

**VILLAGE OF LAKE BARRINGTON
MINUTES OF THE REGULARLY SCHEDULED MEETING
OF THE BOARD OF TRUSTEES HELD MARCH 4, 2008**

1. CALL TO ORDER

A regular meeting of the President and Board of Trustees of the Village of Lake Barrington was held at the Village Municipal Center, 23860 Old Barrington Road, on Tuesday, March 4, 2008, and was called to order by President Richardson at 7:00 p.m. Village Clerk Hoover was appointed Recording Secretary.

2. ROLL CALL OF MEMBERS

Upon the roll being called, the following Trustees were physically present at said location: Trustees Burke, Schaller, Vonder Haar, and President Richardson

Absent: Trustees DeJesu, Raclaw, and Struck

The following Trustees were allowed by a majority of the members of the President and Board of Trustees in accordance with and to the extent allowed by rules adopted by the President and Board of Trustees to attend the meeting by video or audio conference: None.

No Trustee attended the meeting by video or audio conference.

The following Trustees were absent and did not participate in the meeting in any manner or to any extent whatsoever: None

Staff Present: Treasurer Purcell, Village Administrator Martin and Village Clerk Hoover

Others Present: ZBA Member Fortman, Village Attorney Bateman

3. PLEDGE OF ALLEGIANCE

4. CONSIDERATION OF MINUTES

- A) **January 12, 2008 Special Board Meeting Minutes**
- B) **February 5, 2008 Special Committee of the Whole Meeting Minutes**
- C) **February 5, 2008 Regular Board Meeting Minutes**

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Vonder Haar to approve the minutes of the January 12, 2008 Special Board Meeting, February 5, 2008 Special Committee of the Whole Meeting Minutes, and February 5, 2008 Regular Board Meeting Minutes. The voice vote was unanimous and the motion carried.

5. PRESIDENT'S REMARKS (President Richardson)

President Richardson commended the Village Clerk for her great work on the Tree City USA. He reported that he received a congratulations letter from United States Senator Barack Obama.

President Richardson reported that he and other Village officials attended the February 23rd joint BACOG and Lake County Municipal League legislative breakfast held in Round Lake Beach. He reported that State representatives were among those that attended and a variety of issues were discussed, such as, Canadian National Railway's proposed acquisition of EJ&E, groundwater protection, municipal disconnections, and pension reform.

President Richardson reported that the BACOG Legislative Platform was approved by BACOG and their next meeting is scheduled for March 18th.

President Richardson stated that Cuba Township Roads Commissioner Tom Gooch would be stopping by during the meeting to address the Board relative to the heavy snow this winter.

6. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD – None.
(Also see public comment during agenda item 13A, 14C, and 15)

7. CONSENT AGENDA

A. Salvation Army

Administrator Martin distributed the following summary to the Board in their packets and read aloud at the meeting: The Salvation Army is requesting permission to conduct its two annual fund raisers for 2008 in Lake Barrington: 1) Donut Day on Friday and Saturday, June 6-7, 2008 and 2) Christmas Kettles on Friday, November 21 through Wednesday, December 24, 2008.

Board Action

A motion was made by Trustee Vonder Haar and seconded by Trustee Schaller to approve the Consent Agenda.

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: Trustees DeJesu, Raclaw, Struck

President Richardson declared the motion carried.

8. TREASURER'S REPORT:

Treasurer Purcell reported on the following:

A. After nine months the Village has approximately \$215,000 of accumulated income in excess of expenses. The fiscal year end net income is expected to be at least \$100,000 attributed by favorable building permit revenues. Interest income is showing a decline due to interest rate reductions by the government. The Motor Fuel Tax should reach an equity balance of around \$400,000 by year end to be used towards the 2008 Roads Program.

B-D. The Accounts Payable Warrants have been reviewed and should be approved.

Board Action (A-C)

A motion was made by Trustee Vonder Haar and seconded by Trustee Schaller to consider by ominous vote and:

- A. Approve the Financial Statements as of 01/31/08; and
- B. Pay Bills in the amount of \$126,759.77 as Listed on the Accounts Payable Warrant "A" Dated March 4, 2008; and
- C. Pay Bills in the amount of \$48,382.53 as Listed on the Accounts Payable Warrant "B" Dated March 4, 2008; and

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: Trustees DeJesu, Raclaw, Struck

President Richardson declared the motion carried.

