



## Fox Waterway Agency

### Executive Session

October 22, 2014

**Recording Secretary: Danielle Hartig**

**Call to Order & Roll Call 7:28 p.m.**

Chairman Blake

**Present:** Roll call of persons present: Chairman Blake, Directors Bartmann, Brookman, Haling, Mitchell, Meyer and Shields, Executive Director Barker, Attorney David McArdle

Attorney McArdle discussed the meeting that was held on September 26, 2014 with various Lake and McHenry County officials regarding the disagreement the Agency has over the regulation by Lake County over the Agency's work. Progress was made on both sides; however, a written agreement must be reached to avoid litigation. Another meeting may be setup in the future to further communication between all parties involved.

Attorney McArdle also discussed the broken cable situation in Algonquin under the Route 62 bridge and the discussion of liability which is taking place between IDOT and Village officials. He will follow up with the appropriate parties.

Motion made to return to open session by Director Haling and seconded by Director Meyer.

**Aye:** Directors Bartmann, Brookman, Haling, Meyer, Mitchell, and Shields

**Nay:** None

**Absent:** None

The motion carried. Return to open session at 7:59 p.m.

Approved: March 23, 2016

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## Fox Waterway Agency

### Executive Session

November 19, 2014

**Recording Secretary: Danielle Hartig**

**Call to Order & Roll Call 7:36 p.m.**

Chairman Blake

**Present:** Chairman Blake, Directors Bartmann, Brookman, Haling, Mitchell, Meyer and Shields, Executive Director Barker, Attorney David McArdle

**MOTION:** Director Bartmann made a motion for an Executive Session. The motion was seconded by Director Haling. A roll call vote was taken.

**Aye:** Directors Bartmann, Brookman, Haling, Meyer, Mitchell, and Shields

**Nay:** None

The motion carried.

Chairman Wayne & Director Meyer updated the Board on the meeting they had with officials from Lake County. Progress has been made towards creating an inter-governmental agreement and possible settlement of the threatened lawsuit.

Motion made to return to open session by Director Meyer and seconded by Director Bartmann. A roll call vote was taken.

**Aye:** Directors Bartmann, Brookman, Haling, Meyer, Mitchell, and Shields

**Nay:** None

The motion carried.

Return to open session at 7:53 p.m.

Approved: March 23, 2016

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**Fox Waterway Agency**  
**Executive Session**  
**December 17, 2014**

**Recording Secretary: Danielle Hartig**

**Call to Order & Roll Call 7:37 p.m.**

**Chairman Blake**

**Present:** Chairman Blake, Directors Bartmann, Haling, Meyer and Shields, Executive Director Barker, Attorney David McArdle

**Absent:** Directors Brookman, Mitchell

**MOTION:** Director Bartmann made a motion for an Executive Session pursuant to land and possible litigation. The motion was seconded by Director Haling. A roll call vote was taken.

Aye: Directors Bartmann, Haling, Meyer, and Shields

Nay: None

Absent: Brookman, Mitchell

The Motion carried.

Executive Director Barker discussed possible land acquisition at a property in Fox Lake to build the new headquarters at. The Board encouraged Ron to move forward in this process. Possible places to operate in the meantime were also discussed.

Director Meyer and Chairman Blake discussed the meeting they had with officials at Lake County. The meeting was to continue discussions regarding a possible inter-governmental agreement to avoid litigation and related disputes regarding permitting authority of Lake County. The FWA will continue working to build this relationship in a positive direction.

Motion made to return to open session by Director Bartmann and seconded by Director Haling.

Aye: Directors Bartmann, Haling, Meyer, and Shields

Nay: None

Absent: Brookman, Mitchell

The motion carried. Return to open session at 8:34 p.m.

Approved: March 23, 2016

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**Fox Waterway Agency**  
**Executive Session**  
**January 28, 2015**

**Recording Secretary: Danielle Hartig**

**Call to Order & Roll Call 7:53 p.m.**

Chairman Blake

**Present:** Chairman Blake, Directors Bartmann, Brookman, Haling, Mitchell, Meyer and Shields, Executive Director Barker, Attorney David McArdle

**MOTION:** Director Haling made a motion for an Executive Session pursuant to possible litigation. The motion was seconded by Director Bartmann. A roll call vote was taken.

**Aye:** Directors Bartmann, Brookman, Haling, Meyer, Mitchell, and Shields

**Nay:** None

**Absent:** None

The motion carried.

Since the last meeting, various board members met with Lake County officials and the State's Attorney to continue discussions regarding an IGA as a possible resolution of the current dispute over jurisdiction. Attorney McArdle drafted a resolution that would set requirements regarding annual notification of project activities (to the public and County officials), and public notification and announcements. He will make various edits and send to Senator Althoff for her opinion. The Board will possibly look to adopt this resolution at the next meeting.

