

**VILLAGE OF LAKE BARRINGTON  
MINUTES OF THE REGULARLY SCHEDULED MEETING  
OF THE BOARD OF TRUSTEES HELD JULY 9, 2007**

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**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 Monday, July 9, 2007, and was called to order by President Richardson at 7:00 p.m. Village Administrator Martin 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, DeJesu, Raclaw, Schaller, Struck, Vonder Haar, and President Richardson

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 was not permitted to attend 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:** Village Administrator Martin

**Others Present:** Treasurer Purcell, ZBA Member Fortman, Village Attorney Bateman

**3. PLEDGE OF ALLEGIANCE**

**4. CONSIDERATION OF MINUTES**

- A) April 30, 2007 Special Board Meeting Minutes
- B) May 17, 2007 Regular Board Meeting Minutes
- C) June 4, 2007 Regular Board Meeting Minutes

**Board Action**

A motion was made by Trustee Schaller and seconded by Trustee Vonder Haar to approve by ominous vote the minutes of the April 30, 2007 Special Board Meeting, May 17, 2007 Regular Board Meeting, and June 4, 2007 Regular Board Meeting. The voice vote was unanimous and the motion carried.

**5. PRESIDENT'S REMARKS (President Richardson)**

President Richardson stated that the Village is taking its first major step in regards to the Village's open space initiative coming out of the April 17 Advisory Referendum with the consideration of purchasing the Meadow Run Farm, 23867 Kelsey Road, for the sum of \$2.1 million dollars. This action arises out of the Referendum's 62% to 38% margin proposing up to \$5.5 million dollars in General Obligation Bonds to finance the purchase of open space, et. al. Long time residents Art & Norma Freier are delighted to preserve their 26-acre farm located on the bend along Kelsey Road. President Richardson thanked Trustee Raclaw, Administrator Martin, and Attorney Bateman for their assistance. President Richardson stated that the Village is not in position to identify future purchases. However, the purchase criteria used will include: visibility, uses, strategic considerations, partnership potential, maintenance, possible exit strategy, and overall acquisition cost. President Richardson thanked the residents for their support. He stated that he would be giving regular reports as developments arise, advised residents to view the Village's website, or contact Administrator Martin with any questions.

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

(Also see public comment during agenda item \_\_\_\_\_)

**7. SPEICAL PRESENTATIONS – None.**

**8. TREASURER’S REPORT:**

Treasurer Purcell reported on the following:

**A) Discussion of 4/30/07 Year-End Investment Report:** Treasurer Purcell gave a brief report on the Village’s Investment Report which is submitted annually to the Village Board. He stated that monies invested are received in the form of real estate taxes, state income tax revenue, permit and license fees, etc. and are yielding 4.4% to 6.6% interest.

**C) Financials Statements as of 05/31/2007:** Treasurer Purcell reported that the Village’s Net Income is misleading as annual liquor and business licenses have already been received.

Treasurer Purcell stated that the audit of the 2006/2007 financials would begin next week.

**D & E) Warrants:** Both Warrants A & B are in order and should be approved for payment.

**Board Discussion**

President Richardson stated that he has been watching the Village’s numbers month to month and we continue to make real progress in securing the initial total equity line, approximately a 21% increase year after year. He stated that the General Fund comparison shows that expenses are very much the same thanks to Administrator Martin.

**B)** Administrator Martin stated that the Employee Compensation Ordinance was previously discussed by the Village Board during Executive Session.

**Board Action**

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

- A.**
- B.** Approve Ordinance No. 2007-O-08, an Employee Compensation Ordinance
- C.** Approve the Financial Statements as of 5/31/07
- D.** Pay bills in the amount of **\$ 197,655.39** as listed on Accounts Payable Warrant “A” dated July 9, 2007;
- E.** Pay bills in the amount of **\$18,917.10** as listed on Accounts Payable Warrant “B” dated July 9, 2007;

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**9. PUBLIC HEARING – APPROPRIATION ORDINANCE – CONTINUED**

**A. FY2008 APPROPRIATION ORDINANCE AND FINANCIAL PLAN**

**Summary:** The Village Board directed staff to complete the Fiscal Year 2008 Financial Plan which is provided. Also included in the accompanying folder are the FY2008 Appropriation Ordinance, analysis of all funds, and a glossary of terms. The Board is being asked to approve

the Appropriation Ordinance as the Village's spending authority, and the Financial Plan as the Village's spending and planning guide. The FY08 Financial Plan is balanced in all funds using reserves within policy for road projects. Future amendments will be made as required relating to open space acquisition and maintenance costs, to be presented to the Board for approval.

