

**Village of Deer Park**  
**Regular Board Meeting Minutes**  
**August 16<sup>th</sup>, 2004**

**p. 1 of 9**

**1. CALL TO ORDER**

The Regular meeting of the Board of Trustees of the Village of Deer Park was held on Monday, August 16<sup>th</sup>, 2004 at the Charles Quentin Elementary, 21250 W. Shirley Road, Palatine, in the Village of Deer Park, Lake County, Illinois.

President Gifford called the meeting to order at 7:02 p.m. Board members and Guests recited the Pledge of Allegiance. Upon roll call the following were present: President Gifford, Trustees Dowell, Kizior, Plautz, Rotter and Thrun. Trustee Ekstrom was absent. Other Village Officials present were Clerk Smith, Planner Brown, Engineer Gordon, and Attorney Hargadon.

Guests present were: Stacie Shepich (22766 Long Grove Road); Robert Stanton (22766 Long Grove Road); Jim Kraner (113 Lois Lane); Jim Peterson (20230 Lea Road); Eway McLaughlin (Vehe Foundation); Teri Bridge (Vehe Foundation); Layla Broadus (23009 Thornhill Court); David Pautler (23009 Thornhill Court); Christof Heisser (20834 Swansway); Roger Hankin (20856 Swansway); Mary Lahr (201 Rue Touraine); John Lahr (201 Rue Touraine).

**2. AGENDA CHANGES AND ANNOUNCEMENTS**

President Gifford added Assignment of Architects and Contracts RE: Vehe Farm Restoration under Attorney Hargadon, and added Miscellaneous Drainage items under Engineer Gordon.

**3. CONSENT AGENDA**

Consent Agenda:

- A) **Approval and Release of Minutes from the:**
  - i) Board of Trustees Regular Meeting held 7/19/04
  - ii) Plan Commission Special Meeting held 8/9/04
- B) **Approval, Not Release, of Minutes from the:**
  - i) Board of Trustees Executive Session held 7/19/04
- C) **From the Engineer:**
  - i) Pay Request #5 for the Swansway Drainage Improvement Project in the amount of \$98,960.34 payable to Martam Construction, Inc. per the memo from Engineer Gordon dated August 4, 2004.
  - ii) Pay Request #1 for the 2004 Road Program in the amount of \$89,504.07 payable to Arrow Road Construction per the memo from Engineer Gordon dated August 9, 2004.
  - iii) Final Pay Request for Vehe Driveway in the amount of \$5,480.74 payable to Hardin Paving per the memo from Engineer Gordon dated August 4, 2004.
  - iv) Pay Request #2 for the Chapel Hill Tennis Courts in the amount of \$77,175.00 payable to Chicagoland Paving Contractors, Inc. per memo by Engineer Gordon dated August 4, 2004.
- D) **From the Attorney:**
  - i) Approval for payment to the Metropolitan Water Reclamation District of \$85,530 in annexation fees for the 28.51 acres of land transferred to Deer Park pursuant to the Kildeer Boundary Agreement.
  - ii) Adoption of Ordinance 04-29: Amendment to Deer Park Municipal Code Chapter 30: Board of Trustees changing the start time for Regular Board of Trustee Meetings to 7:00 p.m. pursuant to a vote by the Board at the June 2004 Board meeting.

MOTION: by Dowell second by Thrun to accept the Consent Agenda. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

**Village of Deer Park**  
**Regular Board Meeting Minutes**  
**August 16<sup>th</sup>, 2004**

p. 2 of 9

**4. VEHE FARM FOUNDATION REPORT**

Teri Bridge, Vehe Farm Foundation President, reported a successful Children's Farm Day with approximately 400-500 people present. Mrs. Bridge showed the most successful exhibit which featured an aerial photo from 2002 overlaid with a 1907 plat map which allowed visitors to determine whose farm they were now living on. Mrs. Bridge acknowledged the donation of Gewalt Hamilton services in preparation of the exhibit, and extended thanks on behalf of the Vehe Farm Foundation.

Mrs. Bridge reviewed the numerous Vehe relatives who have visited the site, both on the Childrens' Farm Day, and subsequently.

Jim Peterson reviewed the summary of Barn and Outbuilding Construction Program dated August 10, 2004. Contractor is still working on foundation and underpinning work; should be back on schedule by the end of the month.

