

**MADISON COUNTY BOARD
Special Board Meeting**

STATE OF ILLINOIS)
) SS
COUNTY OF MADISON)

Proceedings of the County Board of Madison County, Illinois, was held telephonically due to COVID-19 restrictions on Wednesday, April 16, 2020.

**THURSDAY, APRIL 16, 2020
5:00 PM
SPECIAL SESSION**

The Board met pursuant to recess taken April 15, 2020.

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The meeting was called to order by Kurt Prenzler, Chairman of the Board.

The Pledge of Allegiance was said by all members of the Board.

The Roll Call was called by Vanessa Jones, Chief Deputy County Clerk, showing the following members present:

PRESENT: Messers. Chapman, Ms. Dalton, Ms. Dutton, Foster, Ms. Glasper, Goggin, Gray, Guy, Hankins, Ms. Harriss, Holliday, Jones, King, Kuhn, Madison, Malone, McRae, Michael, Minner, Moore, Ms. Novacich-Koberna, Parkinson, Petrillo, Pollard, Trucano, Valentine, Walters, Wesley

ABSENT: Dodd

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The following (5) public comments were received and read aloud by Chief Deputy, Vanessa Jones:

Dear County Board Members,
I am writing with grave concerns regarding the misuse of authority, trust, confidentiality and honor revealed by the recent release of investigative materials. Given the information you have received from the media and with the investigatory papers themselves, I feel you have no choice but to release Doug Hulme, Rob Doorman and Steve Adler from any paid posting within Madison County. The actions revealed within the investigation is not who we are as citizens of this county, it is not how we want our leaders actions to be or how we want our great county to be represented.
You have no choice but to fire these 3 individuals.
Respectfully,
Theresa Morrison, Edwardsville

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I am a lifelong resident of Madison County, Illinois, and I am horrified about the rampant corruption taking place in this county committed by County Board Chairman Kurt Prenzler and his cronies. The County Board should strongly urge the terminations of those involved in corrupt deeds.

Justin Gibson, Granite City

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Kurt Prenzler's top officials need to be removed from office immediately, before they can victimize anyone else through their misuse of public records. They had access to investigations, probation records, coroner's investigations, and even jail information, just to name a few. They misused their positions to spy on the public to fill a political agenda. This is a disgusting misuse of power.
Ami Marti, Highland

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Hello,
I learned that during the investigation into Madison County administrators, there were privacy breaches of data. That is not acceptable. I'd like to know why there was not a recommendation for consequences.
Thanks,
Danielle MacDonald, Edwardsville

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As a retired federal employee this would be an immediate firing offense. This type of behavior is repulsive and should never be tolerated. Greed and power have brought this administration to a new level of abuse of trust. Hulme, Dorman, and Adler should all be immediately removed. Don Weber should be investigated further and removed from all committees.
Sue Betts, Edwardsville

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Mr. Prenzler: As we convene this meeting, we are facing a difficult set of choices as a governing body. This meeting was convened upon premises of taking personnel action with an executive session. Yesterday I announced that Doug Hulme and Rob Dorman were placed on administrative leave pending the results of an impartial administrative review by a third party. Did these employees violate existing county policies regarding computer access? Many employees are subject to a progressive disciplinary process up to and including discharge. After consultation with an administrative reviewer a review of the alleged violations will be conducted and the progressive discipline process would be initiated if evidence exists to support such charges. If such penalty is discharged it would then include a vote of the Madison County Board per our existing ordinance. These employees will have the right to grieve, whatever outcome is met out by the circumstances. If the answer is no, based on thorough examination of the facts, these employees will be reinstated without further charges. Let me make this point clear, the Madison County Board is responsible for formation and implementation of county policy and setting budgetary limitations. In some circumstances the board may serve as steps in a grievance process for the purpose of due process or confirm, appoint or dismiss some appointed employees. Beyond that county board members have no employees under their direct supervision. This matter has been investigated criminally at the highest level of Illinois government without a single indictment. At this point I implore the board members to adjourn so the due process already initiated can take its course. I will now entertain a motion to adjourn.

Mr. Walters moved, seconded by Mr. Madison, to adjourn the meeting.

On the question:

Mr. Parkinson: I am adamantly opposed to this. I think we need to go into executive session as it was scheduled and discuss this matter and move forward with this in the interest of the public, as we have just heard from the public comments there is an outrage over this and we need to move forward.

Mr. Prenzler: Thank you, any other comments or questions?

Mr. Madison: I said one thing yesterday that I wanted to do it quickly, but the more I contemplated over this last night I do not want to be rushed. You are putting someone's livelihood and their reputation on the line here. I have a lot of questions about the process that has gone on. I know that the attorney general said it did not meet their level to prosecute. That's a very big concern of mine. I haven't seen the citation. Normally that is against the law. I have talked to people that said they don't think they are. I would like to know the truth and the answer. There is a contempt case going on with the sheriff's office. I don't know where that stands. There was an investigation that was closed with the judge. I am not sure I feel comfortable doing this without our regular due process. After being on the Personnel Committee for a while I understand that we must follow that due process or we could open ourselves up for liability.

Mr. Minner: I agree with Mike. I think we do not need an investigation. I see no reason why we don't go into executive session.

Mr. Prenzler: Very good. Any other questions?

Mr. McRae: My suggestion is that I don't want to go into another investigation, but I would support an independent review. And an independent review would be maybe a week or 10 days from now and we retain an outside expert, not from Madison County, who is involved like the Poshard case, maybe we can try to retain him. He is an expert in wrongful termination and I think we should listen to an outside expert who might guide us and hear both sides and maybe help us or shepherd us into a settlement that is good for everybody involved, especially the taxpayers of Madison County. If someone sues us, we spend hundreds of thousands of dollars defending us, even if we are right. I believe it would be nice to have an outside expert that gave us guidance. And like I said I would limit it to a week or 10 days from now. Most of us just heard about this less than a week ago and I think it would be prudent and taking a breath is a good thing at this point. I am not sure I want to postpone it and I am not sure what the postponement would be, but I would say we give someone a week or 10 days to retain an outside expert.

Mr. Chapman: I don't believe a motion to adjourn is debatable. Secondly, these concerns of some of these members could be adequately addressed during a session. I also understand Mr. Michael and some other members have prepared Jeff for this meeting.

Mr. Prenzler: I did not hear you, what was prepared?

Mr. Chapman: An agenda for this meeting. I think Mr. Michael has discussed this with the states attorney and they do have an appropriate agenda that would allow everybody's concerns to be addressed. I would like to have an up down vote, because I don't think we can really argue adjournment.

Mr. Prenzler: Well I know it is a bit unusual but in the interest of transparency I am allowing it this evening. Are there any other comments or questions?

Ms. Dalton: I feel that we were called together tonight for a closed session to get the facts from the people involved. I think that we should pursue that to find out exactly what their side of the story is. So I would like us to go into our closed session that we have planned.

Ms. Dutton: I agree. We called this special meeting for a reason. I don't think we called it to adjourn it within the first 10 minutes. I think we are all gathered together and it is time to discuss somethings. I think adjourning would be a big mistake.

Mr. Prenzler: I do want to just make a point that if I had a bible here I would put my hand on it and promise not to waste time. If I do waste time next week, calling for a special meeting would not hurt my feelings. I will leave it there. Any other questions?

Mr. Hankins: I agree with Ms. Dalton and Ms. Dutton, we were called to this meeting tonight. We need to discuss this and we need to let the employees give their side by going into executive session like planned, then we can decide what we want to do from there.