**1) Board Action – Open Public Hearing**

A motion was made by Trustee DeJesu and seconded by Trustee Schaller to open a Public Hearing regarding the Appropriation Ordinance for Fiscal Year Ending April 30, 2008. The voice vote was unanimous and the motion carried.

**2) Opportunity for Public Comment**

Administrator Martin gave a brief presentation of the proposed Appropriation Ordinance. He stated that the Appropriation Ordinance is the official spending document while the Financial Plan is a strategic document. Administrator Martin discussed the allocated fund totals and stated that the Village would be keeping a tight rein on expenditures except for the Road Projects which would be using reserve funds this year. He stated that the Village is still in compliance with General Fund Reserve Policy, which holds back approximately 66% or seven month of operating expenses in case of an emergency situation. Administrator Martin stated that these financial documents are available for viewing on the Village's website.

President Richardson stated his appreciation of the staff's efforts over the past several years by fundamentally changing the budget process. He stated that the form should always follow substance and the priorities as listed in the Village's Comprehensive Plan (i.e. open space, brand reputation, roads program, arbor/tree, et.al.) should follow the substance. .

Trustee comments followed. It was stated that next year's initiative would include revenues received from utility tax collection (begins in January) and the delay in telecommunications tax.

Public Comment – None.

**3) Board Action – Close Public Hearing**

A motion was made by Trustee Schaller and seconded by Trustee Struck to close the Public Hearing regarding the Appropriation Ordinance for Fiscal Year Ending April 30, 2008. The voice vote was unanimous and the motion carried.

**4) Board Action – Financial Plan**

Prior to action, the Board referred to page 34 of the Financial Plan and discussed the Village's guiding policies, General Fund reserve, Motor Fuel Tax revenues, investments, and spending authority of Village President and Village Administrator.

President Richardson stated that the Village reviews the facts and data and makes decisions in fair, open, and transparent process. He stated that clear fiscal policies are used to develop appropriation expenditures.

Upon the conclusion of such discussion, a motion was made by Trustee Raclaw and seconded by Trustee Vonder Haar to approve the Financial Plan, Certified Estimate of Revenues, and Fiscal Policy.

Upon roll call, the vote was:

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

President Richardson declared the motion carried.

**5) Board Action – Appropriation Ordinance**

A motion was made by Trustee Vonder Haar and seconded by Trustee Schaller to pass Ordinance No. 2007-O-09, an Appropriation Ordinance for Fiscal Year Ending April 30, 2008.

Upon roll call, the vote was:

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

President Richardson declared the motion carried.

**10. CONSENT AGENDA**

**A. Semi-Annual Review of Closed Session Minutes**

This item was deferred until next month per Administrator Martin.

**11. ADMINISTRATOR'S REPORT**

**A. Other:**

1) Administrator Martin reported that there have been four adulticide mosquito treatments and one catch basin larvacide treatment to prevent growth of mosquitoes as well as larvacide treatments to select ponds. Mr. Martin stated that residents may call Village Hall if they are having problems with open water or ponds.

2) Administrator Martin stated that Sept. 8<sup>th</sup> from 9AM to 3PM seems to be the best date to hold a Strategic Planning Session. President Richardson stated that this date should be secured for the day session; however the evening session may need to be revisited. President Richardson stated that in August the Village would be circulating a draft Agenda. Some topics for discussion may include the formal structure of the Board, Plan Commission and Zoning Board of Appeals. The possibility of Ad-hoc committees may be discussed and members evaluated based on their professional backgrounds regardless of the Board they serve on.

3) Administrator Martin reported that the Roads Program would begin around July 13<sup>th</sup> with concrete ribbon work followed by patching and overlay for the Lakeland Estates and Farm Trails Subdivisions. The two neighborhoods would be rapid called announcing the roads program. Mr. Martin stated that program should be completed by September 1<sup>st</sup>.

**12. CLERK'S REPORT**

**A. Newsletter:** Administrator Martin reported that the newsletter is at the printer and should be mailed out later this week.

