



Fox Waterway Agency

Special Meeting Minutes

June 12, 2024

Recording Secretary: David W. McArdle

1.0 Call to Order & Roll Call 7: 00 p.m.

Chairman Blake

Meeting conducted by Chairman Blake

Present: Chairman Wayne Blake, Directors Chuck Haling, Christine Stochl, Jason Hettermann, Bill Hellyer, Dan Mitchell and Christian Farrell

Absent: None

FWA Also Present: Agency Attorneys David W. McArdle and Brandy Quance, Executive Director Joe Keller

2.0 Public Comment

Several residents from the subdivision adjoining AP Marine were present and made comments against the way AP Marine was conducting its business, including Randy Byers, Ken McNamon, Wendy Aull-Weeks and Bob Grafte.

3.0 Meeting with Steven Wooden and Attorney Robert O'Donnell regarding Notice of Violation and opportunity to respond.

Attorneys McArdle and Quance reviewed the original suspension of AP Marine and the circumstances surrounding the suspension with the Board members. After that discussion, attorney Robert O'Donnell fully responded to the suspension. In general, attorney O'Donnell claimed 1) the FWA has no authority to suspend or revoke commercial stickers; 2) the handwriting on the bottom of pages 1-3 of the Notice of Suspension is not that of Steven Wooden; and 3) no boats are being operated by the AP Marine that have not been licensed by the IDNR. After attorney O'Donnell finished speaking, the Board went into Executive session.

MOTION: At 3:40 P.M., Director Hellyer made a motion to enter Executive Session pursuant to 5 ILCS 12/2(c)11 (pending litigation). The motion was seconded by Director Haling. A roll call was taken.

Aye: Directors Haling, Stochl, Hettermann, Hellyer, Mitchell and Farrell

Absent: None

Nay: None

The Motion carried.

At 5:15 P.M., the FWA Board returned to open session. Roll call was taken:

Present: Directors Haling, Stochl, Hettermann, Hellyer, Mitchell and Farrell

Absent: None

MOTION: Director Mitchell made a motion, seconded by Director Haling that the Board find, pursuant to the duties imposed on the Fox Waterway Agency by Sections 7.1, 7.2, and 7.7 of the Fox Waterway Act and by adopting the Agency's Code of Rules and Regulations, in its discretion; and, based on that finding, the Board

1. Ratify Chairman Blake's May 29, 2024 suspension through June 12, 2024;
2. Temporarily lift the suspension imposed on May 29, 2024;
3. Direct staff to immediately and temporarily reinstate the 25 commercial user permit stickers referred to in the May 29th Notice of Suspension;

4. Issue future commercial user permit stickers to AP Marine so long as it is in compliance with Chapter 4 of the FWA Code of Rules and Regulations; and
5. Without prejudice to the right of the Board to reinstate the May 29, 2024 suspension or take further action, this matter is stayed pending review of the final outcome of the felony matter(s) against Steven Wooden for Forgery and pending review of the civil matter filed against the FWA in Lake County Docket No. 24CH115.

A roll call vote was taken.

Aye: Directors Haling, Stochl, Hettermann, Hellyer, Mitchell and Farrell

Absent: None

Nay: None

The Motion carried.

MOTION: At 5:20 p.m., Director Hellyer made a motion to adjourn the meeting, seconded by Director Haling. Roll call was taken.

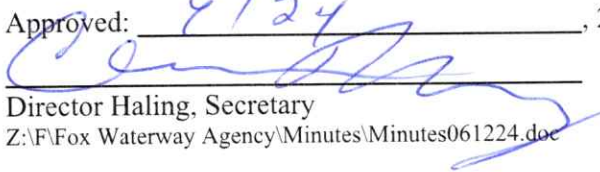
Aye: Directors Haling, Stochl, Hettermann, Hellyer, Mitchell and Farrell

Absent: None

Nay: None

The Motion carried

Approved: 9/24, 2024


Director Haling, Secretary

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