

## **VILLAGE OF BARRINGTON HILLS**

Minutes of the Regular Meeting June 23, 2008

President Abboud called the Regular Meeting to order at 6:46 p.m. Roll Call.

Present

Robert G. Abboud, President  
Walter E. Smithe, Trustee  
Steven E. Knoop, Trustee  
George L. Schueppert, Trustee  
Beth Mallen, Trustee  
Elaine M. Ramesh, Trustee  
Douglas Wambach, Village Attorney  
Robert Kosin, Director of Administration  
Michael N. Murphy, Police Chief  
Kathleen Soeder, Village Clerk

Absent

Fritz H. Gohl, Pro-Tem

Guests

Kit Klehm, Resident  
Pamela Cools, Resident  
Evan Harris, Resident  
Hans Fedderke, KCK Development  
Jim Drury, Resident  
George Gottlieb, Resident  
Dave Hixson, Resident  
Bernie Kargol, Resident  
Nancy Schmid, Resident  
Michael McLaughlin, Resident  
Carolyn Springer, Resident  
Bill Springer, Resident  
Matt Yeterian, Resident  
Mary Bradford-White, BHC Trust

Trustee Smithe motioned to adjourn to Executive Session to discuss pending litigation and matters of personnel at 6:47 p.m. Trustee Mallen seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)  
Nays: 0  
Absent: 1 (Gohl)

**Meeting Adjourned**

### **EXECUTIVE SESSION**

### **PUBLIC SESSION**

President Abboud called the Public Session to order at 7:54 p.m.

## **MINUTES**

Trustee Mallen motioned to approve the minutes of the Regular Meeting of May 19, 2008. Trustee Schueppert seconded. All present said aye.

**Motion Approved**

Trustee Schueppert motioned to approve the minutes of the Executive Session of May 19, 2008. Trustee Mallen seconded. All present said aye.

**Motion Approved**

Trustee Mallen motioned to approve ascension of the Executive Minutes as recommended by the Village Attorney. Executive Meeting Minutes are protected under Illinois state law, but must be examined every six months and made public when legal action has been completed and/or personnel issues have been resolved. Trustee Schueppert seconded. All present said aye.

**Motion Approved**

Village Clerk, Kathy Soeder, swore in George Gottlieb as the newest member of the Plan Commission.

## **PUBLIC COMMENTS**

President Abboud opened a thirty-five minute session for public comments at 7:59 p.m.

A resident, Jim Drury, wanted to understand further about a draft agreement he heard was being developed with the LeComptes to build phase III of their barn. He requested that they be required to submit detailed drawings of any work for the Zoning Board. He also asked if their new permit was filed with an S classification as required.

Dave Hixson reminded the Board that the character of our Village has been built on strict adherence to our zoning standards. He expressed concern as to why the Board would give consideration to large commercial barn facilities.

Further discussion of commercial boarding facilities was tabled until the Zoning section of the meeting.

As there were no additional comments, the public comments session ended at 8:06 p.m.

## **FINANCE – Walter E. Smithe**

Treasurer's Report – Trustee Smithe presented the Treasurer's report for the month of May, 2008. Trustee Smithe motioned to accept the Treasurer's report as presented. Trustee Schueppert seconded. All present said aye.

### **Motion Approved**

Discussion involved request about nature of the Builder's Escrow account, including whether it was double-counted in the general fund. President Abboud asked Director of Administration, Robert Kosin, for a detailed analysis of some of the accounts that exist and where the money came from in each of those. It was also requested that Ron Heller, Finance Consultant, include his usual graphs in next month's financial package.

Police Pension Board Report – Trustee Smithe motioned to accept the financial report of the Police Pension Board through May, 2008 and the addendum from Trustee Schueppert as presented. Trustee Schueppert seconded. Roll Call.

