation**

None.

**VI. Closed Session**

**MOTION** by Ms. Petrie to enter into CLOSED Session pursuant to 5 ILCS 120/2(c)(11) to consider

litigation which is pending against or on behalf of Champaign County and litigation that is probable or imminent against or on behalf of Champaign County and that the following parties remain present: Interim County Administrator, Assistant State's Attorney, Legal Counsel, and recording secretary; seconded by Mr. Weibel.

Roll call vote:

Aye: 4 –Marsh, Petrie, Rosales, Weibel

Nay: 0

Motion carried with unanimous support.

The Litigation Committee entered into Closed Session at 4:11 p.m.

The Litigation Committee resumed Open Session at 4:59 p.m.

**VII. Other Business**

A. Closed Session Minutes

**MOTION** by Mr. Weibel to approve the CLOSED session minutes of the June 20, 2018 Litigation Committee meeting; seconded by Mr. Marsh. Upon vote, the **MOTION CARRIED** unanimously.

**VIII. Adjournment**

Mr. Rosales adjourned the meeting at 5:00 p.m.

**Julia R. Rietz**  
State's Attorney

**Barbara Mann**  
Chief of the Civil Division  
email: [bmenn@co.champaign.il.us](mailto:bmenn@co.champaign.il.us)

**Donna M. Davis**  
Assistant State's Attorney  
email: [ddavis@co.champaign.il.us](mailto:ddavis@co.champaign.il.us)



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**Office of  
State's Attorney  
Champaign County, Illinois**

August 29, 2018

[Via Email:  
[tasplund@co.champaign.il.us](mailto:tasplund@co.champaign.il.us)]

Mr. Giraldo Rosales  
Litigation Subcommittee Chair

*Re: Closed Session Minutes Review for Litigation Subcommittee*

Dear Mr. Rosales:

Pursuant to the Open Meetings Act, a public body such as the Litigation Subcommittee must review its closed session minutes at least semi-annually. The Committee must then determine whether the need for confidentiality exists as to all or part of those minutes, or that the minutes or portions thereof no longer require confidential treatment, if so, the records would be available for public inspection. Therefore, the question is whether there is no longer a need to keep minutes closed in order to protect either the public interest or the privacy of an individual. Whichever conclusion that the Committee draws must be then be reported in open session.

Please note that the Committee may enter into closed session for the purpose of review of closed session minutes pursuant to 5 ILCS 120/2(c)(21): Discussion of minutes of meetings lawfully closed under the Act. Just as in open session, if the matter requires action by the Committee, the matter must have been noticed on the posted agenda.

The County Board passed Resolution No. 7969, "Resolution Establishing Procedures for Semi-Annual Review of Closed Session Minutes by the Champaign County Board" on November 17<sup>th</sup>, 2011. Under the parameters established by the full board in Resolution 7969, and due to the privileged nature of attorney-client discussions involving litigation facts and strategy, none of the previously reviewed closed minutes are eligible for public inspection at this time. Pursuant to the same Resolution, the matters considered by the Litigation Committee in closed session during the last six months should remain confidential at this time.

Sincerely,

A handwritten signature in blue ink that reads "Donna M. Davis". The signature is written in a cursive style with a blue ink color.

Donna M. Davis

DMD/cdg

cc: Tammy Asplund, Kay Rhodes (Administrative Services)