MOTION: by Kizior second by Dowell to approve Pay Request #2 payable to R&W Clark Construction in the amount of \$19,101. Upon Roll Call:

Yes: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

President Gifford noted that Mr. Peterson is monitoring the progress and contracted payment schedule closely.

MOTION: by Kizior second by Dowell to approve a Pay Request payable to HPZS in the amount of \$1004.80 for architectural services rendered during the month of July. Upon Roll Call:

YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

Mr. Peterson noted that bid proposals were received for the Village office exterior maintenance program; noted that the next time the interior is painted, the Board may wish to consider a vapor barrier paint to lower humidity and condensation levels. Trustee Plautz suggested a master list of all work done to the Farmhouse should be compiled and maintained.

MOTION: by Plautz second by Dowell to accept JTP contracting for the amount of \$2995 for painting per the proposal dated 7/20/04. Upon Roll Call:

YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

Mr. Peterson noted the Vehe Farm Foundation needs more volunteers.

Teri Bridge reported the Vehe Farm Foundation has agreed to the suggested changes in the amendment to the Foundation Agreement. Attorney Hargadon noted a final agreement would be prepared for signatures.

President Gifford thanked Farm Foundation volunteers—noted there was a constant flow of people all day long at the Children's Day Event.

**5. PARKS LANDSCAPING AND MAINTENANCE**

**A. Parks Landscaping and Maintenance Guidelines**

Trustee Kizior asked for other revisions suggestions for the Parks Landscaping and Maintenance Guidelines; previous recommendations were incorporated. Trustee Dowell noted Algae Control section should include language regarding coverage of ponds and lakes that are Village responsibility, not private ponds or lakes. Trustee Plautz clarified the Village will only reimburse on a percentage basis for actual expenses incurred.

**Village of Deer Park**  
**Regular Board Meeting Minutes**  
**August 16<sup>th</sup>, 2004**

**p. 3 of 9**

MOTION: by Kizior second by Plautz to resolve the Village accept the Parks Landscaping and Maintenance Guidelines Version (8/12/04 v 03), subject to modification suggested regarding algae control. Guidelines to be effective immediately. Upon Voice Vote:

YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

Attorney Hargadon suggested the Board approve a Resolution adopting the guidelines at the next meeting.

Guidelines to be distributed to each Homeowners Association, added to the web site and published in the newsletter.

**B. Park Hill Homeowners Association**

Jim Kraner, representing the Homeowners Association, presented receipts for replanting of the island entrance; no signage work was done.

MOTION: by Kizior second by Thrun to approve the petition for payment to the Park Hill Homeowners Association, subject to the approval of Trustee Kizior after inspection of the work to verify compliance with the guidelines, up to 70 % of costs incurred for landscaping entrance work. Upon Roll Call:

YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

Trustee Dowell noted he has not been directly involved with the Association since becoming a Trustee; previously was the Treasurer of the Association.

Mr. Kraner thanked the Board for the Lois Lane turnaround work. Libby Ferracane seconded the appreciative comments.

**6. FENCE ORDINANCE AMENDMENT**

**A. Barb Evans—Fence Amendment**

Barb Evans, Zoning Board of Appeals member, addressed the Board regarding recent Fence Ordinance Amendment deliberations. Mrs. Evans noted she was speaking as a resident, not on behalf of the ZBA. Mrs. Evans noted she was asked and honored to serve on the ZBA; takes volunteering seriously. Fences have become a hot topic; per June 3<sup>rd</sup> memo from LBB—ZBA was asked to review and make recommendations regarding the fence ordinance.

Mrs. Evans believes the recommendations of the ZBA were prematurely dismissed, and asked the Board to take the recommendations more seriously in order to value volunteers and serve residents.

Beth Noll, ZBA Member, also sent a supporting email; copies were distributed to Board members.

Mrs. Evans noted the Village was a rural community; now a commercial and residential community. Asking Board to think about how growth has affected residents; many residents would like relief from impact of the commercial development in the form of amended fence restrictions.

President Gifford expressed thanks to Mrs. Evans for volunteer work; and noted the obligation of the Board is to look at recommendations, but the Board is not bound to follow them.

Mrs. Evans felt that the Minutes of the Zoning Board discussion could have covered the topic more fully to give the Board a better understanding of the discussion, and noted she has never served on a Board or committee where only one member of the group approves the minutes.

