

McHENRY COUNTY MERIT COMMISSION

MINUTES OF SATURDAY, DECEMBER 13, 2006

The meeting of the McHenry County Merit Commission was called to order at 10:32 p.m. on December 13, 2006 with the following members present: Janelle Crowley, Chairman; Patrick McAndrews, Gloria Urch, and William Mack (absent: Brian Goode). Also in attendance: Eugene Lowery, Undersheriff; Vito LoVerde, Attorney; John Kelly, Attorney at Law; Mark Gummerson, Attorney at Law; Robert Schlenkert; Helen Stafford, Walter Mooney, and Margaret Mooney.

MINUTES

The commission reviewed the minutes from October 11, 2006 and November 18, 2006. Following discussion, Mr. McAndrews moved to accept the minutes of October 11, 2006 and November 18, 2006 as presented. Motion seconded by Mr. Mack and carried with all ayes.

BILLS

Mr. Mack moved to authorize payment of bills presented for payment. Motion seconded by Ms. Urch and carried with all ayes.

OLD BUSINESS

Mr. Gummerson addressed the commission on behalf of Lieutenant Stafford and filed a motion to continue the hearing date until Lieutenant Stafford has completed his treatment. Mr. Kelly informed the commission that the Sheriff would like to set the dates for the hearing at this time and move forward. Mr. Gummerson informed the commission that he still has not received items of discovery from the Sheriff. Following discussion, Ms. Urch moved to set the hearing date concerning the complaint against Lieutenant Stafford for January 17, 2007 at 10:30 a.m. Motion seconded by Mr. McAndrews and carried with all ayes. Mr. Kelly informed the commission that the Sheriff would provide the discovery items no later than December 22, 2006. Mr. Gummerson will provide his records by December 29, 2006. Mr. Gummerson requested the record reflect that he objects to a hearing being scheduled while his client is being treated and referenced the case of Lynch vs. the City of Waukegan. The commission noted Mr. Gummerson's objections. A status update will be conducted on January 10, 2007.

Mr. Kelly informed the commission that the Sheriff had previously filed a complaint against Deputy Furst. Deputy Furst has applied for and been approved for a Family Medical Leave by the County. The medical leave is due to end on December 23, 2006. The Sheriff would like the commission to schedule this matter for hearing. Following discussion, Mr. McAndrews moved to schedule the hearing for Deputy Furst on February 14, 2007 at 10:30 a.m. with a status update on January 10, 2007. Motion seconded by Mr. Mack and carried with all ayes.

Deputy Schlenkert appeared before the commission at the request of Undersheriff Lowery. Undersheriff Lowery requested Deputy Schlenkert to provide evidence of fitness for duty. Deputy Schlenkert informed the commission that he doesn't understand what evidence Undersheriff Lowery is seeking and only learned of this

meeting on Friday, December 8, 2006. Undersheriff Lowery stated that the Sheriff seeks all evidence that proves that Deputy Schlenkert is fit for duty. Mr. Kelly suggested scheduling a hearing date and if Deputy Schlenkert provides further evidence showing his fitness for duty, the hearing can be cancelled. Following discussion, Mr. Mack moved to schedule a hearing concerning the complaint against Deputy Schlenkert for February 7, 2007 at 10:30 a.m. with a status update on January 10, 2007. Motion seconded by Mr. McAndrews.

Motion to adjourn at 10:58 a.m. by Mr. McAndrews. Motion seconded by Mr. Mack and carried with all eyes.