

**Lake in the Hills Sanitary District  
Board of Trustees May 23, 2019  
Executive Session Meeting Minutes**

**Roll Call:**

The executive session was called to order by President Hansen at 7:29 pm at the Sanitary District offices located at 515 Plum Street. Roll call was answered by President Eric Hansen, Trustee Cheryl Kehoe and Trustee Jessica Reed. Also in attendance were Melissa Wolf of Storino Ramello & Durkin and the District Treasurer/Clerk Karen Thompson.

**Executive Session:**

President Hansen stated that he received a letter or resignation from District Manager Rick Forner effective July 1, 2019.

Attorney Wolf provided a summary for new Trustee Jessica Reed regarding this employment issue and the allegations against the District Manager.

Attorney Wolf further stated that after the last executive session meeting more information came forward from a confidential complainant. This information included over 100 photos dated from 2016-2019 which substantiate misconduct by the District Manager. These photographs are time and date stamped which allowed the Attorney to more accurately link purchases and actions by the District Manager.

The Attorney further stated that today was also notified as a pre-termination hearing or pre-disciplinary hearing for Mr. Forner. This was originally noticed on May 16, 2019, but Mr. Forner requested that be postponed because his attorney was not available. She further stated that Mr. Forner was required to be here today, but the fact that he is not here does not in any way postpone the process. Mr. Forner was notified that the hearing would go forward without him.

She then provided the evidence that her investigation yielded. This is specifically related to District Manager's misconduct for purchases of personal property with District funds. She went thru the invoices and photos that substantiate this.

She further stated that Mr. Forner is an at-will employee meaning he can be terminated for any or no reason. Additionally, she stated that if the Board decides to accommodate the July 1<sup>st</sup> separation date requested in his resignation letter, they should, in return, ask him to sign a release of any and all future claims against the District.

Discussion took place regarding Mr. Forner's employment contract. If he is terminated there is potential that the District may have to pay a settlement. Attorney Wolf believes that they have a strong defense against that.

She further stated that the Board can take action in the open session and that there is cause to terminate. Generally, before the Board would move to terminate they would have a full written report from the Attorney with details of the investigation and findings. She has not yet provided that to them and it may take some time to get that prepared.

It is the Board's opinion to have the Attorney negotiate a release and agree to the July 1, 2019 resignation date. Should Mr. Forner and his Attorney not agree to this release they can have another special meeting to discuss.

**Adjournment:**

There being no further business to bring before the Board, President Hansen made a motion that we leave executive session and reconvene the regular meeting. Motion was seconded by Trustee Kehoe. On a roll call vote, President Hansen and Trustees Kehoe and Reed voted aye.

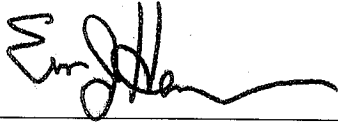
The executive session meeting was adjourned at 8:20 pm.

Respectfully Submitted,



Karen Thompson,  
District Clerk

APPROVED this 12<sup>th</sup> day of March, 2020.



(via stamp)

Board President