

Tri-Township Park District
Commissioners Meeting
May 31, 2001

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President Loethen called meeting to order at the Wiesemeyer Center at 7:00. The Pledge of Allegiance followed this.

Roll call:

Present were commissioners Ball, Beck, Loethen, Moore, Simpson, Wiesemeyer, and Wright. Also present were directors Greenfield and Fuesting and bookkeeper Roady.

Loethen announced that the only item on the agenda was the Titans Football Program. Two people had asked to speak. He would allot each person 15 minutes. Brian Evans represented the Titans. He explained that the previous park board on February 24, 2001 had approved spending \$60,000 on their new program. This was viewed as a one-time action by the board to start the program. After that, the program had to support itself. They have \$47,621 of equipment to be delivered soon. They were here to request that the current board approve payment of that money. Evans distributed their projected budget.

Wright asked if the Titans had held their registrations yet. The answer was no.

Loethen asked if the Titans had formed a not-for-profit corporation. Evans explained that they had done so in order to increase the types of fundraisers they can participate in. Simpson noted that the Friends of the Park also have formed a not-for-profit corporation to aid in their fund raising, but they are considered to be a branch of the park. Greenfield stated that the TBSL and Soccer Club could also form similar corporations if they chose to do so.

Jim Vadnal addressed the board next. He explained that his sons had participated in the Raiders football program in Collinsville and asked if our program would be run in a similar fashion. Evans said that for the first year the Titans would not require that parents participate in any certain number of fund raising activities but all parents will be asked to help. Evans said that the registration fee was to be \$100 per player and Vadnal thought that seemed fair. Evans explained to Vadnal that our practices will be held in the park and games will be played at the Triad Middle School. All expenses for this have been included in their budget.

Vadnal stated that he understood that the previous board had approved the purchase. He asked if this might be an action taken by a "lame duck" board and that the funds might not be available for the payment. Evans explained that the money was to come from the Illinois First Grant, not current funds. Loethen stated that the original purchase had grown to a nearly \$68,000 grant request. The original grant was for \$450,000. \$225,000 was earmarked to purchase the acreage east of Troy. Loethen listed the other items that have been purchased with the rest of the grant. As it now stands \$1,251.99 of the grant is left.

Loethen then read a summation of past board minutes beginning with the September 13, 2000 meeting at which Fuesting reported on a meeting with the Tri-County League. Loethen pointed out that \$10,000 was transferred from park funds to the Titans. Nowhere in the minutes is there a discussion of the Titans being under the umbrella of the park board. Nor is there a motion to seek the use of grant funds for the purchase of football equipment. Loethen said he is concerned that there was no vote to begin the program and that the board donated money to a not-for-profit organization the board does not control.

Simpson noted that the board does not control the TBSL or Soccer Club either. Loethen pointed out that both of those organizations use our federal employer identification number, are audited annually during our audit, and that no tax dollars are transferred to them. The park technically owns their equipment, supplies their liability insurance, and provides places for their games in the park. Evans stated that it has always been the Titans intention to be under the umbrella of the park board. In his view the only difference is the start up expenses for the Titans program. Beck also stated that he always thought they were under the umbrella of the park board.

Loethen stated that he is all for the football program, but opposed to payment of \$60,000. He explained that any other interested group, golfers for example, could ask for the same consideration. This sets a bad precedent.

Ball explained his concerns. He said that no ordinance similar to the one written in 1993 for the TBSL and Soccer Club had been written for the Titans, there was no park board vote to seek grant money for the equipment, and we cannot legally seek grants for a corporation not under our control.

Loethen has taken all of the available documentation to Dick Cain, our attorney. After reviewing the items, Cain prepared a letter concerning the matter. A copy of that letter is attached. In his letter Cain says that the \$10,000 transfer made to a not-for-profit corporation is illegal and we should attempt to recover the money. He continued to state that the manner in which the bids were reviewed was illegal. The bids should have been sealed by the companies and then opened in an advertised meeting. He said we should not purchase the equipment. He also thought that the park should withdraw their grant request for this equipment.

Wright then made a motion that all of these documents and Cain's letter be turned over to the State's Attorney for legal action and that the board withhold any further action until we here from him. There was no second to her motion. Wright responded to heckles from the audience by stating that if a board member participates in an act that is illegal, that is malfeasance in office and board member is subject to removal from office and a \$10,000 fine.

