

BREMEN TOWNSHIP TRUSTEES OF SCHOOLS SPECIAL MEETING

A Special Meeting of the Bremen Township Trustees of Schools, Township 36 North, Range 13 East, Cook County, Illinois held at the Office of the Trustees of Schools – 6109 West 175th Street, Tinley Park Illinois

MINUTES OF AUGUST 17, 2011

Call Meeting to Order: 7:04 p.m. by Mr. Bertrand, President

Pledge of Allegiance

Roll Call

Joseph G. Bertrand, Jr.	President / Member
Michael T. Duggan	Member
Julienne W. Mallory	Secretary / Member
Joseph J. McDonnell	Treasurer / Clerk

All Officers and Members present.

Cancellation of Treasurer Surety Bond #0021678 for Prairie Hills School District # 144

Motion to approve the Cancellation of Treasurer Surety Bond #0021678 for Prairie Hills School District # 144 was made by Mr. Duggan – seconded by Ms. Mallory

Discussion:

- This surety bond has been refunded by another bond issue so this particular bond is no longer needed. The one year anniversary on this surety bond has expired and it is not necessary to renew it and should be cancelled. The refunding bond was issued back in March, 2011 and was approved.

Motion carried – all “Ayes.”

Approval of Intergovernmental Exclusive Use Agreement with Bremen Community High School District #228

Presentation by Mr. McDonnell

- This is a lease agreement with School District #228 (Tinley Park High School) for Treasurer’s office space. A copy of the approved lease agreement is being

presented for the Trustees for approval. The agreement is for a 5 year period and it is the same lease agreement used over the past 15 years having three – 5 term lease agreements totally. Monthly rent amounts have been determined by taking the past 5 year average of the Consumer Price Index (CPI) and applying that percentage to the monthly rent amounts for the next 5 years.

Discussion:

- An explanation of the sentence in the agreement which states “this term may be revised by the district should the need for the space arise prior to the expiration of the agreement”, was asked. In reply, if the district needs space for the students, then this space would not be available. There is no notification clause in the lease agreement to the Treasurer’s office of the unavailability of space. It was pointed out that the agreement states “this agreement constitutes the complete agreement between the School District and Trustees and may be amended or supplemented only by a further written document approved and signed by both parties.” There is concern with signing a lease agreement that has no specification on notice of termination.
- Other places during the last 15 years have not been explored because it has been this Board’s policy that if we are going to pay rent to someone, we might as well pay rent to our own school districts as opposed to going to an outside party. If Tinley Park High School needs the space for students, the use of space in our other Bremen Township School Districts has not been explored, therefore their availability of other sites is not known.
- Mr. Kendall, Superintendent of Bremen Community High School District, interjected from the audience that he was available to address any questions and provide additional information if needed.
- With the new technology project and the hub being placed in this office would become a permanent fixture. It was noted that the hub for the technology project would not be in the Treasurer’s office. If the School District needed the office space, they would know that before school started or the semester before.
- The School District should allow the Trustees time to review the agreement, discuss this with the District as a negotiation of contracts. With some concern that this would be in violation of an open meetings act, it was recommended that a special meeting should be called and negotiations of the contract would be in executive session.
- The lease agreement ended on June 30th and Mr. McDonnell received notice July 11th. The Trustees received notice when the August 17th Board meeting packet was delivered 2 days ago. This office was already into 2 ½ months of a “month-to-

month” lease agreement. Mr. McDonnell stated that he and the School District were not aware that it was the last year of the 5 year agreement. On July 19th, the Bremen School District Board approved the agreement.

Motion to accept the Intergovernmental Exclusive Use Agreement with Bremen Community High School District #228 was made by Mr. Duggan – no second

Motion Failed

Motion to call a Special Meeting of the Board of Trustees, with an Executive Session including members or representative(s) of District #228 to discuss the Intergovernmental Exclusive Use Agreement with Bremen Community High School District #228 and address some of the concerns this Board may have before moving forward with this agreement was made by Ms. Mallory – seconded by Mr. Bertrand

Motion carried – all “Ayes”.

Further Discussion

- **Mr. Bertrand asked Mr. McDonnell to get a timeframe for the meeting, possibly next month (September). Inquiry to who should be present at the meeting with concern of the Open Meetings Act for the District. Suggestions were given including the public audience District #228’s Superintendent Kendall, Board President Sterns and Board Secretary who were in attendance. Executive Session could not be used for this item because it was not on the agenda. Mr. Kurt Staehlin, member of the audience, interjected that the Board should save time and talk to the audience now. Mr. Staehlin further stated that the Board President has the authority to talk to members of the audience and if the Board chooses to do that, then they can. Mr. Bertrand asked for order. A motion had been made and passed for a special meeting for consideration and the School District #228 should make the determination as to who will attend the meeting.**

Executive Session

Motion made to go into Executive Session for discussion and/or consideration of personnel and pending litigation and/or actions that is probable or imminent, exempt under Section 2(c)(11) of the Open Meetings Act, 5 ILCS 120/2(C)(11) was made by Ms. Mallory – seconded by Mr. Bertrand

Motion carried – all “Ayes”. Time 7:20 p.m.

Called back into Open Session: 7:53 p.m. by Mr. Bertrand

Roll Call

Joseph G. Bertrand, Jr.	President / Member
Michael T. Duggan	Member
Julienne W. Mallory	Secretary / Member
Joseph J. McDonnell	Treasurer / Clerk

All Officers and Members present.