**13. REPORTS OF STANDING COMMITTEES/TASK FORCES**

President Richardson stated that he would be working on reconfiguration of the various committees/task forces after the Village Board retreat.

**A. Building & Facilities:** Trustee Schaller reported that the Village Hall is in good shape.

**B. Environmental Protection:** Trustee DeJesu gave an Emerald Ash Borer update and urged resident to call Village Hall if the beetle is found in the area.

- C. **Finance & Human Resources:** Administrator Martin had no report.
- D. **Good Shepherd Liaison & Community Outreach:** President Richardson reported that the Good Shepherd Hospital Gala is scheduled for September 8<sup>th</sup> and more information is available on Good Shepherd's website.
- E. **Intergovernmental Affairs & BACOG:** President Richardson reported that BACOG last met in June and they continue to review issues, such as aquifer stress and substantial development. He stated that some neighboring communities use 50 to 60 million gallons of water per day while the aquifer generates only 45 million gallons per day. BACOG also adopted their budget and appointed President Richardson as BACOG Vice Chair.
- F. **Public Safety & Emergency Planning:** No report.
- G. **Public Works:** Trustee Vonder Haar had no report.
- H. **Rules:** Trustee Vonder Haar had no report.
- I. **Stormwater Management:** No report.
- J. **SWALCO:** No report.

Trustee DeJesu stated that residents should be cognizant of the drought and limit use of outdoor sprinklers that drain down the aquifer. Trustee Vonder Haar added the need to educate residents on the issue and suggested an article in the newsletter. President Richardson stated that BACOG is working with Senator Durbin on a Federal Grant on groundwater research.

14. **OLD BUSINESS** – None.

15. **NEW BUSINESS**

A. **CONSIDERATION OF A PRELIMINARY PLAT RESOLUTION**

Administrator Martin distributed the following summary to the Board in their packets: The Plan Commission at a Public Hearing on June 28 unanimously recommended approval of a Preliminary Plat of Subdivision for the Northpointe development which includes the Lake Barrington Fieldhouse and other buildings and uses on 30 acres north of the Onion Pub. Annexation and a development agreement will be required as part of final platting.

Administrator Martin paraphrased his staff memo, dated July 5, 2007, which is attached hereto and incorporated into these minutes by reference. He described the parcel, proposed uses, public hearings, etc. Mr. Martin stated that a Feasibility Analysis was provided to the Board and that the Petitioner has submitted the required engineering, site plan, traffic study, financial study, and impact plan. Administrator Martin stated that the Board had a Pre-Application Discussion on June 5, 2006.

President Richardson stated that the Village's process is governed by Ordinances and case law. He gave an overview of the process beginning with concept presentation through final consideration with vested rights.

**Public Comment**

An overview of the Petitioner's proposal was reviewed by Mr. James Beers of G23 Development via a Power Point Presentation, which is attached hereto and incorporated into these minutes by reference. He described the access as being off Pepper Road with an all-way stop into site. The four buildings and their proposed uses were described. One of the buildings is planned as a 75,000 square foot fieldhouse to offer an indoor soccer field, 4 basketball and 8 volleyball courts. Other building space would be also occupied by PRI (Professional Baseball Instruction) and Styrian (owner of the Onion Pub). He stated that

open space and wetland issues were reviewed with the residents of Savannah, Pheasant Ridge, and Kelsey Point Subdivisions, as well as with other neighboring properties in an effort to lessen impact of the development. Concerns about building locations, height, uses, and provisional access were stated as said meetings. Mr. Beers stated that the Petitioner is proposing a robust landscaping plan.

Mr. Beers continued with his testimony. He discussed the stormwater analysis of Pepper Lake, the incorporations in deciduous plants and trees, the involvement by Citizens for Conservation, berming and screening to the Savannah residents, parking and fire lane, building layout, aesthetics and fascia, and plan elevations.

Board Discussion followed pertaining to the plan elevations, wall construction, light pollution, traffic and signalization. Mr. Beers responded to the Board's questions and further stated that the closest residence at a distance of 313 feet and the average distance of 500 feet. Mr. Beers stated that the exterior wall construction would be 1" of insulation surrounded by 2" of concrete on either side, with the appearance of stucco.