**Village of Deer Park**  
**Regular Board Meeting Minutes**  
**August 16<sup>th</sup>, 2004**

p. 4 of 9

President Gifford and Trustee Dowell both stated they felt there was appropriate discussion; and the recommendations were taken seriously. Trustee Dowell stated the spirit of the last meeting was that this issue was not going away; this was one step in the process.

Planner Jim Brown stated that several of the ZBA recommendations were approved, such as addressing the vision triangles, changes in the text of the ordinance, and materials. The biggest, most contentious recommendation is the one the Board did not adopt.

Mrs. Evans asked what the next step would be at this time. Trustee Rotter stated he was not certain what the next step would be—real issue is the height of the fences. The County is not interested in fences on Long Grove, due to concern around tunneling. Mrs. Evans feels the main issue is on Lake Cook and Quentin Roads. Trustee Rotter reiterated that the County says fences alone do not reduce noise. Both fence and landscaping together will reduce noise; a berm is the most effective. Berm alternative is highest in cost and incurs problems with septic fields.

Trustee Rotter noted the Board could discuss the issue, looking at Lake Cook and Quentin separately; although he believes they were addressed adequately at previous discussions. Trustee Rotter reiterated requirements by the County regarding required setback on Quentin Road. Majority position on the Board supported actions taken.

Jim Brown stated Teska was originally directed to look at Cuba, Long Grove and Rand. Memos with recommendations for height and materials were prepared.

Attorney Hargadon reviewed, from the Minutes of the July meeting, actions to be taken regarding fence amendments pursuant to a 4-1 vote of the Board.

**B. Stanton Fence Variance Request**

Board discussed fence ordinance changes in relation to fence variance request. Definition of front yard will impact Stanton variance request; would call for more of a variance due to vision triangle required. Attorney Hargadon noted the petition would be heard under the old ordinance requirements, but with information for the new ordinance going forward as a frame.

Board asked petitioner to look at the old wire fence (approximately 5 feet with 2 old farm posts) on the property. Trustee Rotter to walk the fence line with petitioner.

Board requested Teska to also add maintenance provisions for fences to suggested ordinance revisions.

Petitioner asked for time to gather information on the ordinance, and changes being recommended, and make a presentation at the next Board meeting October 18<sup>th</sup> (petitioner is getting married in September). Board approved. Deadline for materials to be turned in is October 11<sup>th</sup>.

**7. REPORTS**

**A. President Gifford**

- i) Drainage issue—Engineer Gordon noted certain funds had been allocated for routine jetting and cleaning of culverts through Ela Townships. Ela has completed several subdivisions; two of the subdivisions are in the road program for next year. Ela has provided a summary of findings; recommending several street culverts that need replacement. Engineer Gordon will investigate those culverts indicated as problematic; most are either old or have not been cleaned out in many years. Will most likely recommend replacing prior to the road program; will address in a memo next month. Engineer Gordon hopes to do this work this fall. Budget was \$8000; authorized Ela Township for \$6500. Actual cost came out just under \$8000. Coordinating issue with Trustee Ekstrom.

**Village of Deer Park**  
**Regular Board Meeting Minutes**  
**August 16<sup>th</sup>, 2004**

**p. 5 of 9**

Trustee Plautz noted she has been very impressed with Ela Township. Trimmed near a street sign for visibility and picked up a dead animal within hours of phoning; per Engineer Gordon, Ela has been very responsive.

- ii) Illinois Affordable Housing: President Gifford referenced the Illinois Affordable Housing Memo and information included in Board packets. Board needs to have Teska survey with inclusion of new houses in Cook County, and give Board recommendations for alternatives under the law. Board members noted the Village is required to do an independent study for analysis, and the need to begin preparation for compliance; Board consensus to have President Gifford authorize Teska to begin a study.

Planner Brown noted Teska will attend the August 25<sup>th</sup> meeting referenced in the August 10<sup>th</sup> letter from the Illinois Housing Development Authority on behalf of the municipalities they represent.

- iii) TIF Agreement—originally approved \$10,000 for Phase 1 of a three-phase study. Actual cost stated in the letter from Planner Savoy dated July 20, 2004 is \$11,000. Planner Brown indicated an adjustment to \$10,000 was approved by the Principals of Teska. Phases 2 and 3 referenced in the engagement letter will be stricken and addressed at a future date. President Gifford to sign engagement letter for Phase 1 only at \$10,000.
- iv) Weed ordinance—President Gifford has received a letter from Mr. Russell McElwain regarding weeds on Lot 4; weeds will be taken care of shortly.

