

Special Meeting
Libertyville Police Pension Board
January 5, 2017

Call to Order: President William Plumb called the meeting to order at 1:33 P.M., on Thursday, January 5, 2017. The meeting was held at the Alan Shertz Building, 200 E. Cook St., Libertyville, IL.

Roll Call: The following trustees were present: Mr. William Plumb (Pres.), Mr. Michael Buchert (Vice Pres.), Mr. Jeffrey Stolzenburg (Secretary), Mr. Allen Johnson (Trustee), and Mr. Donald Smith (Trustee). Also present were Mr. Jeff Goodloe, Esq., attorney for the Libertyville Police Pension Board, Officer Alejandro Cardona, Mr. Craig Mielke, Esq., attorney for Officer Alejandro Cardona, Yvette Heintzelman, Esq., attorney for the Village of Libertyville, Chief Clinton Herdegen (Chief of Police, Libertyville Police Dept.), Deputy Chief Scott Fabbri (Libertyville Police Dept.), Patrice Sutton (Libertyville Police Pension Board Treasurer / Director of Finance, Village of Libertyville), and Jennifer Seastrom, CSR (court reporter).

Public Comment: None

Hearing: After opening remarks and a review of hearing rules by Atty. Goodloe, Atty. Heintzelman made arguments reference the Village of Libertyville's Motion to Compel Officer Cardona to attend a fourth independent medical examination (IME) with a clinical psychologist chosen by the Village (Dr. Diane S. Goldstein). Upon the conclusion of Atty. Heintzelman's remarks, Atty. Mielke made his arguments against the Village's Motion to Compel. Rebuttals were made by both attorneys in addition to several questions being asked by Atty. Goodloe, Trustee Johnson, and Trustee Smith.

At 2:10 P.M., Trustee Buchert made a motion to move to closed session pursuant to Section 2(c)(4) of the Open Meetings Act (OMA). The motion was seconded by Trustee Johnson and passed unanimously by roll call vote.

Closed Session: 2:13 P.M. – 2:22 P.M.

At 2:27 P.M. a motion to return to open session was made by Trustee Buchert. The motion was seconded by Trustee Johnson and passed unanimously.

Trustee Plumb then made a motion to deny the Village's Motion to Compel. The motion was seconded by Trustee Stolzenburg. No discussion of the motion was requested and a roll call vote was made, as follows:

Trustee Buchert:	Aye
Trustee Johnson:	Aye
Trustee Smith:	Aye
Trustee Stolzenburg:	Aye
Trustee Plumb:	Aye

Atty. Goodloe acknowledged the Board's denial of the Village's motion and proceeded to discuss evidentiary exhibits. Pension Board Exhibits 1 through 31 had been previously tendered to all parties for review. Atty. Goodloe asked if there were any objections to the exhibits. Atty. Mielke had no objections. Atty. Heintzelman objected to Exhibit 2 (Dr. Jochem report), Exhibit 27 (Dr. Tudor report), Exhibit 28 (Dr. Reff report), and Exhibit 29 (Dr. McFaul report). All objections were based upon hearsay. Atty. Heintzelman additionally requested that depositions be taken for all four of the aforementioned doctors.

Atty. Goodloe asked Atty. Heintzelman if the proposed depositions would be at the Village's cost and expense. She replied, "Yes."

At 2:30 P.M., Trustee Buchert made a motion to move to closed session pursuant to Section 2(c)(4) of the Open Meetings Act (OMA). The motion was seconded by Trustee Johnson and passed unanimously by roll call vote.

Closed Session: 2:33 P.M. – 3:04 P.M.

At 3:04 P.M. a motion to return to open session was made by Trustee Buchert. The motion was seconded by Trustee Plumb and passed unanimously.

Trustee Plumb then made a motion to sustain the Village's objections and permit the Village to go forward with depositions at their expense. The motion was seconded by Trustee Buchert. No discussion of the motion was requested and a roll call vote was made, as follows:

Trustee Plumb:	Aye
Trustee Stolzenburg:	Aye
Trustee Smith:	Aye
Trustee Johnson:	Aye
Trustee Buchert:	Aye

Atty. Goodloe then advised that the hearing would not be moving forward on this date and that another hearing would be scheduled after the depositions were taken.

At 3:06 P.M. a motion was made by Trustee Buchert to adjourn the hearing, seconded by Trustee Johnson and passed unanimously.

Respectfully Submitted,



Jeffrey Stolzenburg
Secretary