Mr. Foster: I agree that we are gathered here this evening to obtain information. I do not have a problem with that. However, I caution everyone on this board that there is a lot of information that has passed hands in the pass week and I am sure there will be a lot of information given this evening and to rush a decision at this time would be a mistake on our behalf. I would also firmly agree with what Mr. McRae addressed earlier. I am in full support of an outside review of the facts. And based on that review, we will move forward from there.

Mr. Madison: After considering that, that is probably the right advice. I don't think we can adjourn the meeting. If members called for a meeting, there has to be a meeting. I would be for postponing it or tabling it until the investigation is over, maybe that could be for a certain period or postponing it for 3-4 weeks in order to find an investigator like Mr. McRae said, I think that is a wonderful idea. None of us are lawyers.

Mr. Prenzler: Mr. Walters would you be willing to withdraw your motion for adjournment for a motion to postpone?

Mr. Walters: Yes, I will withdraw.

Mr. Prenzler: I would entertain a motion to postpone for a period of time.

Mr. Chapman: Point of parliamentary procedure, the person who seconded it has to withdraw.

Mr. Madison: I do withdraw it. And what I meant to say was review not investigation.

Mr. Madison: I would make that motion to postpone for 3-4- weeks until we have a review in place and time to gather information and have that review completed.

Mr. Prenzler: Would you make that 3 weeks Mr. Madison?

Mr. Madison: Yes I would.

Mr. Prenzler: Do we have a second?

Mr. Wesley: Point of parliamentary procedure, I don't believe Mr. Madison was the second, I believe it was Mr. Moore.

Mr. Madison: That was me.

Mr. Prenzler: On the original motion? Let me turn to Vanessa.

Ms. Jones: Mr. Madison postponed it for 3 weeks.

Mr. Prenzler: Ok, Mr. Wesley is your question the original motion to adjourn?

Mr. Wesley: Yes, that is correct.

Mr. Prenzler: Ok, the original motion to adjourn was Mr. Walters and Mr. Madison and they both withdrew.

Mr. Wesley: I believe it was Mr. Moore because he had problems with his microphone.

Mr. Prenzler: It was recorded Mr. Madison did.

Ms. Jones: Mr. Madison said he had problems with his microphone.

Mr. Prenzler: It was recorded that the original motion was Mr. Walters and Mr. Madison seconding it.

Mr. Madison: If it was Mr. Moore I did not hear it.

Mr. Prenzler: Ok, this is the original motion to adjourn. The original motion to adjourn as Vanessa has recorded it and as she heard it, was Mr. Walters making the motion to adjourn and Mr. Madison seconding that motion. Both now have withdrawn and now we have a motion from Mr. Madison to postpone for 3 weeks and Mr. Moore seconded that, is that correct? So that is what the record shows. We do have another motion on the floor. This time a motion to postpone for 3 weeks. Would anyone like to speak on that? Mr. Wesley would you like to continue to speak on that? Mr. Parkinson I have not forgot about you.

Mr. Wesley: I would not be in favor of postponing anything for 3 weeks. We've had an investigation. The investigation was completed by a high level professional outfit and I would not be in favor of postponing it. I am in favor of going into executive session.

Mr. Parkinson: I concur with what he just said. It is time to go into executive session and get it moving forward.

Mr. Minner: I agree with Ray and Mike. We have whipped this dead horse enough. I think we should finish our meeting.

Mr. Foster: I want to make it evidently clear, that by asking for an outside review in no way it reflects that anyone questions the professionalism or the quality of the investigation work that was done by the investigators at this time. I think they've done an excellent job and I think I can speak on behalf of everyone on the board and they would agree they have done an excellent job. This is not a reflection on their hard work. It is simply an interpretation, so some people will feel more at ease making a decision.

Mr. Moore: Like Mr. Wesley said, there was already an investigation that was conducted and he felt it was highly professional and thorough, and I would agree. I do not agree with another investigation. However, I would agree with a review of the information we have. I think that is prudent to take the time and be cautious and move forward with that. Honestly, the bottom line is if we already had an investigation that is receiving rave reviews from some of the members, why are we not using that as the end result?

Ms. Glasper: I am against postponement and I think it is time for an executive session.

Ms. Dalton: I don't understand why we are skirting the issue of going into executive session tonight. We were scheduled to do this and it seems like everything is being thrown up as a barricade that we don't go into executive session. I don't understand what those lack of wanting to go forward is caused by the rest of the members.

Mr. Chapman: I am not understanding what would be gained by postponing it. Because we can choose to defer making a decision after getting the information we receive from Mr. Hulme and Mr. Dorman this evening through the process that David Michael and the state's attorney have come up with. Then if we choose to and we want to have an outside qualified person look at this, we can direct them towards our specific concern. I am not understanding what is gained by postponing it at this time.

Mr. McRae: I just wanted to clarify that I am not necessarily wanting to postpone tonight's meeting. I am just saying that I think we should retain someone who can shepherd us through the process, whatever that process may be and that perhaps my suggestion can be brought up in executive session so I can further explain myself.

Mr. Madison: No one here is trying to skirt an issue. Like I said when I was on the personnel committee proper, legal due process as our policy says it is necessary and is required here. We don't want to railroad somebody here because they are the opposite party. We want to do the right thing.

Mr. Holliday: I think that with all the information we have received from the investigation, I think that there is enough evidence on what we need to know and hear from Mr. Hulme and Mr. Dorman.

Mr. Walters: I am not so much in favor of a 3 week delay on this. I like what Mr. McRae said, maybe a week or 10 days. I am listening to everyone talk about going into the meeting tonight to give them a chance. I would like to see an outside person look at this. Yes we have heard the information is damning and we will hear from the other side tonight, however, 48 hours is not enough time. I am not in favor of 3 weeks, so I am not going to vote for that. I think we should go into executive session then decide.

Mr. Prenzler: Any other questions?

Mr. Madison moved, seconded by Mr. Moore, to postpone the meeting for 3 weeks.

The ayes and nays being called on the motion to postpone resulted in a vote as follows:

AYES: Madison

NAYS: Chapman, Ms. Dalton, Ms. Dutton, Foster, Ms. Glasper, Goggin, Gray, Guy, Hankins, Ms. Harriss, Holliday, Jones, King, Ms. Kuhn, Malone, McRae, Michael, Minner, Moore, Ms. Novacich-Koberna, Parkinson, Petrillo, Trucano, Valentine, Walters and Wesley

AYES: 26. NAYS: 1. Whereupon the Chairman declared the motion to postpone has failed.

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Mr. Prenzler: I want to say one more thing just briefly as these employees immediate supervisor, I will not concur with any disciplinary action this body takes without an impartial review and associated due process. And I warn board members that actions taken by this board may result in expensive litigation. Now I have a question, are Mr. Hulme and Mr. Dorman represented by their counsel this evening?

Mr. Hulme: We were told that no counsel could call in.

Mr. Dorman: I was told the same thing. My attorney, Ed Moorman, was told by Jeff Ezra that he was not allowed to be present or offer assistance. I could call him if I wanted to but would have to hang up to talk to him.

Mr. Prenzler: Is it your desire to hear your opinion in open or closed session?

Mr. Dorman: I would like to have it in open session. I have a lot to say. You guys want the truth, I have the truth.

Mr. Prenzler: Thank you Mr. Dorman. Mr. Hulme?

Mr. Hulme: I just heard about this hearing about an hour ago from Jeff Ezra. I am really not sure what is going on right now.

Mr. Prenzler: Very good. I just wanted to get your opinion.

Mr. Holliday moved, seconded by Ms. Dutton to enter into Executive Session to discuss actions on specific personnel in accordance with IAW 5 ILCS 120/2(c)(1).