**B. Trustee Kizior—Parks and Recreation**

- i) Walking paths—Engineer Gordon reported the path project bid was for 4 separate locations; last month the Board deleted one location due to need to reconfigure layout of the path. After discussions with T Wallace (contractor on the project)-recommend contract based on estimates and quantities as a lump sum as opposed to unit costs. At \$26,140, the project is still approximately \$5,000 under what was approved at the last Board meeting. Trustee Kizior authorized the contractor to proceed, as within the guidelines of the decision of the Board last month; apprising Board of decision. If material costs are higher, would expect profit of subcontractor to be less; if costs are lower, would expect contractor to make more. Believe this is fair due to changes in the project after bidding was complete.
- ii) Update on Quentin Road—Plote was out today starting repairs to one of the drainage issues at the northern retaining wall. Cook County Engineer to keep engineer Gordon informed of progress.
- iii) Parks Usage Fall 2004 included in the Board package. Meeting held to review usage by agencies.
- iv) Board approval on expenditures for park system
  - a. Charlie Brown Park—2 bids received for pines to the south and west of the tennis court; recommend Care of Trees for the work.

MOTION: by Dowell second by Thrun to approve the bid from the Care of Trees in the amount of \$450 for pruning at Charles Brown Park dated 8/9/04;  
Upon Roll Call:

YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

- b. Maintenance of park beds—2 bids received. Have spruced up beds and added mulch to create beds, as some of the lawn equipment was cutting into the young trees. Recommend bid from Maloney landscaping for \$3,000 (\$1,000 per month in August, September, and October). In the future, Trustee Kizior intends to bid out for spring cleanup, monthly maintenance and fall cleanup.

**Village of Deer Park**  
**Regular Board Meeting Minutes**  
**August 16<sup>th</sup>, 2004**

**p. 6 of 9**

MOTION: by Dowell second by Kizior to accept the bid from Maloney Landscaping in the amount of \$3,000 for planting bed maintenance. Upon Roll Call:

YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

- c. Approve 2 additional bids—One for Chicagoland Greenskeeper to finish edging of beds at Charles Brown Park for \$575; one for M & S Landscaping to do edging at Squires Park for \$575. Trustee Kizior indicated he prefers to utilize more than one vendor for flexibility.

MOTION: by Dowell second by Kizior to accept bids from Chicagoland Greenskeeper (undated) for edging at Charles Brown Park in the amount of \$575, and from M&S Landscaping dated 8/11/2004 for edging at Squires Park in the amount of \$575. Upon Roll Call:

YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

- d. Chapel Hill Entrance—Trees: Trustee Kizior noted there is a small section of trees at the entrance of Chapel Hill between the tennis court and Cuba road, near Hypoint drive that need to be trimmed. Two estimates received, but not equivalent comparisons, as an additional downed tree and other trimming are also needed, which are included in Gitchels' bid. Recommend Gitchels bid as more extensive. Will help keep debris off tennis court and make maintenance of park easier.

MOTION: by Kizior second by Thrun to accept the quote from Gitchels Tree Service dated August 15, 2004 in the amount of \$4200 for work at Chapel Hill. Upon Roll Call:

YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

- e. Rue Royale issues: Follow-up items related to Quentin improvements: hole dug, not filled in—Trustee Kizior to correct. Mrs. Lahr has indicated that the Jacksons will not cut the "Lake County easements" along Quentin and Lake Cook; the Lahrs will not cut the Village easement along Rue Royale. Trustee Kizior position is that it is not the Village responsibility to cut all of the easements; Village relies on residents to cut Village right of way; told Mrs. Lahr Village will not cut these easements. Need to verify if requirement for residents to cut rights of way is included in ordinances; if not, need to add to ordinances. Third item: part of the agreement between the Village of Deer Park, Gewalt Hamilton, and Plote; Village would take over tree issues. Trees involved are: tree damaged on Rue Royale; four trees cut down on the Jacksons property, and tree damaged on the Evans property. Last one to be taken care of is the tree on Rue Royale. Care of Trees quoted \$450; supposed to have been taken care of Friday; suspect he will do at the same time as the park. Believe there is a 60% chance the tree can be saved. If tree dies, will cut and remove, if in the easement. Believe trees are in the easement; need to verify, as there is confusion due to Mrs. Lahr removing stakes marking the site. Mrs. Lahr felt the survey was not done correctly; believes the tree is on her property. If in the easement, Board supported replacing trees; however, the Board has never replaced on a like-size basis. Trustee Kizior to determine appropriate size for replacement tree, if tree in question is in the easement.

