

CUBA TOWNSHIP EXECUTIVE SESSION

28000 W. Cuba Road

Barrington, IL 60010

March 8, 2012

A motion was made by Trustee Rice which was seconded by Trustee Mumaw to open the executive session to discuss real estate and pending litigation. Motion carried by unanimous voice vote.

The executive session was called to order by Nelson at 8:07 pm.

Roll call: David Nelson, Supervisor; Doug Alexander, Trustee; Don Griffith, Trustee; Jack Mumaw, Trustee; Arthur Rice, Trustee.

Also present: Priscilla Rose, Township Clerk; Tom Gooch, Highway Commissioner; Township Assessor, Becci Tonigan, Township Assessor; Keri-Lyn Krafthefer, Township attorney; Lawrence Weiner, attorney.

Weiner addressed the board regarding the lawsuit brought by former Road District employee, Debra Broderick stating he felt it was a specious suit. He continued that Broderick has already perjured herself in a recent criminal trial against Gooch and has been declared by the judge in the criminal trial to have no credibility. Mediation has begun with no resolve. He reminded the board that the Township's insurance policy has the Township "self insured" for no more than \$60,000. But, Weiner advised he felt that to continue to defend this lawsuit without settling will cost more than \$60,000. His recommendation is to settle the lawsuit because it can never be predicted what a jury will decide. He asked for authority from the board to offer up to \$60,000 as a settlement with no admission of guilt or wrongdoing.

Gooch addressed the board stating that he has known Weiner for years and has the utmost respect for him. He continued that he has no desire to settle this case. Discussion among board members took place with Griffith supporting the negotiations to settle, Mumaw expressing his opposition to a settlement, Alexander not in favor of a settlement, Rice endorsing a settlement and Nelson opposing a settlement.

Krafthefer responded to a question from Mumaw that it is not her job to meddle in policy decisions of the board. She continued that she would advise the board to rely on the advice of the professionals that have been hired. Rice asked for clarification regarding the potential for legal expenses. It was noted that up to \$60,000 is payable to TOIRMA with any expenses over that covered under the terms of the Township's policy. Weiner noted anything related to a breach of contract is not payable by TOIRMA. TOIRMA also has the potential to offer to settle the case. Krafthefer confirmed that Cuba Township is the named defendant, but that could be cleared up as the case progresses. Upon consensus of the board, Weiner will notify TOIRMA that there is no settlement offer. Weiner excused himself from the meeting at 8:36 pm.

Nelson updated the board on the situation with Barclay's Woods, property in the Village of Tower Lakes owned by Jack Lageschulte. An appraiser was hired for \$1800.00 and has presented a new appraisal of the property of \$513,000. This revised appraisal is based on 10.124 acres. The following are financial partners in a \$500,000 offer to Lageschulte: Barrington Area Conservation Trusts- \$100,000; Citizens for Conservation- \$50,000; Tower Lakes/private funds- \$50,000; Cuba Township/state grant- \$300,000.

After further discussion on the subject Mumaw suggested that Cuba Township contribute up to \$200,000.

A motion was made by Trustee Mumaw and seconded by Trustee Alexander to adjourn Executive Session at 8:50 pm.

Respectfully submitted,

Priscilla H. Rose
Clerk