

STATE OF ILLINOIS

CUNNINGHAM TOWNSHIP

Laurel Lunt Prussing, Chair

Phyllis D. Clark, Town Clerk

**\*\*\* SPECIAL MEETING \*\*\***  
**CUNNINGHAM TOWNSHIP BOARD MEETING**  
**SEPTEMBER 24, 2012**

---

The Cunningham Town Board met in special session Monday, September 24, 2012 in the Council Chambers at the Urbana City Building, 400 S. Vine Street, Urbana, Illinois.

**ELECTED OFFICIALS PHYSICALLY PRESENT:**

Chair: Laurel Lunt Prussing, Chair  
Trustees: Brandon Bowersox-Johnson  
Robert E. Lewis  
Diane W. Marlin  
Dennis Roberts  
Charlie Smyth  
Heather Stevenson  
Town Clerk: Phyllis D. Clark  
Supervisor: Carol Elliott  
Assessor: Daniel Stebbins

**ELECTED OFFICIALS PRESENT VIA TELECONFERENCE:** None

**ELECTED OFFICIALS ABSENT:** Eric Jakobsson

**OTHERS PRESENT:** Fred Grosser; Members of the Media

---

**A. CALL TO ORDER AND ROLL CALL**

There being a quorum, Chair Prussing called the special meeting of the Cunningham Town Board to order at 7:01 p.m.

**B. PETITIONS AND COMMUNICATIONS**

Carol McKusick addressed the Board by reading an "essay" she prepared consisting of inquiries regarding road work in the City of Urbana and recycling.

**C. CLOSED SESSION: PENDING LITIGATION AND PROBABLE OR IMMINENT LITIGATION, PURSUANT TO 5 ILCS 120/2(c)(11)**

Fred Grosser (Attorney for Cunningham Township) read the following motion into record: "Motion to make a finding that litigation concerning Cunningham Township is probable or imminent, to go into closed session to discuss pending litigation and to discuss probable or imminent litigation pursuant to Section 2(c)(11) of the Open Meetings Act, 5 ILCS 120/2(c)(11), and to record the basis of the finding that litigation is probable or imminent in the minutes of the closed

meeting." Trustee Smyth responded with "so moved" and Trustee Lewis seconded. The vote was as follows:

Bowersox-Johnson - Aye	Smyth - Aye
Lewis - Aye	Stevenson - Aye
Marlin - Aye	Chair Prussing - Aye
Roberts - Aye	

The motion carried by roll call vote (7\*-aye:0-nay). [*\*Chair voted.*]

The Board went into closed session at 7:11 p.m.

The Board resumed its special session at 7:46 p.m. by motion from Trustee Smyth and second by Trustee Lewis, passing with a voice vote. The following elected officials of the Board were physically present by roll call: Bowersox-Johnson, Lewis, Marlin, Roberts, Smyth, Stevenson, and Chair Prussing. [*The record also acknowledges physically present Township Supervisor Elliott, Township Assessor Stebbins, and Town Clerk Clark, who are also elected officials.*]

**D. MOTION FOR AUTHORITY TO FILE COMPLAINT AGAINST URBANA SCHOOL DISTRICT FOR FREEDOM OF INFORMATION ACT VIOLATION**

Trustee Smyth made a motion to authorize Cunningham Township to file complaint in the Circuit Court against Urbana School District #116 concerning the issue of violation of the Freedom of Information Act. Trustee Lewis seconded. The vote was as follows:

Bowersox-Johnson - Aye	Roberts - Aye
Lewis - Aye	Smyth - Aye
Marlin - Aye	Stevenson - Aye

The motion carried by roll call vote (6-aye:0-nay).

**E. ADJOURNMENT**

There being no further business to come before the Cunningham Town Board, Chair Prussing declared the special meeting adjourned at 7:47 p.m.

---

Deborah J. Roberts  
Recording Secretary

---

Phyllis D. Clark  
Town Clerk

This meeting was taped.

This meeting was broadcast on cable television.