

Special Meeting
Libertyville Police Pension Board
February 9, 2017

Call to Order: President William Plumb called the meeting to order at 1:02 P.M., on Thursday, February 9, 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), and Mr. Allen Johnson (Trustee). Also present were Mr. Jeff Goodloe, Esq., attorney for the Libertyville Police Pension Board, Chief Clinton Herdegen (Chief of Police, Libertyville Police Dept.), and Deborah R. Santi, CSR (court reporter). Trustee Donald Smith was absent from this meeting.

Public Comment: None

Hearing: Atty. Goodloe made opening remarks and gave a procedural background for the case. It was noted for the record that Meehan was not present at this hearing, but that he made telephone contact with Atty. Goodloe at approximately 12:15 P.M., this date, and verbally requested his disability pension application be withdrawn. In addition, Trustee/Secretary Stolzenburg received an email from Meehan (dated 2/9/17 @ 11:50 A.M.) also indicating the withdrawal of his disability pension application "...effective as of the date and time of this message." A printed copy of that email was presented and will be retained in the Board's files.

Atty. Goodloe went on to brief the Board on *Tucker vs. Park Forest Police Pension Board*, which indicated that the Board must accept the request to withdraw and dismiss the disability pension proceedings due there no longer being a pending application. Chief Herdegen asked if the Board voted to accept the withdrawal, could Meehan re-apply at a later date. Atty. Goodloe cited several case laws supporting the inability for Meehan to successfully re-apply due to his May 6th resignation from employment with the police department (*Steck vs. Oak Park*, *Iwanski vs. Streamwood*, *Eschbach vs. McHenry Police Pension Board*, etc.) This is not to say that Meehan can't re-apply, just that it would be completely unsupported by current case law.

Trustee Johnson questioned if an altered state of mind argument could be made for re-application. Again, Atty. Goodloe indicated that there would be no way to prevent re-application, but that Meehan's own statements during evaluations would prevent that from being a good argument.

Trustee Buchert asked about possible remuneration for expenses due to the extremely frivolous continuation of this case by Meehan after there was obviously no belief of disability. Trustee Stolzenburg followed up with a question about when Meehan submitted his employment application with the Waukegan (IL) Police Department in relation to submitting to the independent medical examinations (IMEs) ordered by this Board. Atty. Goodloe reviewed his documents and noted that Meehan had completed one IME with Dr. Allen, submitted his application for the Waukegan PD on 8/29/16, and attended the two remaining IMEs after that. Although Atty. Goodloe does not think that there are any avenues of enforceable remuneration for the Board, further discussion may take place at a future quarterly meeting.

At approximately 1:17 P.M., Trustee Buchert made a motion to accept Meehan's request to withdraw his disability pension application and dismiss the pension claim with

prejudice. The motion was seconded by Trustee Johnson. A roll call vote was taken, as follows:

Trustee Buchert: AYE

Trustee Johnson: AYE

Trustee Plumb: AYE

Trustee Stolzenburg: AYE

Trustee Smith: Absent

Closed Session: None

Atty. Goodloe will generate and mail formal notification of the Board's decisions to Meehan.

At approximately 1:20 P.M. a motion was made by Trustee Stolzenburg to adjourn the hearing, seconded by Trustee Buchert and passed unanimously.

Respectfully Submitted,



Jeffrey Stolzenburg
Secretary