

**MINUTES FOR THE SPECIAL MEETING OF THE BOARD OF LIBRARY TRUSTEES  
OF THE VILLAGE OF CAROL STREAM**

**Carol Stream Public Library  
616 Hiawatha Drive  
Carol Stream, IL 60188**

**DATE: September 1, 2010    TIME: 7:30 p.m.                    PLACE: Discovery Room**

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**I.        CALL TO ORDER**

President Douglas called the Special Meeting of the Board of Library Trustees to order at 7:01 p.m.

**PLEDGE TO THE FLAG**

President Douglas led those in attendance in the Pledge of Allegiance to the Flag.

**II.        ROLL CALL**

Secretary Hudspeath called the roll.

Present:        Trustees Wade, Arends, Bailey, Hudspeath, and Douglas  
Absent:         Trustee Siegman  
Also Present: Library Director Ann Kennedy, Assistant Library Director Pam  
                  Leffler, Britt Isaly from Ancel Glink Diamond Bush DiCianni &  
                  Krafthefer

Trustee Siegman arrived at 7:18 p.m.

**III.    Reconsideration of the vote on Resolution 246 and the MAGIC  
Intergovernmental Agreement**

Motion was made by Trustee Bailey and seconded by Trustee Wade that the vote on Resolution 246 and the MAGIC Intergovernmental Agreement be reconsidered. The Motion did not carry.

Ayes ..... 2 Trustees Wade, and Arends  
Nays ..... 3 Trustees Bailey, Hudspeath and Siegman  
Absent or  
Not Voting .... 1 Trustee Douglas (not voting)

Discussion:

Britt Isaly addressed the concern of Trustees that the Carol Stream Public Library could be liable under the structure of the Intergovernmental Agreement and the Bylaws. Isaly

distributed to the Board citations from the Illinois Constitution and the Illinois Statutes authorizing the establishment of intergovernmental cooperation. The Intergovernmental Agreement and the Bylaws of the new entity both include sections on Limitation of Liability/Damages and Liability respectively. The Library would also be covered by its Errors and Omissions coverage and Directors and Officers. Any possible suits would be limited to the proceeds of MAGIC. The concerns of Stu Diamond were on the atypical voting structure of MAGIC, the lack of a statement on the budget, and the termination provision. Trustee Arends asked for clarification on why the Library had to go to the Village of Carol Stream for some issues and not others. Isaly clarified that the structure and responsibilities of the Library Board of Trustees is established by Illinois Statutes. When setting up an Intergovernmental Agreement a contract is being written, a corporation is not being set up.

President Douglas clarified that a 'yes' vote on the motion would be a request to re-vote on Resolution 246 and the Intergovernmental Agreement. A 'no' vote on the motion would leave the previous vote on the resolution as it stood.

Trustee Arends expressed his displeasure that, now having all the questions answered by counsel, he was not allowed to vote again on the Resolution and to go on file as being in favor of the Resolution and the Intergovernmental Agreement.

#### **IV. Executive Session**

##### **A. Review of Applications for Library Trustee**

Trustee Siegman moved and Trustee Hudspeath seconded that the Board of Library Trustees adjourn to Executive Session under 5 ILCS 120/2(c)3 for the discussion of the selection of a person to fill a public office and nothing else. Motion carried.

Ayes ..... 5 Trustees Wade, Arends, Bailey, Hudspeath, and Siegman  
Nays ..... 0 None  
Absent or  
Not Voting .... 1 Trustee Douglas (not voting)

Accordingly the Meeting was closed to the public at approximately 7:47 p.m. pursuant to the exception to the Illinois Open Meetings Act 5 ILCS 120/2(c)3 for discussion of the selection of a person to fill a public office whereupon the Board discussed the aforesaid matters and no other matters in closed session. The Board returned to regular session at 8:02 p.m.

**V. ADJOURNMENT**

There being no further business to come before the Board of Library Trustees, President Douglas declared the Meeting adjourned at 8:02 p.m.

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Mary C. Hudspeath, Secretary  
Board of Library Trustees

Minutes drafted by Ann Kennedy, September 7, 2010