Ayes: 5 (Ramesh, Mallen, Schueppert, Knoop, Smithe)

Nays: 1 (Abboud)

Absent: 1 (Gohl)

### **Motion Approved**

Report from Lauterbach & Amen has an incorrect entry on Balance Sheet in field "Due from Municipality." Correct number should be \$73,363. In reconciling payments to Police Fund from the Village, it was noticed that the last three months of payments have not been made. Ron Heller will ensure that is corrected. Trustee Schueppert also found that a \$22,853 check from Cook County payable to the Pension Fund was recorded as deposited into the Village's account. He is also working with Ron to resolve this.

Trustee Schueppert has been investigating process breakdown and is finding that when taxes are collected from each county, payments should be made to the Pension Fund but that isn't always happening. The Police Pension Fund does not invoice the Village as other vendors do. President Abboud feels the Board should be approving these payments each month, as they do with other expenditures, giving a clearer trail of payments approved and made. Counties will be changing process for payments to direct deposit over time. The Board has requested that a separate agenda item be added each month for approval for counties making manual payments. For the two counties now making direct deposits, those should be reported monthly.

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Overtime Reports – Trustee Smithe motioned to approve \$16,269.64 in overtime expenses for May, 2008. Trustee Mallen seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)

Nays: 0

Absent: 1 (Gohl)

**Motion Approved**

Presentation of Bills – Trustee Smithe motioned to approve the payment of the bills for the month of May to date of \$360,057.24 and, additionally, \$185,114.51 to address three past payments from the Village to the Police Pension Fund that had not been made. Trustee Schueppert seconded. Trustee Schueppert then amended the motion to withhold payment to Vendor #950 for \$330 audit expense to Lauterbach & Amen as this is a duplication of effort by the Police Pension Board. Trustee Knoop seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)

Nays: 0

Absent: 1 (Gohl)

**Motion Approved**

Audit FY07 Draft - Trustee Smithe motioned to approve the fiscal year 2007 audit. Trustee Schueppert seconded. All present said aye.

**Motion Approved**

President Abboud asked the audit representative from Virchow and Krause, Mr. Farmer, for feedback on the Village's internal controls. The auditor said that the Village is efficiently run. However, he stated that there is opportunity for better segregation of duties and closer monitoring and oversight of payroll processing. President Abboud requested a short set of recommendations be made by the auditor with respect to vacation time, sick time and payroll management.

Trustee Schueppert stated that the Village was indirectly criticized for assumptions and issues handled by the Police Pension Fund, an organization that the Village has no authority over. Again it was reiterated that a member of the Village Board should sit on the Pension Board. President Abboud requested that Robert Kosin send a copy of the audit report to the Police Pension Board with this section highlighted.

Finally, it was noted that an unidentified credit exists on the Village's books and that credit must be resolved soon. If it isn't resolved shortly, it must be sent to the State as unclaimed property. Robert Kosin will resolve so the Village can keep the money. President Abboud asked that this item be on next month's agenda for resolution.

## **ROADS AND BRIDGES – Elaine M. Ramesh**

Monthly Report – Trustee Ramesh reported that inspection of the Green Rail (Oak Knoll Rd.) and Cuba Rd. bridges will be completed at a cost of \$3800. President Abboud requested a copy of the map detailing the inspection cycle of all box culverts and bridges within the Village.

The Village Engineers are working on draft agreements and ordinances necessary to conform the Village code to the Lake and McHenry County watershed ordinances.

The new supporting structure for the Algonquin Road culvert replacement project will be delivered in mid-July, resulting in a later than anticipated start date.

The miscellaneous drainage program will include culvert replacement on Hawley Woods Rd.; Klein bridge maintenance on Meadow Hill Rd; a new culvert on Ridge Rd.; a new culvert on Buckley Rd.; culvert replacement on Spring Creek Rd.; a drain tile survey on Caesar Dr. and a culvert replacement on Helm Rd.

Trustee Ramesh met with Cuba Township Highway commissioner, Tom Gooch, regarding the agreement between the Village and Cuba Township for snow plowing services. Although the contract is in force until 2010, Mr. Gooch is suggesting early termination. President Abboud will meet with Commissioner Gooch to discuss his concerns.