Trustee Raclaw raised his traffic concerns along Route 14 since there are not any turn lanes and the increase in traffic on Route 22, Kelsey, and Pepper Roads. Mr. Beers responded that he has been working with Baxter & Woodman, the Village's Project Engineer, regarding traffic impacts. He stated that no modifications would be warranted for the Kelsey and Pepper Road intersection. President Richardson stated his safety concerns about the Pepper Road and Route 14 intersection. Discussion followed pertaining to the peak evening and weekend traffic, additional 5,500 trips per day, and Village's sensitivity to traffic issues. Ms. Andrea Pracht of Baxter & Woodman addressed the Board regarding the Design Engineer's estimate of a 55% increase in traffic from Route 14. She agreed with President Richardson's assessment regarding non-local traffic use along Route 14.

Trustee Burke stated his appreciation for the Planning and Zoning Boards. He questioned the wetland setbacks pertaining to this proposal. Administrator Martin responded that the proposed development meets Lake County's minimum of 50 foot setback but it does not meet the Village's 100 foot setback requirement. He stated that the Petitioner is requesting a Special Use Permits to allow development within the Village's Lowland Conservancy District, building height, and a Planned Unit Development. President Richardson stated that because this proposal provides for Annexation, under Illinois Law the Village's decisions pertaining to land use are discretionary action plans. Attorney Bateman agreed that Annexation is a privilege not a right and is a legislative action. Administrator Martin stated that the proposed building height is 55 feet compared to Lake Barrington Woods which is at 53 feet. The Code allows 35 feet otherwise a Special Use Permit would be required.

Discussion followed pertaining to lighting issues. Trustee Burke stated that he is concerned about perimeter lighting and possible light pollution. Administrator Martin stated that the new business plan for the project does not recognize outdoor use. He stated further that the lighting specifics for both security and the parking lots would be addressed by the Plan Commission during the hearing(s) to review Final Plat and Final Engineering.

Mr. Beers stated that the developer has contracts for buildings 2 and 4. Administrator Martin stated that as part of the Annexation Agreement, the Village would require architectural review hearings by the Village Board as the developer submits plans for buildings 1 and 3. Mr. Martin stated the Village would be considering the site plan and land plan now, pending an Annexation Agreement. He stated that the permitted uses would need to be modified as not all uses allowed in the "M" District would fit the proposed development. Additionally, the Village would need input from the Army Corp regarding wetland approved uses.

Trustee Schaller asked if there were any attractions for seniors. Mr. Beers responded that G23 is only the developer and would not be operating the facility. Mr. Beers stated that there should be some food service on-site.

President Richardson stated that the Village Board is trying to expedite this process while serving the residences interests through an open and transparent process. President Richardson questioned Mr. Beer's about his dialogue with Citizens for Conservation. Mr. Beers responded that the Petitioner met with Tom Vanderpoele of Citizens for Conservation regarding planting and mitigation issues and the off-site buffer along Savannah. The Petitioner is proposing the use of prairie and native plantings, consistent with the Onion Pub's landscaping.

Mr. Beers summarized the neighborhood meeting of which an estimated 55 residents attending. He stated that the Petitioner took into consideration their questionnaire responses with the amended plan which is less aggressive. Most comments pertained to lighting, security, and open space.

Discussion followed pertaining to the plan elevations, aesthetics, and stormwater capacity of Pepper Lake. Mr. Beers stated that the Onion Pub is concerned about the water table that has dropped an estimated ten feet. Mr. Beers stated that the Petitioner has generated a report which such discharge into Pepper Lake would be beneficial to the aquifer.

Board discussion followed about the proposed 501(C)3 status and its potential affect on taxes. Attorney Bateman stated that ownership and use are not necessarily the same. In the event of a 501C3, Attorney Bateman stated that the Village would require a Replacement Tax revenue for 20 years as part of the Annexation Agreement. He stated that unlike real estate taxes, bankruptcy would discharge the contractual replacement tax revenue. Mr. Beers stated that his client is willing to subsidize. Discussion followed pertaining to economics and assessments and the Village's obligation to its residents.

Mr. Tom Laue, President of the Fox Point Subdivision (Fox River Grove) and immediate past President of Barrington Youth Baseball addressed the Board relative to the participation numbers, structure, and privately funded organization. He stated that they have hired a former Barrington Park District employee and a previous strength trainer for the Chicago Bulls. In regards to demographics, Mr. Laue stated that there will continue to be youth in this area wanted to play sports. He stated that there is a huge demand and projections for this time and other surrounding facilities should not have an impact on this proposal.