Board Action (D)

A motion was made by Trustee Schaller and seconded by Trustee Vonder Haar to:

- E.** Pay bills in the amount of **\$ 235.00** as listed on Accounts Payable Warrant "C" dated March 4, 2008;

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar
Nays: None
Abstain: President Richardson
Absent: Trustees DeJesu, Raclaw, Struck

President Richardson declared the motion carried. He stated that as a former employee and current client of ServiceMaster he abstains from voting on this warrant and further stated that he had and has no involvement in the selection of the Village's cleaning service.

9. ADMINISTRATOR'S REPORT

The following report was given out of sequence:

A. Newsletter: Administrator Martin stated that the spring newsletter was mailed however there were some forwarding issues pertaining to LBS residents.

B. BACOG Legislative Day: President Richardson stated that the Village Administrator would be meeting with IEPA and IDOT officials in Springfield relative to current environmental issues and the proposed signalization of Route 14 and Pepper Road. Administrator Martin expanded upon the issues, the Village's request for funding assistance, and gratitude for the \$250,000 grant awarded by IDOT. Administrator Martin stated that he would be attending BACOG Legislative Day in support of the BACOG Legislative Platform.

C. Other: Administrator Martin stated that due to the heavy winter, the spring melting period may produce temporary standing water and drainage problems. He asked residents to be patient during this time.

10. CLERK'S REPORT

Clerk Hoover gave the following report:

A. Earth Hour:

On March 29th, residents in the Chicago region will join millions of people around the world to voluntarily "turn off the lights" for an hour from 8PM – 9PM to make a bold statement about climate change. Earth Hour will demonstrate that by working together, each one of us can make a positive impact on this global issue.

It is important that Earth Hour is celebrated in a safe and secure environment, so we will not be turning off any of the street lights, lights in hospitals, lights used by emergency services or airports, or any lights in public spaces which would impact public safety. Partner businesses will adhere to OSHA standards for security and emergency lighting will remain on. Resident should consider unplugging non-essential items like cell phone chargers, computers and countertop appliances when not in use.

For more information, to sign up, download activities and tips for reducing energy consumption, and learn more about how Earth Hour is bringing people together around the world consumers may go to www.earthhour.org.

B. BACOA – Senior Tax Assistance:

The Barrington Area Council on Aging is once again offering Income Tax preparation assistance to seniors. This year it is important for seniors to file a 2007 income tax return even if they planned not to because they did not expect a refund because this information is being used to determine the planned tax rebate checks scheduled to be mailed out beginning in May. Assistance is by appointment only and will run through April 10th. For more information, please call BACOA at (847) 381-5030.

11. COMMITTEE REPORTS

A. COMMUNITY DEVELOPMENT (Chair Raclaw) – Absent; left no report.

B. FINANCE & HUMAN RESOURCES (Chair Vonder Haar) – No report.

C. INTERGOVERNMENTAL AFFAIRS (Chair Richardson) – Chair Richardson noted that the meetings in Springfield were discussed earlier during the meeting (see 9B on the agenda).

D. NATURAL RESOURCES (Chair DeJesu) – Absent; left no report.

E. PUBLIC SAFETY (Chair Schaller) – No report.

F. PUBLIC WORKS (Chair Vonder Haar) – Administrator Martin reported that the Board unanimously approved both the Lakeland Estates Roads and Drainage Program and the Route 14 and Pepper Road Signalization Project via Board polls. He stated that the other drainage work for the Indian Ridge Estates Subdivision would be considered later on tonight's agenda (see 14C on the agenda).

G. RULES (Chair Schaller) – No report.

12. OLD BUSINESS – None.

13. ORDINANCES

A. CONSIDERATION OF A SPECIAL USE ORDINANCE FOR ADDITIONAL ANTENNAS TO BE LOCATED ON AN EXISTING CELL TOWER – CRICKETT COMMUNICATIONS – 28059 COMMERCIAL AVENUE

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: The Plan Commission held a Public Hearing on February 28 to hear a petition for Special Use for the property commonly known as the Pintozzi property, 28059 W. Commercial Avenue. The Petitioner, Crickett Communications, is seeking a Special Use Permit to permit the installation of a new antenna array on the existing cell tower and the installation of related ground-based equipment. The Commission voted 4-1 to recommend approval of the special use permit.

Public Comment & Discussion

Mr. David Fischer, Site Acquisition Manager and Mr. Doug Proctor, Site Development Manger of Crickett Communications addressed the Board relative to their request as summarized above. Mr. Fischer clarified that the proposed antennae array would be positioned at 138 feet. President Richardson described the proposed location and stated that the existing tower is not particularly visible. Administrator Martin reported that there was no public testimony at the Public Hearing. Mr. Fischer described the proposed equipment and platform as within a fenced area behind Cingular's equipment.

