Call to Order
The Per Diem Ad-Hoc Committee was called to order by Chair Amy Cesich at 7:13 p.m.

Roll Call
Members Present: Judy Gilmour – here, Matt Prochaska - here, Scott Gryder – here, Lynn Cullick – here, Amy Cesich – here

Other County Board Members Present: John A. Shaw, Elizabeth Flowers, John Purcell, and Jeff Wehrli

Others Present: Jill Ferko, Leslie Johnson, Eric Weis, Jeff Wilkins

Approval of Agenda – Member Cesich made a motion to approve the amended agenda, second by Member Prochaska. With all in attendance voting aye, the agenda was approved.

Citizens To Be Heard – None

Items of Business

- Discussion about per diem investigation by Kendall County Sheriff’s Office – Sheriff Richard Randall briefed the committee on the role of the Sheriff’s Office in the criminal investigation after the start of the Forensic Audit, when his office was approached by the State’s Attorney, the process of an investigation, the results of the investigation, what determines probable cause, the nature of the case, and determination of violations of state law, the type of meetings that were examined by the Sheriff’s Office, and the forensic auditor. Sheriff Randall stated that law enforcement is just a means to gather information, and that someone’s guilt or criminal intent is determined by the court system.

Eric Weis clarified why there was a discrepancy between the dollar amount determined in the Sheriff’s Office investigation and the findings of the State’s Attorney’s office and the Forensic Audit, the meetings that each entity examined, determination of intent, and communication to committee members about not pressing any criminal charges.

- Discussion on status of responses of current and former board members to County request letters – Eric Weis reviewed the status of the responses by current and former board members to the request letters sent out in May 2014.
- **Opportunity for current and former board members to present information to Committee** – None

- **Discussion on legal options for per diem audit results** – Mr. Weis gave information on procedural issues, and stated that this is no longer an issue of intent, but now an issue of monies owed. Mr. Weis informed the committee of the statute of limitations for filing claims. Also, Mr. Weis informed the committee of various legal arguments that have been raised by some of the attorneys representing the individual former and current board members. These legal arguments include possible offset of recovery for alleged per diems and mileage never previously submitted by the individuals; the county board’s delegation of authority to the per diem ad hoc committee; and equitable estoppel.

Assistant State’s Attorney Leslie Johnson addressed the issues of breach of fiduciary duty, recovery of civil penalties, interest, attorney’s fees and costs, and settlement disclosures.

- **Discussion on procedure for future action by Committee regarding per diem audit results and request letters** - Mr. Weis stated that the committee will need to make a decision on how to proceed and offered some possible options:
  - Do nothing
  - Seek reimbursement of initial amounts indicated in forensic audit
  - Accept what each person is offering as payment due
  - Seek litigation against some or all of the members
  - Collections Recovery

**Citizens To Be Heard**

Todd Milliron, Plano Illinois
Jessie Hafenrichter, Oswego Illinois

**Questions from the Media**

Jim Weingard, WSPY Radio
Larry Nelson, WSPY Radio

**Executive Session** – None Needed

**Action Items for the County Board** - None

**Adjournment** – Member Cullick moved to adjourn the meeting, the motion was seconded by Member Gryder. There being no objection, the Per Diem Ad-Hoc Committee at 9:15p.m. adjourned.
Respectfully submitted,
Valarie A. McClain
Administrative Assistant/Recording Secretary