Motion to amend Agenda Item # 7 to approve attorney fees from the Stuttley Group, LLC per indemnification approved June 29, 2010 in the total amount of \$69,170.60 was made by Mr. Bertrand – seconded by Ms. Mallory.

Mr. Bertrand asked for questions? No questions. Mr. Bertrand stated that for the purpose of information he read the motion made and carried at the Special Meeting held on June 29, 2010:

“Pursuant to the authority under the Illinois Local Governmental Tort Immunity Act, the Board shall indemnify Joseph G. Bertrand, Jr., President and Member; Michael T. Duggan, Member; Julienne W. Mallory, Member; and Joseph J. McDonnell, Clerk for all judgments, settlements, and any other liability against each and either of them, in connection with any and all claims alleged against them in the lawsuit of Board of Education of Bremen Community High School District 228, Board of Education of Forest Ridge School District 142, and Kurt Staehlin v. Joseph G. Bertrand, Jr. in his individual and official capacity as President of the Board of Trustees of Bremen Township Trustees of Schools Township 36N Range 13E, Julienne W. Mallory, in her individual and official capacity as Trustee of the Board of Trustees of Schools Township 36N Range 13E, and Joseph McDonnell, in his official capacity as Treasurer for the Board of Trustees of Bremen Township Trustees of Schools Township 36N Range 13E including but not limited to, the claims asserted in case Number 10 CH 27682.”

Motion to approve attorney fees from the Stuttley Group, LLC per indemnification approved June 29, 2010 in the total amount of \$69,170.60 was made by Mr. Bertrand – seconded by Ms. Mallory.

Motion carried – Mr. Bertrand and Ms. Mallory - “Ayes”. Mr. Duggan - “No.”

Follow-up / Action on Bremen Township School Districts and Treasurer’s Office conversion to new financial software system agreement

All Bremen Township School Districts agreed to the financial software system conversion and upgrade technology. At the last Board meeting it was suggested that an acknowledgement letter signed from a majority of the school districts that they were in agreement with the upgrade, conversion and cost.

Motion to approve the Bremen Township School Districts and Treasurer's Office conversion to new financial software system agreement was made by Ms. Mallory – seconded by Mr. Duggan

Motion carried – all “Ayes”

Discussion/Action of Merger of Mann, Benzinger & Co., Ltd and Mathieson, Moyski, Celer & Co., LLP on Bremen Township School Districts and Treasurer's Office

Presentation by Mr. McDonnell

Notification was sent to Trustees by e-mail. And that there would not be a change in any audit services, in the original audit engagement letter. Mann, Benzinger & Co., Ltd, three year agreement ends with the last year to be audited - June 30, 2011. Mathieson, Moyski, Celer & Co., LLP will be taking on all their clients and will abide by any outstanding engagement letters.

Discussion:

- There is no engagement letter for the fiscal year ended June 30 2012. The e-mail regarding the merger was an informational item and being notified of the merger since it took place during the current fiscal year audit. If the Board is going to stay with Mathieson, Moyski, Celer & Co., LLP nothing needs to be done but wait for a new engagement letter from them. This will probably be sent this December or January. If the Board want to go out for new auditors through the RFP process then that should be considered soon. It was recommended that it is in the best interest to explore possibilities. Mr. McDonnell will start process.**
- Additional services are available such as internal control audits or any other that may be needed. Information is provided via website. Listings of other school districts that are audited by Mathieson, Moyski, Celer & Co., LLP are not known, but Mr. McDonnell will put together a listing of the auditors that audit our schools.**
- Transitional issues were mentioned in the merger letter, but it is unlikely there will be any per the meeting Mr. McDonnell had with Mathieson, Moyski, Celer & Co., LLP.**

Old Business – None

New Business – None

Motion to open the floor to recognition to the public was made by Mr. Bertrand – seconded by Mr. Duggan

Motion carried – all “Ayes”

- Ms. Debi Stearns, Oak Forest: *How do you know you are representing the districts, acting in a manner the districts would prefer you to when no one ever communicates with the districts, at least not ours?*
 - Mr. McDonnell communicates with all the districts on behalf of the Trustees.
- Mr. Kurt Staehlin: *Please consider amending the lease and sending it back to their Board.”*
 - It will be taken under consideration.
- Ms. Evelyn Gleason: She has a personal problem as a taxpayer and School Board member with the approval of the \$69,000 in legal fees. When she was sued she was represented by the School Board attorney and she did not go out and hire a private counsel expecting the School district to pay for it.

Motion to close the floor to communications from the public was made by Mr. Bertrand – seconded by Mr. Duggan

Motion carried – all “Ayes”.

There being no further business before the board, a motion to adjourn was made by Mr. Bertrand – seconded by Mr. Duggan

Motion carried – all “Ayes”.

Adjournment: 8:15 p.m.



Joseph G. Bertrand, Jr., President



Julienne W. Mallory, Secretary

#144



Cancellation Form

To be attached to and form a part of

Authority Reference No.

Type of Bond: General Obligation

B00623009

Bond No: 0021678

Executed by: Joseph J. McDonnell, (Principal)

and by: Certain Underwriters at Lloyd's, London, (Surety)

in favor of: Trustees of Schools, Bremen Township 36N,R13E, (Obligee)

It is hereby understood that the above named Surety has cancelled Bond No. 0021678 as of 5/03/2011.

Nothing herein contained shall vary, alter or extend any provision or condition of this Bond except as herein expressly stated.

Underwriters at Lloyd's, London (Seal)
Surety

By: James J. Sanchez
Brokers' Risk Placement Service, Inc.-Correspondent