The ayes and nays being called on the motion to move into executive session resulted in a vote as follows:

AYES: Chapman, Ms. Dalton, Ms. Dutton, Foster, Ms. Glasper, Goggin, Gray, Guy, Hankins, Ms. Harriss, Holliday, Jones, King, Ms. Kuhn, Madison, Malone, McRae, Michael, Minner, Moore, Ms. Novacich-Koberna, Parkinson, Petrillo, Trucano, Valentine, Walters and Wesley.

NAYS: None.

AYES: 27. NAYS: 0. Whereupon the Chairman declared we move into executive session.

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Mr. Minner moved, seconded by Ms. Novacich-Koberna to relieve Rob Dorman and Doug Hulme from their duties immediately.

On the question:

Mr. Moore: Yes, sir, thank you. I feel like I need to say that I know what I hear a preponderance of board members saying and I am not happy or pleased with what took place. I do think there was some things that are unethical. However, I have two points. One, is the investigation by the Attorney General, it came back and didn't file any charges. Mr. Hankins, I appreciate that you don't agree with me however, my opinion is that it carries some weight. That was a two year investigation of a democratic administration investigating a republican administration and they came back with no charges. So, I have to think about that, which I do, and there's rumors going around why it wasn't done but rumors are rumors. That doesn't sway my opinion at all. I'm deeply worried that we have the investigation telling us there's no criminal activity and now that we've heard that we have a number of people that are saying in essence or saying that I'm not happy with the result of that investigation, screw that. I'm going to go forth and still go after these guys. It's almost like a vigilante type attitude that I feel that we could be going into and I caution republicans to think about they could be pawns, following in the democrats footsteps of wanting to remove, it damages the administration because it's not just Doug and Rob if they fall, who do you think you're going after next? I just think it's dangerous for us to say we're not happy with results of the investigation. We're going to take matters into our own hands and we're going to get what we want. Thank you

Mr. Prenzler: Any other comments or questions?

Ms. Dalton: I would like to say that I don't feel this was a witch hunt. I respect Mr. Moore for his comments but we were given evidence on what took place. There's plenty of us that went over and saw the evidence and listened to what we're told, we listened to the two people tonight talk and they more or less admitted what they had done wrong, even though, they were saying in their testimony that they felt they didn't do anything wrong which, you know, kind of boggles my mind but I do not enjoy the fact of having to release someone of their duty, especially at this time in life. But, if they're doing miss deeds and intruding in areas that they are not supposed to be. We have to represent our constituents and if we are not willing to step up to the plate and say these two men did something wrong, and I'm sorry, they're going to have to be relieved of their duties and that's just the way I feel so thank you.

Mr. Chapman: It's not an argument about it. I'm wondering if there's any sort of fiduciary responsibilities we have as a board to reference severances or is there anything in the employee handbook that gives us guidance as to what we have to do or how long we have to wait before we let them know or I'm not saying that what Mr. Minner motioned is wrong, it's just I don't have a clear understanding of it we have any specific obligations under the employee handbook as to how to handle this. So, I don't know if anybody can help me with that.

Mr. Prenzler: Mr. Gibbons, are you preparing something here? Go ahead.

Mr. Henke: There's a microphone right in front of you, unless you want to be on camera.

Mr. Gibbons: Oh, I don't want to be on camera more than I have to be. Ok, this is Tom Gibbons and I think Bruce may have some things to add as well. So, the resolution that was passed in 2018 amending the policies on this provides specifics as to severance and those are simply operative, you know, in the event there would be a termination of employment for anyone falling under those classifications, that would be operative. So, in terms of notice about things, I was asked by board members to prepare resolutions about that and I'm happy to go into those but those would only be operative if the board takes a vote, let the board take a vote and if so, then I could talk to you about those, but it will all depend on what the board decides to do. I think Bruce has some things.

Mr. Cooper: That's just what I was going to suggest.

Mr. Gibbons: Ok, so yeah, Bruce and I are in agreement he says.

Mr. Prenzler: So, we have to vote before we know the question.

Mr. Parkinson: Call the question.

Mr. Prenzler: I'm sorry, but we have to vote before we know what the policy is regarding?

Mr. Gibbons: Well, I don't know what the board going to do.

Mr. Prenzler: What you're saying, Mr. Gibbons, is that if the board votes to terminate then this policy comes into play?

Mr. Gibbons: Yeah, we prepared a resolution that talks about notice and the process that happens there's a resolution for them, subsequent, depending on what they do.

Mr. Parkinson: Call the question.

Mr. Prenzler: Call the question? We have a motion to terminate...

Mr. Chapman: Point of personal privilege.

Mr. Prenzler: Yes?

Mr. Chapman: Speaking to my colleagues, you know, this week there were some of them that we should avail ourselves to some sort of outside person to advise us from another state, actually, because I'm kind of wondering what they think about that if they still think they need to do that or if they're done with this. I don't know what I think about it.

Mr. Prenzler: I don't have an opinion.

Mr. Parkinson: I'm going to call the question, that's not germane to this conversation, I'm going to all the question.

Mr. Prenzler: Mr. Gibbons has a statement.

Mr. Gibbons: Consulting with my staff there is a concern, I apologize Mr. Chapman, but I would ask and recommend that you not vote that you abstain on these questions and the reason would be, at least as to Mr. Hulme, because you have a lawsuit filed wherein he is a defendant and I would be concerned that it might be considered a conflict of interest for you to take action against Mr. Hulme if you were to vote against him so I would be concerned about that. Mr. Dorman is a representative of Madison County as an appointed official so I can't tell you what to do but I would advise an abstention on your behalf.

Mr. Chapman: I will follow your advice, sir.

Mr. Prenzler: So should we vote on both employees at the same time?

Mr. Chapman: And to be doubly safe, I'll abstain on both.

Mr. Prenzler: Mr. Minner, would you like to reintroduce your motion for one employee than both?

Mr. Foster: Mr. Chairman, I would like to ask the State's Attorney a question before we do that.

Mr. Prenzler: Yeah, just one second.

Mr. Foster: Mr. Gibbons, am I recognized?

Mr. Gibbons: My understanding is the chairman has recognized you.

Ms. Kuhn: Mr. Chairman, this is Judy Kuhn, I've been cut off a couple of times, can you update me a little bit?

Ms. Jones: Judy, hold on just a second. Mr. Foster, go ahead.

Mr. Foster: Tom, if we take this vote, would it be in our best interest maybe to have a settlement offer before the vote or can we still do this after the vote?

Mr. Gibbons: A settlement? You mean like a severance or something?

Mr. Foster: A settlement that would stop all legal actions in the future. If we had a settlement beforehand if we take a vote of termination?

Mr. Gibbons: I don't think there's time to do that. I don't think you need to negotiate in advance, that can be negotiated at any time, if you want my lawyers opinion about when is the best time to negotiate, it's when you're in a position of strength. Right now, no actions have been taken, there's a vote pending for action but there hasn't been any action taken.

Ms. Dutton: May I ask to clarify something?

Mr. Prenzler: Ms. Dutton, I think Ms. Kuhn wanted to speak.

Ms. Dutton: Ok.

Ms. Kuhn: I actually got cut off a couple of times, my battery was dead and I'm just trying to get updated. Have you voted or what's going on?

Mr. Prenzler: No we have not voted. We have a motion, Mr. Minner made a motion and we have a second to terminate the employees. I'm asking Mr. Minner, since I think the State's Attorney, Attorney Gibbons, would prefer a vote, two votes, one vote per employee. Mr. Minner, would you like to revise your motion for one employee specifically?

Mr. Minner: Yes, I will change that for you. I make a motion that we terminate Mr. Dorman.

Mr. Prenzler: Mr. Dorman, ok. Do we have a second?

Mr. Hankins: Second.

Mr. Prenzler: Who is that?