**Village of Deer Park**  
**Regular Board Meeting Minutes**  
**August 16<sup>th</sup>, 2004**

**p. 7 of 9**

**C. Trustee Rotter-**

Trustee Rotter has been working with issues with fence and drainage complaints in Ravenswing Subdivision. Over the last few months, Trustee Rotter has worked with the Village Engineer and the B&Z Inspector reviewing the situation. A letter has been sent to one of the residents indicating the Village position. In summary, with regard to drainage issues, it is the conclusion of our experts there is not a drainage problem between the houses. Engineer Gordon noted the drainage between the two homes is in question. There is a significant amount of landscaping material between the homes within the 20 ft drainage easement. On one property drainage is being maintained by a small hand trench; summit point drains towards the front towards the Village right of way. Sheet drains work to drain to the nearby pond on Deerpath Road. Trustee Rotter noted that, in the early 90s, the developer saw fit to fill in the road ditches in front of the home around the cul de sac for unknown reasons. Does not seem to be exacerbating drainage issue.

Second issue addressed in the letter is in regards to a stump fence on one of the properties. Trustee Rotter has met with the homeowner; he will remove and apply for proper fencing along that side of the lot in accordance with the ordinance.

The stump "wall" on the property will also be removed. Per discussions with the property owner, Trustee Rotter believes the Village should receive a letter indicating they will remove these items. Requested time frame; indication was that it would be this year—Trustee Rotter requested the timeframe be included in the letter to the Village.

Discussion regarding fence on the north side that is 6" out of variance. Noted as minor, not requiring action since the fence has been up for so long.

Trustee Rotter indicated the property has been looked at in both dry and wet conditions, spoken with both homeowners, and Village has arrived at a position.

**D. Trustee Plautz—Health and Sanitation**

- i) Construction recycling; Trustee Plautz reported this issue has not been followed up on with action on the Board. Issue has been brought up again due to townhome construction. SWALCO is recommending two ordinances: one ordinance is for construction recycling. Developer has to pay cost to take away waste products; not requiring more money, just dividing similar costs differently. Second ordinance is for requirement regarding recycling space to be allowed. SWALCO will do preliminary work; will have model ordinance ready soon. Attorney Hargadon asked for other Villages who may have incorporated this into their code, as he could not identify any others in Illinois to compare with SWALCO model ordinance. Trustee Plautz to supply names of other Villages who have adopted similar ordinances.
- ii) Movie times—Attorney Hargadon verified time restrictions were included in the Planned Development Ordinance—last movie may start no later than 11:00 Sunday – Thursday; midnight on Friday and Saturday.
- iii) Animals on private property Village will not pay for removal of unwanted animals on private property. Lake County will not bill private individuals; will only work with municipalities. In the past, live animals (Lake County will not pick up dead) on homeowners' property have been handled by the resident calling the County; County verifies with the Administrator, the County bills the Village; the Village bills resident. County won't bill residents; Lake County animal control ordinance states the County will only bill Village. Elia Township will only remove dead animals on the road. Attorney Hargadon stated he does not believe the County has concurrent jurisdiction to force the Village to pay. Trustee Rotter indicated, in his experience, the County billing rate is much less than private contractors, and homeowners must do own due diligence regarding costs. The issue within the Village office is that our Treasurer becomes the collection agency. Board requested Treasurer forward bills directly to the homeowner; do not pay County directly. Requested information be provided in the newsletter for homeowners.

**Village of Deer Park**  
**Regular Board Meeting Minutes**  
**August 16<sup>th</sup>, 2004**

**p. 8 of 9**

- iv) Rock at Deer Park Town Center: Trustee Plautz asked if there is a Village policy regarding responses to resident complaints. Administrator Diesen-Dahl noted there is not a policy. Resident has expressed frustration with follow up regarding complaint concerning a landscaping rock at Deer Park Town Center; Administrator Diesen-Dahl stated she has communicated repeatedly to both the homeowner and Trustee Ekstrom regarding this issue. Complaints are filed in the office by address. Attorney Hargadon indicated that the Village has no jurisdiction over this matter.
- v) Exterior color on movie theater is being followed up.