President Richardson suggested that the Petitioner extend a balloon to the proposed height of the development for visual confirmation to residents on the development's impact. Mr. Laue responded that it was offered to the Plan Commission but they did not pursue the option. Since then, the footprint was changed from 60 feet from the nearest lot line to 220 feet. Mr. Laue stated that there would be a walking track and weight training onsite. He stated that memberships would not be required to use the walking track however residents would need an appointment to see a trainer.

Mr. Smith, representing the Petitioners, discussed the Petitioners stand on the Plan Commission's Motion, including but not limited to, a limitation of otherwise permitted uses and a determination of the catch-up contribution to Special Service Area No. 3. Attorney Bateman responded that the Petitioner should contact the Lake County Tax Extension Office for that information. Attorney Bateman also stated that the developer's engineer should have determined the available right-of-way for the entrance intersection and that Mr. Smith and/or Mr. Beers were incorrect to imply that the Village would be obligated to acquire additional row for this purpose, if required. Administrator Martin referred to the proposed Resolution Agenda Item 15A, which is attached hereto and incorporated into these minutes by reference. Issues discussed pertained to intersection improvements, ROW identification via survey, limited "M" zoning uses, Special uses for schooling and training, and underlying Lake County Zoning as Residential Estate. Mr. Smith stated that he received a June 28<sup>th</sup> letter from the Village's Project Engineer that preliminary issues were addressed. Ms. Andrea Pracht addressed the Board and confirmed that Baxter & Woodman has no objection to the approval of Preliminary Engineering.

Mr. Smith stated that the last issue he has is pertaining to the \$360,000 traffic signalization contribution which should be changed based on new traffic study. Administrator Martin responded that he agrees with the Petitioner that IDOT's study warrants signalization at the intersection of Route 14 and Pepper Road, but it is not a necessity. He stated that with the pending proposal, signalization is a necessity and he would recommend that the development not proceed without one. Safety concern issues, percentage of increased traffic, and estimated cost of \$750,000 for the proposed signalization project were further discussed. IDOT's funding participation, if any, would be fairly benefiting both parties. Administrator Martin stated that either a cash escrow account or Letter of Credit should be secured prior to recording of the Plat for this purpose.

Administrator Martin stated that he would recommend the proposed square footage of 399,600 be amended to read plus or minus 10% square footage would not require an amendment to these proceedings.

**Public Comment** – None.

**Board Action**

Upon the conclusion of such discussion, a motion was made by Trustee Vonder Haar and seconded by Trustee Struck to adopt Resolution No. 2007-R-17, a Resolution approving the Preliminary Plat of Subdivision for the proposed Northpointe Development.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

***President Richardson called for a 5-minute recess. The Board reconvened with all members of the Board present.***

***Due to public interest, agenda item 16C was moved up on the agenda by President Richardson.***

**SPECIAL NEW BUSINESS-OPEN SPACE**

**16C. CONSIDERATION OF GENERAL OBLIGATION BONDS**

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: Bond counsel for the Village, Chapman & Cutler in conjunction with underwriters Cabrera Capital Markets and Mesirov Financial, has prepared an Ordinance for the Board's consideration to finance the acquisition of open space with the issuance of \$5.5 million in General Obligation Bonds.

The President and Board of Trustees then discussed the proposed bond financing for the Village and considered an ordinance providing for the issuance of not to exceed \$5,500,000 General Obligation Bonds, Series 2007, of the Village and providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds.

Thereupon, the Village President presented and explained, and there was incorporated into the record in full the following ordinance:

*An Ordinance providing for the issuance of not to exceed \$5,500,000 General Obligation Bonds, Series 2007, of the Village of Lake Barrington, Lake County,*



*Illinois, and providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds.*

(the "Bond Ordinance").

**Board Discussion & Action**

Trustee Raclaw moved and Trustee Burke seconded the motion that the Bond Ordinance as presented be adopted.

A Board discussion of the matter followed. During the Board discussion, Village President Richardson gave a public recital of the nature of the matter, which included a reading of the title of the ordinance and statements (1) that the ordinance provided for the issuance of General Obligation Bonds for the purpose of paying the costs of land acquisition and improvements thereto for park and open space purposes, (2) that the bonds are issuable without referendum pursuant to the home rule powers of the Village, (3) that the ordinance provides for the levy of taxes sufficient to pay the bonds, and (4) that the ordinance provides many details for the bonds, including tax-exempt status covenants, provision for terms and form of the bonds, and appropriations.