Ms. Jones: Chris Hankins.

Mr. Prenzler: Chris Hankins, ok, so we have a motion and a second, any additional discussion? We have a motion to terminate the employment of Mr. Dorman. Yeah, Ms. Dutton?

Ms. Dutton: It might be for Mr. Gibbons, I'm not really sure.

Mr. Prenzler: Mr. Gibbons is not in the room right now.

Ms. Dutton: Ok, well, I think what he was discussing or what maybe Phil Chapman asked, we all as the county board passed a resolution in February of 2018 and it was the resolution where again, paragraph C, it talks about Appointed Officials and Department Heads serve at the pleasure of the Chairman and the County Board and may be terminated by the Chairman and County Board. The County shall provide the Appointed Official or Department Head 30 days prior notice of termination and then later on it says, in no event shall a Department Head or Appointed Official be deprived of any employment interest or property interest instead of employment without being given a hearing. So, I just want to clarify that's the resolution he was talking about, correct? February 2018 in which we passed.

Mr. Prenzler: Mr. Gibbons is not here to answer that question. Any other questions?

Ms. Dutton: Ok, well I think that's what he was making reference to.

Mr. Chapman: That is what I'm making reference to because haste can make waste and I'm not saying that it's wrong to terminate them if that's what the board decides to do. If we have these new laws that we passed in our new employee handbook that we passed in 2018, and we thought it was important enough to change the rules, and then we don't bother to follow them then that's not going to reflect well on us.

Mr. Parkinson: *inaudible*

Mr. Prenzler: We do have a motion and a second. I hear Mr. Parkinson.

Mr. Parkinson: I'm asking to hear from Mr. Ezra, he's in the room.

Mr. Ezra: Because Mr. Gibbons is not in the room...

Mr. Prenzler: Mr. Gibbons is back in the room. Ms. Dutton, could you please ask your question again?

Ms. Dutton: I'm fine with Mr. Ezra answering it, he heard the question.

Mr. Ezra: Yes, Ms. Dutton is reading from the correct resolution and ordinance that was passed in February 2018 and the two provisions that she referenced are the two provisions that apply.

Mr. Prenzler: Any additional comments or questions?

Ms. Kuhn: This is Judy Kuhn, I did not hear all of this. I have a question...

Mr. Prenzler: Ms. Kuhn, let me just, we have a motion to terminate the employment of Mr. Dorman and we have a second, that's where are.

Ms. Kuhn: Right, but I would like to know what Chrissy is saying. She's saying there's something in the 2018 personnel handbook that we would be violating if we vote for termination.

Ms. Dutton: No, Judy, I'm saying it's within our right to do so.

Ms. Kuhn: Oh, ok.

Mr. Chapman: And thank you for giving me my answer, I appreciate that. I've heard it from two different people, thank you very much.

Mr. Prenzler: Thank you, any other...

Mr. Parkinson: I move the previous question.

Mr. Prenzler: Any other questions?

Mr. Parkinson: I move the previous question.

Mr. Prenzler: Any other comments or questions from county board members? If not, roll call. This is a motion to terminate the employment of Rob Dorman, it's been seconded. I would like to be the first to vote on this. I vote no because this process is so seriously flawed.

Mr. Minner moved, seconded by Mr. Hankins to terminate Rob Dorman.

The ayes and nays being called on the motion to approve resulted in a vote as follows:

AYES: Ms. Dalton, Ms. Dutton, Foster, Ms. Glasper, Goggin, Gray, Guy, Hankins, Ms. Harriss, Holliday, Jones, King, Kuhn, Madison, Malone, McRae, Michael, Minner, Ms. Novacich-Koberna, Parkinson, Petrillo, Pollard, Valentine, Walters and Wesley

NAYS: Moore

ABSTENTIONS: Chapman

AYES: 25. NAYS: 1. ABSTENTIONS: 1. Whereupon the Chairman declared the foregoing motion duly adopted.

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Mr. Prenzler: Would anyone else like to make a motion?

Mr. Minner: After I made the original motion, I will again make a motion that we relieve Mr. Hulme also.

Mr. Prenzler: Yes, we have a motion. Do we have a second?

Mr. Hankins: Second, Chris Hankins.

Ms. Jones: Chris Hankins.

Mr. Prenzler: Any discussion? Hearing none, roll call. I would like to be the first to vote no again because this process is so seriously flawed.

Mr. Minner moved, seconded by Mr. Hankins to terminate Doug Hulme.

The ayes and nays being called on the motion to approve resulted in a vote as follows:

AYES: Ms. Dalton, Ms. Dutton, Foster, Ms. Glasper, Goggin, Gray, Guy, Hankins, Ms. Harriss, Holliday, Jones, King, Kuhn, Madison, Malone, McRae, Michael, Minner, Ms. Novacich-Koberna, Parkinson, Petrillo, Pollard, Valentine, Walters and Wesley

NAYS: Moore

ABSTENTIONS: Chapman

AYES: 25. NAYS: 1. ABSTENTIONS: 1. Whereupon the Chairman declared the foregoing motion duly adopted.

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Mr. Prenzler: Is there any unfinished business before this board?

Mr. Parkinson: Yes, I think the State's Attorney has some resolutions, two resolutions in reference to this.

Mr. Prenzler: I'm unaware of that. Are those on the agenda?

Mr. Gibbons: These are on specific action on personnel.

Ms. Jones: It's under B, the open session.

Mr. Prenzler: I don't see them on the agenda but enough unusual things has happened this evening if you want to proceed.

Mr. Gibbons: I was asked by board members to prepare, my office, my staff, I did not write these. My office assisted in preparing what was requested of multiple alternatives as possible resolutions detailing the decision this evening so I have before me two resolutions; one entitled, Resolution reflecting the Madison County Boards Grounds for Termination of Employment of Doug Hulme; I have another entitled, Resolution reflecting the Madison County Boards Grounds for Termination of Employment of Rob Dorman that we were asked to prepare and have. It will be up to the board if someone would like me to read these into the record or have them copy them into the record or whatever if someone is moving to have passed one or both of these.

Mr. Prenzler: What would be the pleasure of the board?

Mr. Michael: I guess I'm a little confused. I didn't get a chance to read the resolutions, I don't know what they are. Are we going to be voting on these? Is that what we're saying?

Mr. Prenzler: Well, you have to vote before you can read them.

Mr. Michael: There just wasn't any resolutions attached to the agenda we were sent. I'm just trying to, I mean, if they can read them and explain them that's great. I just don't know if anybody else saw them.

Mr. Gibbons: I don't know who did or didn't see. I'd be happy to read one of them if someone would like to hear that to see whether that's something that is, my understanding that is being written to be consistent with potential different outcomes of the boards exercising.

Mr. King: I think the outcome is pretty clear, do we need to prolong it anymore?

Mr. Gibbons: It's however the board wants.

Mr. Parkinson: I withdraw it.

Mr. Prenzler: Very good.

Mr. Gibbons: I don't care, I was just asked to do work.

Mr. Moore: I just have a question for the record that we have the State's Attorney get the names of the county board members that asked for these resolutions.

Mr. Gibbons: I'm not going to discuss, I can't do that.

Mr. Moore: Why not?

Mr. Gibbons: If the board members to identify themselves, they are welcome to.

Mr. Prenzler: Would any board members like to identify themselves?

Mr. Guy: Just a question, can you email this to us?

Mr. Gibbons: I'm happy to.

Mr. Prenzler: The answer is yes from Mr. Gibbons.

Mr. Guy: Thank you so much.

Mr. Prenzler: Any other questions or comments?

Mr. Moore: *inaudible* information into the record if we could, please, whenever that information is available.

