

Lee/Ogle Regional Board of School Trustees
Lee/Ogle Regional Office of Education

Closed Session Minutes
August 10, 2009

The Lee/Ogle Regional Board of School Trustees met on Monday, August 10, 2009. The meeting was held at the Lee/Ogle Regional Office of Education in Grand Detour.

Motion was made by Mr. Brooks to go into Closed Session at 6:50 pm under the Open Meetings Act exception at 5 ILCS 120/2(c)(11), when an action against, affecting, or on behalf of the particular public body has been filed and is pending in a court or administrative tribunal, or when the public body finds that such an action is probable or imminent, and for the receipt of legal advice. Seconded by Ms. Shannon. Ayes from Ms. Biester, Mr. Brooks, Mr. Detig, Mr. Drew, Mr. Hickey, Mr. Melvin and Ms. Shannon. Nays – none.

Amy Jo Clemens stated that all closed sessions must be tape recorded per the Open Meetings Act.

Board members present were Carol Biester, Thomas Brooks, James Detig, Francis Drew, Roger Hickey, Boyd (Bud) Melvin and Connie Shannon. Nays – none. Also present were ex-officio secretary Amy Jo Clemens and Ogle County Assistant State's Attorney Scott Robinson.

ASA Robinson provided legal counsel regarding his analysis of the legal basis for the following documents distributed to the board members for the July 22, 2009 meeting:

1. Byron CUSD 226's Motion to Recuse
2. OCEC's Response to the Motion to Recuse
3. OCEC's Motion to Dismiss the Byron CUSD Petition
4. Byron CUSD 226's Response to the Motion to Dismiss
5. OCEC's Response to Byron's Petition and Affirmative Defenses

Legal advice to the Board included the possible actions available on each of the documents – approve, deny or take no action. Advice also included the legal consequences of approving, denying or ignoring each of the motions. ASA Robinson emphasized the serious nature of the decisions and described the probability of future litigation based on the motions filed and the Board's decision (or lack thereof) on each.

Motion to return to Open Session was made by Ms. Biester and seconded by Ms. Shannon at 8:20 pm. Ayes from Ms. Biester, Mr. Brooks, Mr. Detig, Mr. Drew, Mr. Hickey, Mr. Melvin and Ms. Shannon. Nays – none.

Amy Jo Clemens, Secretary
Lee/Ogle Regional Board of School Trustees

Date

Roger Hickey, President
Regional Board of School Trustees

Date