

owes the county:

•\$627,245 in income taxes since January.

•\$24,973 for Public Defender salary reimbursement.

Developer: Ochoa project timeline is 'unknown'

By Tony Scott

The development firm for the proposed Yorkville Sports Community Development project says the timeline for the project at this point is "unknown."

Elizabeth Ochoa, the project's founder, said last week that she anticipated plans would go before the city's plan commission this summer, but Richard Knorr, president of Richard Knorr International Ltd. (RKL), a company retained by Ochoa to provide real estate development and architectural services on the project, said Tuesday that there is much work yet to be done on the project.

For example, Knorr confirmed Yorkville Mayor Valerie Burd's statement that there are issues involving a stormwater detention facility on the property. Burd said last week that a possible solution would involve moving the facility to an adjoining property owned by the city.

"There's a lot of engineering that has to be completed to find the best solution for the community," Knorr said.

Knorr said his firm is interested in the project "first and foremost being a good community neighbor."

"We're interested in providing a world class facility that will do everything
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A relaxing day on the farm: Judy Larson of Hinckley lounges on an old fashioned rocking chair at the Dickson-Murst Farm in Montgomery on Sunday during the farm's Spring on the Farm event. Visitors to the event viewed 4-H crafts, antique tractors and a variety of farm animals, and also participated in a variety of activities. The Dickson-Murst Farm is operated by the Conservation Foundation. (Record Photo by Eric Miller)

Settle sex harassment suit against deputy Accusations leveled at Sheriff's second in command

By Matt Schury

The Kendall County Board voted unanimously Tuesday to settle a sexual harassment lawsuit filed against the Kendall County Sheriff's Department and Chief Deputy Terry Tichava for \$188,000.

In the suit, Lisa Easi alleged that Tichava sexually harassed her when she was employed as a secretary in the Sheriff's Office. Easi also says in the suit that she was fired after she complained to management and filed a discrimination charge with the Equal Opportunity Commissioner against Tichava alleging sexual harassment.

Tichava, who has been Chief Deputy since January 1989, was at the County Board meeting Tuesday morning but

did not comment. The board spent about an hour in executive session before approving the settlement.

The board handled the settlement in two motions, which were both approved unanimously. The first motion dismissed Kendall County Sheriff Richard Randall from the suit and named the County Board. The second motion agreed to the settlement and the payment.

On May 3, defense attorneys for the county requested a 30-day stay for the case, pending settlement negotiations. That motion also says the parties reached a settlement on April 20.

According to Kendall County State's Attorney Eric Weis a copy of the settlement was not available as of press

time because it had not yet been signed by the parties involved.

The original suit, filed in the Northern District of Illinois federal court in 2008, was against Sheriff Richard Randall not individually but as the Kendall County Sheriff and Tichava. The suit did not allege any charges against Randall personally.

"The sheriff was not accused of any wrongdoing. He was named as the sheriff, it's his office and he is named in his official capacity," Weis said.

The county was not named in the suit as a defendant, Weis said, but for the purposes of pay out, there was a request to add the county to settle the lawsuit. The settlement dismisses Randall from the suit but names the Sheriff's Office

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County board OKs settlement of harassment lawsuit

Former secretary accuses chief deputy of 'inappropriate touching'

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as well as the county and Tichava who was already named.

Weis explained that the County Board would be responsible for paying the \$10,000 deductible to their insurance company and the insurance company would pay the remainder of the settlement.

"I don't think anybody is real happy about having to settle it," Weis said. "I don't think you are going to see any happy faces for various reasons but it is settled for a substantial sum of money."

The lawsuit was in the pre-trial phase, Weis told the board, but there was a recommendation from the county's insurance carrier and the defense team of James Soto and Associates that there be a settlement. He added that Easi, Randall and Tichava had already approved the settlement.

"The suit would be settled with no admission of liability on either party. The county, Sheriff's Office or Terry Tichava as defendants would not be admitting to any liability or wrongdoing," Weis said.