Mr. Minner: I don't know why we're discussing these without having a motion on the floor to approve this or disapprove it. So, would it be applicable to make a motion to pass these two resolutions and then we can hear them and so forth and so on?

Mr. Prenzler: Mr. Gibbons?

Mr. Gibbons: They can, it's up to the board how they want to move on it.

Mr. Prenzler: Mr. Gibbons says it's up to the board.

Mr. Madison: Mr. Gibbons, do the resolutions completely mimic what's in the Madison County Policy Handbook...Personnel Handbook?

Mr. Gibbons: Since I did not prepare them, I cannot tell you that but I suspect that is exactly what they mimic but *inaudible* that has been our guiding. I know that there is a reference to the February 21, 2018 resolution that created the policy and section text of that policy in here. It's up to you, if you'd like me to read one of them so you can hear what it says, I'm happy to but that's again, the board's pleasure.

Ms. Kuhn: I would like to hear them, this is Judy Kuhn, I would like to hear the resolutions before I vote on them.

Mr. Prenzler: Would others have any opinions on that issue?

various board members voiced they would like to hear them

Mr. Prenzler: I hear a lot of yesses, ok. So, what would be appropriate, Mr. Gibbons? Would you like to read that into the record?

Mr. Gibbons: I'm happy to.

Mr. Cooper: Can they vote on this?

Ms. Jones: On what?

Mr. Cooper: On these resolutions if they weren't on the agenda.

Mr. Gibbons: These clarify what they just did.

Ms. Jones: It's the action.

Mr. Prenzler: The question is, again, whether they were on the agenda and Mr. Gibbons is saying they just clarify the vote that was taken. It appears there is a desire from the board to read the resolutions. Are these two separate resolutions?

Mr. Gibbons: They are, I believe, they read identically other than the name involved. So, I will read resolution entitled, Resolution Reflecting the Madison County Board's Grounds for Termination of Employment of Doug Hulme; Whereas, the Madison County Board ("Board") is the legislative and executive governing body of Madison County; Whereas, the Board has been advised of and reviewed allegations and evidence regarding what it believes to be misconduct on the part of employee Doug Hulme; Whereas, this misconduct was a misuse of the powers entrusted upon Doug Hulme as County Administrator for Madison County, causing the Board to lose confidence in his ability to continue to perform this job; Whereas, Doug Hulme was provided prior notice of, and an opportunity to attend, this hearing to review these allegations by this Board as required under the Madison County Personnel Policies for County Appointed Officials and Department Heads section X; Whereas, the actions undertaken by Doug Hulme were outside the bounds of ethical conduct and standards that are expected for someone in his position of leadership; Whereas, it is believed his conduct is violative of the public trust. Be it resolved, that this Resolution is a memorialization of the findings of the Board supporting termination of employment. Notice will be given to Doug Hulme that his employment with Madison County is terminated effective on May 17, 2020. Be it further resolved that because Chairman Prenzler, on April 15, 2020, placed Doug Hulme on paid administrative leave until May 17, 2020, no action was required by this Board regarding administrative leave, as it has already been put into effect. If, however, at any time prior to May 17, 2020, Chairman Prenzler revokes or cancels said administrative leave, this Board hereby votes that such leave shall then be automatically reinstated by this Board, effective immediately and until May 17, 2020. Be it further resolved that the following written notice will be sent to the last known address on file with Madison County for Doug Hulme regarding termination of his employment and that said notice shall be in substantially the following form: Notice of Termination; On April 16, 2020, the Board of Madison County voted to terminate your employment. Pursuant to Resolution passed February 21, 2018, the effective date of your termination is May 16, 2020. You are hereby directed to immediately surrender any and all property

belonging to Madison County, including but not limited to, electronic equipment (including phones, computers, tablets and any other electronic device), identification and access badges, keys, passwords, all physical and electronic/digital files, folders, documents, software and all information contained therein or derived therefrom, files, vehicles, any other items or things of any nature which were acquired from or through your employment. You are directed to provide these items to Rob Schmidt or Bruce Cooper by 9:00 a.m. April 17, 2020. You are prohibited from accessing Madison County property and are prohibited from communicating with any Madison County employee regarding your termination. Any questions about this matter should be directed to Bruce Cooper. Dated this 16th day of April, 2020. I believe they both read the same just with the different name. That is what was prepared.

Mr. Prenzler: Do we have a motion?

Mr. Minner: I would like to get this on the floor and vote so I'll make the motion that we accept both of these resolutions.

Mr. Gibbons: One at a time.

Mr. Prenzler: We have to do one at a time.

Mr. Minner: One at a time, ok. I'll make the first one, Mr. Dorman, please.

Mr. Prenzler: How do we state this motion for the resolution?

Mr. Minner: Resolution.

Mr. Prenzler: We have a motion from Mr. Minner; this is Resolution Reflecting the Madison County Board's Grounds for Termination of Employment of Rob Dorman. Do we have a second?

Ms. Novacich-Koberna: Second.

Mr. Prenzler: Ms. Dutton, are you seconding the motion?

Ms. Dutton: No, Kristen seconded it.

Mr. Prenzler: I'm sorry?

Ms. Jones: Kristen.

Mr. Prenzler: Oh, got it. So we do have a second? Any discussion?

The following resolution was submitted:

**RESOLUTION REFLECTING THE MADISON COUNTY BOARD'S GROUNDS FOR
TERMINATION OF EMPLOYMENT OF ROB DORMAN**

WHEREAS, the Madison County Board ("Board") is the legislative and executive governing body of Madison County;

WHEREAS, the Board has been advised of and reviewed allegations and evidence regarding what it believes to be misconduct on the part of employee Rob Dorman;

WHEREAS, this misconduct was a misuse of the powers entrusted upon Rob Dorman as IT Director for Madison County, causing the Board to lose confidence in his ability to continue to perform this job;

WHEREAS, Rob Dorman was provided prior notice of, and an opportunity to attend, this hearing to review these allegations by this Board as required under the Madison County Personnel Policies for County Appointed Officials and Department Heads section X;

WHEREAS, the actions undertaken by Rob Dorman were outside the bounds of ethical conduct and standards that are expected for someone in his position of leadership;

WHEREAS, it is believed his conduct is violative of the public trust.

BE IT RESOLVED, that this Resolution is a memorialization of the findings of the Board supporting termination of employment. Notice will be given to Rob Dorman that his employment with Madison County is terminated effective on May 17, 2020.

BE IT FURTHER RESOLVED that because Chairman Prenzler, on April 15, 2020, placed Rob Dorman on paid administrative leave until May 17, 2020, no action was required by this Board regarding administrative leave, as it has already been put into effect. If, however, at any time prior to May 17, 2020, Chairman Prenzler revokes or cancels said administrative leave, this Board hereby votes that such leave shall then be automatically reinstated by this Board, effective immediately and until May 17, 2020.

BE IT FURTHER RESOLVED that the following written notice will be sent to the last known address on file with Madison County for Rob Dorman regarding termination of his employment and that said notice shall be in substantially the following form:

NOTICE OF TERMINATION

On April 16, 2020, the Board of Madison County voted to terminate your employment. Pursuant to Resolution passed February 21, 2018, the effective date of your termination is May 17, 2020. You are hereby directed to immediately surrender any and all property belonging to Madison County, including but not limited to, electronic equipment (including phones, computers, tablets and any other electronic device), identification and access badges, keys, passwords, all physical and electronic/digital files, folders, documents, software and all information contained therein or derived therefrom, files, vehicles, any other items or things of any nature which were acquired from or through your employment. You are directed to provide these items to Rob Schmidt or Bruce Cooper by 9:00 a.m. April 17, 2020. You are prohibited from accessing Madison County property and are prohibited from communicating with any Madison County employee regarding your termination. Any questions about this matter should be directed to Bruce Cooper.