Board discussion followed. Mr. Fischer reported that their wireless company is the 10th largest in the country offering service without long term contracts for approximately \$55.00 per month. He stated that service should be available in the area by the end of 2008.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Burke and seconded by Trustee Vonder Haar to pass Ordinance No. 2008-O-11, an Ordinance granting a Special Use Permit to Crickett Communications on the property located at 28059 W. Commercial Avenue.

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: Trustees DeJesu, Raclaw, Struck

The motion carried.

B. CONSIDERATION OF AN ORDINANCE AMENDING THE BUILDING CODE RE: ELEVATOR AND ESCALATOR STANDARDS

Administrator Martin distributed the following summary to the Board in their packets: Pursuant to Public Act 92-489, the Village Attorney is recommending an addition of a new section of the Building Code addressing elevator and escalator standards. The Village has complied with the building code notification requirements to the State. .

Discussion

Village Attorney Bateman explained that the State passed this legislation several years ago which pre-empted local elevator regulations. He stated that this Ordinance would amend the Village Code by reference to the standards as performed by the Village's consultant, Thompson Elevator. Some examples of elevators in the Village include LBS office, Lake Barrington Woods, ProMed/Flint Creek Medical, and well as other establishments and upscale homes.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Schaller and seconded by Trustee Burke to pass Ordinance No. 2008-O-12, an Ordinance *creating the addition of a new Section 7-3-8, "Elevator and Escalator Standards", of Chapter 3 "Building Regulations", of Title 7 of the Lake Barrington Village Code.*

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: Trustees DeJesu, Raclaw, Struck

The motion carried.

C. CONSIDERATION OF AMENDMENTS TO THE ETHICS ORDINANCE

Administrator Martin distributed the following summary to the Board in their packets: The Ethics Commission met this month for their annual review of the Ethics Ordinance. Two amendments are being proposed. The first proposes the increase in timeframe to set a hearing from 10 to 20 business days. The second amendment is adjusting the language from "may elect" to "shall" concerning notification to the attorney designated by the corporate authorities to prosecute such actions in writing probable cause complaints.

Discussion

Attorney Bateman briefly reviewed the proposed changes for consideration by the Board. President Richardson stated that the Ethics Commission preliminary reviews and evaluates

complaints. He stated that the Village's Ethics Commission Chair is former Trustee Rick Lovett and its members include Dr. Joseph Giangrosso and Lorenzo Pizarro.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Vonder Haar and seconded by Trustee DeJesu to pass Ordinance No. 2008-O-13, an Ordinance Amending Section 1-8-4-8, "Ethics Commission", of Chapter 8 of Title 1 of the Village of Lake Barrington Village Code.

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: Trustees DeJesu, Raclaw, Struck

The motion carried.

14. NEW BUSINESS

A. CONSIDERATION OF A LETTER OF CREDIT: NORTHPOINTE

Administrator Martin distributed the following summary to the Board in their packets: NorthPointe is requesting a reduction in the amount of their Letter of Credit for the NorthPointe Development. The Village Engineer is inspecting the site and their recommendations are forthcoming.

Discussion

Administrator Martin reported that the Village Engineer's review is not available and this matter should be held over until next month.

Board Action – None.

B. CONSIDERATION OF RELEASING A LETTER OF CREDIT: FISCHER MOTORS

Administrator Martin distributed the following summary to the Board in their packets: The Fischer Motors building located at 28645 Hillside is substantially complete. The owner is requesting that the Village release the letter of credit of \$8,100. Staff has no objections.

Board Action

A motion was made by Trustee Burke and seconded by Trustee Vonder Haar to pass Resolution No. 2008-R-09, a Resolution Releasing a Letter of Credit RE: Fischer Motors.

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: Trustees DeJesu, Raclaw, Struck

The motion carried.

C. CONSIDERATION OF DRAINAGE WORK – INDIAN RIDGE ESTATES SUBDIVISION – APACHE LANE

Administrator Martin distributed the following summary to the Board in their packets:

A broken drain-tile and collapsing under street and driveway culverts have lead to an untenable storm water situation on Apache Lane in the Indian Ridge Estates subdivision. The broken tile which serves residents north and east of the subdivision has lead to localized

yard and street flooding. The associated collapsed culverts further exacerbate the problem, as does a large willow tree and generally poor grading in the area. Village Engineer, Gewalt Hamilton, has developed a plan to remedy the situation that includes repairs and replacements to the tile and culverts. The estimated cost is \$39,000. Staff will be meeting with the impacted residents next week and is requesting Board authorization to proceed with the improvements upon securing the necessary permissions. Funds are available in the Village's non-MFT road projects budget for this work.

