



## **CHAMPAIGN COUNTY BOARD Litigation Committee**

**County of Champaign, Urbana, Illinois**

Thursday, November 7, 2019 at 5:45 p.m.

---

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

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

John Clifford

Jodi Eisenmann

Giraldo Rosales (Chair)

Chris Stohr

Eric Thorsland

## **AGENDA**

---

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda/Addenda
- IV. Approval of Minutes
  - A. Open Session – September 24, 2019
  - B. Closed Session – September 24, 2019
- 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. Semi-annual review of closed session minutes
- VIII. Adjournment



**CHAMPAIGN COUNTY BOARD**  
**Litigation Committee**  
County of Champaign, Urbana, Illinois

8  
9  
10  
11  
12  
13  
14  
15  
16

**OPEN MINUTES – Subject to Approval**

---

DATE: Tuesday, September 24, 2019  
TIME: 4:30 p.m.  
PLACE: Jennifer K. Putnam Meeting Room  
Brookens Administrative Center  
1776 E. Washington St., Urbana, IL 61802

---

**Committee Members:**

<b>Present</b>	<b>Absent</b>
John Clifford	
	Jodi Eisenmann
Giraldo Rosales (Chair)	
	Chris Stohr
Eric Thorsland	

17  
18  
19  
20  
21  
22

**County Staff:** Darlene Kloeppe (County Executive), Barb Mann (Chief of Civil Division), Megan Robison (Recording Secretary)

**Others Present:** Joe Wetzel (Livingston, Barger, Brandt & Schroeder), Jenna Habaishy (Livingston, Barger, Brandt & Schroeder)

---

**MINUTES**

23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

**I. Call to Order**

Committee Chair Rosales called the meeting to order at 4:28

**II. Roll Call**

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

**III. Approval of Agenda/Addenda**

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

**IV. Approval of Minutes**

A. Open Session – July 11, 2019

**MOTION** by Mr. Clifford to approve the open session minutes of July 11, 2019; seconded by Mr. Thorsland. Upon vote, the **MOTION CARRIED** unanimously.

**V. Public Participation**

None

47 **VI. Closed Session Pursuant to 5 ILCS 120/2(c)(11) to consider litigation which is pending against**  
48 **or on behalf of Champaign County, and litigation that is probable or imminent against**  
49 **Champaign County**  
50

51 **MOTION** by Mr. Thorsland to enter into CLOSED session pursuant to 5 ILCS 120/2(c)(11) to  
52 consider litigation which is pending against or on behalf of Champaign County, and litigation that  
53 is probable or imminent against Champaign County and that the following parties remain  
54 present: County Executive, Chief of Civil Division, Legal Counsel and recording secretary;  
55 seconded by Mr. Clifford.  
56

57 Roll call vote:

58 Aye: 3 – Clifford, Thorsland, Rosales

59 Nay: 0

60 **MOTION CARRIED** unanimously  
61

62 The Litigation Committee entered Closed Session at 4:30 p.m.  
63

64 The Litigation Committee resumed Open Session at 4:45 p.m.  
65

66 **VII. Other Business**

67 A. Approval of Closed Session Minutes – July 11, 2019  
68

69 **MOTION** by Mr. Clifford to approve the CLOSED session minutes; seconded by Mr. Thorsland.  
70 Upon vote, the **MOTION CARRIED** unanimously.  
71

72 **VIII. Adjournment**  
73

74 Committee Chair Rosales adjourned the meeting at 4:47 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)



Courthouse  
101 East Main Street  
P. O. Box 785  
Urbana, Illinois 61801  
Phone (217) 384-3733  
Fax (217) 384-3816

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

October 30, 2019

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

Mr. Giraldo Rosales  
Litigation Committee 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. Matters considered in closed session in the recent six-month period are related to litigation and should remain confidential at this time.

Sincerely,

A handwritten signature in blue ink that reads "Donna M. Davis".

Donna M. Davis

cc: Rita Kincheloe (Administrative Services)