Resident Olic is asking the Village to do further work on his property including filling cracks on his driveway and refilling tire ruts in the shoulder of the road in front of his house. The work is expected to cost approximately \$1000.

The cost of additional asphalt for patching Spring Creek Rd. and Surrey/Wagon Wheel is estimated to be about \$13,000.

Roadside mowing is expected to start as soon as early July and will cost \$2320.

Ridge Road Dedication Resolution 08-14 - Trustee Ramesh motioned to accept the donation of land from a Village property owner so the designated drainage project can be completed. Property owner has already paid his portion of the development work. Trustee Mallen seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)

Nays: 0

Absent: 1 (Gohl)

**Resolution 08-14 Approved**

## **PUBLIC SAFETY – Fritz H. Gohl**

Monthly Report – In Trustee Gohl’s absence, Chief Murphy presented the Police Report and highlighted several nice commendations for our Police Department in State and National Traffic Challenges. The Chief will be going to San Diego to accept the National Second Place award.

## **BUILDING AND ZONING – George L. Schueppert**

Building Permit Report – Trustee Schueppert reported that this year continues to lag the last four years in both permit issuance and revenue intake.

ZBA Report – Trustee Schueppert reported that this month the ZBA dealt with two issues. First, the Plichta variance was granted with several conditions. Secondly, the Special Use permit requested by the Barrington Hills Polo Club to hold practices and games on the LeCompte property was continued. A special meeting will be held June 30<sup>th</sup> to address the Polo issue. The ZBA has encouraged the Polo Club to meet with the Deepwood neighbors independently to attempt resolution. Both groups are represented by counsel. There is concern about individual property owners being pressured into allowing Polo to continue in the Village. The issue involves more than merely private road access. It also includes noise, traffic, crowd control and one’s right to enjoy their property. A recommendation will be coming to the Village Board shortly after the ZBA makes its decision.

This month, the Village Building Officer received a revised S Classification permit application for phase III of the LeCompte’s barn. Village Attorney Wambach was contacted for guidance. Attorney Wambach wrote a letter to Dr. LeCompte stating that a permit for their barn would not be issued for non-permitted activity and that the application would not be processed until their appeal with the ZBA has been resolved. Dr. LeCompte contacted Attorney Wambach to express concern with the construction materials that he has had on his property for some time and the fact that they are unsightly, and had proposed construction of a “shell” structure to temporarily house the construction materials. There was discussion about formulating a possible agreement that that would specifically forbid commercial use of his facility subject to Board approval. Trustees expressed concern of how an agreement like this might affect the appeal currently in progress on the commercial boarding operation. Concerns were expressed about whether or not septic capacity for a facility of this size and nature had been addressed. Neighbors expressed concern for allowing further violations to occur under the auspices of sheltering construction material. Trustee Schueppert expressed agreement with concerns of the unsightly nature of the facility and outlined reasons why Dr. LeCompte wishes to complete the outside of phase III of his facility and install landscaping and realign road work.

President Abboud suggested that we need to sort out the commercial boarding issue before we review the validity of the new permit and revisit design issues with the LeComptes. He reminded everyone that we owe due process to all residents.

### **PLANNING – Steven E. Knoop**

Monthly Report – Trustee Knoop reported that the Plan Commission continues to work with the ZBA on the topic of External Lighting. A public hearing was held to finalize the Comprehensive Plan amendments and the addition of groundwater information and Heritage Corridors is being included.

Abbey Woods Letter Of Credit (LOC) – Trustee Knoop motioned to return existing bond money to Harris Builders since required improvements for Abbey Woods Subdivision have been completed, and to replace it with a maintenance guaranty. Trustee Smithe seconded. All present said aye.