Discussion

Administrator Martin summarized the drainage issue and stated that the proposal would be a long-term solution to the drainage problem using non-MFT funds. He stated that he would be meeting with the neighbors that would have some impact during the construction process.

Board Action

A motion was made by Trustee Vonder Haar and seconded by Trustee Burke to waive public bidding and authorize the Village Administrator to engage to complete drainage work on Apache Lane as described.

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: Trustees DeJesu, Raclaw, Struck

The motion carried.

****OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD**

Cuba Township Roads Commissioner Tom Gooch addressed the Board relative to the heavy winter snow and ice conditions, the lack of salt, and the use of a liquid chloride mixture. Commissioner Gooch stated that the roads may deteriorate due to these extreme conditions and the freeze-thaw cycle and the Township is cold patching the roads as needed. He stated that the streets would be swept in April and mailbox repairs would be ongoing.

Board discussion followed. President Richardson praised the Roads Department for their service and Attorney Bateman also thanked Commissioner Gooch for the good service.

D. CONSIDERATION OF EMPLOYEE HEALTH INSURANCE PLAN - HRA

Administrator Martin distributed the following summary to the Board in their packets: Staff received its FY2008 insurance renewal with a 25% increase in premiums. The recommendation of the Village's broker, Better Business Planning, is for the Village to consider a Health Reimbursement Arrangement (HRA) plan. In summary, an HRA Plan includes larger deductibles (\$12,500-17,500 total) funded by the Village in place of the larger premiums. The benefit of this arrangement is that any funds not expended for deductibles are returned to the Village. The HRA provides the potential for savings and allows the Village to incentivize lower claims and be more of partner in insuring its employees.

To this end, staff is recommending that as an incentive, 50% of any unused deductible be paid to the employee. The total maximum net cost (less employee contributions) for the HRA health, dental, and life insurance is \$40,025. Materials are provided in the Board folder.

Discussion

Administrator Martin stated that other municipalities are moving toward this option as the cost of health care insurance rises. Trustee Vonder Haar requested that Mr. Liberty, the Village's representative, review the particulars with the Village staff.

Board Action

Upon the conclusion of such discussion, a motion was made by Trustee Schaller and seconded by Trustee Vonder Haar to approve an employee HRA health plan, and dental and life insurance with Blue Cross/Blue Shield of Illinois and Fort Dearborn Life.

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: Trustees DeJesu, Raclaw, Struck

The motion carried.

15. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD – (Also see agenda item 6.)

16. CLOSED SESSION

Board Action

A motion was made by Trustee Schaller and seconded by Trustee Burke That A Portion of The Meeting Be Closed To The Public, Effective Immediately, To Discuss Matters of Personnel, and/Or To Discuss Possible Real Estate Acquisitions, and/Or To Discuss Litigation Involving an Action Against This Municipality Which Is Pending in Court Or in an Administrative Tribunal, and/Or To Discuss Such Litigation Which Is Probable Or Imminent, the Board finding that Based Upon Advice of Counsel, Litigation is Probable or Imminent as to those Matters so Identified on the Record in Such Closed Session for the Reasons therein Stated.

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: Trustees DeJesu, Raclaw, Struck

The motion carried.

17. ACTION TO BE TAKEN FROM CLOSED SESSION

A. CONSIDERATION OF A LEASING AGREEMENT FOR THE FARMHOUSE PROPERTY LOCATED AT 23685 KELSEY ROAD

Board Action

A motion was made by Trustee Vonder Haar and seconded by Trustee Burke to To Pass Ordinance No. 2008-O-14, An Ordinance Authoring the Lease of Real Property by the Village of Lake Barrington, Lake County, IL (RE: The Single-Family Residence at 23685 N. Kelsey Road, Lake Barrington, IL, commonly known as the Freier Farm House).

Upon roll call the vote was:

Yeas: Trustees Burke, Schaller, Vonder Haar, and President Richardson
Nays: None
Abstain: None
Absent: Trustees DeJesu, Raclaw, Struck

The motion carried.

18. OTHER - None

19. **ADJOURNMENT:** A motion was made by Trustee Schaller and seconded by Trustee Vonder Haar to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 8:54 p.m.

Respectfully submitted,

Cynthia L. Hoover
Village Clerk
Recording Secretary