Dated this 16th day of April, 2020.

Kurt Prenzler, Chairman

Mike Walters, Pro Tem

On the question:

Ms. Dutton: I just want to say that while most of what he read sounded ok, it's not in front of me and I have not read it physically. It's kind of like signing something without reading it. I would prefer it to be sent to us so we can look at it. I'm not doubting that it's not correct but he went over it very fast and the

connection is bad. I'd really like to see the written words because I've not seen it before. So, that's my take. I don't want to vote on a resolution that wasn't on the agenda and was not in our packet.

Mr. Prenzler: Very good, any other comments or questions? Mr. Moore?

Mr. Moore: Mr. Chairman, Don Moore. Yes, Mr. Chairman, I thought that Mr. Gibbons listed that there is more than one resolution that was pre-prepared? Is that correct?

Mr. Prenzler: There's one for Mr. Dorman and a similar one for Mr. Hulme.

Mr. Gibbons: Yes.

Mr. Moore: Only the two?

Mr. Prenzler: This motion, this resolution regards Mr. Dorman.

Mr. Gibbons: I was also asked to prepare an alternative resolution for placing them on leave without pay but that was not the vote of the board so that became moot.

Mr. Prenzler: Very good, any other comments or questions?

Ms. Dutton: Can I make a motion that we table that resolution?

Mr. Walters: Second, on Chrissy's motion.

Mr. Prenzler: We do have a motion and a second on this resolution then we did have a motion to table. So, I think the motion to table takes precedence. We do have a motion to table, do we have a second for that motion?

Mr. Walters: Second, Mike Walters.

Mr. Michael: Mr. Chairman, this is David Michael, can I ask for clarification from our State's Attorney.

Mr. Prenzler: Yes, you may.

Mr. Michael: Thank you for that, basically, since we took that first vote, does that mean this resolution just automatically have to follow? Is that kind of what you're thinking? These sound like they are one of the same to me, but they have to go hand in hand, is that what you're saying? Like, the first vote triggers the second, is that what you mean?

Mr. Gibbons: Yes.

Mr. Michael: Can you explain to me?

Mr. Gibbons: Yes, that's more accurate, without the first vote, there's nothing to do. The second resolution is a written memorialization that and includes additional information especially like the notice, for example.

Mr. Michael: Ok, yeah, this is standard, I guess. My time on the board, we've terminated one other department head and I assume, I can't recall, was this same notice sent to he or she?

Mr. Gibbons: When you terminate somebody, generally, you don't hand them a document but you send them a document. You don't tell them verbally, you send a letter confirming.

Mr. Prenzler: Excuse me, Mr. Valentine, could you please mute your phone? Mr. Valentine?

Ms. Kuhn: I have a question, please, this is Judy Kuhn.

Mr. Prenzler: Yes.

Ms. Kuhn: Can you hear me?

Mr. Prenzler: Yes, we can.

Ms. Kuhn: I was just wanting to ask on this resolution, this may be a little bit of a different situation but it seemed like normally we did get to read it ahead of time before we voted. So, since this is a different situation, didn't we normally have a time period we had to read it before we actually made a vote?

Ms. Zoelzer: *inaudible*

Mr. Prenzler: Any other comments or questions?

Ms. Kuhn: I asked a question, I would like for the State's Attorney to answer.

Mr. Prenzler: Ms. Kuhn has a question for the State's Attorney.

Mr. Gibbons: Normally speaking, you know, most of the resolutions and business happen well in advance with lots of notice, when this meeting was just called a few days ago, we received a request for the specific resolution. I mean, it's more than a few days ago but when brief and very relatively recent time and have been attempting to accommodate all of the requests and questions of the many board members and elected officials that have risen throughout this process. So, I apologize that this hadn't gone out sooner and gone out to you in advance so, that you know, that's all I can say is limited staff, limited time, COVID-19.

Mr. Prenzler: Very good, any other questions or comments?

Ms. Dalton: *inaudible*

Mr. Chapman: Point of parliamentary procedure.

Mr. Prenzler: Yes, Mr. Chapman?

Mr. Chapman: I was wondering if what Ms. Dutton really wanted to do is postpone it until a future date than table and if so, when do you plan to take these up?

Mr. Prenzler: Ms. Dutton?

Ms. Dutton: I just want to read it. I want to be able to see it written is all I'm asking.

Mr. Gibbons: I can email it and give them time to read it.

Mr. Chapman: No, I understand all that part of it, I was wondering if you want to take it up at a future date.

Mr. Prenzler: Mr. Gibbons is offering if everyone is willing to wait that he'd be happy to email it this evening.

Mr. Gibbons: I can email it right now, I'll step upstairs and send it to each of you if you want to read it now.

Ms. Dutton: Sure.

Mr. Guy: Yes, please.

Mr. Wesley: Mr. Chairman, before he leaves, I've got a question him. Ok, does this resolution have to be acted on tonight or could it be acted on in the future at a future date?

Mr. Gibbons: So, I think generally speaking, when you are going to send someone notice of the action, you want to do it right after happened. That's what this contemplates. I'm not saying it can't be done in the future. There's nothing prohibiting it, but it certainly the timeliness of a notice of this nature. We generally want to be in very short order.

Mr. Goggin: Mr. Chairman, this is Jamie, I just pasted the text of the resolution into the chat window in GoToMeeting so everyone should be able to read it.

Mr. Prenzler: If I could give everybody just a moment to look in your cat box and take a look at this resolution.

Mr. Waters: Mr. Chairman, I will look at it but I am a little frustrated being a county board member and this is the first I hear of this. I mean, when somebody asked us a few days ago, I think it should have been sent to all of the county board members and I'm not blaming anybody but this kind of sounds a little iffy to me that it pops out right now. If this is something that should have been sent out then we should have received this information a couple of days ago when it was asked. Instead, we're sitting here reading it now, I think this is wrong. This resolution should have been sent to us when it was asked for or when it was written up. I'm not blaming Mr. Gibbons to resolve this, it just should have been sent as soon as it was read.

Mr. Gibbons: I received the final draft about 4:24 this afternoon, I believe. So, I apologize for the delay. There have been extraordinary demands on a very limited, not accessing the office staff and so there's no excuse but that is why, that is the reason. So, I apologize for that.

Mr. Guy: Can we still get this emailed? Jamie, I don't see the whole text on there. It ends at whereas, it is believed.

Mr. Prenzler: Mr. Gibbons is going to his office to email the resolution, both of the resolutions, I would expect both resolutions.

Mr. Henke: I believe they can all scroll down if they want to it.

Mr. Prenzler: Rob Henke is saying that you can scroll down on your chat box and you should be able to see the entire resolution.

Mr. Guy: I scrolled down and it says ended at whereas, it is believed. It doesn't have the whole thing.

Mr. McRae: Yeah, that's what mine says as well.

Mr. Henke: Yeah, it's not all there.

Mr. Prenzler: Evidently, it's not all there.

Mr. Wesley: I believe I just got the rest of it in my chat box.

Mr. Madison: I did as well.

Mr. Pollard: I got it.

Mr. Goggin: I think that's all of it.

Ms. Kuhn: Yes, could I have mine emailed to bjkuhn?

Mr. Prenzler: I believe that is your email and State's Attorney Gibbons is in his office sending them out.

Ms. Kuhn: oh, he's emailing. Ok, gotcha.

Ms. Dutton: It says in here because Chairman Prenzler on April 15, 2020 placed Doug Hulme on Administrative leave until May 17. Did you? Did you say until May 17th?