Cabrera Capital Markets representatives were in attendance and answered questions raised by the Village Board.

Upon conclusion of such discussion, the Village President directed that the roll be called for a vote upon the motion to adopt Ordinance No. 2007-O-10, an Ordinance providing for the issuance of not to exceed \$5,500,000 General Obligation Bonds, Series 2007, of the Village of Lake Barrington, Lake County, Illinois, and providing for the levy and collection of a direct annual tax sufficient for the payment of the principal of and interest on said bonds."

Upon the roll being called, the following Trustees voted:

Aye: Trustees Burke, DeJesu, Raclaw, Schaller, Struck, Vonder Haar, and President Richardson

and the following Trustees voted:

Nay: None.

Whereupon, the Village President declared the motion carried and the ordinance adopted, and henceforth did approve and sign the same in open meeting, and did direct the Village Clerk to record the same in full in the records of the President and Board of Trustees of the Village of Lake Barrington, Lake County, Illinois.

***President Richardson proceeded with the original agenda.***

**15. NEW BUSINESS (Continued):**

**B. CONSIDERATION OF A 2-YEAR MAINTENANCE BOND: LAKE BARRINGTON PROFESSIONAL BUILDINGS**

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: Per the request of True North Development, Baxter & Woodman has reviewed the overall Planned Unit Development and Subdivision improvements to date. Baxter's letter of recommendation to release a Letter of Credit upon receipt of a two-year maintenance bond with a value of not less than \$10,305.50 based upon substantial improvements was provided to the Board.

**Board Action**

A motion was made by Trustee DeJesu and seconded by Trustee Struck to adopt Resolution No. 2007-R-18, a Resolution releasing a Performance Guarantee Letter of Credit upon

receipt of a two-year Maintenance Bond with a value of not less than \$10,305.50, subject to approval by the Village Attorney, for the Lake Barrington Professional Buildings.

The voice vote was unanimous and the motion carried.

**C. CONSIDERATION OF AN EXTENSION OF TIME AND A REDUCTION OF A PERFORMANCE GUARANTEE: WALNUT GROVE SUBDIVISION**

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: Per the request of Walnut Grove Subdivision's developer, Peak Contracting, Baxter & Woodman has reviewed the overall subdivision improvements to date. Baxter's letter of recommendation to reduce a Letter of Credit based upon substantial improvements to the subdivision is provided in the Board folder. Additionally, their existing Letter of Credit is set to expire on August 3, 2007. The Resolution would authorize the Village to call upon the existing Letter of Credit in the event that an acceptable extension is not received on or before July 24, 2007.

Board discussion followed. Administrator Martin stated that no single-family home permits have been issued yet. He reported that the developer has begun landscaping.

**Board Action**

A motion was made by Trustee Schaller and seconded by Trustee Vonder Haar to adopt Resolution No. 2007-R-19, a Resolution approving an extension and a reduction of a Performance Guarantee for the Walnut Grove Subdivision.

The voice vote was unanimous and the motion carried.

**D. CONSIDERATION OF A RESOLUTION APPOINTING GEWALT HAMILTON ASSOCIATES, INC. AS CERTIFIED ENFORCEMENT OFFICER OF THE WATERSHED DEVELOPMENT ORDINANCE AND CERTIFIED WETLAND SPECIALIST**

Administrator Martin distributed the following summary to the Board in their packets and read it aloud at the meeting: With the appointment of a new Village Engineer, the Village needs to officially change the designation of Certified Enforcement Officer of the Watershed Development Ordinance and Certified Wetland Specialist and file a copy with the Lake County Stormwater Management Commission.

Board discussion followed. Village Attorney Bateman said the Baxter & Woodman, Inc. would retain the authority over existing projects. Administrator Martin confirmed that they would continue enforcement of the site development of the Tallgrass and Walnut Grove Subdivisions and review of the proposed Northpointe Development. He stated that the single-family home permits would be reviewed by Gewalt Hamilton.

Discussion followed. Attorney Bateman stated that the officers were identified in the draft Resolution.