The payment would include reimbursing the plaintiff's attorney's fees as well as all claims relating to the settlement, Weis said. The county would also be responsible for the cost of defense attorneys who would be paid by the insurance company on behalf of the county.

After the roll call vote, County Board members had no comment but board

member Jessie Hafenrichter hesitated before voting each time.

When questioned after the meeting, board member Nancy Martin called the settlement "disappointing".

The suit, filed in December 2008, states it was brought for "discrimination in employment based on sex." Easi was employed as an administrative assistant by the Sheriff's Office, the suit says, from 1995 until she was dismissed in 2007.

The suit further stated that Easi had been "subjected to repeated sexual harassment from her supervisor, Chief Deputy Terry Tichava ... in the form of statements, lewd gestures laden with innuendos, inappropriate comments and language, inappropriate touching and inappropriate conduct."

The suit defines the sexual harassment as taking the form of "lewd and lascivious conduct by the Chief (Tichava), sexual jokes laden with innuendo told to and about the plaintiff (Easi) by the Chief" as well as "being asked to engage in sexual acts by the Chief after being repeatedly rejected."

The suit further states that Tichava "repeatedly groped and forced (Easi) into lewd and sexual positions." Tichava made gestures that were lewd and suggested "sexual favors" were required when Easi refused, the suit also alleged.

Easi states in the suit that Tichava "made comments and remarks about plaintiff's body, sexual behavior, touched her private parts and physically

tried to force plaintiff into compromising situations."

The plaintiff says in the suit that she complained to management about the sexual harassment but nothing was done and consequently she was fired because she complained about sexual harassment to her supervisor and the Equal Employment Opportunity Commission.

The lawsuit says she suffered substantial injury and damages including emotional distress, loss of her position, income, reputation and opportunity for advancement.

Easi alleges she sustained "severe and permanent injuries, suffered great emotional pain and anguish, and was embarrassed and humiliated and ridiculed" and suffered "irreparable harm," according to the suit.

The suit asked for compensatory damages of \$300,000 for the harassment and \$300,000 for the retaliation of being fired. The money was to be awarded for loss of earnings, income devalued pension, insurance and other benefits due to her losing her job, the suit said.

In a response to the suit filed in court in February, 2009, Tichava denied Easi's charges.

No comment, 'full support'

By adding the county to the suit, Weis said it gives the board the ability to pay through the insurance company. The county has to indemnify the sheriff anyway, Weis added, but doing this gives the county the authority to settle, even though they were not a named party.

"Otherwise we do not have any authority to say, do or to not do anything," Weis said.

The sheriff, per the settlement, Weis

said, could not make any comments because of a non-disparaging clause.

"There is a non-disparaging clause which means no negative comments can be made by any party to the suit which is Terry Tichava, Randall as the Sheriff's Office, or Lisa Easi, or their attorneys about the contents of the suit," Weis explained.

Randall declined comment after the meeting. However, in a statement released Wednesday, Randall said he stands by Tichava.

"Given that I cannot comment about the settlement, I can only state that Terry (Tichava) has my full support and will continue to serve me and the citizens of Kendall County as Chief Deputy. I consider this matter closed," the statement said.

Randall also explained in the statement that his office would continue to "vigorously investigate any and all reported or observed employee harassment situations."

Weis mentioned after the settlement was approved that he did not think there had ever been a payout this large by the county.

"Obviously from our standpoint and the insurance company's standpoint you have to look at the cost benefit analysis," Weis said. "You have the cost to defend—even if you win it costs you so much money to defend a lawsuit and that's a factor insurance companies have to consider."

Another factor, according to Weis, was the cost of drawn out litigation.

"Even when you win, you can have costs incurred from it," Weis said. "If you lose, there is the cost of your own defense, the cost of the plaintiff's attorney's fees as well as the actual damages that could be awarded."

"It's a gamble sometimes," he said speaking of settlements.

NaAuSay residents still angry about tree cutting

But township officials say they'll