Mr. Prenzler: I did not. I just put him on administrative leave. I did not state any termination date on that.

Ms. Dutton: Ok, that seems to be incorrect then on here.

Mr. Parkinson: Is that something that can be amended?

Mr. Prenzler: Probably, we'll wait for Mr. Gibbons to get back.

Mr. Wesley: Could Mr. Ezra weight in on that.

Mr. Prenzler: Mr. Ezra, are you on the line?

Mr. Ezra: I am. I believe that the May 17th date was chosen because that is essentially the last day of the 30 day notice that would be the end date if we started today. It wasn't intended to assume that the chairman assume that date as being the last day, it would be the last day he could possibly do that, if the 30 days went into effect today, and if you read the next line, I believe it indicates that if he were going to revoke that suspension earlier than that, the 30 days would still be important.

Ms. Dutton: Thank you.

Mr. Prenzler: So, Mr. Ezra, you're thinking that an amendment is not necessary?

Mr. Ezra: Well that's up to...well yeah, I personally don't. Mr. Chairman, if today is today or it's passed today and tomorrow goes into effect in the 30 days would be the 17th. If you wanted to provide them with suspensions beyond that, that would be a different issue. But currently, the termination requirement under the ordinance says 30 days and that's as far as they're getting so the theory would be that you would have

to independently do something beyond that date or if you do something before that date that they still get their 30 days starting tomorrow.

Mr. Wesley: Basically, the suspension would end with the termination date with the end of his employment, is that correct?

Mr. Ezra: That would be the theory, yeah.

Mr. Moore: Since we got a little downtime here, I'd like to request my fellow board members, again, that I know Mr. Gibbons said he couldn't say what names were involved and I'm very interested and I think Madison County should know who the board members were that created and wrote up these resolutions and then who got with Mr. Gibbons that was part of this effort to that this action came before the board tonight for a vote. I really think it's important that they be able to stand out there and say that they did this. This is not a shadow government you know, we should know who it is and they should be proud of this I think since this is such a slam dunk, but everyone agrees with these two gentlemen should be relieved of their duties. I'm just asking myself, board members, just for me and the county to stand up and say that you are the ones that got with Mr. Gibbons to ask him to prepare these resolutions and make this action happen tonight.

Mr. Prenzler: Anymore questions or comments? Evidently, none.

Mr. Gray: In reviewing the document, it says the suspension ends on May 17 and the date of termination is May 16th. Should those dates be aligned or is that written properly?

Mr. Prenzler: I don't know. All I know is that it was yesterday that I put them on paid leave and so I don't know.

Mr. Gray: Could Mr. Ezra speak to that?

Mr. Ezra: Sorry, Mr. Gray, say that again please.

Mr. Gray: Yeah, in reading it, it looks like the suspension ends May 17th and the date of terminations is May 16th. Is that written correctly or should the dates be the same?

Mr. Ezra: Technically, they will not get notice until tomorrow since we are late tonight, they would technically get notice tomorrow after hours today. So, the 30 day period would begin the next business day, which would be tomorrow morning.

Mr. Gray: The date of termination should be prior to the ending of the suspension a month from now?

Mr. Ezra: I'm sorry, I lost you know that, please.

Mr. Gray: Yes, so the suspension ends May 17th which is a month from tomorrow and the date of termination, unless I was reading it wrong, is May 16th.

Mr. Ezra: Oh, I can now hear again. Yes, in all probability, since they're being noticed tomorrow, that would be the date.

Mr. Gray: Thank you.

Mr. Guy: So, we're waiting here to see the final; in the chat box under Notice of Termination, it says on April 16, 2020, the Board of Madison County voted to terminate your employment pursuant to resolution passed February 21, 2018, that date needs to be corrected but it says the effective date of termination is May 16th so are they obtaining 30 days of pay?

Mr. Prenzler: I don't know the answer to that question. Mr. Ezra, would you like to weigh in on that?

Mr. Ezra: Yeah, I was going something. I apologize, what was the question?

Mr. Guy: It says, Notice of Termination, pursuant to resolution passed February 21, 2018, we know we need to correct that date, but it says the effective date of termination is May 16th. So, are they receiving one month's pay how this is written?

Mr. Ezra: Yeah, they are employees of the county. During that 30 day period, they will be receiving their regular pay. If for example, and I'm making this up, this is just an example, if they were doing something in scope and course of their employment and wound up with a workers compensation claim, they would be covered as an employee of the county during that 30 day period. That is pursuant to the ordinance.

Mr. Prenzler: Judy, if you could please mute your phone, we're getting a little noise.

Ms. Kuhn: Yeah, I know, I went to the other room because my phone keeps going dead. Hold on a second. That better?

Mr. Prenzler: Sounds good to me! Yeah, that's good.

Ms. Kuhn: Ok, sorry about that, my phone went dead while you were in executive session and I couldn't get back in.

Mr. Michael: Great, thank you. Hey, Jeff, thanks for your work on a lot of this but I do have a question. I guess my question was on once we made the previous vote, it would just seem logical to me that right away, the resolution just goes into effect and that meaning, the resolution that was passed on February 21, 2018. I mean, as a board, we set policies and procedures to meet for that reason, I don't think we need to make redundant resolutions, right? The whole point of passing the original resolution in 2018 was for instances like these, to me, so that as soon as we take an action that just automatically goes into effect and it seems like to me this is just a redundant proposition here. So, I guess my question is what is lost by passing or not passing this and what is gained by passing it? You know what I mean? Like, what can we gain by passing the second one?

Mr. Ezra: I do, one is the potential advantages is should there be a need in the future to rely on certain evidence or questions regarding procedure that we would be greater protected by having a resolution in place. We are now in an open session so I'm hoping that people understand what I'm talking about.

Mr. Michael: Ok, no I think that makes sense then if that's the reason, I mean, it would have been great if we could have been presented that first thing and then said we have to do this because of this instead of having this thing almost go to a vote and none of us, half of us haven't even seen it. It's kind of, to me, backwards but I guess that makes sense.

Ms. Dutton: I agree with David Michael, I don't know why it's needed but I'm not an attorney. Are we going to vote to table it or are we still waiting to read it?

Mr. Michael: It's in our inboxes now.

Mr. Hankins: I read it, it was in my email a few minutes ago.

Mr. Prenzler: Mr. Gibbons is not back, would we like to proceed, Mr. Ezra is on the line. Would we like to proceed without Mr. Gibbons? Where are we? We have a motion to table?

Ms. Jones: Right now, there's a motion to table.

Mr. Prenzler: I think Mr. Chapman raised the question whether there may be a motion to postpone but that's up to you Ms. Dutton.

Mr. Chapman: Well that was my question because then for sure it's got to come up again, which I'm sure would, but it's going to automatically come up again, it has to if the motion is to postpone rather than to table; a table motion, you could keep it tabled forever, I don't think anybody would but you could.

Mr. Prenzler: Ms. Dutton?

Ms. Dutton: I'm fine with tabling it. I just don't know, does it have to have a special meeting or do we wait for the next county board meeting? If someone has guidance on that, I'd appreciate it.

Mr. Parkinson: By tabling this, does it slow down the process by which we may pay out more money?

Mr. Prenzler: I don't know, Mr. Ezra, would you like to weigh in on that? Mr. Ezra, are you on the line?

Mr. Ezra: I am. You have passed a resolution, you voted to terminate but concurrent with that is the notice which is part of the ordinance. If the notice was not given until a day or two or five, whatever, then the 30 days would run for that date of the notice. That would be my opinion because they are entitled to the notice.

Mr. Prenzler: But if this resolution was tabled, then that what would that mean?