Motion made to return to open session by Director Haling and seconded by Director Brookman.

**Aye:** Directors Bartmann, Brookman, Haling, Meyer, Mitchell, and Shields

**Nay:** None

**Absent:** None

The motion carried. Return to open session at 8:46 p.m.

Approved: March 23, 2016

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## Fox Waterway Agency

### Executive Session

February 25, 2015

**Recording Secretary: Danielle Hartig**

**Call to Order & Roll Call 8:00 p.m.**

Chairman Blake

**Present:** Chairman Blake, Directors Bartmann, Haling, Mitchell, Meyer and Shields, Executive Director Barker, Attorney David McArdle

**Absent:** Director Brookman

**MOTION:** Director Barmtann made a motion for an Executive Session pursuant to possible litigation. The motion was seconded by Director Haling. A roll call vote was taken.

Aye: Directors Bartmann, Haling, Meyer, Mitchell, and Shields

Nay: None

Absent: Brookman

The Motion carried.

Attorney McArdle explained the continued communications with Lake County regarding avoiding litigation by negotiating the terms of a proposed regulation by the Lake County staff. The Lake County Board and staff expressed their wish to *not* sign any IGA. Dave Manning joined the meeting by conference call. Chairman Blake will follow up with the Director of Planning, Building, and Development regarding this proposal.

Motion made to return to open session by Director Meyer and seconded by Director Haling.

Aye: Directors Bartmann, Haling, Meyer, Mitchell, and Shields

Nay: None

Absent: Brookman

The motion carried. Return to open session at 8:55 p.m.

Approved: March 23, 2016

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## Fox Waterway Agency

### Executive Session

March 25, 2015

**Recording Secretary:** Danielle Hartig

**Call to Order & Roll Call** 8:21 p.m.

Chairman Blake

**Present:** Chairman Blake, Directors Bartmann, Brookman, Haling, Mitchell, Meyer and Shields, Executive Director Barker, Attorney David McArdle

**MOTION:** Director Meyer made a motion for an Executive Session pursuant to potential litigation. The motion was seconded by Director Bartmann. A roll call vote was taken.

**Aye:** Directors Bartmann, Brookman, Haling, Meyer, Mitchell, and Shields

**Nay:** None

The motion carried.

Attorney McArdle discussed the proposed draft received from Lake County. Various questions were fielded by Attorney McArdle and the Board expressed their beliefs regarding the draft and the plan moving forward.

Attorney McArdle also gave a status update regarding pending litigation.

Motion made to return to open session by Director Bartmann and seconded by Director Haling. A roll call vote was taken.

**Aye:** Directors Bartmann, Brookman, Haling, Meyer, Mitchell, and Shields

**Nay:** None

**Absent:** None

The motion carried. Return to open session at 9:05 p.m.

Approved: March 23, 2016



**Fox Waterway Agency**  
**Special Board Meeting – Executive**  
**Session**  
**May 6, 2015**

**Recording Secretary: Danielle Hartig**

**Call to Order & Roll Call 7:05 p.m.**

**Chairman Blake**

**Present:** Chairman Blake, Directors Bartmann, Haling, Mitchell, Meyer and Shields, Attorney David McArdle

**Absent:** None

**Others present:** Board member elect William Hellyer

The Directors discussed the performance of the Executive Director Ron Barker. Each Board member expressed their concerns with regard to the performance of the Executive Director especially with regard to issues involving the 2013 FEMA grant application following sever storm damage causing significant debris cleanup and damage to the Agency's office; informational technology problems in the office and general inability to perform administrative tasks. Director Mitchell indicated that in his opinion the Board had a fiduciary duty to the Agency to protect and removal of Mr. Barker from the position of Executive Director must be made and if not done, he would not remain on the Board of Directors. As a result of the discussion, the Board brought the Executive Director back into the executive session after the discussion and asked him to tender his resignation effective 5/7/15. The Executive Director agreed that he is underperforming and to tender his resignation as requested. Various individuals were discussed as a replacement or supplement in the meantime.

**MOTION:** Motion made return to open session by Director Meyer and seconded by Director Bartmann. A roll call vote was taken. The motion carried.

**Aye:** Directors Bartmann, Haling, Meyer, Mitchell, and Shields

**Nay:** None

The motion carried. Return to open session at 7:55 p.m.

Approved: March 23, 2016

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## Fox Waterway Agency

### Executive Session

May 27, 2015

**Recording Secretary: Danielle Hartig**

**Call to Order & Roll Call 8:25 p.m.**

**Chairman Blake**

**Present:** Chairman Blake, Directors Bartmann, Haling, Hellyer, Mitchell, Meyer and Shields, Attorney David McArdle

**MOTION:** Director Meyer made a motion for an Executive Session to discuss specific personnel. The motion was seconded by Director Haling. A roll call vote was taken.