Evans stated that Beck has always tried to do what was best. He asked what the Titans need to do now. Loethen said they should get their own equipment. He felt that the \$60,000 was the root of the problem.

Ball again stated his support for the program but that errors were made in starting the program. He said we cannot spend money on a not-for-profit organization. The program should be started again and then see how much money is available for assistance. He echoed Wright's comments that the park board must legally manage park funds. Wiesemeyer noted that the bids were not competitive bids as defined by law. Ball said that actions by the prior board need to be rectified, the \$10,000 returned, and the purchase orders stopped. After that we need to prepare an ordinance putting the Titans under the

park board umbrella and continue from there. Wiesemeyer said that the Titans are asking the board to continue with something that is now known to be illegal. Loethen said the law was broken and now must be fixed.

After some discussion it was decided that the park board will request the return of the original \$10,000 donation made by the park to the Titans (Ball, Wiesemeyer). Roll call vote was as follows: Yes- Ball, Loethen, Moore, Wiesemeyer, and Wright. No- Beck and Simpson. Motion passed 5-2. Simpson stated that this was not necessary since the board could tonight agree to adopt an ordinance that would rectify the situation. Evans urged the board to act.

It was also decided to withdraw the park board's request for grant money to pay for the football equipment purchase since that action was taken illegally (Ball, Wright). Roll call vote was as follows: Yes – Ball, Loethen, Moore, Wiesemeyer and Wright. No – Beck and Simpson. Motion passed 5-2.

Ball explained that he thought that the previous board and the Titans had the interest of the children at heart, simply made an error in their methods.

Cain is to be directed to write an ordinance for the Titans similar to the one written in 1993 for the TBSL and Soccer Club placing them and their assets under the umbrella of the park board (Simpson/Beck). Roll call vote was as follows: Yes – Ball, Beck, Loethen, Moore, Simpson and Wiesemeyer. No – Wright. Motion passed 6-1.

Wiesemeyer asked about the equipment currently on order. David Nonn, a representative of the Titans, asked the board to approve a proposal to purchase the equipment after proper competitive bidding. Beck explained that he had done what he thought was proper. Ball said he understood but never the less, it was still wrong. Nonn said we could rectify the problem tonight.

Greenfield reported that the Department of Natural Resources representative said that the purchase is allowable in the grant. However, this is no guarantee that it will be approved. Greenfield agreed that we should drop the purchase orders and rebid the items. Beck agreed with doing this but expressed his concern that the cost could now be much greater.

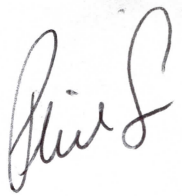
It was decided that the park board will request that the Titans board remove the park name from all bids and purchase orders written prior to the time that the ordinance making the Titans under the umbrella of the park board is adopted (Ball, Wiesemeyer 7-0).

Meeting was recessed for a few minutes (Beck, Simpson 7-0). Wright left during this recess.

Meeting was reconvened at 9:10.

After discussion, a motion was made (Beck, Simpson) as follows: After the ordinance placing the Titans Football Club under the umbrella of the park board is approved, the park board will request approval from Illinois First Grant officials to purchase \$50,000 of football equipment following proper bidding procedures. If grant officials approve the purchase, the park will purchase the equipment. The Titans will pay the park back by providing \$50,000 of lighting for park fields at an amount of \$5,000 per

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year until the amount is repaid. Roll call vote was as follows: Yes – Ball, Beck, Moore, Simpson, Wiesemeyer. Abstain – Loethen. (Wright was absent). Motion passed 6-0.

A motion was then made (Beck, Simpson) that after the acceptance of the ordinance placing the Titans under the umbrella of the park board and after the refunding of the \$10,000 to rectify the action taken by the previous board, this board will at that time donate \$10,000 to the Titans. Roll call vote was as follows: Yes – Beck and Simpson. No – Loethen and Wiesemeyer. Abstain – Ball and Moore. There was no majority vote. Ball indicated that he would change his vote, but some members of the audience said that was not proper. Some discussion of parliamentary procedure followed with no clear conclusions made.

Ball offered to make the same motion as had been made by Beck so that another vote could be taken. Simpson stated that that action was not proper. Ball offered to make a slight change in the motion in order to get a new vote. That suggestion brought uproar from the audience.

After a few comments between board members and audience, the meeting was adjourned (Ball, Wiesemeyer 6-0).