

**MINUTES OF EXECUTIVE SESSION OF THE REGULAR MEETING OF THE
BOARD OF LIBRARY TRUSTEES OF THE VILLAGE OF CAROL STREAM –
616 Hiawatha Drive, Carol Stream, Illinois 60188**

September 21, 2011

The Board of Library Trustees of the Village of Carol Stream went into Executive Session at approximately 9:15 p.m. pursuant to exceptions to the Illinois Open Meetings Act 5 ILCS 120/2(c)11 and 5 ILCS 1200/2(c) 21 where they discussed the minutes of previous executive sessions and litigation against the Library and nothing else.

Present: Trustees DeRango, Jeffrey, Wade, Arends, Hudspeath, and Douglas
Absent: Trustee Bailey
Also Present: Library Director Ann Kennedy

A. Approval of Minutes of Executive Session for April 20, 2011

Trustee Wade requested that the Board revisit the minutes of April 20, 2011 which were approved July 20, 2011. Trustee Wade had submitted several requested changes to the minutes prior to the meeting. President Douglas asked why they were going back to change minutes that had already been approved. President Douglas agreed that Trustee Wade added more substance but the minutes as originally approved summarized the meeting. President Douglas stated that the Board has already approved these minutes and if they amend these approved minutes, then where would they stop in revisiting minutes?

Trustee Wade stated that in July he didn't have a recollection of the April meeting. Trustee Wade further stated that the comments he made at the April meeting were not reflected in the minutes.

Trustee Arends stated that the issue is the role of the minutes, that the Board can endeavor to get as accurate as possible but legally, once they are approved, they are approved. Trustee Arends stated that if something is actually wrong in the minutes than the minutes can be changed.

Trustee Wade stated that he resigned as the finance chairman over these issues and they were not reflected in the minutes. Trustee Wade stated that the resignation of an officer rises to the level of a pertinent fact, that his comments were not reflected in the Director's review and had they been reflected it could have had a bearing on her raise.

Trustee Hudspeath stated that the minutes are amended for corrections and not additions.

Trustee Wade stated that he spent time listening to the tape and trying to accurately transcribe what he said.

President Douglas stated that the purpose is not to transcribe what every trustee says, that the Board would then have to budget for a court reporter. President Douglas stated further that the minutes are a summary of what happened at the meeting. President Douglas asked where the Board would stop in going back and correcting minutes. President Douglas stated that Trustee Wade voted in July to approve the April minutes. Trustee

Wade stated that he had the Board President's approval to go back and listen to the tape. President Douglas stated that if the minutes are to be verbatim then they should be verbatim. President Douglas stated that he can't support going back and amending what has been approved, that nothing in the minutes as approved is materially incorrect.

Trustee Wade stated that his resignation and his evaluation of the Director's performance are material in performance evaluation minutes.

Trustee Arends stated that the minutes may never be released or at least not for a significant period of time. Trustee Arends stated that the complete record of the Director's evaluation is the minutes and tape together. Trustee Arends further stated that he understood Trustee Wade to say that there were some unsatisfactory areas in the Director's performance but Trustee Arends felt that it was an overall good performance. Trustee Arends asked that in the future there be a more detailed transcription of the review of the Director's performance.

Trustee Arends asked Trustee Wade if his affirmative vote to approve the minutes was conditional on his review of the tape. Trustee Wade stated that he asked if he could review the tape.

President Douglas stated that Trustee Wade had made his position clear. Trustee Arends asked again if Trustee Wade's vote was a conditional approval. President Douglas stated that whether the Board amends the minutes or not will be voted upon when they go out of Executive Session.

B. Approval of Minutes of Executive Session for July 20, 2011

Minutes were distributed to all trustees on September 1 via email. Hard copy was distributed at the meeting. Trustees were asked to return the copies at the end of the meeting.

One correction was made to insert a phrase that was left out.

Trustee Arends asked Director Kennedy if she had a sense when writing up the minutes of the Executive Session for July 20, 2011 that Trustee Wade would ask to make corrections to the April minutes of the Executive Session. Director Kennedy replied that she did not get that impression.

There were no additional changes to the Minutes of the Executive Session of July 20, 2011.

C. Discussion, Re: Civil Suit against the Library

Director Kennedy reported to the Board in the preparation packet:

In a letter dated September 13, 2011 Thomas DiCianni writes: "A status hearing was held on this case on September 9, 2011. We reported to the Court that written discovery is currently underway, but not yet completed. Judge Shadur then set the matter for another status hearing on December 8, 2011."

President Douglas asked Kennedy to report back to the Board at the December meeting.

The Board came out of Executive Session at 9:38 p.m.

Approved: _____
(Date)

Ann Kennedy
for the Board of Library Trustees