**E. Attorney Hargadon**

- i) Assignment of Contracts:  
Pursuant to the Amendment to the Vehe Farm Foundation approved by the Board, construction on the Barn and Outbuildings is to be done in the name of the Village. Board action required to assign HZPS architectural contract and the construction contracts with the Vehe Farm Foundation to the Village of Deer Park.

MOTION: by Dowell second by Kizior to accept the assignment and acceptance of architectural and construction contracts for the Vehe Farm by and between the Vehe Foundation. Upon Roll Call:

YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

**8. TREASURERS INFORMATION**

MOTION: by Dowell second by Kizior to approve the Investments Held report dated 7/31/2004. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

**9. CASH DISBURSEMENTS**

MOTION: by Dowell second by Thrun to approve the Cash Disbursements for the period 7/20/04 – 8/16/04 in the amount of \$757,073.61. Upon roll call:

YES: (5) Dowell, Kizior, Plautz, Rotter, Thrun

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

Trustee Rotter reiterated his request to have a column regarding appropriations of a line item by votes as a running total against the budget.

The 5 year plan financial information has been delayed due to vacations.

**10. PUBLIC COMMENTS**

Resident Mary Lahr—Noted that, in the late 1990s, the Village annexed a parcel on the south side of Lake Cook Road known as the Smith property. The Smiths were permitted to construct a stockade fence up to 8 ft tall. Part of the discussion on fences should be inclusive of such items. Board members believed the nonconforming fence was a pre-existing condition; the Village did not allow the construction after the annexation. Mrs. Lahr noted Smiths put up a taller one that was called out in the annexation agreement; fence was 6' tall- is now 8'. President Gifford indicated the Board would look into the issue.

Resident David Pautler—(husband of Layla Broadus) thanked Trustee Rotter for his attempts to deal with the problems reported. Mr. Pautier stated the trench that was dug does not address all the issues present. Also have some issues with potential runoff in the front. Mr. Pautler is willing to take a look at what happens in the next few months; if issues are not solved, will have to come back to the Board for further remedies. Have seen no further action on the part of the neighbor to solve the issue. Hope this resolves. Mr. Pautler asked the



**Village of Deer Park**  
**Regular Board Meeting Minutes**  
**August 16<sup>th</sup>, 2004**

**p. 9 of 9**

Board to keep in mind that neither he nor Layla Broadus changed the drainage. Will keep the Board apprised. President Gifford noted Engineer Gordon visited after a large rainfall, noting no drainage problems at that time.

**Resident Roger Hankin**—Mr. Hankin noted he asked about impact fees for United Land at the last Board meeting. At that time the Village Attorney purported fees would be paid. Treasurer stated that, for the two buildings they have permits on, they have been paid. Have paid fire, no system for library. School is paid when people move in. United Land is current. Mrs. Lahr stated impact fees are due when plat of subdivision is approved. Administrator Diesen-Dahl stated fees are paid at the time of permit for each building. The fire department has received money due. Checks for the school district have not been issued, as this usually happens when occupancy is approved.

**Resident Barb Evans**—thanked the Board for support of CAC; Mrs. Evans is leaving at the end of the month. Thanked Board for support on behalf of support offered previously; Mrs. Evans will continue to work behind the scenes. President Gifford thanked Mrs. Evans for the effort and the years (10 in January), noting the community is a better place for her involvement.

**11. ADJOURNMENT TO EXECUTIVE SESSION**

MOTION: by Dowell second by Kizior to adjourn to Executive Session to discuss ongoing litigation, after a 5 minute break. Upon roll call:

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was temporarily adjourned at 9:08 p.m.

**12. REOPEN REGULAR MEETING**

MOTION: by Dowell second by Thrun to reopen the Regular Meeting of the Board of Trustees. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was reopened at 9:40 p.m.

**13. ADJOURNMENT**

MOTION: by Thrun second by Kizior to adjourn the Regular Meeting of the Board of Trustees. Upon voice vote:

YES: (5)

NO: (0)

ABSENT: (1) Ekstrom

Motion Carried 5/0

The Regular Meeting of the Board of Trustees was adjourned at 9:45 p.m.

---

H. Scott Gifford, President

---

Sandra R. Smith, Village Clerk