

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

TIMBER CREEK HOMES, INC.)
)
Petitioner,)
) PCB No. 14-99
v.) (Pollution Control Facility
) (Siting Appeal)
VILLAGE OF ROUND LAKE PARK,)
ROUND LAKE PARK VILLAGE BOARD)
And GROOT INDUSTRIES, INC.)
)
Respondents.)

NOTICE OF FILING

TO: SEE ATTACHED SERVICE LIST

Please take notice that on April 25, 2014 the undersigned caused to be filed electronically with the clerk of the Illinois Pollution Control Board **ROUND LAKE PARK VILLAGE BOARD's FIRST SUPPLEMENTAL RESPONSE TO PETITIONER'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS FROM VILLAGE OF ROUND LAKE PARK AND ROUND LAKE PARK VILLAGE BOARD**, a copy of which is attached hereto.

Respectfully Submitted,

On behalf of Round Lake Park Village Board

Peter S. Karlovics

Peter S. Karlovics

Peter S. Karlovics #6204536
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Board meetings, RLPVB limits its production to update information provided up to 14 days prior to the subject Village Board meeting.

RLPVB has attempted in good faith to respond to the requests as written, as further limited by the hearing officer orders, and does not, by its responses to Petitioner's discovery set forth herewith, waive its objection to discovery outside the limits set by the hearing officer. Any information provided herewith that is outside the scope of the Hearing Officer orders is inadvertent and should not be construed as a waiver of the limitations set by the hearing officer. Thus, such things as those related to zoning, land planning, building permits, solid waste planning, hauling contracts, office buildings, contractor equipment storage yards, and recycling, including, but not limited to, construction and demolition debris, are outside the scope of this response. Any privileged material produced is accidentally produced without waiver. Any documents withheld under a claim of privilege will appear in a privilege log and/or be provided to the Hearing Officer for his review in the nature of an in camera inspection.

Prior to the filing of the Application and subsequent to the grant of siting, VRLP and the Village Board functioned together as a unit of government. Upon the filing of the Application and until the grant of siting, Counsel for the Village of Round Lake Park and the Village Board and its counsel had no contact outside of the public hearing.

The RLPVB incorporates as part of its response to these interrogatories, the responses of all other parties to this case. The responses herein are limited to the proposed transfer station at issue and things not subject to a claim of privilege. Any privileged material produced is without waiver. Further, there is an agreement with TCH precluding the application of any claim of waiver.

RLPVB Counsel has no independent recollection related to any single request or the time frame related thereto, other than that specifically noted in an individual response. A number of documents may be produced by RLPVB. Some of those documents may refer to communications and provide a guide as to when other communications may have occurred and various details related to each.

Further, RLPVB incorporates the response of VRLP to its interrogatories as a supplement to its answer to these interrogatories.

A response to one discovery request may be relevant to another request, in part due to the nature of the TCH requests. A response to a one request may well include things that are relevant to other requests but may not be included in more than one response. Pursuant to 101 IL Admin Code 616 (h) RLP's responses will be amended as required. Accordingly, as to each request, investigation continues.

DOCUMENTS REQUESTED

1. All documents regarding the proposed transfer station and as reflected in Exhibit 2 of the TCH Request to Admit Facts and Genuineness of Documents served on the Village Board and Village of Round Lake Park.

RESPONSE: No responsive documents can be located. See General Response. See *also*, the response of the Village of Round Lake Park.

2. All documents regarding the proposed transfer station and as reflected in Exhibit 3 of the TCH Request to Admit Facts and Genuineness of Documents served on the Village Board and Village of Round Lake Park.

RESPONSE: No responsive documents can be located. See General Response. See *also*, the response of the Village of Round Lake Park.

3. All documents regarding the proposed transfer station and as reflected in Exhibit 4 of the TCH Request to Admit Facts and Genuineness of Documents served on the Village Board and Village of Round Lake Park.

RESPONSE: No responsive documents can be located. See General Response. See *also*, the response of the Village of Round Lake Park.

4. All documents regarding the proposed transfer station and as reflected in Exhibit 7 of the TCH Request to Admit Facts and Genuineness of Documents served on the Village Board and Village of Round Lake Park.

RESPONSE: No responsive documents can be located. See General Response. See *also*, the response of the Village of Round Lake Park.

5. All documents regarding the proposed transfer station and as reflected in Exhibit 24 of the TCH Request to Admit Facts and Genuineness of Documents served on the Village Board and Village of Round Lake Park.

RESPONSE: Known documents will be produced. See General Response. See *also*, the response of the Village Board. Note that production of one or more documents was withheld under a claim of privilege. See the General Response regarding that as well.

6. All documents regarding the proposed transfer station and as reflected in Exhibit 25 of the TCH Request to Admit Facts and Genuineness of Documents served on the Village Board and Village of Round Lake Park.

RESPONSE: Known documents will be produced. See General Response. See *also*, the response of the Village of Round Lake Park. Note that production of one or more documents was withheld under a claim of privilege. See the General Response regarding that as well.

7. All documents regarding the proposed transfer station and as reflected in Exhibit 27 of the TCH Request to Admit Facts and Genuineness of Documents served on the Village Board and Village of Round Lake Park.

RESPONSE: Known documents will be produced. See General Response. See *also*, the response of the Village of Round Lake Park.

8. All documents regarding the proposed transfer station and as reflected in Exhibit 28 of the TCH Request to Admit Facts and Genuineness of Documents served on the Village Board and Village of Round Lake Park.

RESPONSE: Known documents will be produced. See General Response. See *also*, the response of the Village of Round Lake Park.

Respectfully Submitted,

On behalf of Round Lake Park Village
Board

Peter S. Karlovics

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EXHIBIT "A"

See Documents Tendered at:

https://drive.google.com/#folders/0ByHljg_2La_iVmd4Y0ZMQmdPd00

EXHIBIT "B"
ATTORNEY CLIENT-PRIVILEGED

Along with the previously tendered list, the following emails will be tendered to the Hearing Officer for his review:

1. Karlovics email to Mayor dated November 2, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
2. Karlovics email to Sechen dated October 29, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
3. Karlovics email to Sechen dated October 29, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
4. Karlovics Sechen email Exchange dated October 31, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
5. Karlovics to Sechen email dated September 28, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
6. Karlovics Email to Mayor dated October 26, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
7. Draft of Document presented to Village Board at Village Board Meeting on October 30, 2012
8. Sechen Email to Karlovics dated September 28, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
9. Sechen email to Karlovics dated October 28, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
10. Sechen Email to Karlovics dated October 29, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
11. Sechen Email to McCue dated October 8, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
12. Sechen Email to McCue dated October 4, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
13. Sechen Email to McCue dated October 6, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
14. Sechen Email to McCue dated October 8, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
15. Sechen Email to Karlovics dated October 28, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
16. Sechen Email to Karlovics dated October 29, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)
17. Sechen Email to Karlovics dated October 28, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)

18. Sechen Email to Karlovics dated October 29, 2012 (re: Attorney-Client Privileged Material – Groot Lake Waste Transfer Station)

AFFIDAVIT OF SERVICE

The undersigned certifies that on April 25, 2014 a copy of the foregoing **Notice of Filing** and **ROUND LAKE PARK VILLAGE BOARD'S FIRST SUPPLEMENTAL RESPONSE TO PETITIONER'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS FROM VILLAGE OF ROUND LAKE PARK AND ROUND LAKE PARK VILLAGE BOARD** were served upon the following:

For the Village of Round Lake Park:

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By e-mailing a copy thereof as addressed above.

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Peter S. Karlovics