Mr. Ezra: Well, table means that it has to be brought off the table by someone later or down the road. It could be on the table indefinitely or forever. Postponed, it can be postponed for a certain date or a week or tomorrow, whatever you want to do, tabling means it could go away forever until somebody brought it off the table. So, I'm not sure that's exactly what you want to do, that's up to you and that's what, I think, Mr. Chapman was alluding to with regards to the difference between tabling and postponing.

Mr. Chapman: Correct.

Mr. Parkinson: So, is it necessary that we have a vote on this or is it something that you can just send as part of that resolution or if Ms. Dutton has read it thoroughly and understands and is apart of the legal processes, is it something that we should just go ahead with to avoid having to have another special meeting to approve it in a few days?

Ms. Dutton: Yeah, I see what you're saying, Mr. Parkinson. I agree with that, but I kind of also agree with David Michael when he said that's what we passed in February 2018, that resolution. Everything is stated in there what happens when you terminate someone. So, I don't know, is it just redundant?

Mr. Chapman: I guess my question is, do you have to actually follow through on what the handbook says and deliver it to a person by name.

Ms. Dutton: Says the handbook.

Mr. Chapman: The handbook tells you what to do but legally, you have to do that and then you have to do it by certain dates if you want them gone by a certain date, I don't know. It would have been better if we had the time but we don't.

Mr. Wesley: We're on here and if we can act on it, we might as well. Otherwise, we're going to have to meet again to act on it.

Mr. Prenzler: Very good, Mr. Wesley. I think you've all received it in chat, would you like to act on it now, Ms. Dutton? Would you like to withdraw your motion to postpone for Mr. Wesley?

Ms. Dutton: I withdraw my motion to postpone...to table, I'll withdraw.

Mr. Prenzler: Who seconded?

Ms. Jones: Walters.

Mr. Prenzler: Mr. Walters, would you like to withdraw your second of the motion to postpone? Yes?

Mr. Walters: Yes.

Mr. Prenzler: Mr. Wesley, would you like to make a motion?

Mr. Wesley: I make a motion that we bring in the first resolution...

Ms. Jones: For who?

Mr. Prenzler: Concerning Mr. Dorman, I believe that was the first.

Mr. Wesley: Concerning Mr. Dorman.

Mr. Prenzler: Yes. Ok, do we have a second?

Mr. Holliday: Second.

Mr. Prenzler: I'm sorry, I didn't mean to cut off Mr. Wesley. Did you want to read that resolution? I think Mr. Gibbons took it with him.

Ms. Jones: I don't have it.

Mr. Prenzler: But, I think I did read it into the record. So, we do have a motion to pass this resolution and we have a second.

Ms. Jones: Holliday was the second.

Mr. Prenzler: Any discussion? Hearing none, roll call.

Mr. Moore: I find it irregular that we don't know the source of these resolutions. Mr. Gibbons for all we know could not be telling us the truth, which I have no idea, he won't say. I understand there are people that did it that don't want to say anything and I know he doesn't have to say but I don't know if there's

people behind these resolutions other than his comment because no one's willing to step up and say they are. So, with that, I don't know, I just wanted to make that comment.

Mr. Prenzler: Any other comments or questions before we do the roll call? Hearing none, roll call. I vote no.

Mr. Wesley moved, seconded by Mr. Holliday to approve the Resolution Reflecting the Madison County Board's Grounds for Termination of Employment of Rob Dorman.

The ayes and nays being called on the motion to approve resulted in a vote as follows:

AYES: Ms. Dalton, Ms. Dutton, Foster, Ms. Glasper, Goggin, Gray, Guy, Hankins, Ms. Harriss, Holliday, Jones, King, Kuhn, Madison, Malone, McRae, Michael, Minner, Ms. Novacich-Koberna, Parkinson, Petrillo, Pollard, Valentine, Walters and Wesley

NAYS: Moore

ABSTENTIONS: Chapman

AYES: 25. **NAYS:** 1. **ABSTENTIONS:** 1. Whereupon the Chairman declared the foregoing motion duly adopted.

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The following resolution was submitted:

**RESOLUTION REFLECTING THE MADISON COUNTY BOARD'S GROUNDS FOR
TERMINATION OF EMPLOYMENT OF DOUG HULME**

WHEREAS, the Madison County Board ("Board") is the legislative and executive governing body of Madison County;

WHEREAS, the Board has been advised of and reviewed allegations and evidence regarding what it believes to be misconduct on the part of employee Doug Hulme;

WHEREAS, this misconduct was a misuse of the powers entrusted upon Doug Hulme as County Administrator for Madison County, causing the Board to lose confidence in his ability to continue to perform this job;

WHEREAS, Doug Hulme was provided prior notice of, and an opportunity to attend, this hearing to review these allegations by this Board as required under the Madison County Personnel Policies for County Appointed Officials and Department Heads section X;

WHEREAS, the actions undertaken by Doug Hulme were outside the bounds of ethical conduct and standards that are expected for someone in his position of leadership;

WHEREAS, it is believed his conduct is violative of the public trust.

BE IT RESOLVED, that this Resolution is a memorialization of the findings of the Board supporting termination of employment. Notice will be given to Doug Hulme that his employment with Madison County is terminated effective on May 17, 2020.

BE IT FURTHER RESOLVED that because Chairman Prenzler, on April 15, 2020, placed Doug Hulme on paid administrative leave until May 17, 2020, no action was required by this Board regarding administrative leave, as it has already been put into effect. If, however, at any time prior to May 17, 2020, Chairman Prenzler revokes or cancels said administrative leave, this Board hereby votes that such leave shall then be automatically reinstated by this Board, effective immediately and until May 17, 2020.

BE IT FURTHER RESOLVED that the following written notice will be sent to the last known address on file with Madison County for Doug Hulme regarding termination of his employment and that said notice shall be in substantially the following form:

NOTICE OF TERMINATION

On April 16, 2020, the Board of Madison County voted to terminate your employment. Pursuant to Resolution passed February 21, 2018, the effective date of your termination is May 17, 2020. You are hereby directed to immediately surrender any and all property belonging to Madison County, including but not limited to, electronic equipment (including phones, computers, tablets and any other electronic device), identification and access badges, keys, passwords, all physical and electronic/digital files, folders, documents, software and all information contained therein or derived therefrom, files, vehicles, any other items or things of any nature which were acquired from or through your employment. You are directed to provide these items to Rob Schmidt or Bruce Cooper by 9:00 a.m. April 17, 2020. You are prohibited from accessing Madison County property and are prohibited from communicating with any Madison County employee regarding your termination. Any questions about this matter should be directed to Bruce Cooper.

Dated this 16th day of April, 2020.

Kurt Prenzler, Chairman

Mike Walters, Pro Tem

Mr. Wesley moved, seconded by Mr. Hankins to approve the Resolution Reflecting the Madison County Board's Grounds for Termination of Employment of Doug Hulme.

Mr. Prenzler: I would like to lead off by voting no.

The ayes and nays being called on the motion to approve resulted in a vote as follows:

AYES: Ms. Dalton, Ms. Dutton, Foster, Ms. Glasper, Goggin, Gray, Guy, Hankins, Ms. Harriss, Holliday, Jones, King, Kuhn, Madison, Malone, McRae, Michael, Minner, Ms. Novacich-Koberna, Parkinson, Petrillo, Pollard, Valentine, Walters and Wesley

NAYS: Moore

ABSTENTIONS: Chapman

AYES: 25. NAYS: 1. ABSTENTIONS: 1. Whereupon the Chairman declared the foregoing motion duly adopted.

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Mr. Gray moved, seconded by Ms. Dalton, to adjourn the special meeting. **MOTION CARRIED.**

ATTEST: Debbie Ming-Mendoza
County Clerk

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