**Board Action**

A motion was made by Trustee DeJesu and seconded by Trustee Raclaw to adopt Resolution No. 2007-R-20, a Resolution authorizing and designating Gewalt-Hamilton Associates, Inc. as Enforcement Officer and Certified Wetland Specialist under the Watershed Development Ordinance which is part of the Village of Lake Barrington Municipal Code.

The voice vote was unanimous and the motion carried.

**16. SPECIAL NEW BUSINESS – OPEN SPACE**

**A. CONSIDERATION OF A REAL ESTATE CONTRACT**

Administrator Martin distributed the following summary to the Board in their packets: With the passage of the recent Advisory Referendum, the Village has been in the process of identifying potential open space land acquisition. An offer was extended for the purchase of land and the Board must authorize the contract in Open Session.

### **Board Discussion**

Village Attorney Bateman reported that the Ordinance would approve the proposed purchase of the Meadow Run Farm pursuant to the Board's previous agreement (in closed session). He stated that the contract approval provides for negotiations based upon the findings of the environmental studies.

Board discussion followed. Attorney Bateman stated that further action in the means of Board concurrence may be necessary if there are any post-negotiations or financial arrangements. He stated that the Board would also have the right to withdraw.

### **Board Action**

Upon the conclusion of such discussion, a motion was made by Trustee Raclaw and seconded by Trustee DeJesu to pass Ordinance No. 2007-O-11, an Ordinance authoring the acquisition of certain Real Estate by the VLB, Lake County, Illinois, and the property commonly known as 23687 N. Kelsey Road.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

## **B. CONSIDERATION OF HUFF & HUFF ENVIRONMENTAL STUDY**

Administrator Martin distributed the following summary to the Board in their packets: As a condition of a potential land purchase, the Village is seeking a Phase 1 and 2 environmental site assessment and investigation of the aforesaid property.

### **Board Discussion**

Administrator Martin explained that this represents the previous agreement for environmental services in the amount of \$12,000 which needs to be ratified by the Board. Attorney Bateman stated that Huff & Huff is doing Phase 2 testing during the Phase 1 inspection to try to keep on the Village's time schedule. The testing samples are being sent to a lab for analysis.

Discussion followed. Trustee Raclaw requested clarification as to why these studies are necessary and for which purchases. Attorney Bateman responded that properties with a risk of environmental contaminants, typically farmed land and commercially-used property should be tested. Farming uses provides risk tendency issues which may include mold, asbestos, and hydro carbonates.

President Richardson stated that Phase 2 begins if Phase 1 warrants it, which is a very detailed process involving federal protocol. More information may be obtained at [www.epa.gov/swerosps/bf/aai/aaifs.html](http://www.epa.gov/swerosps/bf/aai/aaifs.html). Attorney Bateman stated that doing these studies protects the purchaser.

### **Board Action**

A motion was made by Trustee Vonder Haar and seconded by Trustee Schaller to ratify, authorize and approve a contract in the amount of \$12,000 for a Phase I Environmental Site Assessment and Phase II Investigation of 23867 N. Kelsey Road.

Upon roll call the vote was:

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

President Richardson declared the motion carried.

**C. CONSIDERATION OF GENERAL OBLIGATION BONDS**

*Due to public interest, agenda item 16C was moved up on the agenda by President Richardson (SEE ACTION AFTER 15A).*

**17. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD** – None.

**18. CLOSED SESSION**

At 10:00 p.m., a motion was made by Trustee Schaller and seconded by Trustee Struck that a portion of the meeting be closed to the public, effective immediately, 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, and/or to discuss matters of personnel, and/or to discuss possible real estate acquisitions, as permitted by the Illinois Compiled Statutes.

Upon roll call, the vote was:

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

President Richardson declared the motion carried.

After the conclusion of Closed Session, the Board reconvened at 10:10 p.m. with all members present as the initial Roll Call.

**19. ACTION TO BE TAKEN FROM CLOSED SESSION** – None.

**20. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE VILLAGE BOARD** - None.  
(Also see public comment during items 6, 9, 12D, 15A, and 15B)

**21. OTHER:** None.

**22. ADJOURNMENT:** A motion was made by Trustee Schaller and seconded by Trustee DeJesu to adjourn the meeting. The voice vote was unanimous, the motion carried, and the meeting was adjourned at approximately 10:10 p.m.

Respectfully submitted,

Christopher A. Martin  
Village Administrator  
Recording Secretary

Cynthia L. Hoover  
Village Clerk