### **Motion Approved**

Tricia Lane Annexation – Trustee Knoop introduced resident Kit Klehm and Hans Fedderke, of KCK Development, to present their desired plan for a subdivision in a territory currently located in unincorporated Cook County and have it annexed into Barrington Hills. The subdivision description included plans for roadway bioswales, wind turbines and other guidelines supported by the Leadership in Energy and Environmental Design (LEED). The Trustees offered feedback to the developers on ways to make this a better fit within the standards of the Village of Barrington Hills.

Heritage Corridors – Trustee Knoop introduced Mary Bradford-White from the Barrington Area Conservation Trust (BACT). BACT is working with the Plan Commission on the Comprehensive Plan. Ms. Bradford-White is requesting the Village's support in moving the Heritage Corridor initiative forward. BACT has targeted roadways most at risk for future expansion and plans to start with Brinker and Sutton Roads. The goal is to secure from existing landowners a designated amount of additional easement signed over to the Trust to help prevent road widening efforts and to preserve the character of the rural roads. There would be a cost to landowners to set up the easements. It would require the Village as a signatory along with BACT. The Trust would like to start now instead of waiting until the Comprehensive Plan revisions have been completed, because there are numerous residents waiting to participate. The Board authorized the Village Attorney to work with BACT to review their work and keep the effort moving.

### **INSURANCE – George L. Schueppert**

Monthly Report – Trustee Schueppert had nothing new to report.

## **HEALTH, BUILDINGS & GROUNDS, ENVIRONMENT – Beth Mallen**

Monthly Report - Trustee Mallen reported that the Department of Corrections has signed off on our renovated lock-up area within the Police Department so we are now in compliance. The deadline for articles for the next newsletter is August 15<sup>th</sup>.

## **ATTORNEY – Douglas Wambach**

Attorney Wambach stated that matters of litigation and personnel had been addressed in Executive Session.

Clauser Pension - Trustee Smithe motioned to approve the Clauser pension agreement. Trustee Schueppert seconded. Roll Call.

Ayes: 6 (Ramesh, Mallen, Schueppert, Knoop, Smithe, Abboud)

Nays: 0

Absent: 1 (Gohl)

## **Motion Approved**

## **ADMINISTRATION – Robert G. Abboud**

In July, Barrington Hills will be hosting the McHenry County Council of Governments (MCCG) meeting at the Sanfilippo estate. President Abboud asked that the Trustees consider attending as a show of support for the Village.

The Legal Committee will be expanding to add two or three new members. More to be discussed the next meeting.

President Abboud asked Robert Kosin to evaluate the budget impact if he were to hire a full-time Building Officer.

Resident Letter – Trustee Knoop shared with the Board a letter from residents Mr. and Mrs. Wolfgram addressed to him as Trustee responsible for the Plan Commission. It was then determined that all Trustees had received the same letter. The letter asked the Board to look into the problem of excess deer population in the Village and the related problem of unsightly fences erected by residents to eliminate deer from their property. President Abboud asked Trustee Schueppert if the Zoning Board could look into the matter of fence height. Trustee Schueppert said that it could be added to the list of items for the ZBA to consider.

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Trustee Smithe suggested that the bigger problem of the deer population has never been addressed and perhaps the Board should consider looking into the matter. He expected that with further investigation we would probably find that we have an excess deer population which is not healthy for our residents, the deer and our forests. President Abboud interjected that no one will be killing deer while he is President, and he cited a Village of Barrington Hills deer population census study he had recently reviewed that showed the Village has a very low deer population. President Abboud asked Trustee Smithe if he had any hard data to point to an excess deer population and Trustee Smithe said he did not, though he believes it is clear that there is an excess population and, as a matter of good public policy, he was advocating further study, not advocating any particular outcome such as killing deer. It was the sense of the Board that the Trustees should review the deer population census data before deciding what, if any, action should be taken. Trustee Knoop was asked to respond to the Wolfgram letter.

Trustee Mallen motioned to adjourn the Public Session at 11:41 p.m. Trustee Schueppert seconded. All present said aye.

**Meeting Adjourned**

Approved \_\_\_\_\_