

Town of Cortland  
Town Hall  
59 S. Somonauk Road  
Cortland, IL 60112  
**Board of Trustees**  
March 8, 2010

**Closed Session**

Mayor Seyller called the closed session to order at 9:25 p.m.

Roll call : Mayor Seyller, Trustees Stone, Siewierski, Reiter, Barzso, Corson and Lanning. Other officials present: Town Clerk, Town Administrator, Deputy Clerk, Treasurer and the Town Attorney.

The purpose of the closed session was to discuss Pending, Probable, or imminent Litigation (Exception to Open Meetings Act, 5 ILCS 120/2 (c) (11))

Attorney Johnson reported that he needed to get a sense from the board whether or not they want to defend the lawsuit of breach of contract brought against the Town by Eagle Homes.

Attorney Johnson gave an overview of the lawsuit. Eagle Homes has accused the Town of forcing them to sign an agreement after bonds for SSA were issued. They had only made one payment to the Town. Eagle Homes was going to contribute \$1,000,000 for building of the Sewage Treatment Plant. When Eagle Homes could not raise money, they agreed to funding through the SSA bonds where they would pay \$8,500 fee for each permit. They are accusing the Town of forcing them to agree to these terms.

They also owe the Town \$75,000 in reimbursable that they have not paid.

Attorney Johnson said it was his job to ask the board if they are willing to settle the law suit, and if so, what figure he should use. He explained the possible costs of defending this suit will be high.

After discussion of whether or not the Town would want to settle or defend the lawsuit, the consensus was to defend it.

Trustee Reiter moved and Trustee Lanning seconded a motion to adjourn. Unanimous voice vote carried the motion.

Meeting adjourned at 9:51 p.m.

Respectfully submitted,



Rita Nielsen  
Deputy Clerk

Approved: April 27, 2015

Attest: Clay TC