

COUNTY BOARD MEETING
Executive Session
March 15, 2017

1. Pending Litigation on VAC. Members along with States Attorney, Tom Gibbons and Attorney John Gilbert discussed the ongoing pending litigation regarding Brad Lavite with his attorney Tom Burkhart. Mr. Burkhart has submitted redacted bills to be paid, the Finance Committee agreed to pay when Mr. Burkhart submits line item invoices. To date, he still has not. The following resolution was submitted for full board approval.

IMMEDIATE EMERGENCY APPROPRIATION

WHEREAS, the Fiscal Year 2016 Budget for the County of Madison has been duly adopted by the County Board; and,

WHEREAS, subsequent to the adoption of said County Budget, it was determined that there were substantial expenditures that were incurred by the Veterans' Assistance Commission ("VAC") for legal fees; and

WHEREAS, said expenditures for Fiscal Year 2016 resulted in a deficit budget; and

WHEREAS, there are sufficient funds available in the VAC special revenue fund balance for this immediate emergency appropriation; and

WHEREAS, Tom Burkart, counsel for Bradley Lavite, has admitted that the amount of \$6,092.50 was billed by his office to the VAC for work performed for Brad Lavite in his private capacity in connection with Mr. Lavite's Federal Suit wherein Mr. Lavite seeks damages to be paid directly to him personally, which expenses are not for a public purpose as is required for expenditure of public funds generated from property tax revenue, and which sum should not be included in the amount of outstanding legal expense subject to this Immediate Emergency Appropriation; and

WHEREAS, upon submission of itemized invoices related to Warrants 16-4 and 16-5 from the Veterans' Assistance Commission as required by uniform county policy, Generally Accepted Accounting Principles, and Section 9 of the Military Veterans' Assistance Act, and general oversight and verification by the County as also authorized under Section 9 of the Military Veterans' Assistance Act that the legal expenses requested by VAC Superintendent Lavite to be paid are for work performed by Burkart Law Offices for the VAC and not for Bradley Lavite in his private capacity, said expenses shall be paid by the County Board from this Immediate Emergency Appropriation of funds.

NOW, THEREFORE, BE IT RESOLVED by the County Board of the County of Madison that pursuant to Chapter 55, Section 5/6 - 1003, Illinois Compiled Statutes that this immediate emergency appropriation be hereby adopted whereby the Fiscal Year 2016 Budget for the County of Madison be increased by \$89,930 in the Veterans' Assistance Commission Administration budget.

Respectfully submitted,

s/ Lisa Ciampoli

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s/ Thomas McRae
s/ Robert Pollard
s/ Philip W. Chapman
s/ David Michael
s/ Don Moore
s/ Larry Trucano
Finance & Gov't Operations Committee
March 8, 2017

Discussion was held regarding the resolution.

Ms. Novacich moved, seconded by Mr. Asadorian, to move out of executive session and into open session.

The ayes and nays being called on the motion to enter back into open session resulted in a vote as follows:

AYES: Asadorian, Chapman, Ms. Ciampoli, Dodd, Futrell, Ms. Glasper, Goggin, Ms. Harriss, Holliday, Jones, Ms. Kuhn, Madison, Malone, Maxwell, McRae, Michael, Minner, Moore, Ms. Novacich, Parkinson, Petrillo, Pollard, Trucano, Walters and Wesley.

NAYS: None.

AYES: 25. NAYS: 0. Whereupon the Chairman declared back into open session.

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