**Aye:** Directors Bartmann, Haling, Hellyer, Meyer, Mitchell, and Shields

**Nay:** None

**Absent:** None

The motion carried.

Chairman Blake discussed possible replacements for the Executive Director. Various applicants were mentioned and resumes were reviewed, but no action was taken at this time.

Motion made to return to open session by Director Meyer and seconded by Director Haling.

**Aye:** Directors Bartmann, Hellyer, Haling, Meyer, Mitchell, and Shields

**Nay:** None

**Absent:** None

The motion carried. Return to open session at 8:39 p.m.

Approved: March 23, 2016





**Fox Waterway Agency**  
**Special Board Meeting - Executive**  
**Session**  
**June 25, 2015**

**Recording Secretary: Danielle Hartig**

**Call to Order & Roll Call 7:03 p.m.**

Chairman Blake

**Present:** Chairman Blake, Directors Bartmann, Haling, Hellyer, Mitchell, Meyer and Shields.

**Absent:** Attorney David McArdle

**MOTION:** Roll call vote taken

**Aye:** Directors Bartmann, Haling, Hellyer, Meyer, Mitchell, and Shields

**Nay:** None

The motion carried at 7:03 p.m.

The Board members interviewed various candidates for the interim Executive Director position. No decision was made. The Board will devise further interview essay questions which will be sent to the candidates with a return deadline. References will also be requested and verified. Another round of interviews will take place tentatively on July 15<sup>th</sup> at 6 p.m. in another closed session meeting.

**MOTION:** Motion made to return to open session by Director Bartmann and seconded by Director Haling.

**Aye:** Directors Bartmann, Haling, Hellyer, Meyer, Mitchell, and Shields

**Nay:** None

**Absent:** None

The motion carried. Return to open session at 8:56 p.m.

**Adjournment**

**MOTION:** Director Haling made a motion to adjourn the meeting. The motion was seconded by Director Hellyer. A voice vote was taken. The motion was approved unanimously.

The meeting adjourned at 8:57 p.m.

Approved: March 23, 2016

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# Fox Waterway Agency Special Meeting - Minutes

July 15, 2015

**Recording Secretary: Danielle Hartig**

**1.0. Call to Order & Roll Call 7:03 p.m.**

Chairman Blake

**Present:** Directors Phil Bartmann, Chuck Haling, Bill Hellyer, James Meyer, Dan Mitchell, Michael Shields, Chairman Wayne Blake, Agency Attorney David McArdle

**2.0 Discussion**

The Board members interviewed various candidates for the interim Executive Director position. No action was taken at this time.

**4.0 Adjournment**

**MOTION** Director Bartmann made a motion to adjourn the meeting. The motion was seconded by Director Haling. A voice vote was taken. The motion was approved unanimously.

The meeting adjourned at 10:05 p.m.

Approved: March 23, 2016

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**Fox Waterway Agency**  
**Special Board Meeting - Executive**  
**Session**  
July 22, 2015

**Recording Secretary: Danielle Hartig**

**Call to Order & Roll Call 8:22 p.m.**

Chairman Blake

**Present:** Chairman Blake, Directors Bartmann, Haling, Hellyer, Mitchell, Meyer and Shields, Attorney David McArdle, Executive Director Joe Keller

**MOTION:** Director Bartmann made a motion for an Executive Session to discuss personnel. The motion was seconded by Director Meyer. Roll call vote was taken.

**Aye:** Directors Bartmann, Haling, Hellyer, Meyer, Mitchell, and Shields

**Nay:** None

The motion carried. Entered into Executive session at 8:22 p.m.

Attorney McArdle discussed the specific terms of Joe Keller's employment. All board members were in general agreement with the draft letter dated 7/22/15 between the Chairman and Joe Keller as to the terms of his employment.

Health insurance premiums and the overtime pay for specific employees, including the Executive Director, was discussed. The Board directed the Executive Director to assess the situation with regard to overtime hours worked by employees and bring a recommendation back to the Board at its next meeting. With regard to health insurance premium payment allocation between the Agency and employees, this issue was discussed and the Board directed the attorney to prepare a resolution repealing the August 25, 2011 Resolution and replacing it with a provision that provides for increasing the employee premium contribution by 10% each year from the current 70%/30% sharing commencing January 1, 2016.

**MOTION:** Motion made to return to open session by Director Hellyer and seconded by Director Haling.

**Aye:** Directors Bartmann, Haling, Hellyer, Meyer, Mitchell, and Shields

**Nay:** None

**Absent:** None

The motion carried. Return to open session at 9:13 p.m.

**Adjournment**

**MOTION:** Director Haling made a motion to adjourn the meeting. The motion was seconded by Director Bartmann. A voice vote was taken. The motion was approved unanimously.

The meeting adjourned at 9:15 p.m.

Approved: March 23, 2016