



# LNNLRCD

## February 18, 2016 Executive Session

- I. **Discussion of Minutes of Closed Meeting held on 1/4/2016 for Approval of Release by the RCD body 5 ILCS 120/2(c)(23)** – Marty said that he didn't think that there was anything proprietary in the January 4th executive session minutes that couldn't be released. Tim asked what was driving them to *[pursue the review of these minutes for release]* and Marty said that they received a FOIA request from Dave Stewart on behalf of the POA for minutes and audio recordings of the open and closed meeting that took place on 1/4/16 and as there was a possibility that they didn't go into executive session properly, the executive session could actually be looked at as an open meeting. Marty said that he wants to avoid having them *[the POA]* going to the states attorney and if they didn't do it right procedurally and there is nothing in there that is *[sensitive, he'd like to approve them for release]*. Jim asked if there was any reason that they would want to run this by Lisa on anything that she said. Becky suggested that when they make the motion they could say that they would release the minutes contingent to them talking to Lisa getting her approval first – Tim agreed. The board talked about redacting any comments that Lisa made and releasing two separate copies of the executive minutes – one to Dave that is redacted and one to the states attorney that is complete. Marty asked Jim what part of the minutes he would want to redact and Jim said that part where Lisa said that she was "uncertain what would happen her with the POA and RCD and whether it would be open to the public or not and whether the POA would boycott the café or not although she feels that they *[the POA]* would be shooting themselves in the foot to do that." and "she can understand that everyone likes their privacy she was wondering if there would be some way to have only one route for outsiders to use to access the building and if someone was not a property owner, they would be directed to keep to the main road and not drive around the rest of the community." Becky said she'd like to see them talk to Lisa first because she may not have a problem with it and they wouldn't have to redact anything. Jim asked if they could go back to what Becky had said previously about releasing *[the minutes]* pending Lisa's approval. Marty tried calling Lisa to see what she had to say and left a message for her. Marty said that he wasn't sure what the rule was on conditionally approving something and asked the board what they wanted to do – table it or conditionally approve to release them. Jim said they vote to release it contingent upon blacking out anything Lisa would want blacked out. Marty said that if they black things out, there might be specific rules to do that per the open meetings act – not just on the whim of someone. The board discussed formulating the motion along these lines: "Motion to approve the release of the 1/4/16 executive session minutes pending review from Lisa Koltunchik." Marty said that he would further explain that she hasn't seen the minutes, they tried to reach her by phone tonight but were unable to do so and they want to give her the opportunity to review the minutes. Marty said that they have a 10 day window to post the minutes once they are released so he suggested that they go ahead and approve them and say that they are not going to release them until she has approved them. Marty said that because she may want to have some of her comments taken out, there could be a chance that they would have to cancel the motion to approve the minutes and motion to approve a redacted copy, he thought that tabling looked like a better option to him. Tim said that, in the open meeting, as a professional courtesy, they could table the minutes until Lisa and Mike have reviewed them. Tim motioned to adjourn the session and Jim seconded the motion. The board approved the motion unanimously by roll-call vote at 6:40PM.