

Special Joint Meeting of the CHAMPAIGN COUNTY MENTAL HEALTH BOARD (CCMHB) and the CHAMPAIGN COUNTY BOARD FOR CARE AND TREATMENT OF PERSONS WITH A DEVELOPMENTAL DISABILITY (CCDDB)

Closed Session Minutes February 26, 2020

*This meeting was held at the Brookens Administrative Center Putman Meeting Room
1776 E. Washington St., Urbana, IL 61802*

6:45 p.m.

MEMBERS PRESENT:

Susan Fowler, Joseph Omo-Osagie, Elaine Palencia, Kyle Patterson, Julian Rappaport, Jane Sprandel, Kathleen Wirth-Couch

STAFF PRESENT:

Lynn Canfield, Mark Driscoll, Shandra Summerville

STAFF EXCUSED:

Stephanie Howard-Gallo, Kim Bowdry, Chris Wilson

OTHERS PRESENT:

Georgiana Schuster, CCDDB; Joel Fletcher, State's Attorney's Office; Gail Kennedy, CCDDB.

CALL TO ORDER:

Joseph Omo-Osagie, Board President, called the special meeting to order at 7:13 p.m.

ROLL CALL:

CCMHB: Roll call was taken and a quorum was present: Susan Fowler, Joseph Omo-Osagie, Elaine Palencia, Kyle Patterson, Julian Rappaport, Jane Sprandel, and Kathleen Wirth-Couch.

CCDDB: Roll call was taken, a quorum was not present: Georgiana Schuster and Gail Kennedy.

CITIZEN INPUT / PUBLIC PARTICIPATION:

None.

APPROVAL OF AGENDA:

MOTION:

Ms. Elaine Palencia moved to approve the agenda. Dr. Susan Fowler seconded the motion. A voice vote was taken, and the motion was passed.

BOARD ANNOUNCEMENTS:

None.

OLD BUSINESS – CLOSED SESSION:

MOTION:

Mr. Kyle Patterson moved to go into closed session pursuant to 5 ILCS 120/2(c)(11) to consider litigation which is affecting the Champaign County Mental Health Board and the Champaign County Developmental Disabilities Board, and that the following parties remain present: Executive Director Lynn Canfield and Assistant State's Attorney Joel Fletcher and Ms. Georgiana Schuster and Dr. Gail Kennedy. Mr. Joseph Omo-Osagie seconded. Present were: Kyle Patterson, Kathleen Wirth-Couch, Jane Sprandel, Susan Fowler, Elaine Palencia, Julian Rappaport, and Joseph Omo-Osagie. A roll call vote was taken, and the motion passed, and the Board went into closed session at 7:17PM.

CLOSED SESSION DISCUSSION:

Mr. Patterson left the meeting.

Ms. Canfield introduced Mr. Joel Fletcher to the group. CCMHB members present were Kathleen Wirth-Couch, Jane Sprandel, Susan Fowler, Elaine Palencia, Julian Rappaport, Joseph Omo-Osagie. CCDDDB members present were Georgiana Schuster and Gail Kennedy.

Mr. Fletcher explained that it would be difficult to structure separate actions for the MHB and DDB; current named are County Board, Treasurer, and Board of Review, who have each agreed to file an appeal to the recent decision.

Questions and discussion:

- Regarding whether the MHB has the money to pay this back and what it relates to, repayment of Carle taxes paid, as well as OSF and TIF distribution.
- The total repayment includes a small amount for court costs and post-judicial.
- Recommend making the repayment as soon as possible even though the decision is being appealed.
- One appeal on behalf of several entities.
- Basis of the appeal involves the meaning of "exclusively for charitable purposes" and how much emphasis is on parcels. Disagreement about using 2012 statutes retroactively to apply to 2004-2011. Costs of appeal are small compared to what's been spent and what is at stake. A good faith disagreement about the constitutional standard.
- As to whether there is a disagreement about amounts spent on charitable care, while that was originally an issue, now they must base it on what is charged and are required to account for that more carefully. Urbana settled claims.
- Defined as a charitable hospital? A non-profit.
- When are funds to be paid back? As soon as possible; Mr. Fletcher will work with Ms. Canfield and the County's Deputy of Finance on this.
- Appeal might take two years.
- Mr. Fletcher provided a chronology of the case: Board of Review questioned the status in 2004; Carle filed this case in the Circuit Court in 2008; 2010 decision in Provena; 2012 new exemption standard passed and was applied back to 2004; not a binding decision in Appellate Court yet. The opinions are public documents, 2002 L202 Carle Foundation vs Cunningham Township et alia (strongly recommend reading the appellate decisions as well).

The Board came out of closed session at 7:39 p.m.

MOTION:

Mr. Joseph Omo-Osagie moved to come out of closed session and return to open session. Ms. Jane Sprandel seconded. Present were: Kathleen Wirth-Couch, Jane Sprandel, Susan Fowler, Elaine Palencia, Julian Rappaport, and Joseph Omo-Osagie. A roll call vote was taken, and the motion passed.

ADJOURNMENT:

The meeting adjourned at 7:40p.m.

Respectfully Submitted by: Lynn Canfield, CCMHB/CCDDB Staff

- *Reviewed and approved by the CCDDB and by the CCMHB on July 21, 2021*
- *Reviewed and approved by the CCDDB and by the CCMHB on February 23, 2022*
- *Reviewed and approved by the CCDDB and by the CCMHB on September 21, 2022*
- *Reviewed and approved by the CCDDB and by the CCMHB on March 22, 2023*
- *Reviewed and approved by the CCDDB and by the CCMHB on October 18, 2023*
- *Reviewed and approved by the CCDDB and by the CCMHB on March 20, 2024*
- *Reviewed and approved by the CCDDB and by the CCMHB on September 18, 2024*
- *Reviewed and approved by the CCDDB and by the CCMHB on February 19, 2025*
- *Reviewed and approved by the CCDDB and by the CCMHB on October 22, 2025*
- *Reviewed and approved by the CCMHB on March 18, 2026 and by the CCDDB on March 25, 2026*
- *Released from closed status by the CCMHB on March 18, 2026 and by the CCDDB on March 25, 2026*